

EXEMPTION FROM SUBSECTIONS 401.12(2), 402.08(2) AND (3) OF THE CANADIAN AVIATION REGULATIONS

Pursuant to subsection 5.9(2) of the *Aeronautics Act*, and after having taken into account that this exemption is in the public interest and is not likely to adversely affect aviation safety or security, I hereby exempt **all holders of valid Canadian Aviation Document Booklets**, from the requirements of subsections 401.12(2), 402.08(2) and (3) of the *Canadian Aviation Regulations* (CARs), subject to the conditions set out below.

Subsection 401.12(2) of the CARs states that the validity period of a flight crew permit or licence that is issued in the form of a booklet label starts on the day on which it is issued and ends on the expiry date of the aviation document booklet in which it is affixed.

Subsection 402.08(2) of the CARs states that the validity period of an air traffic controller licence that is issued in the form of a booklet label starts on the day on which it is issued and ends on the expiry date of the aviation document booklet in which it is affixed.

Subsection 402.08(3) of the CARs states that the expiry date of an aviation document booklet that has an air traffic controller licence affixed in it is:

- (a) the first day of the sixty-first month following the day on which the booklet was issued, if the application for the licence included documentation establishing that the holder demonstrated an expert level ability during their language proficiency evaluation; or
- (b) the first day of the sixty-first month following the day on which the holder's language proficiency evaluation was conducted, if the application for the licence included documentation establishing that the holder demonstrated an operational level ability during the evaluation.

The above-mentioned provisions are reproduced in **Appendix A**.

PURPOSE

The purpose of this exemption is to adopt temporary measures in the public interest to enable all holders of valid Canadian Aviation Document Booklets to continue operations following supply chain issues that have not been resolved since the end of the COVID pandemic.

More specifically, this exemption allows **all holders of Canadian Aviation Document Booklets that were still valid on April 1, 2023** to continue exercising the privileges stated in their booklet **until August 31, 2024**; or beyond if the expiry date affixed in the booklet is later.

This exemption reinstates the regulatory relief previously granted under similar exemption NCR-059-2021.

APPLICATION

This exemption applies only to holders of Aviation Document Booklets (ADB) that were still valid on April 1, 2023.

This exemption ceases to apply to a holder of a valid Aviation Document Booklet who breaches a condition of this exemption.

This exemption only extends the validity date of the ADB and consequently any Licence or Permit. Only the validity date of the ADB shall be extended and shall not change the validity of any Rating with a validity date listed on the Permit or Licence.

CONDITIONS

This exemption is subject to the following condition:

1. The validity period extension to ADB identified in subsections 401.12(2) or 402.08(2) and (3) of the CARs shall be applied to those booklets that were still valid on April 1, 2023.
2. Persons having Level 4 Operational Language proficiency shall have successfully renewed their Language proficiency and carry a copy of the feedback letter with their ADB.
3. Persons making use of this exemption shall endeavor to renew their ADB as soon as practicable.

VALIDITY:

This exemption is in effect from August 28, 2023 until the earliest of the following:

- (a) August 31, 2024 at 23:59 (EDT); or
- (b) The date on which the exemption is cancelled in writing by the Minister where he is of the opinion that it is no longer in the public interest or is likely to adversely affect aviation safety or security.

DATED at Ottawa, Ontario, on this 28th day of August, 2023, on behalf of the Minister of Transport.

“Original signed by”

Félix Meunier
Director General
Civil Aviation
Transport Canada

Appendix A

Pertinent provisions of the *Canadian Aviation Regulations*

Validity of Flight Crew Permits and Licences

401.12 (1) A flight crew permit or licence that is issued in the form of a booklet label is not valid unless

- (a) the label is affixed in an aviation document booklet;
- (b) the booklet number displayed on the label matches the number of the booklet; and
- (c) the booklet is signed by the holder.

(2) The validity period of a flight crew permit or licence that is issued in the form of a booklet label starts on the day on which it is issued and ends on the expiry date of the aviation document booklet in which it is affixed.

(3) The expiry date of an aviation document booklet that has a flight crew permit affixed in it but does not have a flight crew licence affixed in it is the first day of the 121st month following the day on which the booklet was issued.

(4) The expiry date of an aviation document booklet that has a flight crew licence affixed in it is

- (a) the first day of the 121st month following the day on which the booklet was issued, if the application for the licence included documentation establishing that the holder demonstrated an expert level ability during their language proficiency evaluation; or
- (b) the first day of the 121st month following the day on which the holder's language proficiency evaluation was conducted, if the application for the licence included documentation establishing that the holder demonstrated an operational level ability during the evaluation.

(5) A flight crew permit or licence that was not issued in the form of a booklet label and is listed in column 1 of the table this subsection is valid until the day set out in column 2.

TABLE

Item	Column 1 Flight Crew Permit or Licence	Column 2 Expiry Date
1	Airline transport pilot licence — aeroplane	June 30, 2010
2	Airline transport pilot licence — helicopter	June 30, 2010
3	Commercial pilot licence — aeroplane	June 30, 2010
4	Commercial pilot licence — helicopter	June 30, 2010
5	Private pilot licence — aeroplane	June 30, 2010

	Column 1	Column 2
Item	Flight Crew Permit or Licence	Expiry Date
6	Private pilot licence — helicopter	June 30, 2010
7	Flight engineer licence	June 30, 2010
8	Pilot licence — glider	December 31, 2010
9	Pilot licence — balloon	December 31, 2010
10	Pilot permit — recreational	December 31, 2010
11	Pilot permit — gyroplane	December 31, 2010
12	Pilot permit — ultra-light aeroplane	December 31, 2010

Validity of Air Traffic Controller Licences

402.08 (1) An air traffic controller licence that is issued in the form of a booklet label is not valid unless

- (a) the label is affixed in an aviation document booklet;
- (b) the booklet number displayed on the label matches the number of the booklet; and
- (c) the booklet is signed by the holder.

(2) The validity period of an air traffic controller licence that is issued in the form of a booklet label starts on the day on which it is issued and ends on the expiry date of the aviation document booklet in which it is affixed.

(3) The expiry date of an aviation document booklet that has an air traffic controller licence affixed in it is

- (a) the first day of the sixty-first month following the day on which the booklet was issued, if the application for the licence included documentation establishing that the holder demonstrated an expert level ability during their language proficiency evaluation; or
- (b) the first day of the sixty-first month following the day on which the holder's language proficiency evaluation was conducted, if the application for the licence included documentation establishing that the holder demonstrated an operational level ability during the evaluation.