
PROCEDURE FOR ATFM EXEMPTIONS

IFR flights departing from airports located in Spain are eligible for ATFM exemptions in the cases specified in this procedure and subject to the conditions established herein.

To use these exemptions, the operator must enter in box 18 of the Flight Plan¹ the corresponding designator and comply with the procedures of the European Air Traffic Management (EATM) operator, as well as, where applicable, with the additional requirements contained in this procedure.

- In any case, the following are exempt (and require no additional documents to be submitted):
 - a) Flights carrying Heads of State or equivalent, with the "STS/HEAD" designator;
 - b) Flights engaged in search and rescue operations, with the "STS/SAR" designator;
 - c) Flights used for a life-critical emergency evacuation, with the "STS/MEDEVAC" designator;
 - d) Firefighting flights, with the "STS/FFR" designator.

- Use of the STS/ATFMX designator:

The STS/ATFMX designator will be used only in combination with the STS/HOSP, STS/HUM or STS/STATE designators when the urgency of the flight for which the exemption is requested is justified in accordance with the provisions of this section.

And in the event of a critical flight transporting vaccines. In this case, the STS/ATFMX designator is required to be used in combination with RMK/VACCINE in Item 18 of the Flight Plan².

Therefore, the following may use the ATFM slot exemption:

- a) Medical flights that are specifically declared by health authorities, including flights to transport organs or transplant equipment, and positioning flights if required by the situation, with the "STS/HOSP" designator.
- b) Flights operated for humanitarian reasons, with the "STS/HUM" designator.
- c) Military, customs or police flights that are urgent or that, due to the nature of their mission, cannot be delayed, with the "STS/STATE" designator. (These flights also require no additional documents to be filed).
- d) Flights to transport vaccines and that are considered critical² (those whose delay may put vaccines at risk), with the "RMK/VACCINE" designator.

[1] In accordance with the provisions of Annex III, attachment C, section 2.10.3, letter b.2 of Royal Decree 1180/2018, on Air Traffic Regulations.

[2] As laid out by the European Aviation Crisis Coordination Cell (EACCC) on 12/01/2021.

In order to use the exemptions provided for in sections a), b) and d), the flight operator must, 24 hours prior to the departure of the flight, file with ENAIRE¹ the properly completed "[ATFM departure slot exemption for medical, humanitarian and/or critical vaccine transportation flights](#)" form, providing complete information on the operation, as well as proving the nature and urgency of the flight by means of a certificate, as appropriate, from the medical team that is caring for the patient ([Medical Certificate](#)), from the person leading the transplant operation ([Certificate for Transplant Operation](#)), or authorization from the Spanish Agency for Medications and Medical Devices (AEMPS) ([Authorisation for critical transfer of vaccines](#)) or from the United Nations Agencies or other organizations responsible for the humanitarian programs or activities in which the flight is involved. In this last case, a certificate form is also available for the operator to use if it does not have its own ([Humanitarian action certificate](#)).

Exceptionally, the documentation (along with the certificate) specified above may be submitted no later than 72 hours after the flight, as long as the nature of said flight prevents filing the documentation 24 hours before the flight departure time.

"All certificates/authorizations shall be issued for a specific flight".

The ATFM slot exemption for medical and/or humanitarian flights shall be deemed granted once all the information requested in the "ATFM departure slot exemption for medical, humanitarian and/or critical vaccine transportation flights" form is provided and the corresponding certificate is attached. No reply from ENAIRE or AESA is needed.

The flight authorization for the critical transfer of vaccines must be requested from AEMPS by sending an email to logvac@aemps.es, and it must be approved by this Agency³.

The ATFM slot exemption for a vaccine transport flight shall be deemed granted once all the information requested in the "**ATFM departure slot exemption for medical, humanitarian and/or critical vaccine transportation flights**" form is provided and once said authorization is attached. No reply from ENAIRE or AESA is needed.

Once the form is properly filled in, and it and the corresponding certificate (if required) are satisfactorily submitted to ENAIRE⁴, the operator will receive the associated record (proof that the exemption requested for the flight has been approved). This guarantees that the operator has a record of the exemptions received with the STS/ATFMX designator, as required by law.

[3] As per NOTAMs B0623-21 and B0624-21

[4] ENAIRE Web page

OVERSIGHT

AESA's oversight is defined in Article 29.5 of Chapter VI of the Air Traffic Regulation (RD 1180/2018), as follows:

"In order to enforce the requirements specified for using ATFM exemptions, the National Aviation Safety Agency shall use the data provided by the European Air Traffic Management Network (EATMN) operator. ENAIRE (as the ATFM manager) and operators must keep the supporting documentation required as per the provisions of this article for at least three years from the date of the exemption, and provide it to the Agency when so required".

The Network Manager provides AESA with a monthly report on all flights that have used the "STS/ATFMX" indicator. In order to strictly limit the use of exemptions to situations that require them, AESA may, as late as 36 months after the date of the flight, ask the operator for documents to justify the urgency of the mission.

The operator must keep all of the records associated with the loading/transport of the vaccines for exemptions involving this type of flight.