



EXEMPTION № BG-Ex-2020-02-ACW/CAT

EXEMPTION UNDER ARTICLE 71(1) REGULATION (EU) 2018/1139 WITH RESPECT TO EXTENSION OF VALIDITY PERIODS FOR LICENCES, RATINGS, ENDORSEMENTS, CERTIFICATES AND ATTESTATIONS OF AIRCREW, INSTRUCTORS, EXAMINERS ENGAGED IN AIR OPERATORS

1. Exemption

The DG CAA, on behalf of the Republic of Bulgaria, pursuant to Article 71 (1) of Regulation (EU) № 2018/1139, hereby exempts, subject to paragraph 4, the training and checking in accordance with Annex III (Part-ORO) to Regulation (EU) No 965/2012 as identified in paragraph 2, from any provision in that Regulation or any Implementing Rule made thereunder which provides that the privileges shall be exercised with valid pilot license and attestation in compliance with the requirements of paragraph 3.

2. Applicability

This exemption applies to Training and checking in accordance with Annex III (Part-ORO) to Regulation (EU) No 965/2012.

- Holders of Part-FCL commercial pilot licences who are required both to perform their licence proficiency check (LPC) to revalidate the validity period of their type and instrument ratings and to comply with the applicable operator recurrent training and checking requirements (OPC) in order to continue to exercise their privileges on behalf of their operator are not able to timely reach or gain access to flight simulation training devices (FSTD) to complete the necessary training and checking. Additionally, these pilots are not able to timely get access to an examination for maintaining their language proficiency. This would result in expiry of their ratings and the language proficiency endorsement.
- Holders of Part-FCL instructor and examiner certificates who are required to perform an assessment of competence to revalidate their instructor or examiner privileges in order to continue to exercise their training and checking privileges on behalf of their operator are not able to timely reach or gain access to FSTD to complete the necessary assessment of competence. This would result in expiry of said certificate.

3. Requirements

Regulation (EU) No 1178/2011, particularly:

- points FCL.055, FCL.625, FCL.740, FCL.940 and FCL.1025 of Annex I (Part-FCL)

4. Conditions of exemption

This exemption is granted subject to the following conditions:

4.1 Licences, ratings and certificates issued in accordance with Annex I (Part-FCL) to Regulation (EU) No 1178/2011.

Provided that the regular validity period of all of the following expires between 13 March 2020 and 31 October 2020, that validity period is extended as follows:

(1) by 4 months or until the end of the application of this Exemption, whichever is the shorter period of time, in the case of:

(i) class ratings, type ratings and instrument ratings endorsed in Part-FCL commercial pilot licences (CPL, MPL, ATPL) for operating aircraft representing those classes and types within an organisation for which Annex III (Part-ORO) to Regulation (EU) No 965/2012 is applicable;

(2) until the end of the application of this Exemption, in the case of:

(i) Part-FCL instructor and examiner certificates the holders of which are involved in training and checking of holders of the class and type ratings specified in point 1(i) above;

(ii) language proficiency endorsements as per point FCL.055 of Part-FCL;

If, towards the end of the period specified in point (1), the Directorate General “Civil Aviation Administration” of Republic of Bulgaria considers that the reasons for granting this Exemption still apply, the validity period of the rating or certificate may be further extended for another period of up to 4 months or the end of the application of this Exemption, whichever date comes first.

4.2 Part-FCL licence holders benefiting from this exemption shall comply with all of the following:

- (a) they shall hold a valid class or type rating;
- (b) they shall operate under the management system of an organisation for which Part-ORO is applicable;
- (c) they shall have received refresher training, followed by the completion of an assessment by means established by the operator to determine that the required level of knowledge to operate the applicable class or type is maintained. That assessment shall include class – or type – specific abnormal and emergency procedures.

Upon successful completion of the refresher training and the assessment as per point (c), the new expiry date of the relevant rating and, if applicable, the language proficiency endorsement, shall be endorsed in the licence of the pilot, either by the Directorate General “Civil Aviation Administration” of Republic of Bulgaria or by an examiner nominated by the operator and acting in accordance with point FCL.1030, as applicable.

4.3 Part-FCL instructors and examiners certificate holders benefiting from this exemption shall hold a valid instructor and, if applicable, a valid examiner certificate. The new expiry date shall be indicated in one of the following methods:

- (a) it shall be endorsed in the licence of the pilot, either by the Directorate General “Civil Aviation Administration” of Republic of Bulgaria or a (senior) examiner nominated by the operator and acting in accordance with point FCL.1030, as applicable;
- (b) it shall be endorsed by the Directorate General “Civil Aviation Administration” of Republic of Bulgaria in an attachment to the instructor or examiner certificate.

4.4 To apply any additional requirements concerned issued by the DG CAA-Bulgaria and EASA.

4.5 This Exemption BG-Ex-2020-02-ACW/CAT shall be recorded in the appropriate pilot’s records.

5. Validity

This exemption is granted to meet unforeseeable circumstances and urgent operational needs and shall have effect from 13 March 2020 until 13 November 2020 unless revoked.

X

Stanimir Leshev
Director General of DG CAA
Signed by: Stanimir Georgiev Leshev

