



**EXEMPTION № BG-Ex-2020-03-OPS**

**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 AN AIR OPERATOR**

**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 licence or cabin crew 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.
- Holders of cabin crew attestations issued in accordance with Annex V (Part-CC) to Regulation (EU) 1178/2011 who are required to undergo a recurrent training, in accordance with the applicable requirements of Part-ORO, are not able to timely reach or gain access to training facilities.

**3. Requirement**

Regulation (EU) No 965/2012, particularly:

- points ORO.GEN.110, ORO.FC.130, ORO.FC.230, ORO.FC.330, ORO.FC.A.245, ORO.CC.140 and ORO.TC.135 of Annex III (Part-ORO)
- point SPA.DG.105 of Annex V (Part-SPA)

**4. Conditions of exemption**

This exemption is granted subject to the following conditions:

**4.1 Training and checking in accordance with Annex III (Part-ORO) to Regulation (EU) No 965/2012**

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 by 4 months or until the end of the application of this Exemption, whichever is the shorter period of time:

- (1) operator proficiency checks (OPC) in accordance with points ORO.FC.230(b) and ORO.FC.330 of Part-ORO;
  - (2) operator line-oriented evaluation in accordance with point ORO.FC.A.245(d) of Part-ORO, if applicable;
  - (3) operator emergency and safety equipment training and checking in accordance with point ORO.FC.230(d) of Part-ORO;
  - (4) operator ground and flight training in accordance with point ORO.FC.230(f) of Part-ORO;
  - (5) operator cabin crew recurrent training and checking in accordance with point ORO.CC.140 of Part-ORO;
  - (6) operator technical crew recurrent training in accordance with point ORO.TC.135 of Part-ORO;
  - (7) operator line checks (LC) in accordance with point ORO.FC.230(c) of Part-ORO;
  - (8) operator dangerous goods recurrent training in accordance with point ORO.GEN.110(j) of Part-ORO and, when applicable, point SPA.DG.105(a) of Part-SPA;
  - (9) operator crew resource management recurrent training in accordance with point ORO.FC.230(e)(1) and (e)(2) of Part-ORO;
  - (10) operator recurrent training and checking in accordance with point ORO.FC.130 of Part-ORO.
- The list above includes any applicable Part-SPA recurrent training and checking elements.

If, towards the end of the period specified in the introductory sentence of this point (4.1), the Directorate General “Civil Aviation Administration” of Republic of Bulgaria considers that the reasons for granting the Exemption still apply, the validity period of relevant training and checking may be further extended for a period of up to 4 months or by 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 Operators benefiting from this exemption shall comply with all of the following:**

- (a) The operator shall ensure that flight crew members benefiting from this exemption comply with the refresher training specified in point (4.2) above in all of the following cases:
- (i) operator proficiency checks (OPC) in accordance with point ORO.FC.230(b);
  - (ii) line checks in accordance with point ORO.FC.230(c);
  - (iii) line-oriented evaluation in accordance with point ORO.FC.A.245(d), if applicable.
- (b) In addition to point (a) above, the refresher training mentioned in point (4.2)(c) shall include any additional Part-SPA related elements, as applicable.
- (c) The operator shall ensure that crew members complete additional training through any means in all of the following cases:
- (i) operator emergency and safety equipment training and checking in accordance with ORO.FC.230(d);
  - (ii) ground and flight training in accordance with point ORO.FC.230(f);
  - (iii) OPC for commercial specialised operations and CAT operations referred to in point ORO.FC.005(B)(1) and (2), in accordance with point ORO.FC.330;
  - (iv) cabin crew recurrent training and checking in accordance with point ORO.CC.140;
  - (v) technical crew recurrent training in accordance with point ORO.TC.135.
  - (vi) dangerous goods recurrent training in accordance with point ORO.GEN.110(j) and, when applicable, point SPA.DG.105(a);
  - (vii) crew resource management recurrent training in accordance with point ORO.FC.230(e)(1) and (e)(2);
  - (viii) operator recurrent training and checking in accordance with point ORO.FC.130 of Part-ORO.

Note: The intent of “through any means” is that operators provide additional training to crew members in order to compensate for the extended validity of the different training elements of Part-ORO and Part-SPA, as applicable. This could be done for example via briefing/leaflet/bulletin/CBT/video.

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

4.6 This Exemption BG-Ex-2020-03-OPS shall be recorded in the appropriate airopoperator’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



