



EXEMPTION № BG-Ex-2020-05-ACW/GA

**EXEMPTION UNDER ARTICLE 71(1) REGULATION (EU) 2018/1139 IN RESPECT
OF EXTENSION OF VALIDITY AND OTHER TIME PERIODS FOR LICENCES,
RATINGS, PRIVILEGES, ENDORSEMENTS AND CERTIFICATES OF PILOTS,
INSTRUCTORS AND EXAMINERS ENGAGED IN GENERAL AVIATION
OPERATIONS AND TRAINING ORGANISATIONS**

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, checking, theoretical knowledge examinations and other relevant requirements as identified in paragraph 2, from any provision in that Regulation or any Implementing Rules made thereunder which provides that the privileges shall be exercised with valid pilot license or as appropriate, in compliance with the requirements of paragraph 3.

2. Applicability

This exemption applies to training, checking and theoretical knowledge examinations in accordance with Annex I (Part-FCL) to Regulation (EU) No 1178/2011.

- Holders of Part-FCL pilot licences who are required to perform their licence proficiency check (LPC) to revalidate the validity period of their class ratings, type ratings, instrument and mountain ratings are not able to timely reach or gain access to aircraft or flight simulation training devices (FSTDs) to complete the necessary flights, 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 LAPLs, BPLs, SPLs as well as of mountain ratings or sailplane cloud flying ratings are not able to maintain recent experience related to their privileges.
- 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 are not able to timely reach or gain access to aircraft or FSTDs to complete the necessary assessment of competence. This would result in expiry of said certificate.
- Holders of Part-MED medical certificates who are required to undergo a recurrent medical examination to revalidate their medical certificate to continue to exercise their licence or certificate privileges are not able to timely reach or gain access to an aeromedical examiner (AME) or aeromedical centre (AeMC) to complete the necessary medical examination. In addition, in many cases medical examiners have been reassigned to support the COVID-19 outbreak in their State. This would result in expiry of said certificates.
- Holders of aeromedical examiner certificates as per (Part-MED) to Regulation 1178/2011 who are required to perform medical examinations of the applicants for a medical certificate in order to revalidate their relevant AME privileges are not able to timely reach or gain access to their competent authorities. This would result in expiry of said certificates.
- Applicants for the issue of a licence or an instrument rating are not able to timely reach the competent authority to complete theoretical knowledge examinations within the time periods specified in points (a)(3) and (b)(2) of point FCL.025 of Part-FCL.
- After completion of theoretical knowledge examinations, applicants for the issue of a licence or an instrument rating are not able to access training facilities and training aircraft or



FSTDs in order continue with practical training within the time periods specified in point FCL.025(c)(1) of Part-FCL.

- Applicants for a class or a type rating are not able to access training facilities as well as training aircraft or FSTDs in order to comply with the second subparagraph of point FCL.725(c) of Part-FCL.

3. Requirement

Regulation (EU) No 1178/2011, particularly:

- points FCL.025, FCL.055, FCL.060, FCL.140.A, FCL.140.H, FCL.130.S, FCL.140.S, FCL.130.B, FCL.140.B, FCL.220.S, FCL.230.S, FCL.220.B, FCL.230.B, FCL.625, FCL.725, FCL.740, FCL.735.A, FCL.735.H, FCL.805, FCL.810, FCL.815, FCL.825, FCL.830, FCL.815, FCL.940 and FCL.1025 of as well as point (1) of Section H of Appendix 3 to Annex I (Part-FCL)

- points MED.A.045 and MED.D.030 of Annex IV (Part-MED)

Regulation (EU) 2018/395, particularly points BFCL.135, BFCL.160, BFCL.200, BFCL.215 and BFCL.360 of Annex III (Part-BFCL)

Regulation (EU) 2018/1976, particularly points SFCL.135, SFCL.155, SFCL.160, SFCL.205, SFCL.215 and SFCL.360 of Annex III (Part-SFCL)

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, Regulation (EU) 2018/395 and Regulation (EU) 2018/1976

(a) 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 period of time is shorter, in the case of validity periods of all of the following:

(i) class ratings, type ratings and instrument ratings endorsed in Part-FCL pilot licences the holders of which are not involved in the operation of aircraft representing those classes and types within an organisation for which Annex III (Part-ORO) to Regulation (EU) No 965/2012 is applicable¹;

(ii) mountain ratings;

(2) until the end of the application of this Exemption, in the case of validity periods or time periods, as applicable, of all of the following:

(i) Part-FCL instructor and examiner certificates;

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

(iii) recommendations for taking theoretical knowledge examinations, issued by a DTO or by an ATO in accordance with point FCL.025(a)(3) of Part-FCL, point BFCL.135(b)(3) of Part-BFCL and point SFCL.135(b)(3) of Part-SFCL;

(iv) theoretical knowledge examinations for the purpose of licence issue as per points (c)(1) and (c)(2) of point FCL.025 of Part-FCL, point BFCL.135(d) of Part-BFCL and point SFCL.135(d) of Part-SFCL;

(v) the time periods specified in point FCL.725(c) of Part-FCL with regard to all of the following:

¹ Clarification: Point (a)(1)(i) applies to holders of Part-FCL licences who are involved in CAT operation by third country operators.

- (A) the time period between the commencement of the type rating training course and the pass of the skill test;
- (B) the time period between the pass of the skill test and the application for the issue of the class or type rating;
- (vi) the time period specified in all of the following, provided that the regular time period ended during the application period of this Exemption:
 - (A) point FCL.735.A(b);
 - (B) point FCL.735.H(b);
 - (C) point (1) of Section H of Appendix 3 to Part-FCL;
 - (D) points (a)(1) and (b)(2) of point FCL.810;
 - (E) point FCL.815(b);
 - (F) point FCL.825(c);
- (3) in the case of the time period specified in point FCL.025 (b) (2) of Part-FCL, point BFCL.135(c) (2) of Part-BFCL and point SFCL.135(c)(2), that time period is extended by the time period that equals the time period during which an applicant was unable to access theoretical knowledge examinations for the reasons specified in this Exemption (see field “Reasons for granting it”).

If, towards the end of the period specified in point (1), the competent authority 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.

(b) For the application of all of the following requirements of Part-FCL, between 13 March 2020 and 31 October 2020, the time period is extended as follows:

- (1) to the last 300 days, in the case of point FCL.060(a) (balloon pilot recency for commercial air transport and the carriage of passengers);
- (2) to the last 2 years and 8 months, in the case of point FCL.140.A(a) (LAPL(A) recency);
- (3) to the last 20 months, in the case of point FCL.140.H (LAPL(H) recency);
- (4) to the last 32 months, in the case of all of the following:
 - (i) points FCL.130.S(c) and FCL.220.S (sailplane launching methods);
 - (ii) points (a) and (b)(1) of point FCL.140.S as well as point FCL.230.S (sailplane pilot recency);
 - (iii) points FCL.130.B(c) and FCL.220.B (recency for tethered balloon flight);
 - (iv) points FCL.140.B and FCL.230.B(a) (balloon pilot recency)
 - (v) point FCL.805(e) (towing rating recency);
 - (vi) point FCL.830(d) (sailplane cloud flying recency).

(c) For the application of all of the following recency requirements of Part-BFCL, between 13 March 2020 and 31 October 2020, the time period is extended as follows:

- (1) to the last 30 months, in the case of all of the following:
 - (i) points (a)(1)(i), (a)(2) and (f)(1) of point BFCL.160 (balloon pilot recency);
 - (ii) point BFCL.215(d)(2) (commercial operation rating recency);
- (2) to the last 56 months, in the case of all of the following:
 - (i) point BFCL.160(a)(1)(ii) (balloon pilot recency);
 - (ii) point BFCL.200(d) (recency for tethered balloon flight);
- (3) to the last 300 days, in the case of point BFCL.215(d)(1) (commercial operation rating recency);
- (4) to the last 3 years and 8 months, in the case of point BFCL.360(a)(1) (balloon instructor recency).

(d) For the application of all of the following recency requirements of Part-SFCL, between 13 March 2020 and 31 October 2020, the time period is extended as follows:

(1) to the last 2 years and 8 months, in the case of all of the following:

(i) point SFCL.155(c) (sailplane launching methods);

(ii) point SFCL.205(f) (sailplane towing or banner towing rating);

(iii) point SFCL.215(e) (sailplane cloud flying rating);

(2) to the last 30 months, in the case of points (a) and (b) of point SFCL.160 (sailplane pilot recency).

(3) to the last 3 years and 8 months, in the case of point SFCL.360(a)(1) (sailplane instructor recency).

(e) In the case of point FCL.060(c)(1), the 120-day period is extended to 180 days under the same conditions as specified in that point² for the period between 13 March 2020 and 31 October 2020.

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

4.3 This Exemption BG-Ex-2020-05-ACW/GA shall be recorded in the appropriate pilot's log 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

