

**Exemption Notification Article 71(1)**

EASA Reference: 711/20/0360

## Article 71(1) of Regulation (EU) 2018/1139

*Exemption with duration (cumulative) up to 8 months Notification Form*

<b>Date of the Notification</b>	2020-04-07
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Notifying State		
<b>Member or Associated State / National Authority</b>	BG	
<b>Reference of the notification from the State</b>	BG-Ex-2020-03-OPS	
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Exemption		
<b>Title</b>	Covid19 – outbreak: Extension of validity periods for licences, ratings, endorsements, certificates and attestations of aircrew, instructors, examiners.	
<b>Domain</b>	OPS - Air Operations	
<b>Exemption Requirements</b>	<b>Related Regulation</b>	Commission Regulation (EU) No 965/2012
	<b>Sub-part</b>	Part-ORO - Organisation Requirements for Air Operations
	<b>Exemption requirements</b>	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)
<b>Repetitive Exemption</b>	No, duration up to 8 months	
<b>Duration of exemption</b>	2020-03-13 to 2020-11-13	

## Summary of the exemption

Subject to fulfilling the applicable mitigating conditions as specified in this Exemption (see field "Summary of mitigations"), with regard to licences, ratings, endorsements, certificates and attestations issued by the Directorate General "Civil Aviation Administration" of Republic of Bulgaria, including associated medical certificates and reports, all of the following shall apply:

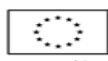
(a) Training and checking in accordance with Annex III (Part-ORO) to Regulation (EU) No 965/2012

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 (a), 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.



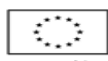
**Reasons for granting it****Urgent  
unforeseeable  
circumstances**

The COVID-19 outbreak has resulted in drastic travel restrictions and closure of borders between a majority of States.

- 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.



	<b>Urgent operational needs</b>	As a result of the extreme operational and resource constraints caused by the COVID-19 outbreak, it is needed to apply this exemption to holders of European licences, ratings, certificates and attestations as well as operators/ANSPs/maintenance organisations when the said circumstances are declared to the Directorate General "Civil Aviation Administration" of Republic of Bulgaria by either the holder (of the licence, rating, endorsement, certificate or attestation) or the operator/ANSP/maintenance organisation to ensure a certain level of business continuity for organisations for which Annex III (Part-ORO) to Regulation (EU) No 965/2012 or Annex I and Annex IV of Regulation (EU) No 2015/340 are applicable. This Exemption aims to reduce the severity of the disruptions that would otherwise occur due to non-availability of a sufficient number of crew members as well as ATCOs and aircraft maintenance licence holders to operate on behalf of said organisations.
<b>Summary of mitigating measures</b>	<b>Safety, environmental protection</b>	<p>(1) Part-FCL licence holders benefiting from this exemption shall comply with all of the following:</p> <ul style="list-style-type: none"> <li>(a) they shall hold a valid class or type rating;</li> <li>(b) they shall operate under the management system of an organisation for which Part-ORO is applicable;</li> <li>(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.</li> </ul> <p>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.</p> <p>(2) 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:</p> <ul style="list-style-type: none"> <li>(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;</li> <li>(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.</li> </ul>



		<p>(2) Operators benefiting from this exemption shall comply with all of the following:</p> <p>(a) The operator shall ensure that flight crew members benefiting from this exemption comply with the refresher training specified in point (1) above in all of the following cases:</p> <p>(i) operator proficiency checks (OPC) in accordance with point ORO.FC.230(b);</p> <p>(ii) line checks in accordance with point ORO.FC.230(c);</p> <p>(iii) line-oriented evaluation in accordance with point ORO.FC.A.245(d), if applicable.</p> <p>(b) In addition to point (a) above, the refresher training mentioned in point (1)(c) shall include any additional Part-SPA related elements, as applicable.</p> <p>(c) The operator shall ensure that crew members complete additional training through any means in all of the following cases:</p> <p>(i) operator emergency and safety equipment training and checking in accordance with ORO.FC.230(d);</p> <p>(ii) ground and flight training in accordance with point ORO.FC.230(f);</p> <p>(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;</p> <p>(iv) cabin crew recurrent training and checking in accordance with point ORO.CC.140;</p> <p>(v) technical crew recurrent training in accordance with point ORO.TC.135.</p> <p>(vi) dangerous goods recurrent training in accordance with point ORO.GEN.110(j) and, when applicable, point SPA.DG.105(a);</p> <p>(vii) crew resource management recurrent training in accordance with point ORO.FC.230(e)(1) and (e)(2);</p> <p>(viii) operator recurrent training and checking in accordance with point ORO.FC.130 of Part-ORO.</p> <p>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.</p> <p>The circumstances and needs addressed by the exemption do not have an impact on environment.</p>
	<b>Market distortion</b>	<p>Due to the exceptional circumstances affecting all EU Member States, and given its limited duration, the exemption does not have a distorting effect on the market conditions.</p>

<b>Type of Operation</b>	CAT
<b>Non-approved change/repair</b>	N/A

<b>Concerned Entity(ies)</b>	
<b>Concerned entity</b>	Operator
<b>Concerned entity details</b>	Holders of licences, ratings, certificates, endorsements and attestations issued by Directorate General "Civil Aviation Administration" of Republic of Bulgaria in accordance with the Regulations specified above in the field "Exempted requirements"
<b>Product</b>	N/A

<b>Attached Documentation</b>	
<b>MS Original Granting Document</b>	 <a href="#">Granted exemption BG-Ex-2020-03-OPS</a>
<b>Supporting Documentation</b>	 <a href="#">Notification</a>

