



GRAND-DUCHÉ DE LUXEMBOURG



DIRECTION DE L'AVIATION CIVILE

Implementation Procedures to

the Agreement

between the

Direction de l'Aviation Civile (Grand Duchy of Luxembourg)

and

the Ente Nazionale per l'Aviazione Civile (Italy)

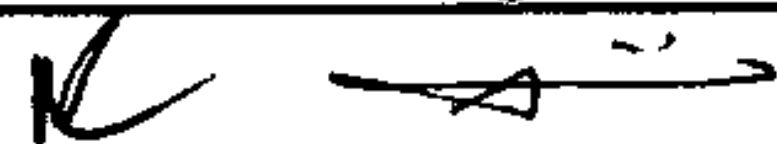
on the implementation of art. 83 bis of the Convention on International Civil Aviation (ICAO)

for the transfer of surveillance responsibilities (operations, maintenance and continuing airworthiness)
for aircraft operated under dry leasing contracts

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Article 1

PURPOSE

The purpose of this document is to provide detailed working arrangements between the Direction de l'Aviation Civile (DAC) of Grand Duchy of Luxembourg and the Ente Nazionale per l'Aviazione Civile (ENAC) of Italy to implement the Agreement ENAC-DAC for the transfer of certain functions, duties and surveillance responsibilities (operations, maintenance and continuing airworthiness) for aircraft operated under dry leasing contracts. They allow them to discharge their legal responsibilities for the surveillance of operations, personnel and continuing airworthiness of dry leased aircraft to be operated in commercial air transportation while avoiding undue burden by elimination of duplication of tasks. Cross reference table to identify competent authority in respect of Part M duties and responsibilities as resulting from duties and responsibilities transferred from Authority of the State of registry to the Authority of the State of operator according to article 3 of the ENAC-DAC Agreement for the transfer of certain functions, duties and surveillance responsibilities (operations, maintenance and continuing airworthiness) for aircraft operated under dry leasing contracts, is reported in appendix B.

Article 2

APPLICABLE RULES AND REGULATIONS

Any European Union (EC) Regulation (i.e. Regulation of the European Parliament and of the Council or of European Commission) or EASA measure this agreement, directly or indirectly, refers to is to be applied, according to the pertinent effectiveness schedule, at the latest amendment/change as published in the Official Journal of the European Communities or EASA website respectively (ref. ED Decision 2003/8/RM) effective at the date at which the specific regulation or measure needs to be complied with or referred to for fulfilling the terms and conditions of this agreement. Should the lessee Authority grant exemptions under the provisions of article 14.4 of the Regulation (EC) No 216/2008 of the European Parliament and of the Council in respect of aircraft to which provisions of this agreement applies, these exemptions shall be notified to the lessor Authority as soon as possible unless explicitly otherwise established elsewhere in this agreement. Any JAA set of requirements, directly or indirectly called for in this agreement, to be referred to for ensuring compliance with the terms and conditions of this agreement shall be those at the latest amendment/change published by the

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lessee Authority. Any JAA set of requirements directly or indirectly called for in this agreement is to be intended as replaced by the correspondent EC regulation according to its implementation scheme.

In respect of any certification activity or oversight responsibility related to EC regulations for which the lessee Authority is considered to be competent Authority, the lessee authority may adopt or accept to the lessee alternative means of compliance to EC regulations other than those published by EASA when satisfied that above material shows compliance with the concerned EC Regulation.

Article 3

IMPLEMENTATION

For the implementation of the Agreement, the points of contact of the Authorities are the following for all questions regarding airworthiness, major changes and matters of principle:

ENAC Direzione Generale

Direzione Centrale Regolazione Tecnica

Direzione Manutenzione e Produzione-TMP

Via di Villa Ricotti, 42

00161 - ROMA

ITALY

Tel. +39-06-44185741

Fax +39-06-44185731

e.mail: manutenzione.produzione@enac.gov.it

DAC

Direction de l'Aviation Civile

**Département Certification, Supervision de la
Sécurité**

672, rue de Neudorf

L-2220 LUXEMBOURG

LUXEMBOURG

Tel. +352- 247-74990

Fax: +352-462438

email : CSO@av.etat.lu

As far as the current activities to be performed in accordance with these procedures are concerned DAC inspectors in charge of a specific Luxembourgish registered aircraft or operator and the ENAC structures in charge of a specific Italian operator or Italian registered aircraft will co-ordinate their specific intervention and the necessary exchange of information related to the present procedures. References of Lessor and Lessee Authority Services in charge of daily implementation of these procedures are provided in the initiation and acceptance letters for each leased aircraft to which the

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agreement ENAC-DAC applies. In Appendix A, references of ENAC and DAC regional offices or Central Departments in charge of topics specified in the present agreement are listed.

Article 4

TYPE DESIGN DEFINITION

The aircraft and any product or part thereof must comply with the relevant EASA approved type design (refer to provisions of art. 2 of the EU Regulation 1702/2003).

The Authority of the State of operator will be responsible for supervising continuous compliance with this requirement after delivery over the whole period of time the aircraft is being operated by the national operator under the foreign State's registration marks.

The Authority of the State of Registry and of the State of operator shall ensure that mutual exchange of relevant information among them on the leased aircraft, as and when necessary, take place in accordance with Part M requirements (M.B.105 and relevant AMC material), at the delivery of the aircraft to the lessee and at the delivery of the aircraft back to the lessor.

Article 5

CHANGES TO TYPE DESIGN

The express permission of the aircraft registered owner is required prior to the incorporation of any modification.

a) The classification of major or minor changes to Type Design are defined in the part 21 paragraph 21A.91 of EU Regulation 1702/2003.

Changes to Type Design are classified as major or minor by entitled entity to conduct technical investigations in accordance with part 21 paragraphs 21A.95 and 21A.97 of EU Regulation 1702/2003 and approved in accordance with the following procedure.

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Changes may be performed on the aircraft once approved by EASA directly, through the Design Organisation Approval (DOA) system or otherwise accepted in accordance with published EASA measures (e.g. refer to Executive Director Decision 2004/04/CF). A copy of a specific EASA approval will be forwarded by the lessee to the Authority of the State of Registry.

The Authority of the State of the operator shall ensure that the operator has in force adequate procedures to avoid the accomplishment of changes on the leased aircraft contrary to the above provisions.

b) Approved changes to the aircraft will be performed in accordance with Article 10 "MAINTENANCE"

Article 6

APPROVAL OF SERVICE BULLETINS

The technical instructions and engineering contents of any Service Bulletin issued by the type design certificate holder (TDCH) can be used by the lessee on the leased aircraft once evidence of their approval by the State of Design Authority or by the TDCH under the Authority of a DOA approval issued under EU Regulation 1702/2003 part 21 is available.

Any design implication of those documents has to be approved in accordance with the procedure established in Article 5 above.

Embodiment of Service Bulletins on aircraft will be performed in accordance with Article 10 "MAINTENANCE".

Article 7

CONFORMITY TO OPERATIONAL REQUIREMENTS

Leased aircraft have to be equipped in accordance with the operational requirements established by the State of the operator for the intended type of operations (commercial air transportation).

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Conformity to national operational requirements, including those which may have an impact on aircraft design, will remain within the responsibility of the operator's Authority.

Design data related to the modification have to be approved in accordance with the procedure established in Article 5 above.

The aircraft must be operated within the limitations described in the Aircraft Flight Manual approved by EASA, or deemed as EASA approved under (EC) 1702/2003 regulation in accordance with EASA procedures. The Aircraft Flight Manual may include amendments approved in accordance with EASA procedures relevant to equipment required by operational regulations of the State of the operator.

Article 8

CONTINUING AIRWORTHINESS

In accordance with ICAO Annex 8, the State of design will inform the Authority of the State of registry of all actions made mandatory in order to ensure continued airworthiness of the aircraft. The Authority of the State of registry shall adopt - or assess and take appropriate corrective action, - the mandatory continuing airworthiness information issued by the State of design Authority. The Authority of the State of registry may issue and make mandatory other airworthiness actions, in addition to those mentioned before, should it identify an unsafe condition affecting aircraft of the same type in its national fleet which requires an immediate reaction.

Pursuant to the above, the EC Regulations 216/2008 and 1702/2003 and the Decision No. 2/2003 Of The Executive Director Of The Agency dated 14 October 2003 (or latest published issue), the aircraft must be in compliance with all the Mandatory Continuing Airworthiness Information (MCAI), such as Airworthiness Directives (AD), Emergency Conformity Information (ECI), etc., applicable to that aircraft and to any components/parts thereof mandated either by EASA, the relevant State of design Authorities, unless EASA has issued a different decision before the date of entry into force of that MCAI, or by the Authority of the State of registry under the provisions of art 14 of Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008. To this late regard, the Authority of the State of registry will timely provide the lessee and the regional office of the Authority of the State of operator in charge of aircraft surveillance with the above ADs and other

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airworthiness action mandated by the Authority of the State of registry (MCAI) for the aircraft type concerned and parts/products thereof. The lessee must hold and keep up-to-date a complete set of the above mentioned applicable MCAI.

The Authority of the State of the operator will also require that the leased aircraft complies with MCAI applicable to the subject aircraft model or parts/products thereof issued by the Authority of the State of operator under the provisions of art 14 of Regulation (EC) No 216/2008 of the European Parliament and of the Council when an unsafe condition affecting aircraft of the same type has been identified which requires an immediate reaction and an equivalent airworthiness action has not been made mandatory by EASA or the State of design Authorities. In this regard, design or maintenance programme implications deriving from the above mentioned mandatory airworthiness actions will be treated in accordance with the terms and conditions of the appropriate Articles of this agreement.

Any derogation from MCAI requirements must be approved in accordance with EASA regulations and procedures. The lessor authority shall inform the lessee if § 14.4 of the EU-Regulation 216/2008 is applied.

The lessee Authority shall verify that the lessee is in receipt of all the ADs or other mandatory airworthiness actions applicable to the leased aircraft and products, components or parts thereof. The Authority of the State of operator will be responsible to supervise that all applicable ADs and other mandatory airworthiness actions are properly applied to the leased aircraft. All AD's and any other mandatory continuing airworthiness information issued by DAC are available on the DAC web site (<http://www.dac.public.lu>). All ENAC AD's or INFORMATIVE on AD's, as well as any other mandatory continuing airworthiness information are only made available on the ENAC website (<http://www.enac.gov.it>). Therefore the lessee is requested to regularly look at those sites as applicable to absolve their continuing airworthiness responsibilities in respect of this aspect. The lessee is also requested to regularly look at EASA and other relevant State of Design Authority web sites to absolve their continuing airworthiness responsibilities in respect of the leased aircraft and their components

In-service events with the aircraft shall be reported by the lessee operator to its Authority in accordance with the national occurrence reporting system requirements.

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The Authority of the State of the operator is responsible for defining which service information is to be reported by the operator under the national occurrence reporting system.

Luxembourg Règlements Grands-ducaux du 20 mars 2002 et du 8 mai 2007 and EASA measure AMC 20-8, part M.A.202, Regolamento Tecnico Terzo/30/F, Appendix III to Regulation 3922/1992 / JAR OPS 3 and relevant ENAC Circolari (latest issue) relevant to AOC/operating license holders and reporting system (eE-MOR), describe the type of in-service information to be reported under the Luxembourgish and the Italian regulatory system respectively and relevant reporting times: For delegated aircraft registered in Luxembourg, accidents and incidents shall be reported to the Direction de l'Aviation Civile (DAC) and to the Administration des Enquêtes Techniques (AET) and for delegated aircraft registered in Italy, accidents and incidents shall be reported to the Direzione Operazioni in charge of a specific leased Italian registered aircraft and to the Agenzia Nazionale per la Sicurezza del Volo (ANSV).

The Authority of the State of operator will ensure that a copy of reports on significant events that affect or could affect the continuing airworthiness of leased aircraft or invalidate their Certificate of Airworthiness/related airworthiness review certificate is also forwarded by the lessee operator to the Authority of the State of registry in order to allow proper corrective actions. In such cases the Authority of the State of registry will accept that the Authority of the State of the operator is entitled to prevent the aircraft from resuming flight operations on the condition that the Authority of the State of operator appropriately will advise the Authority of the State of registry to allow adequate actions be taken. Authorisations to resume flights to permit the aircraft to be flown to an approved maintenance facility at which it will be restored to an airworthy condition shall be released in accordance with article 12 below.

The Authority of the State of the operator shall ensure that the lessee operator transmits information on significant events affecting continuing airworthiness of a leased aircraft to the organisation responsible for the type design (EU regulation 2042/2003 part M point M.A.202, EU OPS 1.420, JAR OPS 3.420, RT ENAC TERZO/30/F and DAC Règlement grand-ducal du 19 avril 2006, article 25).

The Authority of the State of operator shall ensure the transmission of information on significant events to the State of design Authority and EASA (Article 15 of Regulation (EC) No. 216/2008). The follow-up of any reported occurrence that affects or could affect the continuing airworthiness of

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leased aircraft by the State of design Authority progressing to satisfactory closure shall be monitored by Authority of the State of operator in co-ordination with the competent Authority under EASA system.

The Authority of the State of operator and the Authority of the State of registry will ensure a timely mutual exchange of information on any result arising from the follow-up investigation phases of significant in service events in respect of leased aircraft.

The Authority of the State of operator will ensure that the operator obtains and assesses airworthiness information and recommendations available from the type design organisations and implements resulting actions considered necessary by the Authority of the State of operator and the Authority of the State of registry.

The Authority of the State of operator will ensure that the operator monitors and assesses maintenance and operational experience with respect to continuing airworthiness, flight safety and accident prevention. Relevant procedures shall be described in the operator's Operations Manual (OM) and Continuing Airworthiness Maintenance Exposition (CAME).

The Authority of the State of operator will ensure that the lessee shall be appropriately approved, as applicable pursuant to M.A. Subpart G for the management of the continuing airworthiness of the aircraft it operates, including dry leased aircraft which this arrangement applies to.

Article 9

REPAIRS

- a) The classification of major or minor repairs shall be made in accordance with the criteria of Part 21 paragraph 21A.91 of EU Regulation 1702/2003 for a change in type design.

Repairs are classified as major or minor in accordance with Part 21 paragraph 21A.435 of EC Regulation 1702/2003. Repairs shall be approved in accordance with Part 21 paragraph 21A.437 of EC Regulation 1702/2003. A copy of a specific EASA approval will be forwarded by the lessee to the Authority of the State of Registry.

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The Authority of the State of the operator shall ensure that the operator has in force procedures to avoid accomplishment of any repairs on the leased aircraft contrary to the above provisions.

- b) The accomplishment of approved repairs on the aircraft will be performed in accordance with Article 10 "MAINTENANCE"

Article 10

MAINTENANCE

The Authority of the State of the operator shall ensure that the operator Continuing Airworthiness Management Exposition (CAME), and the operator's Aircraft maintenance programme comply with the requirements of the Authorities of the State of registry and the State of the operator as specified and laid down in these implementation procedures. The Authority of the State of operator shall approve the CAME and any revision thereof in accordance with relevant Part M of EC Regulation 2042/2003 requirements.

(a) Continuing airworthiness

A leased aircraft, its engines and its equipment, will be maintained in accordance with the lessee's maintenance programme approved by the lessee Authority in accordance with relevant requirements of Annex I (Part M) of EC Regulation 2042/2003, as revised. Any permanent variation (e.g. interval escalations, changes to the content and classification or the deletion of maintenance tasks etc) to the aircraft maintenance programme shall be approved by the Authority of the State of operator in accordance with relevant requirements of Annex I (Part M) of EC Regulation 2042/2003, as revised. The maintenance programme will be based on an MRBR, manufacturer/type certificate holder (TCH) recommendations (e.g. MPD, etc.), international recognised standards, etc. (ref. M.A.302). Operational equipment will be maintained in accordance with the operator Authority's maintenance specifications if the equipment manufacturer maintenance documentation gives such an opportunity (e.g. TCH maintenance documentation requirements report "as requested by national rules/NAA"). In default of maintenance specifications of the operator Authority, the requirements of the Authority of the State of registry, if any and once notified by the Authority of the State of Registry, will apply.

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Where a reliability programme forms part of, or is a condition within the approved maintenance schedule approved by the State of the operator's Authority, the State of the Authority of the State of operator will monitor the effectiveness of such a programme. The lessee shall provide a copy of the aircraft reliability report periodically to the Authority of the State of Registry.

Due consideration, especially for dry lease agreements of six months or less, will be made by the Authority of the State of operator to validate the maintenance programme approved by the Authority of the State of Registry, taking also into account the additional burden on the operator and technical aspects related to the return of the aircraft to the owner. Surveillance of aircraft maintenance programme will be performed by the Authority of the State of operator in accordance with its standard procedures developed in accordance with relevant requirements of Annex I (Part M) of EC Regulation 2042/2003, as revised.

(b) Performance of maintenance

All maintenance inspections, overhauls, modifications and repairs to be performed on the aircraft shall be carried out and released by any appropriately rated Maintenance Organisation (MO) approved/accepted under the Annex II (Part 145) of EU regulation 2042/2003, as revised.

Maintenance and airworthiness records will be kept by the aircraft operator (lessee) in accordance with procedures approved by the State of the operator Authority. The records will be transferred by the lessee to the lessor at the end of the leasing period.

Maintenance work must be accomplished by personnel licensed by, or qualified within the maintenance organisation in accordance with standards acceptable to, the lessee Authority. Aircraft or components will be released to service as applicable by personnel licensed in accordance with the Annex III (Part 66) of EU regulation 2042/2003, as revised, or otherwise recognised or accepted by the Authority of the State of operator pursuant to the applicable EU Regulation 2042/2003 provisions.

Article 11

RECORDS

The Authority of the State of registry shall ensure that all the maintenance and in service records and documentation relevant to the leased aircraft are transferred or made available and/or accessible to the lessee at the time of aircraft delivery to allow complete and accurate selection of the information judged necessary to manage the continued airworthiness of the aircraft all through the duration of the lease agreement

The aircraft continuing airworthiness record system of the lessee shall comply with relevant requirements of Annex I (Part M) of EC Regulation 2042/2003, as revised.

The aircraft operations record system of the lessee shall comply also with the relevant EU OPS1/JAR OPS3 requirements.

The Authority of the State of operator shall ensure that the lessee makes available all the aircraft maintenance records to the lessor and the Authority of the State of registry at the end of the leasing period and to the contracted appropriately approved CAMO (holding M.A.711(b) privileges), or when applicable, to the Authority of the State of registry, for the recommendation for issuance of the Airworthiness Review Certificate associated with Certificate of Airworthiness (CofA) of each aircraft to which the present agreement applies to.

The Authorities will ensure that, at the time of aircraft transfer, the presentation of these records is arranged looking at the indications and bearing in mind the principles laid down in Appendix A to Part VIII of ICAO Doc. 9642-AN/941 "Continuing Airworthiness Manual" (export certificate of airworthiness mentioned in article 4 of the recommended format included in paragraph 4.2 of above mentioned Appendix A will normally not be provided for a leased aircraft unless the registration of the leased aircraft on the Authority of the State of operator national register is envisaged at the end of the lease period).

In the course of the activities leading to the approval of the lease agreement and preceding the aircraft delivery to the lessee, the DAC and ENAC inspectors in charge, in conjunction with their respective

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senior management, with the assistance of the lessor and the lessee, will co-operate to guarantee that the maintenance records and documentation used for the issuance of the aircraft Certificate of Airworthiness or associated ARC by the Authority of the State of registry are those made available to the lessee for ensuring the continuing airworthiness of the aircraft during the lease period.

Article 12

FLIGHT OPERATIONS AND AUTHORISATION

The Authority of the State of operator shall be responsible for the authorisation of all operations in respect of a leased aircraft according to applicable operational requirements (Appendix III to the Regulation 3922/1991 as revised (EU OPS1) or JAR OPS3 requirements, as applicable in respect of the lease aircraft, taking into account relevant applicable acceptable means of compliance and guidance material (AMC/GM/IEM)). Above operations shall be conducted in accordance with the EASA approved Aircraft Flight Manual, or deemed as EASA approved under (EC) 1702/2003 regulation, and the Authority of the State of operator approved Operations Manual. Modifications of the aircraft to comply with operational requirements shall be treated in accordance with article 5 of these implementation procedures.

The Minimum Equipment List and any amendments thereto for each leased aircraft shall be approved by the Authority of the State of operator and shall not be less restrictive than the relevant EASA approved Master Minimum Equipment List, or deemed as EASA approved/accepted. If this does not exist, the use of an alternative MMEL (e.g. MMEL produced by the Type Certificate Holder and approved by the Authority of the State of Design, MMEL produced or approved by another EU Member State Authority or by FAA) is subject to agreement with operator's Authority; Any deviation from the approved MEL shall be evaluated and approved by the lessee Authority according to its national procedures and taking into account prescriptions and guidelines on that issue published or notified by the EU Commission.

Permit to Fly in respect of the registered aircraft, where the aircraft is temporarily not in airworthy condition, shall be issued by the State of Registry upon application by the entitled entity (lessee, etc.) in accordance with Commission Regulation (EC) 1702/2003 as amended by Commission Regulation (EC) n. 375/2007 and taking into account ED Decision 2007/006/R and Commission Regulation (EC)

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376/2007. Permit to Fly may prescribe particular limiting conditions to permit the aircraft to be flown without fare-paying passengers to an approved maintenance facility at which it will be restored to an airworthy condition (refer to Commission Regulation (EC) n. 375/2007, 376/2007 and ED Decision 2007/006/R). Such an approval may be issued for example for the following purposes: accomplishment of mandatory airworthiness requirements, airworthiness directives, aircraft repairs, etc. which require the aircraft to be flown to an approved maintenance facility. The Authority of the State of registry shall notify any such approval at the earliest possible opportunity to the State of Operator Authority by providing a copy of the relevant approval documentation.

Operation of the aircraft conducted under the lessee's operations AOC will be carried out in accordance with Appendix III to the Regulation 3922/1991 as revised (EU OPS1) or JAR OPS3 requirements (as applicable in respect of the lease aircraft); surveillance will be accomplished by the competent Authority in accordance with the current relevant national procedures.

Flight operations will be conducted by the lessee employing flight crew members holding an appropriately rated license, issued, or validated, by the appropriate department of the lessee Authority in accordance with national regulations or JAR FCL and validated by the lessor Authority as described here below.

1. If the pilots hold lessee Authority National Flight Crew Licenses that are not issued in accordance with JAR-FCL, then they will either have to obtain individual lessor Authority Certificate of Validation or the lessor Authority may issue a block validation for the specific aircraft and operator's crew.
2. If the pilots hold JAR-FCL licenses, they are able to operate leased aircraft registered in the lessor Country under JAR-FCL recognition
3. If the pilots hold licenses other than Luxembourgish or Italian national or JAR-FCL licenses, they will be required to obtain individual lessor Authority Certificate of Validation as they would not be covered under a block validation for the specific aircraft and operator's crew.

Leased aircraft may be used by a lessee TRTO approved in accordance with JAR-FCL under the following conditions:

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- the aircraft must be integrated in the TRTO manuals and procedures
- all instructors using this aircraft must have their license validated by lessor Authority in accordance with above guidelines
- if the aircraft is used for examination purposes, the examiner must also have its license validated if he has pilot/copilot responsibilities.

Any student pilot shall meet the requirements specified by the applicable regulations of the State of operator.

Permit to Fly for the purpose of testing a leased aircraft, where the Certificate of Airworthiness of the aircraft is not in force, in situations other than those mentioned before shall be issued by the lessor Authority.

Article 13

SURVEILLANCE AND INSPECTION

During the term of a lease, the lessee Authority shall accomplish surveillance activities and inspections in respect of the leased aircraft and the lessee operator (e.g. product audit selected by the Authority of the State of operator under surveillance plan of the lessee's CAMO/AOC, etc.) in accordance with its current procedures in order to verify that aircraft operations are conducted in accordance with the applicable standards of airworthiness, operational requirements and the terms and conditions specified in the present implementation procedures. On the specific request of the lessor Authority and for reasonable causes, the lessee Authority shall permit the lessor Authority to perform an inspection of the lessee operator or the leased aircraft (e.g. aircraft selected under the sample of the State of Registry Aircraft Continuing Airworthiness Monitoring Programme, etc.) and provide assistance in performing that inspection if requested, or may be requested by the lessor Authority to perform such an inspection.

Findings found during surveillance activities shall be promptly processed by the relevant authority according to relevant applicable requirements. Each Authority shall notify the other Authority of any finding or act which affects the validity status of any certificate or documentation issued in respect of

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the leased aircraft or the terms and conditions of the lease contract or the lessee operator authorisation. As far as possible in relation to the level of finding, proper and timely co-ordination will be ensured among State of Registry and State of Operator Authorities in order to allow each party to adopt as applicable proper actions in respect of above findings in accordance with relevant applicable requirements.

State of Registry and State of Operator Authorities shall ensure that appropriate records relevant to inspection and surveillance they performed according to Part M requirements and to this arrangement is appropriately kept on file of each Authority as requested by Part M.

Article 14

CONTINUED VALIDITY OF AIRCRAFT CERTIFICATES OF AIRWORTHINESS

The continued validity of the Certificate of Airworthiness of a leased aircraft shall be ensured in accordance with the relevant EU regulation 2042/2003 Part M requirements.

Continuing Airworthiness Management Organisation (C.A.M.O.) appropriately approved and privileged in accordance with Part M Subpart G by the Authority of the State of Operator may issue, extend, or make recommendations for the issue of Airworthiness Review Certificate of individual aircraft to which the provisions of the present agreement apply. A copy of the ARC issued or extended by the concerned C.A.M.O. shall be sent by that organisation to both State of registry and State of Operator Authorities within ten days since ARC issuance or extension. The lessee operator shall monitor compliance with that provision.

Similarly Continuing Airworthiness Management Organisation (C.A.M.O.) appropriately approved and privileged in accordance with Part M Subpart G by any EASA Member State once contracted by lessee may make recommendations to Authority of the State of registry for the issue of Airworthiness Review Certificate of individual aircraft to which the provisions of the present agreement apply.

The recommendation, along with all the associated documentation requested in accordance with pertinent Part M provisions (including copy of the relevant application), for the issuance of the

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aircraft airworthiness review certificate (ARC) for the continued validity of the Certificate of Airworthiness of a leased aircraft to which the present agreement applies shall be sent to the Authority of the State of registry (DAC or Direzione Operazioni ENAC in charge of surveillance) by the issuing appropriately approved and privileged C.A.M.O.. The relevant application for the issuance of Airworthiness Review Certificate (ARC) shall be sent by the lessee to the Authority of the State of Registry. When airworthiness review and recommendation for the issuance of ARC is contracted out to appropriately approved and privileged C.A.M.O. by lessee, a copy of the issued recommendation, along with all the associated documentation requested in accordance with pertinent Part M provisions shall be also provided by the issuing C.A.M.O. to the lessee to be kept by him in the continuing airworthiness records of the concerned aircraft.

When M.A.901 conditions for the issuance of the ARC by the competent authority occur, aircraft airworthiness review shall be conducted and the relevant ARC be issued by Authority of the State of registry in accordance with Part M requirements. A copy of the issued ARC shall be sent by Authority of the State of registry to the Authority of the State of operator within 10 day since ARC issuance.

Findings found during analysis of CAMO recommendation or performing airworthiness review shall be promptly processed by the Authority of the State of registry according to Part M requirements (M.B.903, M.B.304) and notified to Authority of the State of operator in order to be taken into account in the Authority of the State of operator as necessary. As far as possible in relation to the level of finding, proper and timely co-ordination will be ensured among State of Registry and State of Operator authorities in order to allow each party to adopt as applicable proper actions in respect of above findings in accordance with Part M requirements.

However, on a case by case basis and with EASA concurrence, proper arrangements could be made between the two Authorities to decide on alternative procedures to allow ARC be issued by the Authority of the State of operator instead of the Authority of the State of operator.

Other aircraft certificates/licenses (i.e. aircraft radio station license etc) will be renewed by the competent State of registry authorities.

NC 

Article 15

CO-OPERATION

Each Authority shall ensure that the other Authority is kept informed of all applicable standards of airworthiness, operational requirements, design-related operational requirements of its State and will consult the other Authority on any proposed changes thereto to the extent they may affect the implementation of these procedures.

Each Authority shall provide such assistance as may reasonably be required by the other Authority in its carrying out inspections, investigations and other functions in respect of the leased aircraft.

The Authority of the State of Operator shall monitor that the lessee will keep the Authority of the State of Registry informed on any activity to modify the approved Aircraft Maintenance Programme under the supervision and approval of the Authority of the State of Operator. When the leased aircraft is part of a fleet continuously operated and maintained by the lessor under the supervision of the State of Registry, mutual cooperation will be reinforced between the Authority of the State of Registry and the Authority of the State of the Operator to accept common methods and procedures with specific consideration to manage a single Maintenance Programme, taking also into account the additional burden on the operator and technical aspects related to the return of the aircraft to the owner at the end of the lease. Any variation to the lessee's maintenance programme shall be effective as soon as the approval is granted by the Authority of the State of Operator according to the procedure approved to the operator.

Done on 04.05.2009 in two originals in English.

For D.A.C.

Mr. Claude WALTZING



For E.N.A.C.

Mr. Enea L. Guccini



WC

IMPLEMENTATION PROCEDURES TO AGREEMENT ENAC-DAC

APPENDIX n° A - LIST OF ADDRESSES OF ENAC AND DAC OFFICES INVOLVED IN
THE IMPLEMENTATION OF THE AGREEMENT

ENAC

For matters of principle in relation to the main agreement, these implementation procedures and the co-ordination for specific issues with the other interested ENAC HQ's Services

Direzione Manutenzione e Produzione (TMP)

Via di Villa Ricotti 42

00161 Roma

Tel: +39-06-44185741

Fax: +39-06-44185731

e-mail: manutenzione.produzione@enac.gov.it

Point of contact for daily implementation of that agreement are:

with regard to the subject aircraft maintenance surveillance (e.g . maintenance programme acceptance etc.)

Direzione Operazioni (OOM) of Milan

Via Caldera 21

20153 Milano

Tel. +39-02-482781

Fax +39-02-48278200

e-mail: operazioni.milano@enac.gov.it

Direzione Operazioni (OOR) of Rome:

Piazzale Luigi Sturzo, 15

00144 Roma

Tel.: +39-06-5439-3502

Fax: +39-06-5923-017

e-mail: operazioni.roma@enac.gov.it

Direzione Operazioni (OON) of Naples:

C/o Blocco Tecnico ENAV- CAV Napoli

Viale Ruffo di Calabria

80144 Capodichino Napoli

Tel. +39-081 5999621

Fax: +39-081 7802038

e-mail: operazioni.napoli@enac.gov.it

Direzione Operazioni (OOT) Turin:

Via Montecuccoli,2

10121 Torino

Tel.: 39-011-5613-621

Fax: 39-011-5628-296

e-mail: operazioni.torino@enac.gov.it

Direzione Operazioni (OOV) Venice:

Aeroporto "Marco Polo"

Via Galileo Galilei, 1630173 Venezia Tessera

Tel.: +39 041 2606702

Fax: +39 041 2606701

e-mail: operazioni.venezias@enac.gov.it

with regard to operational requirements

Direzione Standard Volo(TSV)

Via di Villa Ricotti 42

00161 Roma

Tel: +39-06-44185745

Fax: +39-06-44185746

e-mail: standard.volo@enac.gov.it

with regard to flight and cabin crew licenses (validation, requirements, etc.)

IMPLEMENTATION PROCEDURES TO AGREEMENT ENAC-DAC

Direzione Licenze del Personale (TLP)

Via di Villa Ricotti 42

00161 Roma

Tel: +39-06-44185714

Fax: +39-06-44185701

e-mail: licenze.personale@enac.gov.it

with regard to type design issues

Direzione Prodotti Aeronautici (TPA)

Via di Villa Ricotti 42

00161 Roma Tel.: +39-06-44185724

Fax: +39-06-44185611

e-mail: prodotti.aeronautici@enac.gov.it

with regard to regulatory/publication issues

Direzione Politiche di Sicurezza e Ambientali(GSV)

Via del Castro Pretorio, 118

00185 Roma

Tel: +39-06-44596238

Fax: +39-06-44596271

e-mail: politiche.sicurezza@enac.gov.it

DAC

For matters of principle in relation to this agreement and co-ordination for specific issues with the other interested DAC Services

Direction de l'Aviation Civile

672, rue de Neudorf

L-2220 Luxembourg

Tel: (+352) 247 74900

Fax: (+352) 46 24 38

Email : civilair@av.etat.lu

Direction Certification, Supervision de la Sécurité (CSO)

Tel : (+352) 247 74990

Email : CSO@av.etat.lu

Division Opérations (OPS)

Tel : (+352) 247 74982

Email : OPS@av.etat.lu

Division Navigabilité (NAV)

Tel : (+352) 247 74981

Email : NAV@av.etat.lu

Division Licences (LIC)

Tel : (+352) 247 74980

Email : LIC@av.etat.lu

Division Gestion de la Sécurité (SAFETY)

Tel : (+352) 247 74930

Email : Safety@av.etat.lu

IMPLEMENTATION PROCEDURES TO AGREEMENT ENAC-DAC

APPENDIX B - Transfer of responsibilities Matrix 83Bis to 2042 Annex 1 Part M

Part M Requirement Reference	Part M Requirement Detail	83 Bis Delegation Agreement Reference	Responsible NAA	Note or remarks
M. 1	Oversight of continuing airworthiness of individual aircraft and the issue of ARC	All applicable articles of Implementation Procedures Implementation Procedures - Art 14 "Continued validity of aircraft certificate of Airworthiness"	State of Operator NAA (operation of aircraft) 1. State of Registry NAA when ARC is to be issued by the competent authority upon recommendation of appropriately approved and privileged continuing airworthiness management organisations as specified under M.A. Subpart G (CAMO) or directly after a satisfactory full airworthiness review according to Part M requirements 2. State of Operator NAA when ARC is issued directly or extended by the appropriately approved and privileged CAMO of the lessee under Part M requirements	Note : State of Registry NAA remains in charge of Aircraft Continuing Airworthiness Monitoring (ACAM) – see M.B.303
2	Oversight of Maintenance organisations as specified under M.A. Subpart F	Not applicable to the 83Bis agreement	Not applicable to the 83Bis agreement	Note: agreement is limited to leased aircraft used in commercial air transport
3	Oversight of continuing airworthiness management organisations as specified under M.A. Subpart G	All applicable articles of Implementation Procedures in relation to approval of lessee's CAMO	State of Operator NAA	Note: This includes oversight that lessee shall use only Part 145 Approved maintenance organisation under EU regulatory system. Oversight of each Part 145 AMO is ensured by the authority issuing that part 145 approval under EU regulatory system Oversight of other CAMO's eventually used to recommend issuance of ARC is ensured by the competent authority issuing that CAMO approval under EU regulatory system
4.	Approval of maintenance Programmes	Art 10(a) of Implementation Procedures	State of Operator NAA	
M.B. 301	Maintenance Programme	Art 10(a) of Implementation Procedures	State of Operator NAA	

IMPLEMENTATION PROCEDURES TO AGREEMENT ENAC-DAC

APPENDIX B - Transfer of responsibilities Matrix 83Bis to 2042 Annex 1 Part M

Part M Requirement Reference	Part M Requirement Detail	83 Bis Delegation Agreement Reference	Responsible NAA	Note or remarks
M.B. 302	Exemptions granted under art. 14.4 of the basic Regulation	Not applicable to 83Bis agreement	Not applicable to 83Bis agreement	Note: under Art 2 of Implementation Procedures State of Operator NAA is requested to send as soon as possible information on art. 14.4 exemptions issued to State of Registry NAA
M.B. 303	Aircraft Continuing Airworthiness Monitoring (ACAM)	Art 13 of Implementation Procedure	State of Registry NAA	Note: under Art 13, 14 and 15 of Implementation Procedure co-operation between State of Registry and Operator NAA is reinforced in line with M.B.105 provisions
M.B. 304	Revocation, Suspension and Limitation	Art 8, 13 and 14 of Implementation Procedure	State of Registry NAA	Note: Action will be taken on ARC as necessary by State of Registry NAA directly against findings resulting from its ACAM activities or following notification by State of Operator NAA of finding as resulting from its surveillance activities. Under art. 8 of Implementation Procedure, whenever the State of Operator NAA is aware or notified that a condition is in place that affect the continuing airworthiness of leased aircraft or invalidate their Certificate of Airworthiness/related airworthiness review certificate, the State of Operator NAA is in any case allowed to prevent aircraft from resuming flights until appropriate actions are taken according to Part M provisions
M.B. 701	Application for lessee's CAMO approval		State of Operator NAA	See note under M.1.3 for other CAMO's
M.B. 702	Initial Approval of lessee's CAMO - Process of		State of Operator NAA	See note under M.1.3 for other CAMO's
M.B. 703	Issue of Approval of lessee's CAMO		State of Operator NAA	See note under M.1.3 for other CAMO's
M.B. 704	Continued Oversight of lessee's CAMO	All applicable articles of Implementation Procedures	State of Operator NAA	See note under M.1.3 for other CAMO's
M.B. 705	Findings on lessee's CAMO	Art. 13 of Implementation Procedures	State of Operator NAA	See note under M.1.3 for other CAMO's
M.B. 706	Changes in relation to approval of lessee's CAMO		State of Operator NAA	See note under M.1.3 for other CAMO's
M.B. 707	Revocation, Suspension and Limitation	Art 13 of Implementation	State of Operator NAA	See note under M.1.3 for other CAMO's

IMPLEMENTATION PROCEDURES TO AGREEMENT ENAC-DAC
APPENDIX B - Transfer of responsibilities Matrix 83Bis to 2042 Annex 1 Part M

Part M Requirement Reference	Part M Requirement Detail	83 Bis Delegation Agreement Reference	Responsible NAA	Note or remarks
M.B. 901	of Approval of lessee's CAMO Assessment of Recommendations by Competent Authority	Procedures Art 14 of Implementation Procedures	State of Registry NAA	
M.B. 902	Airworthiness Review by Competent Authority	Art 14 of Implementation Procedures	State of Registry NAA	
M.B. 903	Findings	Art 8, 13 and 14 of Implementation Procedures	State of Registry NAA	<p>Note: Action will be taken on ARC as necessary by State of Registry NAA directly against findings resulting from its ACAM activities or following notification by State of Operator NAA of finding as resulting from its surveillance activities.</p> <p>Under Chapter VII, whenever the State of Operator NAA is aware or notified that a condition is in place that affect the continuing airworthiness of leased aircraft or invalidate their Certificate of Airworthiness/related airworthiness review certificate, the State of Operator NAA is in any case allowed to prevent aircraft from resuming flights until appropriate actions are taken according to Part M provisions</p>