

ENAC

Protocollo del 08/02/2013

✓ 0016710/ENAC/SNO

**Aircraft Continuing Airworthiness Office**

Secretary General
International Civil Aviation Organisations
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e.c. Federal Ministry for Transport, Innovation and Technology,
Radetzkystraße 2, A-1030 Wien, Austria

Austro Control Österreichische Gesellschaft Für Zivilluftfahrt MBH
A-1030 WIEN, SCHNIRCHGASSE 11
FAX +43 51703 1666

ENAC – Operations Management Directorate
ENAC – Safety Standardisation Directorate
ENAC – Milan, Naples, Rome, Turin and Venice Operations Divisions

Subject: Registration with ICAO of general Article 83bis agreement and relevant implementation procedures between ENAC and, respectively, Ministry of Ministry of Transport, Innovation and Technology (MOT) and Austro Control (ACG) Austria, and relevant schedule IA&IIA.

Dear Sirs,

in accordance with ICAO Convention and Doc. 6685-C/767 provisions, we are hereby kindly requesting you to register the subject agreement, and relevant implementation procedures signed between ENAC and, respectively Ministry of Ministry of Transport, Innovation and Technology (MOT) of the Republic of Austria, and ENAC and Austro Control (ACG) Austria, under Article 83bis of the Convention on International Civil Aviation (ICAO) provisions for the transfer of surveillance responsibilities (operations, maintenance and continuing airworthiness). The latest current version of the schedule IA and IIA dated 8th October 2012, listing respectively the Austrian registered aircraft operated by Italian operator, and Italian registered aircraft operated by Austrian operator, to which the above mentioned agreement applies, is provided as well. Please note that the aircraft registered OE-XSA has no longer under ENAC surveillance responsibilities since

10 5 MAR 2013

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ORIGINALS

VEA/2.36 - WEB



16th November 2012 inclusive on (see enclosed ENAC letter ref. 147171/SNO dated 16th November 2012) and will be removed in the next periodic revision of that sheet .

To this end, one true certified copy of the above mentioned documents is enclosed. The requested additional copy of them will be provided by e-mail as pdf file to ICAOHQ@icao.int (ICAO Central Registry) with a copy to treaty@icao.int.

This agreement shall remain in force unless otherwise terminated in writing by any of the signatory Authorities or replaced by any other similar agreement agreed among the signatory Authorities.

Any previous registration with ICAO of an art.83bis agreement among ENAC and Austrian Authorities relevant to any aircraft registration marks are hereby requested to be cancelled.

As necessary, the subject agreement may be eventually further initiated in respect of additional registration marks through an exchange of letters among signatory authorities. The a.m. letters will be requested to be kept on board the aircraft along with a certified copy of the agreement.

Schedule IA and IIA registered with you will be updated periodically as necessary.

We thank you in advance for the co-operation on that matter.

Yours Sincerely

Giuseppe Guido Recchia
Head, Aircraft Continuing Airworthiness Office

Enclosures:

- 1) Certified true copy of ENAC-MOT Agreement on the implementation of art. 83bis dated 28th March 2011,
- 2) Certified true copy of implementation procedures dated 19th September 2011 to ENAC-MOT Agreement on the implementation of art. 83bis, signed between ENAC and ACG
- 3) Certified true copy of Schedule IA and IIA dated 8th October 2012
- 4) ENAC letter ref. 147171/SNO dated 16th November 2012



ENTE NAZIONALE PER L'AVIAZIONE CIVILE
ITALIAN CIVIL AVIATION AUTHORITY

Aircraft Continuing Airworthiness Office

MR. HORST HASENHÜTL, MSc. MSD ATT.
HEAD OF DEPARTMENT AIRWORTHINESS, OPERATIONS AND TECHNICAL ORGANISATIONS
AUSTRO CONTROL ÖSTERREICHISCHE GESELLSCHAFT FÜR ZIVILLUFTFAHRT MBH
A-1030 WIEN, SCHNIRCHGASSE 11
FAX +43 51703 1666

Protocollo del 16/11/2012

0147171/SNO

E.C. SAFETY STANDARDIZATION DIRECTORATE - ENAC
OPERATIONS DIVISION OF MILAN - ENAC
PERSONNEL LICENSING REGULATION DIVISION - ENAC
TRANSPORT LICENSE DIVISION - ENAC

ELILOMBARDA S.R.L.

Subject: Transfer of surveillance responsibilities for aircraft Agusta A109E registered OE-XSA operating with ELILOMBARDA s.r.l. Italy .

Dear Sir,

with reference to your letter ref. n. OE-XSA/19-6/12 dated 31st October 2012, we inform you that ENAC accepts, pursuant to art.83-bis agreement between ENAC and M.O.T. of Austria, the transfer of surveillance duties, functions and responsibilities for the subject aircraft operated by ELILOMBARDA s.r.l. Italy up to 15 November 2012 under its Air Operator Certificate.

The due date of 15 November instead of 30 november is related to the end of agreement between Eli lombarda S.r.l. and AgustaWestland S.p.A., the aircraft operator and the aircraft owner, respectively.

So, from 16th November 2012 inclusive on, the subject aircraft is no longer to be considered under ENAC surveillance responsibility.

Yours faithfully,

Giuseppe G. Recchia

The Head of Aircraft continuing Airworthiness Office

Agreement

between

the Ente Nazionale per l'Aviazione Civile
of the Republic of Italy

and

the Ministry of Transport, Innovation and Technology
of the Republic of Austria

on

the Implementation of Article 83^{bis} of the Convention on International Civil Aviation for the transfer of surveillance responsibilities (operations, maintenance and continuing airworthiness) for aircraft operated under dry leasing contracts or by virtue of ownership of the concerned aircraft or any other agreement in the spirit of article 83bis of the Convention on International Civil Aviation



SINISI Paolo
COPIA CONFORME ALL'ORIGINALE A1-SENSI-DPR 445
(conform to original document) 28/12/2000

08/02/2000

TOT-PAG-N.10



The Ente Nazionale per l'Aviazione Civile
of the Republic of Italy

and

the Ministry of Transport, Innovation and Technology
of the Republic of Austria -

considering the Protocol of 6 October 1980 to amend Article 83^{bis} of the Convention on International Civil Aviation,

Considering that the Protocol was ratified by the Italian Republic through the Law no. 437 of 24 July 1985, published in the "Supplemento ordinario alla Gazzetta Ufficiale" no. 197 of 22 August 1985, and, in conjunction with the "Regolamento Convenzione ICAO - Art. 83 bis trasferimento di alcuni compiti e funzioni dello Stato di Registrazione", has given effect to the agreement in relation to article 83^{bis} of the Chicago Convention,

Considering that the Protocol was ratified by the Republic of Austria through the "Protokoll über die Änderung des Abkommens über die Internationale Zivilluftfahrt" of 25 April 1983, published in the "Bundesgesetzblatt" III, no 57/1999 of 9 March 1999, has given effect to the agreement in relation to article 83^{bis} of the Chicago Convention,

desiring, with a view to enhance the safety in civil aviation, to transfer to the State of the Operator of aircraft all or part of the State of Registry's functions and duties pertaining to Articles 12, 30, 31 and 32 (a) of the Convention on International Civil Aviation, as provided by Article 83^{bis} of the Convention on International Civil Aviation which was included with the Protocol of 6 October 1980,

convinced that, in line with Part VIII Chapter 1 of ICAO Doc. 9642 and Chapter 10 of ICAO Doc 8335, it is necessary to establish precisely the international obligations and responsibilities of the Contracting States in compliance with the Convention on International Civil Aviation, when an aircraft registered in one Contracting State is operated, under a lease arrangement



or by virtue of the aircraft ownership, by the holder of an operating licence or of other national authorisation issued by the other Contracting State including an air operator's certificate (AOC) or other operational authorisation/certification for commercial operation other than commercial air transport .

considering the fact that the Republic of Italy and the Republic of Austria are both Member States of the European Union, and that they therefore apply several harmonised European regulations in the field of aviation law which ensure a harmonised approach and therefore making this arrangement practicable -

being aware, with reference to the relevant Annexes to the Chicago Convention, this Agreement organises the transfer from the authority of State of Registry to the authority of State of operator responsibilities normally assumed by the State of Registry, as set out in paragraphs 3 and 4 below.

have agreed, on the basis of Articles 33 and 83^{bis} of the Convention on International Civil Aviation, as follows:

Article 1 Definitions

For the purposes of this Agreement, unless the text otherwise requires:

1. the term "Convention on International Civil Aviation" means the Convention on International Civil Aviation, opened for signature at Chicago on 7 December 1944, including any Annex adopted under Article 90 of that Convention and any amendment of the Annexes or of the Convention under Articles 90 and 94 thereof in so far as those Annexes and amendments have become effective for or have been ratified by both Contracting Parties.
2. the term "ICAO" means the International Civil Aviation Organization.



3. the term "EASA" means the European Aviation Safety Agency,
4. the term "dry-lease arrangement" means an arrangement between lessor and lessee for the lease of an aircraft for use against payment, without crew and with the aircraft being operated under the air operator's certificate or other operational authorisation/certification for commercial operations other than Commercial Air Transport of the lessee.
5. the term "lessor" means the registered owner or the person transferring the use of an aircraft against payment to the lessee.
6. the term "lessee" means the operator to whom an aircraft is leased for use against payment and in whose operating licence, or other operational authorisation/certification for commercial operations other than Commercial Air Transport, including an air operator's certificate the aircraft is duly listed.
7. the term "civil aviation authority" means in the case of the Republic of Italy the Ente Nazionale per l'Aviazione Civile (ENAC), Via del Castro Pretorio 118, 00185 Roma in accordance with Decreto Legislativo 25 luglio 1997, n. 250, and in the case of the Republic of Austria the aviation authority Austro Control GmbH (ACG), Schnirchgasse 11, A-1030 Wien, responsible for the application of this Agreement, or any other person or agency authorized to perform the functions incumbent upon the said authority.
8. the term "State of Registry" means the state in whose aircraft register the aircraft leased for use against payment is entered.
9. the term "State of the Operator" means the state from which the lessee/operator has received his operating licence or other operational authorisation/certification for commercial operations other than Commercial Air Transport,
10. the terms commercial air transport(ion) means aircraft operations involving the transport of passengers, cargo and/or mail for remuneration or hire performed by licensed air carrier



as defined in Regulation (EC) No 1008/2008, as revised, of the Council of European Communities;

11. the term commercial operations other than commercial air transport is to be intended as reported in the Definitions section of Regulation (EC) 216/2008 and includes but not limited to flying school activities, and aerial work activities.
12. the term registered owner is to be intended as the legal or natural person(s) under whose name the aircraft ownership (aircraft property) or, only in Austria, operatorship (aircraft operatorship) is registered or will be registered in the national register of the relevant contracting State
13. the term "implementation procedures" is intended as separate document on working level (ENAC and ACG), stating the technical conditions for the transferred responsibilities.

Article 2

Scope of application

- (1) This Agreement shall be applicable to aircraft registered in the aircraft registers of the State of one Contracting Party and are operated by an operator from the State of the other Contracting Party for commercial operations under a dry-lease arrangement or by virtue of ownership of the concerned aircraft or any other agreement in the spirit of article 83bis of the Convention on International Civil Aviation.
- (2) This agreement can be applied accordingly if no dry-lease arrangement is available due to the fact that operator and owner of the aircraft concerned are identical.
- (3) aircraft identified under point (1) of this article may be :
 - a) aircraft to which provisions of the Regulation (EC) 216/2008 as revised apply; and



- b) aircraft referred into Annex II to the Regulation (EC) 216/2008 as revised provided that they are eligible for issuance of a (standard) Certificate of Airworthiness or a restricted Certificate of Airworthiness in both contracting States under national regulations.

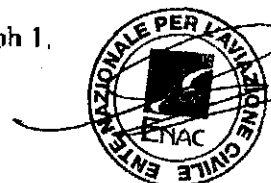
Article 3

Transferred responsibilities

(1) The civil aviation authority of the State of Registry is, in accordance with the provisions of this Agreement, entitled to transfer the following responsibilities including oversight and control functions and duties set out in the respective Annexes to the Convention on International Civil Aviation to the civil aviation authority of the State of the Operator. The civil aviation authority of the State of Registry shall be therefore relieved of the responsibility in respect of the functions and duties transferred to the civil aviation authority of the State of Operator in pursuance of this agreement.

1. Annex 1 – Personnel Licensing – other than the issuing and validation of licences.
2. Annex 2 – Rules of the Air – enforcement of compliance with applicable rules and regulations relating to the flight and manoeuvre of aircraft.
3. Annex 6 – Operation of Aircraft – all responsibilities which are normally incumbent upon the State of Registry for the oversight and control of operations of aircraft entered on its aircraft register.
4. Annex 8 – Airworthiness of aircraft – all responsibilities which are normally incumbent upon the State of Registry, and have not been assumed by EASA, for the oversight and control of aircraft entered on its aircraft register.

(2) The civil aviation authority of the State of the Operator shall inform the civil aviation authority of the State of Registry about any intended sublease of an aircraft for which the responsibilities were transferred in accordance with paragraph 1.



(3) Duties and functions in accordance with paragraph 1 must not be transferred upon a third state.

Article 4

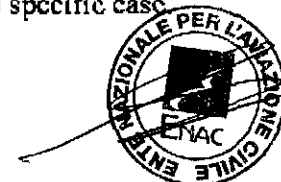
Procedure for the transfer of responsibilities

(1) Details concerning the transfer of responsibilities in accordance with Article 3, including the provisions and procedures to be applied, shall be laid down in writing between the civil aviation authorities of the Contracting Parties (hereinafter referred to as implementation procedures). Requests for the transfer of responsibilities by the civil aviation authority of the State of Registry in accordance with the following agreement and related implementation procedures shall require the written acceptance by the civil aviation authority of the State of the Operator. Requests for the transfer of oversight in respect of each single and specifically designated aircraft may only be filed for the period of application of the relevant dry-lease arrangement, or any other agreement in the spirit of article 83bis of the Convention on International Civil Aviation as well as for cases of Article 2 (2), for a period not exceeding two years. Upon receipt of the notification of acceptance in accordance with the second sentence the transfer of the responsibility for the control of the designated aircraft shall become effective.

(2) In the case of a prolongation of a dry-lease arrangement or of the previously agreed period paragraph 1 shall apply accordingly. It also applies in case of a prolongation of any other agreement in the spirit of article 83bis of the Convention on International Civil Aviation, in this case the prolongation can be accepted only once and for not more than two years.

(3) The civil aviation authorities shall be entitled to revoke the transfer of responsibilities at any time. The revocation must be performed in writing. It shall become effective 24 hours upon receipt.

(4) An aircraft for which the responsibility for oversight and control was transferred by virtue of Article 3 (1) shall be subject to the requirements of the laws, as well as other regulations and procedures of the State of the Operator as applicable in each specific case.



Article 5

Meetings between the civil aviation authorities

(1) If required, meetings shall be convened between the civil aviation authorities of the Contracting States to discuss both operations and airworthiness matters found as a result of the inspections of the aircraft. In this connection, the following subjects shall be especially discussed:

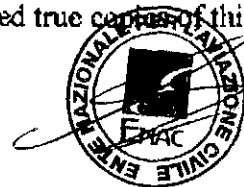
1. Air operations,
2. Control of continued airworthiness and maintenance of aircraft,
3. Procedures for the management of the Continuing Airworthiness Management Exposition (CAME) or the Operator Maintenance Control Manual (MCM), if applicable,
4. Any other significant matters arising from inspections.

(2) At the request of the civil aviation authority of the State of Registry the in each case other civil aviation authority shall, in compliance with applicable law, perform an inspection of the aircraft for which the responsibility for oversight and control was transferred on the basis of Article 3 (1). The requested civil aviation authority shall, as far as possible, permit the representatives of the civil aviation authority of the State of Registry to be present during the inspection of the aircraft. The civil aviation authorities shall make the necessary arrangements for this. The requested civil aviation authority shall inform the civil aviation authority of the State of Registry about the result of the inspection in writing.

Article 6

Obligation to carry Documents

The civil aviation authorities of the Contracting States shall make available a certified true copy of this Agreement as well as of the correspondence in accordance with Article 4 (1) to the operator and when different, to the registered owner. Certified true copies of this Agreement, of



the correspondence as well as of the air operator's certificate or other operational authorisation/certification/license for commercial operations other than Commercial Air Transport in which the aircraft concerned is listed shall be carried on board the aircraft for which the responsibility was transferred by virtue of this Agreement. If the lessee/operator has obtained, from his authority, approval for a system to list the registration marks for aircraft operated and authorized under his air operator's certificate, this list and the relevant section of the Operator's Manual must be kept on board.

Article 7 Registration

(1) The Contracting States shall submit this Agreement as well as amendments thereto in accordance with Article 83 of the Convention on International Civil Aviation and in compliance with the Rules for Registration with ICAO of Aeronautical Agreements and Arrangements for registration to ICAO.

(2) Each civil aviation authority shall keep a list containing the aircraft for which the responsibility for oversight and control has been transferred by virtue of this Agreement, specifying the aircraft identification, type as well as the duration of the transfer. A copy of the lists shall, as Annex 1 of this Agreement, be submitted to ICAO for registration. The lists shall be updated as soon as a change occurs by the State of Registry Authority, and once signed by both contracting Authorities notified to ICAO for registration. Alternatively a certified true copy of exchanged letters, plus an additional copy, relevant to each change may be sent to ICAO for registration.

Article 8 Charges

Each authority shall invoice charges and expenses according to its own provisions.



Article 9

Entry into Force, Period of Validity

(1) This Agreement shall enter into force on the first day of the second month after the date of its signature.

(2) Any modification to this Agreement shall be made in writing.

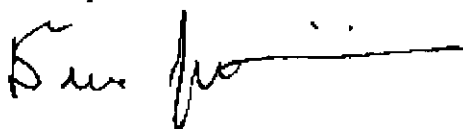
(3) The present Agreement shall be concluded for an indefinite period of time. It may be denounced at any time by the Contracting Parties in writing. It shall terminate 60 days after the date of receipt of the written notice of termination.

(4) Until the Entry into Force, the Agreement shall be applied on a provisional basis, subject to the respective legal provisions of the contracting partners.

Done on 28th March 2011 in duplicate, in English language, each being equally authentic.

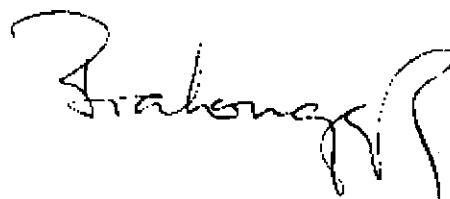
For the Ente Nazionale per l'Aviazione Civile
of the Republic of Italy

[*Enea Guccini*, Head of Central
Standardisation and Safety Directorate,
Rome]



For the Ministry of Transport,
Innovation and Technology
of the Republic of Austria

[*Manfred Bialonczyk*, Director General
Civil Aviation]



ENTE NAZIONALE PER L'AVIAZIONE CIVILE - ENAC
 Direzione Regolazione Navigabilità e Operazioni
 Attention to Mr. Giuseppe Guido Recchia
 Head of the Aircraft Continuing Airworthiness Office
 Via Gaeta 3
 00185 Rome
 Italy

Our reference Official in charge Phone ext. Fax ext. Vienna,
 AOT514-2/38-13 Mag Altmann 1647 1606 January 9th, 2013

Subject: "Implementation Procedures between the Austro Control GmbH and the ENAC on the agreement between Austria and Italy on the implementation of Art 83bis of ICAO" – your references: 0121122/SNO and 0128674/SNO

Dear Sir,

Please find enclosed the duly signed final agreed version of the relevant "Implementation Procedures between the Austro Control (Austria) and the Ente Nazionale per l'Aviazione Civile (Italy) as requested in the letter with reference 0121122/SNO.

Furthermore Austro Control Österreichische Gesellschaft für Zivilluftfahrt GmbH (Austro Control GmbH) transfers to you the duly signed schedule IA and IIA.

We would like to take the opportunity to thank you for your friendly cooperation in the above matters.

Yours faithfully,



On behalf of

Austro Control Österreichische Gesellschaft für Zivilluftfahrt

mit beschränkter Haftung

Mag Hans Jürgen Altmann
 Mag Hans Jürgen Altmann

Legal Advisor

Airworthiness & Certification, Operations and Technical Organisations

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 (conform to original document) 445-DIL-28/12/2013
 08/02/2013
 TOT-PAG. N. 28

Enclosures:

1. Duly signed final agreed version, dated September 19th,2011, of the "Implementation Procedures between the Austro Control GmbH and the Ente Nazionale per l'Aviazione Civile"
2. Duly signed Annex I





Implementation Procedures

between the

**Austro Control Österreichische Gesellschaft für Zivilluftfahrt
mit beschränkter Haftung (Austria)**

and the

Ente Nazionale per l'Aviazione Civile (Italy)

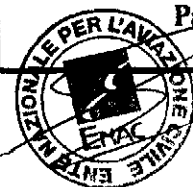
on the agreement on the implementation of art. 83 bis of the Convention on International Civil Aviation (ICAO)

for the transfer of surveillance responsibilities (operations, maintenance and continuing airworthiness) for aircraft operated under dry leasing contracts or by virtue of ownership of the concerned aircraft or any other agreement in the spirit of article 83bis of the Convention on International Civil Aviation

ENAC-PROJ-24781/2013-0009692-A



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**IMPLEMENTATION PROCEDURES BETWEEN ENAC-ACG ON THE AGREEMENT ON THE IMPLEMENTATION
OF ART. 83 BIS OF THE CONVENTION ON INTERNATIONAL CIVIL AVIATION (ICAO)**

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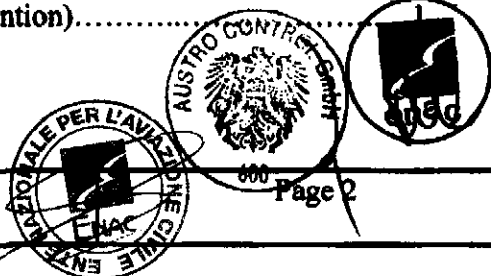
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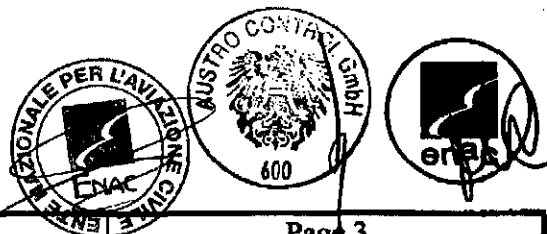
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IMPLEMENTATION PROCEDURES BETWEEN ENAC-ACG ON THE AGREEMENT ON THE IMPLEMENTATION OF ART. 83 BIS OF THE CONVENTION ON INTERNATIONAL CIVIL AVIATION (ICAO)

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IMPLEMENTATION PROCEDURES BETWEEN ENAC-ACG ON THE AGREEMENT ON THE IMPLEMENTATION OF ART. 83 BIS OF THE CONVENTION ON INTERNATIONAL CIVIL AVIATION (ICAO)

Article 1

PURPOSE

The purpose of this document is to provide detailed working arrangements between the Austro Control (ACG) Austria and the Ente Nazionale per l'Aviazione Civile (ENAC) of Italy to implement the Agreement ENAC-MOT (Austrian Ministry of Transport) for the transfer of certain functions, duties and surveillance responsibilities (operations, maintenance and continuing airworthiness) for aircraft operated under dry leasing contracts or by virtue of ownership of the concerned aircraft or any other agreement in the spirit of article 83bis of the Convention on International Civil Aviation. They allow them to discharge their legal responsibilities for the surveillance of operations, personnel and continuing airworthiness of aircraft to be operated in commercial operations while avoiding undue burden by elimination of duplication of tasks. In Appendix B and Appendix C, cross reference tables are provided to identify competent authority in respect of Part M and ICAO 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 above mentioned ENAC-MOT Agreement.

Article 2

APPLICABLE RULES AND REGULATIONS

Any European Union (EU) Regulation (i.e. Regulation of the European Parliament and of the Council or of European Commission) or EASA measures which this agreement refers to, directly or indirectly, 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). The latest amendment/change is that 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.

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

In respect of aircraft referred to in Annex II to Regulation (EC) 216/2008 as revised for which oversight responsibilities have been transferred from the Authority of the State of Registry to the Authority of the State of the Operator according to the provisions of ENAC-MOT agreement mentioned before, the set of national regulations, at the latest amendment, in force in the State of Operator related to aircraft continuing airworthiness and commercial operations shall apply.

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 Ente Nazionale per l'Aviazione Civile
Direzione Regolazione Navigabilità e
Operazioni (SNO)
Via Gaeta, 3
00185 - ROMA
ITALY
Tel. +39-06-44596741
Fax +39-06-44596731
e.mail: regolazione.navigabilita@enac.gov.it

Austro Control Österreichische Gesellschaft für
Zivilluftfahrt mit beschränkter Haftung
Airworthiness and Certification (ACE)
Schnirchgasse, 11
A-1030 WIEN
AUSTRIA
Tel. +43 51703 1630
Fax +43 51703 1666
e.mail: airworthiness@astrocontrol.at



As far as the current activities to be performed in accordance with these procedures the concerned ACG inspectors in charge of a specific Austrian 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 procedure.

IMPLEMENTATION PROCEDURES BETWEEN ENAC-ACG ON THE AGREEMENT ON THE IMPLEMENTATION OF ART. 83 BIS OF THE CONVENTION ON INTERNATIONAL CIVIL AVIATION (ICAO)

References of Structures of Authority of State of registry and State of operator in charge of daily implementation of these procedures are provided in the initiation and acceptance letters for each concerned aircraft to which the agreement ENAC - ACG applies. In Appendix A, references of ENAC and ACG 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 type design approved or deemed as approved by EASA in accordance with EU Regulation n. 216/2008 and 1702/2003 as revised.

In respect of aircraft referred to in Annex II to Regulation (EC) 216/2008 as revised for which the provisions of ENAC-MOT agreement mentioned before applies, the aircraft and any product or part thereof must comply with the relevant ENAC and ACG approved type design.

The Authority of the State of operator will be responsible for supervising that the aircraft operator ensures continuous compliance with this requirement after delivery over the whole period of time the aircraft is being operated by the operator/lessee.

The Authority of the State of Registry and of the State of operator shall ensure in any case that mutual exchange of relevant information among them on the concerned 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 operator and at the delivery of the aircraft back to the owner/lessor.

Article 5

CHANGES TO TYPE DESIGN

1. Design Changes

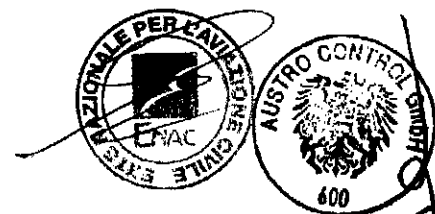
All design changes shall be approved in accordance with regulation (EC) 1702/2003 and applicable amendments, or by other entities (e.g. the State of Design Authority) when changes designed by such entities are approved/accepted under regulation (EC) 216/2008 and/or (EC) 1702/2003 Annex (Part 21) and relevant applicable amendments.

In respect of aircraft referred to in Annex II to Regulation (EC) 216/2008 as revised, the classification of major or minor changes to Type Design are specified in the ENAC Technical Regulation QUARTO/40 for Italian registered aircraft and in the Zivilluftfahrzeug- und Luftfahrtgeraet- Verordnung 2010- "ZLLV 2010" for Austrian registered aircraft. Changes to Type Design are classified as major or minor by Authority of the State of Operator or by entitled entity to conduct technical investigations in accordance with national regulations specified above. Changes may be performed on the aircraft once approved by both Authority of the State of Registry and State of Operator as applicable directly, through the system established in their national regulations specified above or otherwise accepted by them in accordance with BAA/BASA agreement signed by each signatory authority of these implementing procedures with the relevant State of Design.

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 concerned aircraft contrary to the above provisions.

2. Embodiment of approved changes

Embodiment on aircraft of the Design Changes approved in accordance with the above procedure will be performed in accordance with Article 9 "MAINTENANCE"



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Article 6

FLIGHT MANUAL

The aircraft must be operated within the limitations described in the Aircraft Flight Manual [AFM] approved by EASA, or deemed as EASA approved in accordance with EU regulation 1702/2003. The Aircraft Flight Manual may include amendments approved in accordance with EASA procedures relevant to equipments required by operational regulations of the State of the Operator. Design implication in connection with AFM amendments mentioned above shall be evaluated in accordance with article 5. CHANGES TO TYPE DESIGN.

In respect of aircraft referred to in Annex II to Regulation (EC) 216/2008 as revised, that aircraft must be operated within the limitations described in the Aircraft Flight Manual approved by the authority of the State of Registry, or deemed as approved that Authority under the relevant national regulations in accordance with pertinent procedures. The Aircraft Flight Manual may include amendments approved in accordance with the procedures of authority of the State of Registry relevant to equipment required by operational regulations of the State of the operator. The Aircraft Flight Manual is to be acceptable to the authority of the State of Operator.

Article 7

CONTINUING AIRWORTHINESS

In accordance with ICAO Annex 8, the Authority of the State of Registry shall adopt, or assess and take appropriate actions against, the mandatory airworthiness information issued by the State of Design Authority. Pursuant to the relevant provisions of article 14 of EU Regulation 216/2008, as revised, the Authority of the State of Registry and the Authority of the State of Operator may also issue and make mandatory other airworthiness actions in respect of the aircraft in addition to those mentioned before.

In application of the principles stated above, aircraft must comply with Airworthiness Directives issued or adopted by EASA according to EU regulations and other mandatory airworthiness actions or information issued or adopted by Authority of the State of Registry and by the Authority of the State of Operator pursuant to the relevant provisions of article 14 of EU Regulation 216/2008, as revised. The Authority of the State of Operator shall supervise, according to its own procedures, that the aircraft operator/lessee is in receipt of all applicable Airworthiness Directives and other mandatory airworthiness requirement mentioned above, in accordance with the system agreed by Authority of the State of Operator based on the relevant dissemination system established by the relevant issuing Authority.

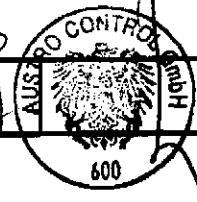
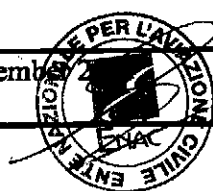
The operator must hold and keep up-to-date a complete set of the above mentioned applicable ADs and other mandatory airworthiness requirement (MCAI).

The Authority of the State of operator will be responsible to supervise, according to its own procedures, that all applicable Airworthiness Directives (Ads) and other mandatory continuing airworthiness actions shall be properly applied to the aircraft by the operator/lessee. All mandatory continuing airworthiness information issued by ACG are available on the ACG website (LTA/AD page in the website <http://www.austrocontrol.at>). 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 operator is requested to regularly look at those sites as applicable to absolve their continuing airworthiness responsibilities in respect of this aspect. The operator 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 concerned aircraft and their components.

Derogation's to Airworthiness Directives or other mandatory airworthiness actions, where requested, will be co-ordinated between the Authority of the State of Operator and the Authority of the State of Registry, on case-by-case basis, and must be approved in accordance with EASA regulations and procedures.

Any non conformity deriving from production or maintenance deficiencies will be managed by the authorities of the State of Operator and State of Registry in accordance with EASA policy. The authorities of the State of Operator and the State of Registry will coordinate action if aircraft to which this agreement applies may be affected.

In respect of aircraft referred to in Annex II to Regulation (EC) 216/2008 as revised, that aircraft must be in compliance with all the Mandatory Continuing Airworthiness Information (MCAI), such as Airworthiness Directives (AD), applicable to that aircraft and to any components/parts thereof issued or adopted by the Authority of the State of registry. If a product which is type certificated by EASA is installed on Annex II aircraft the relevant MCAI mandated by EASA for that product shall apply unless otherwise stated by the Authority of the State of registry.



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The Authority of the State of the operator may also require that the concerned aircraft complies with MCAI applicable to the subject aircraft model or parts/products thereof mandated by the Authority of the State of the operator 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 the Authority of the State of Registry. When the above circumstances occur, design or maintenance programme implications deriving from the above mentioned mandatory airworthiness actions will be preventively evaluated between the Authority of the State of Operator and the authority of the State of Registry and treated in accordance with the terms and conditions of the appropriate Articles of this agreement.

Any derogation from the above MCAI requirements in respect of aircraft referred to in Annex II to Regulation (EC) 216/2008 must be coordinated in advance between the Authority of the State of Operator and the authority of the State of Registry and approved in accordance with regulations and procedures agreed by both States on a case by case basis.

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

The Authority of the State of the operator is responsible for defining to the operator/lessee the type of service information is to be reported to them, to the State of Design Authority, and also to the Authority of the State of Registry (ICAO Annex 6, Part I, II and III, chapters relevant to aircraft maintenance and Annex 8, Chapter 4.2.3 and 4.2.4 refers) under the national occurrence reporting system.

The Austrian ZMV 2007, EASA measure AMC 20-8, part M.A.202, ENAC Regolamento Tecnico Terzo/30/F, Appendix III to Regulation 3922/1992 (EU OPS 1), JAR OPS3 and relevant ENAC Circolari (latest issue) relevant to AOC/operating license/commercial operations approval holders and reporting system (such as eE-MOR in Italy), describe the type of in-service information, equivalent for both States, to be reported under the Austrian and the Italian regulatory system and relevant reporting times which in any case cannot be more restrictive than reporting times established in Part M and relevant EU regulations/directives. Reports on the in-service occurrences shall be written in the English language when sent to the the Authority of the State of Registry. The Authority of the State of Operator will supervise that a copy of reports on significant events (including accident and serious incidents) that affect or could affect the continuing airworthiness of the aircraft or invalidate their C of A or ARC is also forwarded, with quickest means available, by the aircraft operator/lessee to the Authority of the State of Registry in order to allow proper corrective actions and to the appropriate accident investigation agencies [for delegated aircraft registered in Austria, accidents and incidents shall be reported to the Federal Office of Transport Accident Investigation Branch (FUS@bmvit.gv.at) and to Austrocontrol (ACG) (reports@austrocontrol.at) and for delegated aircraft registered in Italy, accidents and incidents shall be reported to the ENAC Direzione Operazioni in charge of a specific concerned Italian registered aircraft and to the Agenzia Nazionale per la Sicurezza del Volo (ANSV) (www.ansv.it)]

In such cases the Authority of the State of registry will accept that, in accordance with ICAO Annex 8, Chapter 3.6.2, 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 the operator appropriately will advise the Authority of the State of registry to allow adequate actions be taken.

The Authority of the State of operator shall supervise that the operator ensures transmission of information on significant events affecting continuing airworthiness of a concerned aircraft to the organisation responsible for the type design ((ICAO Annex 6, Part I, II and III, chapters relevant to aircraft maintenance and Annex 8, Chapter 4.2.3 and 4.2.4, EU regulation 2042/2003 part M point M.A.202, EU OPS 1.420 JAR OPS 3.420, RT ENAC TERZO/30/F and Austrian ZMV 2007 refer).

The Authority of the State of operator shall ensure the transmission of information on significant events to the Authority of the State of Design and to EASA or in case of Annex II aircraft to the authority of the State of Registry. The follow-up of any reported occurrence that affects or could affect the continuing airworthiness of concerned aircraft by the Authority of the State of Design progressing to satisfactory closure shall be monitored by the Authority of the State of operator in co-ordination with EASA or, in case of Annex II aircraft, in co-ordination with the authority of the State of Registry.

The Authority of the State of operator and 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 concerned aircraft.

The Authority of the State of Operator will supervise that the aircraft operator/lessee obtains and assesses airworthiness information and recommendations available from the type design organisations and implements resulting actions considered necessary by EU regulation, the Authority of the State of Operator and the Authority of the State of Registry (ICAO Annex 6, Part I, II and III, chapters relevant to aircraft maintenance refers).



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The Authority of the State of Operator will supervise that the aircraft operator/lessee monitors and assesses maintenance and operational experience with respect to continuing airworthiness, flight safety, and accident prevention (ICAO Annex 6, Part I, II and III, chapters relevant to aircraft maintenance refers). Relevant procedures shall be specified in operator's MME, MCM, MMOE, CAME or equivalent document.

In respect of aircraft referred to in Annex II to Regulation (EC) 216/2008 as revised, the Authority of the State of operator will supervise 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 the operator and the Authority of the State of registry.

The Authority of the State of operator will supervise 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 Maintenance Exposition (CAME) or in the equivalent manuals relevant to operational and Continuing Airworthiness management approvals applicable for aircraft referred to in Annex II to Regulation (EC) 216/2008 as revised when article 4.5 of that regulation does not apply.

The Authority of the State of Operator shall approve the Maintenance Programme of the aircraft as well as any revisions and deviations hereto in accordance with Part M provisions.

The Authority of the State of operator shall supervise that the operator is appropriately approved, as applicable pursuant to Subpart G of Annex I (Part M) to Regulation (EU) 2042/2003 as revised or, for commercial operations other than commercial air transportation, has contracted such an organisation (hereinafter referred to as CAMO) for the management of the continuing airworthiness of the aircraft it operates, including any dry leased aircraft which this arrangement applies to.

In case of aircraft referred to in Annex II to Regulation (EC) 216/2008 as revised, the Authority of the State of operator shall supervise that the operator has a continuing airworthiness management system as integral part of its operational approval, or is appropriately approved as continuing airworthiness management organisation, pursuant to the relevant national Regulation or, for commercial operations other than commercial air transportation, has contracted such an organisation (hereinafter referred to as CAMO) for the management of the continuing airworthiness of the aircraft it operates, including any dry leased aircraft which this arrangement applies to.

Article 8

REPAIRS AND PERMIT TO FLY

All repairs shall be approved in accordance with regulation (EC) 1702/2003 and applicable amendments. Any damage resulting from a major incident should be notified to the Authority of the State of Registry prior to the embodiment of any repair.

In respect of aircraft referred to in Annex II to Regulation (EC) 216/2008 as revised, the classification of major or minor repairs to Type Design are specified in the ENAC Technical Regulation QUARTO/40 for Italian registered aircraft and in the Zivilluftfahrzeug- und Luftfahrtgeraet- Verordnung 2010- "ZLLV 2010" for Austrian registered aircraft. Repairs to Type Design are classified as major or minor by Authority of the State of Operator or by entitled entity to conduct technical investigations in accordance with national regulations specified above. Repairs may be performed on the aircraft once approved by both Authority of the State of Registry and State of Operator as applicable directly, through the system established in their national regulations specified above or otherwise accepted by them in accordance with BAA/BASA agreement signed with the relevant State of Design.

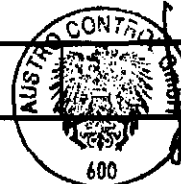
The accomplishment of approved repairs on the aircraft will be performed in accordance with Article 9 "MAINTENANCE".

All Permits to Fly shall be approved in accordance with regulation (EC) 1702/2003 and applicable amendments. The Permit to Fly shall be issued, as applicable, by the Authority of the State of Registry or by any other entity entitled to do that under regulation (EC) 1702/2003 and applicable amendments.

Article 9

MAINTENANCE

The Authority of the State of the operator shall supervise that the operator's Continuing Airworthiness Management Exposition (CAME) or equivalent (e.g. , combined MOE-CAME , MCM), and the operator Aircraft Maintenance Programme comply with the



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requirements of the Authority of the State of the operator (Regulation (EC) 2042/2003 as amended (EASA IR Part M, Part 145, Part 147 and Part 66 as applicable)) as specified and laid down in these implementation procedures. The Authority of the State of operator shall approve the CAME and any revision thereof, or deem them as approved, in accordance with relevant Part M of EU Regulation 2042/2003 requirements. The Authority of the State of operator shall supervise that a copy of approved CAME is sent by the operator to the Authority of the State of Registry upon their request.

In case of aircraft referred to in Annex II to Regulation (EC) 216/2008 as revised, the Authority of the State of operator shall supervise that the operator's (or contracted continuing airworthiness management organisation) maintenance control manual (MCM), and the operator 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 MCM and any revision thereof, or deem them as approved, in accordance with relevant national regulations requirements. The Authority of the State of operator shall supervise that a copy of approved MCM is sent by the operator to the Authority of the State of Registry upon their request.

Aircraft, its engines and equipment, will be maintained in accordance with a maintenance programme, and any amendments thereto, approved to the operator by the Authority of the State of Operator or by CAMO in accordance with EASA Part M provisions and its relevant national procedures (this intends include approval issued through an indirect approval procedures by CAMO approved by the Authority of the State of Operator pursuant to M.A.302(c)(ii) provision). The maintenance programme will be based on MRB, manufacturer recommendations (e.g. MPD), international recognised standards and EASA Part M implementing rules. Where a reliability programme forms part of, or is a condition within the approved maintenance schedule approved by the Authority of the State of Operator, the Authority of the State of Operator must ensure the reliability programme complies with national procedure and will monitor the effectiveness of such a programme.

In case of aircraft referred to in Annex II to Regulation (EC) 216/2008 as revised, the concerned aircraft, its engines and its equipment, will be maintained in accordance with the maintenance programme established by the operator and approved by the Authority of the State of operator in accordance with relevant national requirements. Any 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 national requirements.

Operational equipments will be maintained in accordance with maintenance specifications of the Authority of the State of the operator if the equipment manufacturer/design holder maintenance documentation gives such an opportunity (e.g. TCH maintenance documentation requirements report "as requested by national rules/NAA") or does not provide for any maintenance requirements. In lack of maintenance specifications by the Authority of the State of the operator, 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.

The Authority of the State of Operator shall supervise that the operator provides a copy of the approved maintenance programme, including amendment, to the Authority of State of Registry.

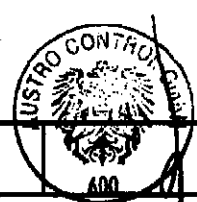
The operator shall provide a copy of the aircraft reliability report periodically to the Authority of the State of registry.

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 continuing airworthiness management will be performed by the Authority of the State of operator in accordance with its standard procedures developed in accordance with relevant Part M requirements of EU Regulation 2042/2003.

In case of aircraft referred to in Annex II to Regulation (EC) 216/2008 as revised, surveillance of aircraft continuing airworthiness management will be performed by the Authority of the State of operator in accordance with its standard procedures developed in accordance with relevant national requirements.

All maintenance inspections, overhauls, modifications and repairs to be performed on the aircraft shall be carried out and released to service as requested in accordance with Annex I (Part M) of EU regulation 2042/2003 provisions by any appropriately rated Maintenance Organisation (MO) approved/accepted under the provisions of Annex I (Part M) or Annex II (Part 145) of EU regulation 2042/2003, as revised, as requested in accordance with Part M provisions, taking into account aircraft classification or type of operations.



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In case of aircraft referred to in Annex II to Regulation (EC) 216/2008 as revised, all maintenance inspections, overhauls, modifications and repairs to be performed on the aircraft shall be carried out and released to service as requested in accordance with relevant national State of Operator requirements, taking into account aircraft classification or type of operations, by any appropriately rated Maintenance Organisation (MO) approved/accepted under the provisions of relevant State of Operator national requirements.

Maintenance and airworthiness records will be kept by the aircraft operator in accordance with procedures approved by the Authority of the State of operator. The records will be transferred by the operator to the registered owner/lessor at the end of the validity period of this agreement in respect of that specific aircraft.

Maintenance work must be accomplished by personnel licensed by, or qualified within the maintenance organisation in accordance with standards acceptable to, the Authority of the State of operator.

Article 10

RECORDS

The Authority of the State of registry shall ensure that all the maintenance and in service records and documentation relevant to the concerned aircraft, as requested by ICAO Annex 6, part I, II and III, as applicable, are transferred or made available and/or accessible to the operator at the time of aircraft delivery.

The aircraft continuing airworthiness record system of the operator shall comply with the relevant EU regulation 2042/2003 Part M requirements or, in case of aircraft referred to in Annex II to Regulation (EC) 216/2008 as revised, with the relevant State of Operator national requirements.

The records will include but are not limited to:

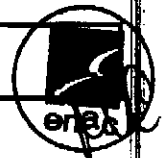
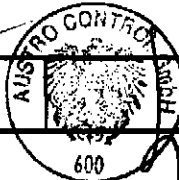
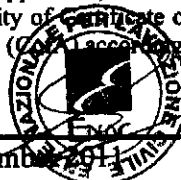
- a) Total time in service for the aircraft and life limited components.
- b) Current compliance with all mandatory continuing airworthiness information.
- c) Details of modifications and repairs.
- d) Time in service since last overhaul and/or last inspection of the aircraft, instruments, equipment and components.
- e) Current aircraft inspection status.
- f) Details on maintenance activities performed (ICAO Annex 6, Part I, II and III, chapters relevant to aircraft maintenance, and Annex 8, Chapter 4.3 and Appendix A to Part V of ICAO Doc. 9760-AN/967 "Airworthiness Manual" refers);
- g) when applicable, records (e.g. reports, substantiation evidences, etc.) on activities related to airworthiness reviews and ARC extension carried out and to process leading to the issuance of Permit to Fly, including copy of ARC, Recommendation for ARC issuance and Permit to Fly issued/extended

The aircraft operations record system of the operator shall comply also with the relevant State of operator national operational requirements, as applicable in relation to the specific type of operations and aircraft classification (for commercial air transportation Appendix III to Regulation (EEC) No 3922/1991 as revised (EU OPS1) or JAR OPS3 requirements, as applicable in respect of the concerned aircraft) or, in case of aircraft referred to in Annex II to Regulation (EC) 216/2008 as revised, with the relevant State of Operator national requirements.

The Authority of the State of operator shall supervise that the operator shall make available all records for the registered owner/lessor and the Authority of the State of registry at the end of the validity period of this agreement in respect of that specific aircraft. Additionally the Authority of the State of operator shall ensure that operator shall make available these records, as applicable, to the competent authority of the State of registry, or otherwise agreed by the Parties of this agreement as per Part M provision, and to the contracted appropriately approved CAMO (holding M.A.711(b) privileges), for carrying out periodic aircraft airworthiness review for issuing or recommending the issuance of the Airworthiness Review Certificate associated with Certificate of Airworthiness (CofA) of each aircraft to which the present agreement applies to.

In case of aircraft referred to in Annex II to Regulation (EC) 216/2008 as revised, the Authority of the State of operator shall supervise that the operator makes available, for each aircraft to which the present agreement applies to, all the maintenance records:

1. to the lessor at the end of the leasing period and/or
2. to the Authority of the State of registry or, when applicable, to the contracted appropriately approved entity holding privileges in respect of control process for validity of Certificate of Airworthiness, to conduct verification for the continued validity of Certificate of Airworthiness (CofA) according to the national requirements.



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Authorities will supervise 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 the ICAO Doc. 9760 "Airworthiness Manual".

In the course of the activities leading to the approval of the lease agreement or to the extension of this agreement in respect of specific aircraft and preceding the aircraft delivery to the operator, the ACG and ENAC inspectors in charge, in conjunction with their respective senior management, with the assistance of the lessor/owner and the operator, will co-operate to guarantee that the maintenance records and documentation used for the issuance of the aircraft Certificate of Airworthiness by the Authority of the State of registry are those made available to the operator for ensuring the continuing airworthiness of the aircraft during the validity period of this agreement in respect of a specific aircraft.

Article 11

FLIGHT OPERATIONS AND AUTHORISATION

The Authority of the State of operator shall be responsible for the authorisation of all operations in respect of a concerned aircraft according to applicable operational requirements in respect of aircraft type of operation or aircraft classification (for commercial air transportation Appendix III to the Regulation (EEC) No 3922/1991 as revised (EU OPS1) or JAR OPS3 requirements, as applicable in respect of the concerned aircraft, for flying training activities JAR-FCL (or relevant EU requirements once issued or national requirement for Annex II aircraft), for aerial work, until relevant EU requirements are issued, in Italy "Regolamento Certificato di Operatore di Lavoro Aereo" and "Regolamento per il rilascio della licenza di esercizio di Lavoro Aereo", for aerial work in Austria the LFG 1957 and AOCV 2008, taking into account relevant applicable acceptable means of compliance and guidance material (AMC/GM/IEM, or as applicable relevant implementation Circulars/regulations)). Above operations shall be conducted in accordance with the approved Aircraft Flight Manual (see article 6), and the Operations Manual (or equivalent document requested for the specific operations under State of operator national requirements), and the operator's Minimum Equipment List [MEL] approved by the Authority of the State of Operator.

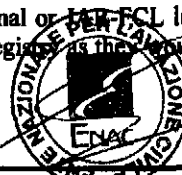
The Minimum Equipment List (MEL) and any amendments thereto for each concerned aircraft in accordance with which the aircraft operations may be allowed shall be in compliance with applicable EU regulation and approved by the Authority of the State of operator and shall not be less restrictive than the relevant EASA approved Master Minimum Equipment List (or in case of Annex II aircraft the agreed approved Master Minimum Equipment List), or as acceptable under EU regulations (or in case of Annex II aircraft the agreed Master Minimum Equipment List deemed as approved).

Aircraft to which this agreement applies have to be equipped in accordance with the operational requirements established by the State of the operator for the intended type of operations.

Operation of the aircraft conducted under the operator's AOC or under the relevant operator's authorization issued by the competent Authority for operations other than commercial air transport will be carried out in accordance with applicable national rules and regulations of the State of operator (e.g. for commercial air transport Operations, Appendix III to the Regulation 3922/1991 as revised (EU OPS 1) or JAR OPS 3 requirements, as applicable in respect of the concerned aircraft; for flying school operations, JAR FCL requirements, etc.). Surveillance will be accomplished by the Authority of the State of the Operator in accordance with the current relevant national procedures.

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

1. If the pilots hold a National Flight Crew Licenses issued by the Authority of the State of operator that are not issued in accordance with JAR-FCL, then they will either have to obtain individual Certificate of Validation issued by the authority of the State of registry or the authority of the State of registry may issue a block validation for the specific aircraft and operator's crew.
2. If the pilots hold JAR-FCL licenses issued by EASA Member State which are listed in the EASA website <http://easa.europa.eu/approvals-and-standardisation/mutual-recognition.php>, they are able to operate concerned aircraft registered in the State of registry under JAR-FCL recognition.
3. If the pilots hold licenses other than Austrian or Italian national or JAR-FCL licenses, they will be required to obtain individual Certificate of Validation issued by the authority of the State of registry as they would not be covered under a block validation for the specific aircraft and operator's crew.



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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 operator shall monitor compliance with that provision.

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.

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

In case of aircraft referred to in Annex II to Regulation (EC) 216/2008 as revised, the continued validity or the renewal of validity of the aircraft Certificate of Airworthiness shall be ensured in accordance with applicable requirements of the Authority of the State of Registry.

Article 14

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.

Any derogation/exemptions issued in accordance with EU regulation 216/2008 Article 14 which concerns aircraft falling under the provisions of this agreement shall be co-ordinated between the Authority of the State of Registry and the Authority of the State of Operator and require concurrence by both states prior to issue.


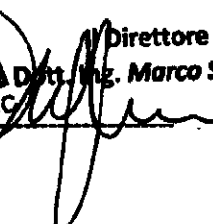
Each Authority shall provide such assistance as may reasonably be required by the other Authority in its carrying out inspections, investigations and other functions in respect of the concerned aircraft.




Should conflicting interpretations occur as to the applicable standards of continuing airworthiness, operational requirements, design related operational requirements or any associated requirements in respect of leased aircraft, the Authority of the State of Registry and the Authority of the State of Operator will jointly determine the appropriate determination, taking into account EASA/EU and ICAO guidance.

Done on 19 September 2011 in two originals in English.
Head of Department Airworthiness, Operations and Technical Organisations

For E.N.A.C.
Mr. M. Silanos
Head, Airworthiness and Operations
Regulation Division
Ente Nazionale per l'Aviazione Civile

For ACG
Mr. Horst Hasenhüttl, MSc. MSD
Head of Department Airworthiness, Operations and Technical
Organisations
Austro Control Österreichische Gesellschaft für Zivilluftfahrt
mit beschränkter Haftung

 **Direttore**
Dott. Ing. Marco Silanos




IMPLEMENTATION PROCEDURES BETWEEN ENAC-ACG ON THE AGREEMENT ON THE IMPLEMENTATION OF ART. 83 BIS OF THE CONVENTION ON INTERNATIONAL CIVIL AVIATION (ICAO)

APPENDIX n° A - LIST OF ADDRESSES OF ENAC AND ACG 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 and with regard to operational requirements

Direzione Regolazione Navigabilità e Operazioni (SNO)

Sede Operativa

Via Gaeta 3

00185 Roma

Tel: +39-06-44596741

Fax: +39-06-44596731

e-mail: regolazione.navigabilita@enac.gov.it

Point of contact for daily implementation of that agreement are:

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

Direzione Operazioni (AOM) of Milan

Via Caldera 21

20153 Milano

Tel. +39-02-482781

Fax +39-02-48278200

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

Direzione Operazioni (AOR) of Rome:

Via Gaeta 3

00185 Roma

Tel.: +39-06-44596-767

Fax: +39-06-5923-017

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

Direzione Operazioni (AON) 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 (AOT) Turin:

Via Montecuccoli,2

10121 Torino

Tel.: +39-011-5613-621

Fax: +39-011- 5114811

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

Direzione Operazioni (AOV) Venice:

Aeroporto "Marco Polo"

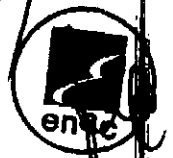
Via Galileo Galilei, 1630173 Venezia Tessera

Tel.: +39 041 2606702

Fax: +39 041 2606701

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

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



**IMPLEMENTATION PROCEDURES BETWEEN ENAC-ACG ON THE AGREEMENT ON THE IMPLEMENTATION
OF ART. 83 BIS OF THE CONVENTION ON INTERNATIONAL CIVIL AVIATION (ICAO)**

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

Direzione Regolazione Personale di Volo (SPV)

Via Gaeta, 3
00185 Roma
tel. +39 06 44596727
fax +39 06 44596701
e-mail: regolazione.personalevolo@enac.gov.it

with regard to type design issues

Direzione Regolazione Certificazione Prodotti Aeronautici (SCP)

Via Gaeta3
00185 Roma
tel. +39 06 44596724
fax +39 06 44596611
e-mail: regolazione.prodottiaeronautici@enac.gov.it



IMPLEMENTATION PROCEDURES BETWEEN ENAC-ACG ON THE AGREEMENT ON THE IMPLEMENTATION OF ART. 83 BIS OF THE CONVENTION ON INTERNATIONAL CIVIL AVIATION (ICAO)

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

Austro Control Österreichische Gesellschaft für Zivilluftfahrt mit beschränkter Haftung (ACG)

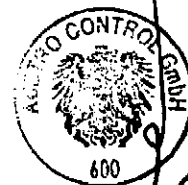
Points of Contact:

For all matters of principle in relation to this agreement and coordination and daily implementation:

Mr. Wilhelm Jagritsch, MBA,
Airworthiness and Certification Department
email: airworthiness@austrocontrol.at
tlf: +43 51703-1630
Fax: +43 51703-1666

Mrs. Dr Elisabeth Spitaler
Legal Affairs
Airworthiness, Operations and Technical Organisations Department
mail: elisabeth.spitaler@austrocontrol.at
tlf: +43 51703-1647
Fax: +43 51703-1606

Mr. Mag Hans Jürgen Altmann
Legal Affairs Airworthiness, Operations and Technical Organisations Department
mail: hans-juergen.altmann@austrocontrol.at
tlf: +43 51703-1647
Fax: +43 51703-1606




**IMPLEMENTATION PROCEDURES BETWEEN ENAC-ACG ON THE AGREEMENT ON THE IMPLEMENTATION OF ART. 83 BIS OF THE CONVENTION ON INTERNATIONAL CIVIL AVIATION (ICAO)
APPENDIX B - Transfer of responsibilities Matrix 83Bis to 2042 Annex 1 Part M**

| ICAO Reference | Part M Requirement Reference | Part M Requirement Detail | 83 Bis Delegation Agreement Reference | Responsible NAA | Note or remarks |
|-----------------------------------|------------------------------|---|--|--|---|
| Annex 8, Part II, Chapter 3 and 4 | M. 1 1. | Oversight of continuing airworthiness of individual aircraft and the issue of ARC | All applicable articles of Implementation Procedures Implementation Procedures - Art 13 "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 operator/lessee under Part M requirements | |
| | | | All applicable articles of Implementation | State of Operator NAA | Note: Oversight of other AMO-F maintenance organisation located outside |



IMPLEMENTATION PROCEDURES BETWEEN ENAC-ACG ON THE AGREEMENT ON THE IMPLEMENTATION OF ART. 83 BIS OF THE CONVENTION ON INTERNATIONAL CIVIL AVIATION (ICAO)


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

| ICAO Reference | Part M Requirement Reference | Part M Requirement Detail | 83 Bis Delegation Agreement Reference | Responsible NAA | Note or remarks |
|--|------------------------------|--|---|---|---|
| Annex 6 Part II Chapter 2.6 and 3.8 Annex 6 Part III, section II and III Chapter 3 and 6 | 2 | Oversight of Maintenance organisations as specified under M.A. Subpart F | Procedures in relation to the approval of Maintenance organisations as specified under M.A. Subpart F | Authority for those AMO-F located in its territory | the state of operator eventually used by the lessee is ensured by the competent authority issuing that AMO-F approval under EU regulatory system |
| Annex 6, Part I, Chapters 5 and 8 and Annex 6 Part II Chapter 2.6 and 3.8 Annex 6 Part III, section II and III Chapter 3 and 6 | 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 operator's CAMO | State of Operator NAA for CAMO located in its territory | Note: This includes oversight that operator/lessee in commercial air transport shall use only Part 145 Approved maintenance organisation under EU regulatory system. Oversight of each Part 145/MF AMO is ensured by the authority issuing that part 145/MF approval under EU regulatory system Oversight of any other CAMO's used to recommend issuance of ARC or contracted by operator (Non CAT operation) for the management of continuing airworthiness is ensured by the competent authority issuing that CAMO approval under EU regulatory system |
| Annex 6, Part I, 8.3 Annex 6 Part II Chapter 2.6 and 3.8 Annex 6, | 4. | Approval of Maintenance Programmes | Art 9(a) of Implementation Procedures | State of Operator NAA |  |



IMPLEMENTATION PROCEDURES BETWEEN ENAC-ACG ON THE AGREEMENT ON THE IMPLEMENTATION OF ART. 83 BIS OF THE CONVENTION ON INTERNATIONAL CIVIL AVIATION (ICAO)

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

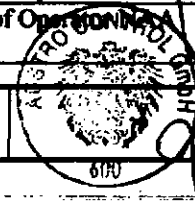
| ICAO Reference | Part M Requirement Reference | Part M Requirement Detail | 83 Bis Delegation Agreement Reference | Responsible NAA | Note or remarks |
|--|---|--|---|-----------------------------------|--|
| Part III, Section II 6.3 and Section III 6.1 | | | | | |
| See above and below | M.B. 201 | Responsibilities | See above | See above | Each applicable Part B requirement for the aircraft delegated under 83Bis agreements are referenced above and below |
| Annex 6, Part I, 8.3 Annex 6 Part II Chapter 2.6 and 3.8 Annex 6, Part III, Section II 6.3 and Section III 6.1 | M.B. 301 | Maintenance Programme | Art 9(a) of Implementation Procedures | State of Operator NAA | |
| | M.B. 302 | Exemptions granted under art. 14.4 of the basic Regulation | Chapter 14 of Appendix I to the agreement | State of Registry or Operator NAA | Note: under Art 14 of Implementation Procedures State of Registry and Operator NAA are requested to look for prior coordination on any art. 14 exemptions and concur on them before issuing |
| Annex 8, Part II, Chapter 3 and 4 | M.B. 303  | Aircraft Continuing Airworthiness Monitoring (ACAM) | Art 12 of Implementation Procedure | State of Operator NAA | Note: under Art 12, 13 and 14 of Implementation Procedure co-operation between State of Registry and Operator NAA is reinforced in line with M.B.105 provisions. State of Operator NAA carries out ACAM inspection on aircraft subject to |



IMPLEMENTATION PROCEDURES BETWEEN ENAC-ACG ON THE AGREEMENT ON THE IMPLEMENTATION OF ART. 83 BIS OF THE CONVENTION ON INTERNATIONAL CIVIL AVIATION (ICAO)

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

| ICAO Reference | Part M Requirement Reference | Part M Requirement Detail | 83 Bis Delegation Agreement Reference | Responsible NAA | Note or remarks |
|---------------------------------------|------------------------------|--|--|-----------------------------------|---|
| | | | | | this agreement. The ACAM planned sample of aircraft with regard to aircraft falling under the provisions of this agreement will be copied to the SOR. |
| Annex 8, Part II, Chapter 3.5 and 3.6 | M.B. 304 | ARC Revocation, Suspension and Limitation | Art 7, 12 and 13 of Implementation Procedure | State of Registry or Operator NAA | <p>Note: Action will be taken on ARC as necessary by State of Registry NAA in conjunction with State of Operator NAA directly against findings resulting from its ACAM activities or following notification by either State NAA of finding as resulting from its surveillance activities.</p> <p>Under art. 7 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 concerned 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> |
| Annex 6, Part I Chapters 5 and 8 | M.B. 701 | Application for operator's CAMO approval | | State of Operator NAA | See note under M.1.3 for other CAMO's |
| | M.B. 702 | Initial Approval of operator'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 operator's CAMO | | State of Operator NAA | See note under M.1.3 for other CAMO's |
| Annex 6 Part II Chapter 2.6 and 3.8 | M.B. 704 | Continued Oversight of operator's CAMO | All applicable articles of Implementation Procedures | State of Operator NAA | See note under M.1.3 for other CAMO's |
| Annex 6 Part III Sect. II | M.B. 705 | Findings on operator's CAMO | Art. 12 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 operator's CAMO | | State of Operator NAA | See note under M.1.3 for other CAMO's |



IMPLEMENTATION PROCEDURES BETWEEN ENAC-ACG ON THE AGREEMENT ON THE IMPLEMENTATION OF ART. 83 BIS OF THE CONVENTION ON INTERNATIONAL CIVIL AVIATION (ICAO)

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

| ICAO Reference | Part M Requirement Reference | Part M Requirement Detail | 83 Bis Delegation Agreement Reference | Responsible NAA | Note or remarks |
|-----------------------------------|------------------------------|--|---|-----------------------|---|
| and III Chapter 3 and 6 | M.B. 707 | Revocation, Suspension and Limitation of Approval of operator's CAMO | Art 12 of Implementation Procedures | State of Operator NAA | See note under M.1.3 for other CAMO's |
| Annex 8, Part II, Chapter 3 and 4 | M.B. 901 | Assessment of Recommendations by Competent Authority | Art 13 of Implementation Procedures | State of Registry NAA | |
| Annex 8, Part II, Chapter 3 and 4 | M.B. 902 | Airworthiness Review by Competent Authority | Art 13 of Implementation Procedures | State of Registry NAA | |
| Annex 8, Part II, Chapter 3 and 4 | M.B. 903 | Findings | Art 7, 12 and 13 of Implementation Procedures | State of Registry NAA | <p>Note: Action will be taken on ARC as necessary by State of Registry NAA in conjunction with State of Operator NAA directly against findings resulting from its ACAM activities or following notification by either State NAA of finding as resulting from its surveillance activities.</p> <p>Under art. 7 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 concerned 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> |



IMPLEMENTATION PROCEDURES BETWEEN ENAC-ACG ON THE AGREEMENT ON THE IMPLEMENTATION OF ART. 83 BIS OF THE CONVENTION ON INTERNATIONAL CIVIL AVIATION (ICAO)

APPENDIX C - RESPONSIBILITIES OF AUTHORITY OF STATE OF REGISTRY AND AUTHORITY OF STATE OF OPERATOR REGARDING AIRWORTHINESS AND OPERATION (Commercial Air Transport) (According to Chicago Convention)

| ICAO Requ. Ref. | Description | Operation Regulation (EU OPS1 and JAR OPS 3) and Part M Requirement | State of Registry NAA responsibility | State of Operator NAA responsibility | 83 Bis Delegation Agreement Reference - Note or remarks |
|---|--|--|---|--|---|
| Annex 1, Annex 2, Annex 6 Part I and III-Operational Requirement | | Appendix III to Regulation 3922/1991 and JAROPS 3 | Ensures that the operational and crew member licensing requirements of the State of Registry are known to both State of Operator and operator | Ensures that the operator complies with relevant operational requirements and employs crew members holding appropriately rated and valid license/attestation issued, recognised or validated by Authority of the State of Registry | Automatically ensured through adoption of common rules by virtue of EU Treaty and former JAA membership Article 11 |
| Annex 8, Part II, Chapter 4; Doc 9760, | Mandatory continuing airworthiness information | Part M Section A Subpart C - M.A.303 Part M Section B Subpart G M.A.303 Airworthiness Directives M.A.708 Continuing airworthiness management M.A.709 Documentation | Ensure that State of Operator and the operator receives all applicable mandatory continuing airworthiness information | Ensures that the operator complies with mandatory continuing airworthiness information diffused/transmitted by the Authority of the State of Registry. | Article 7 |
| Annex 1, Part I, 5.2.3 and 5.2.4 Annex 6, Part III, Section II 3.2.3 and 3.2.4 | Operation of aircraft in compliance with its Certificate of Airworthiness (CofA) | EU OPS 1/JAR OPS 3 Part M Section B Subpart G Part M Section A Subpart G | | Assumes State of Registry's responsibility as defined in 5.2.4 of Annex 6, Part I. | Article 11 |
| Annex 6, Part 1, Chapter 8, 8.1 | Operator's maintenance responsibilities | M.B.701 Application M.B.702 Initial Approval M.A.704 Continuing airworthiness | | Ensures that the responsibilities are contained in the Operator's Continuing Airworthiness Management Exposition (CAME) | All articles of the Agreement and in particular Article 7 and 9 |



IMPLEMENTATION PROCEDURES BETWEEN ENAC-ACG ON THE AGREEMENT ON THE IMPLEMENTATION OF ART. 83 BIS OF THE CONVENTION ON INTERNATIONAL CIVIL AVIATION (ICAO)

APPENDIX C - RESPONSIBILITIES OF AUTHORITY OF STATE OF REGISTRY AND AUTHORITY OF STATE OF OPERATOR REGARDING AIRWORTHINESS AND OPERATION (Commercial Air Transport) (According to Chicago Convention)

| ICAO Requ. Ref. | Description | Operation Regulation (EU OPS1 and JAR OPS 3) and Part M Requirement | State of Registry NAA responsibility | State of Operator NAA responsibility | 83 Bis Delegation Agreement Reference - Note or remarks |
|---|--|---|---|--|---|
| Part III, Chapter 6, 6.1 | | management exposition | | | |
| Annex 6, Part I, 8.1.2 Part III, Chapter 6, 6.1.2 | Operator's maintenance responsibilities | M.B.702 Initial Approval M.A.201(h) Responsibilities M.A.708(c) Continuing airworthiness management | | Ensures that the maintenance organizations used by the operator are approved in accordance with Parte 145. | Article 9 (b) |
| Annex 6, Part I, 8.2.1 to 8.2.4 Part III, Section II Chapter 6, 6.2.1 to 6.2.4 | Operator's maintenance control manual (MCM). | M.B.701 Application M.B.702 Initial Approval M.A.704 Continuing airworthiness management exposition | | Ensures that guidance is contained in the CAME, approves the CAME and ensures transmission of a copy to the Authority of the State of Registry. | Article 7 and 9 |
| Annex 6, Part I, Chapter 8, 8.3 Part III, Section II Chapter 6, 6.3 | Maintenance Program | M.B.301 Maintenance Programme M.B.701 Application M.B.702 Initial Approval M.A.302 Maintenance Programme M.A.704 Continuing airworthiness management exposition M.A.708(b)1 & 2 Continuing airworthiness management - development and approval | | Approves the Operator's Maintenance Programme Ensures that the maintenance programme responsibilities and the development procedures are contained in the CAME. | Article 9 (a) |
| Annex 6, Part I, 8.4.1 to 8.4.3 Part III, Section II Chapter 6, 6.4 e 6.8 | Maintenance records | M.B.303 Aircraft continuing airworthiness monitoring M.B.901 Assessment of recommendations M.B.902 Airworthiness review by the competent authority | Possibility to inspect maintenance records and documents. | | Article 10 |



IMPLEMENTATION PROCEDURES BETWEEN ENAC-ACG ON THE AGREEMENT ON THE IMPLEMENTATION OF ART. 83 BIS OF THE CONVENTION ON INTERNATIONAL CIVIL AVIATION (ICAO)

APPENDIX C - RESPONSIBILITIES OF AUTHORITY OF STATE OF REGISTRY AND AUTHORITY OF STATE OF OPERATOR REGARDING AIRWORTHINESS AND OPERATION (Commercial Air Transport) (According to Chicago Convention)

| ICAO Requ. Ref. | Description | Operation Regulation (EU OPS1 and JAR OPS 3) and Part M Requirement | State of Registry NAA responsibility | State of Operator NAA responsibility | 83 Bis Delegation Agreement Reference - Note or remarks |
|--|--------------------------------------|--|--------------------------------------|--|--|
| | | M.B.701 Application M.B.702 Initial Approval M.A.714 Record-keeping M.A.305 Aircraft continuing airworthiness record system M.A.306 Operator's technical log system | | Ensure that records are kept in accordance with 8.4.1 to 8.4.3 of Annex 6, Part I, and inspects in accordance with the requirements of the Part M and AOC. | |
| Annex 6, Part I, 8.5.1 to 8.5.2 Part III, Section II Chapter 6, 6.5.1 & 6.5.2 | Continuing airworthiness information | EU regulation 216/2008; 1702/2003, 2042/2003 as revised M.B.301 Maintenance Programme M.B.701 Application M.B.702 Initial Approval M.A.302 Maintenance Programme M.A.401 Maintenance data M.A.704 Continuing airworthiness management exposition M.A.708 Continuing airworthiness management M.A.709 Documentation | | Ensures that the airworthiness requirements of State of Registry and State of Operator are complied with and adequate procedures are incorporated in the CAME. | Evidence that the airworthiness requirements of State of Registry are known to both State of Operator and operator is automatically ensured through adoption of common rules by virtue of EU Treaty Article 7 and 9 |
| Annex 6, Parte I, 8.6; Doc 9760, | Modifications and repairs | M.B.701 Application M.B.702 Initial Approval M.A.403 | | Ensures that they have been previously approved by the States of Design and of Manufacture. | Articles 4, 5, 6 and 8 |



IMPLEMENTATION PROCEDURES BETWEEN ENAC-ACG ON THE AGREEMENT ON THE IMPLEMENTATION OF ART. 83 BIS OF THE CONVENTION ON INTERNATIONAL CIVIL AVIATION (ICAO)

APPENDIX C - RESPONSIBILITIES OF AUTHORITY OF STATE OF REGISTRY AND AUTHORITY OF STATE OF OPERATOR REGARDING AIRWORTHINESS AND OPERATION (Commercial Air Transport) (According to Chicago Convention)

| ICAO Requ. Ref. | Description | Operation Regulation (EU OPS1 and JAR OPS 3) and Part M Requirement | State of Registry NAA responsibility | State of Operator NAA responsibility | 83 Bis Delegation Agreement Reference - Note or remarks |
|---|---|---|--|---|---|
| Part III, Section II Chapter 6, 6.6 | | M.A.704 Continuing airworthiness management exposition M.A.708 (b)3 - Continuing airworthiness management - Modification and repairs M.A.714 Record-keeping M.A.710 (a)6 - Airworthiness review - Modification and repairs | Verifies that they have been previously approved by the States of Design and of Manufacture. | Ensures that the requirements are contained in the CAME and approve the CAME. | |
| Annex 6, Part I, 8.7 Part III, Section II Chapter 6, 6.1.2 | Approved maintenance organization and maintenance release | EU regulation 216/2008, 2042/2003 as revised Part 145 requirements M.B.702 Initial Approval M.A.201(h) Responsibilities M.A.708(c) Continuing airworthiness management | Ensures that the maintenance organization approval requirements of State of Registry are known to both State of Operator and operator: automatically ensured through adoption of common rules by virtue of EU Treaty | Approval of the operator's maintenance organization and procedures in accordance with 8.7 and 8.8 of Annex 6, Part I or Chapter 6, 6.1.2, Part III,. | Compliance with ICAO provisions are automatically ensured through adoption of common rules on maintenance organization approval for commercial air transportation by virtue of EU Treaty Article 9 |
| Annex 6, Part I, 8.7 and 8.8 Part III, Section II Chapter 6, 6.7 | Maintenance approval | Part 145.A.50 requirement | | Ensures that the maintenance organizations used by the operator are approved in accordance with Parte 145, and that procedures are contained in the CAME and approves the CAME. | |



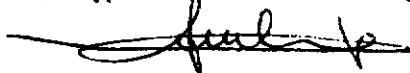
Annex 1 to Agreement between the Ministry of Transport, Innovation and Technology of the Republic of Austria (MOT) and the Civil Aviation Authority of the Italian Republic (Ente Nazionale per l'Aviazione Civile- Italy) on the implementation of article 83bis of the Convention on International Civil Aviation (ICAO) for the transfer of surveillance responsibilities (operations, maintenance and continuing airworthiness)

| Schedule IA Schedule of OE- Registered Aircraft Types and Italian Operator | | | | | |
|---|------------|------------|----------------------|-------------------------------|---|
| Aircraft Type | Serial No. | Reg. Marks | Italian Operator | Agreement Expiry Date | Austro Control (ACG) and ENAC Offices in charge of daily implementation of the agreement |
| Agusta A109E | 11100 | OE-XSA | Elilombarda s.r.l | 31 th October 2012 | ENAC Direzione Operazioni of Milan and ACG Structures as detailed in Appendix A of ACG-ENAC Implementation Procedures to ENAC-MOT Agreement |
| DA 40NG | N006 | OE-KDB | Diamond Aereo S.R.L. | 04 th April 2014 | ENAC Direzione Operazioni of Rome and ACG Structures as detailed in Appendix A of ACG-ENAC Implementation Procedures to ENAC-MOT Agreement |
| DA 40NG | N007 | OE-KDE | Diamond Aereo S.R.L. | 04 th April 2014 | ENAC Direzione Operazioni of Rome and ACG Structures as detailed in Appendix A of ACG-ENAC Implementation Procedures to ENAC-MOT Agreement |
| DA 42NG | 42.N023 | OE-FCC | Diamond Aereo S.R.L. | 04 th April 2014 | ENAC Direzione Operazioni of Rome and ACG Structures as detailed in Appendix A of ACG-ENAC Implementation Procedures to ENAC-MOT Agreement |
| DA 20C1 | C0564 | OE-ADH | Diamond Aereo S.R.L. | 04 th April 2014 | ENAC Direzione Operazioni of Rome and ACG Structures as detailed in Appendix A of ACG-ENAC Implementation Procedures to ENAC-MOT Agreement |
| DA 20C1 | C0543 | OE-ADC | Diamond Aereo S.R.L. | 04 th April 2014 | ENAC Direzione Operazioni of Rome and ACG Structures as detailed in Appendix A of ACG-ENAC Implementation Procedures to ENAC-MOT Agreement |
| DA 20C1 | C0563 | OE-ADG | Diamond Aereo S.R.L. | 04 th April 2014 | ENAC Direzione Operazioni of Rome and ACG Structures as detailed in Appendix A of ACG-ENAC Implementation Procedures to ENAC-MOT Agreement |

For the Ente Nazionale per l'Aviazione Civile ENAC:

Date: 8th October 2012

Il Responsabile
Ufficio Navigabilità Continua Aeromobili
Giuseppe Guido Rocchia




For Austro Control (ACG) Austria:

Date: 8th October 2012




Annex 1 to Agreement between the Ministry of Transport, Innovation and Technology of the Republic of Austria (MOT) and the Civil Aviation Authority of the Italian Republic (Ente Nazionale per l'Aviazione Civile- Italy) on the implementation of article 83bis of the Convention on International Civil Aviation (ICAO) for the transfer of surveillance responsibilities (operations, maintenance and continuing airworthiness)

| Schedule IIA | | | | | |
|--|------------|------------|-------------------|-----------------------|--|
| Schedule of I- Registered Aircraft Types and Austrian Operator | | | | | |
| Aircraft Type | Serial No. | Reg. Marks | Austrian Operator | Agreement Expiry Date | Austro Control (ACG) and ENAC Offices in charge of daily implementation of the agreement |
| / | | | | | |

For the Ente Nazionale per l'Aviazione Civile ENAC:

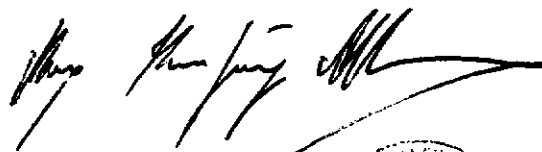
Il Responsabile
 Ufficio Navigabilità Continua Aeromobili
 Giuseppe Guido Recchia



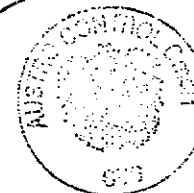
Date: 8th October 2012



For AustroControl (ACG) Austria:



Date: 8th October 2012





BMVIT - II/L2 (Luftfahrtsbeziehungen)
 Postanschrift: Postfach 201, 1000 Wien
 Büroanschrift: Radetzkystraße 2, 1030 Wien
 E-Mail: l2@bmvit.gv.at
 Internet: www.bmvit.gv.at



Bundesministerium
 für Verkehr,
 Innovation und Technologie

GZ. BMVIT-43.277/0010-II/L2/2011 DVR:0000175

ENAC

Protocollo del 07/06/2011

0073175/CSS

Enea Guccini
 Director Production & Maintenance
 Ente Nazionale per l'Aviazione Civile (ENAC)
 Via di Villa Ricotta
 Roma, 00161
 Italy

Vienna, 4 May 2011

Dear Mr. Guccini,

On behalf of the Civil Aviation Authority of the Republic of Austria I wish to present my compliments to ENAC (Ente Nazionale per l'Aviazione Civile) and you personally.

I would like to forward you two original copies of the Agreement between the Ente Nazionale per l'Aviazione Civile of the Republic of Italy and the Ministry of Transport, Innovation and Technology of the Republic of Austria on the Implementation of Article 83bis of the Convention on International Civil Aviation for the transfer of surveillance responsibilities (operations, maintenance and continuing airworthiness) for aircraft operated under dry leasing contracts or by virtue of ownership of the concerned aircraft or any other agreement in the spirit of Article 83bis of the Convention on International Civil Aviation.

In this respect I kindly ask you to sign both documents and send one back to me.

Let me also take this opportunity to thank you for the very good cooperation.

Yours sincerely


 Peter Franzmayr
 Director General



Attachment



SINISI-PAOLO
 COPIA CONFORME ALL'ORIGINALE AI-SEN61 DPR 445
 (conform to original document) DIL-28/12/2000

08/02/2013