

The Authority of the State of the operator is responsible for defining which service information is to be reported by the operator under the national occurrence reporting system. SCAA regulation LFS 2008:36 (JAR-OPS 3) and EU-OPS 1, EASA measure AMC 20-8, part M.A.202 and ENAC Regolamento Tecnico Terzo/30/F, EU OPS 1, JAR OPS 3 and relevant ENAC Circolari (latest issue) relevant to AOC/operating authorisation holders describe the type of in-service information to be reported under the Swedish and the Italian regulatory systems, respectively and relevant reporting times. For delegated aircraft registered in Sweden, accidents and incidents shall be reported to the SCAA, and for delegated aircraft registered in Italy, accidents and incidents shall be reported to the Direzione Operazioni in charge of a specific leased Italian registered aircraft and to the Agenzia Nazionale per la Sicurezza del Volo (ANSV).

The Authority of the State of operator will ensure that a copy of reports on significant events that affect or could affect the continuing airworthiness of leased aircraft, or which invalidate their C of A is also forwarded by the lessee operator to the Authority of the State of registry in order to allow proper corrective measures. In such cases, the Authority of the State of registry will accept that the Authority of the State of the operator is entitled to prevent the aircraft from resuming flight operations, on condition that the Authority of the State of the operator, as appropriate, will advise the Authority of the State of registry to allow adequate measures be taken. Authorisations to resume flights shall be released in accordance with Article 12 below.

The Authority of State of the operator shall ensure that the lessee operator transmits information on significant events affecting continuing airworthiness of a leased aircraft to the organisation responsible for the type design (Regulation (EC) No. 2042/2003 Part M section M.A.202, EU OPS 1.420, JAR OPS 3.420, RT ENAC TERZO/30F and SCAA regulation LFS 2008:36).

The Authority of the State of the operator shall ensure transmission of information on significant events to the Authority of the State of design and EASA (Article 15 of Regulation (EC) No. 216/2008). The follow-up of any reported occurrence that affects or could affect the continuing airworthiness of leased aircraft by the Authority of the State of design which proceeds to satisfactory closure shall be monitored by Authority of the State of the operator in co-ordination with EASA.



IMPLEMENTATION PROCEDURES TO AGREEMENT ENAC - SCAA

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

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

The Authority of the State of the operator will ensure that the operator monitors and assesses maintenance and operational experience with respect to continuing airworthiness, flight safety and accident prevention. Relevant procedures shall be described in the operator's Operations Manual (OM) and Continuing Airworthiness Maintenance Exposition (CAME) or, until Part M will be fully implemented for commercial operations other than commercial air transportation, equivalent organisation manuals allowed by applicable national regulations.

The Authority of the State of the operator will ensure that the lessee shall be appropriately approved, as applicable, pursuant to Part M Section A, Subpart G or, for commercial operations other than commercial air transportation, contract such an organisation for the management of the continuing airworthiness of the aircraft it operates, including dry leased aircraft to which this arrangement applies. Until Part M will be fully implemented for commercial operations other than commercial air transportation, the lessee may be appropriately approved pursuant to national regulations for the management of the continuing airworthiness of the concerned aircraft,

Article 9

REPAIRS

- a) The classification of major or minor repairs shall be made in accordance with the criteria of Part 21 paragraph 21A.91 of Regulation (EC) No. 1702/2003 for a change in type design.

Repairs are classified as major or minor in accordance with Part 21 paragraph 21A.435 of Regulation (EC) No. 1702/2003. Repairs shall be approved in accordance with Part 21 paragraph 21A.437 of Regulation (EC) No. 1702/2003. A copy of a specific EASA approval will be forwarded by the lessee to the lessor Authority.



IMPLEMENTATION PROCEDURES TO AGREEMENT ENAC - SCAA

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

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

Article 10

MAINTENANCE

The Authority of the State of the operator shall ensure that the operator (or contracted CAMO) Continuing Airworthiness Management Exposition (CAME) or, until Part M will be fully implemented for commercial operations other than commercial air transportation, equivalent organisation manuals allowed by applicable national regulations, 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 CAME (or equivalent when applicable), and any revision thereof in accordance with relevant requirements of Annex I (Part M) to Regulation (EC) No. 2042/2003, as revised (or equivalent national regulations).

(a) Continuing airworthiness

A leased aircraft, its engines and its equipment, will be maintained in accordance with the lessee's maintenance programme approved by the lessee Authority in accordance with relevant requirements of Annex I (Part M) to Regulation (EC) No. 2042/2003, as revised. Any permanent variation (e.g. interval escalations, changes to the content and classification or the deletion of maintenance tasks etc) to the aircraft maintenance programme shall be approved by the Authority of the State of operator in accordance with relevant requirements of Annex I (Part M) to Regulation (EC) No. 2042/2003, as revised. The maintenance programme will be based on an MRBR, manufacturer/type certificate holder (TCH) recommendations (e.g. MPD, etc.), international recognised standards etc (ref. M.A.302). Operational equipment will be maintained in accordance with the Authority of the State of operator' maintenance specifications if the equipment manufacturer maintenance documentation provides such an opportunity (e.g. TCH



IMPLEMENTATION PROCEDURES TO AGREEMENT ENAC - SCAA

maintenance documentation requirements report "as requested by national rules/NAA"). In default of maintenance specifications of the Authority of the State of 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.

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 will monitor the effectiveness of such a programme. The lessee shall provide a copy of the aircraft reliability report periodically to the Authority of the State of registry.

Due consideration, especially for dry lease agreements of six months or less, will be made by the Authority of the State of operator to validate the maintenance programme approved by the Authority of the State of registry, also taking into account the additional burden on the operator and technical aspects related to the return of the aircraft to the owner. Surveillance of aircraft maintenance programme will be performed by the Authority of the State of operator in accordance with its standard procedures developed in accordance with the relevant requirements of Annex I (Part M) to Regulation (EC) No. 2042/2003, as revised.

(b) Performance of maintenance

All maintenance inspections, overhauls, modifications and repairs to be performed on the aircraft shall be carried out and released by any appropriately rated Maintenance Organisation (MO) approved/accepted under the Regulation (EC) No. 2042/2003, Part 145 or Part M Subpart F, as requested in accordance with Part M provisions, taking into account aircraft classification or type of operations.

For commercial operation other than commercial air transport, Maintenance Organisations approved by EU Member State Authorities in accordance with former national regulations may be accepted if permitted under Regulation (EC) No. 2042/2003 provisions, or on a case-by-case basis following specific agreement by lessor and lessee Authorities to be specified in the relevant initiation and acceptance letters.

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



Maintenance work must be accomplished by personnel licensed by, or qualified within the maintenance organisation in accordance with standards acceptable to, the lessee Authority. Aircraft or components will be released to service as applicable to personnel licensed in accordance with the Annex III (Part 66) to Regulation (EC) No. 2042/2003, as revised or, pending its full implementation, the regulations of the State of operator, or otherwise recognised or accepted by the Authority of the State of operator pursuant to the applicable Regulation (EC) No. 2042/2003 provisions.

Article 11

RECORDS

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

The aircraft continuing airworthiness record system of the lessee shall comply with the relevant requirements of Annex I (Part M) to Regulation (EC) No. 2042/2003, as revised.

The aircraft operations record system of the lessee 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 lease aircraft).

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



The Authorities will ensure that, at the time of aircraft transfer, the presentation of these records is arranged in the light of the indications and bearing in mind the principles laid down in Appendix A to Part VIII of ICAO Doc. 9642-AN/941 "Continuing Airworthiness Manual".

In the course of the activities leading to the approval of the lease agreement and preceding the delivery of the aircraft to the lessee, the SCAA and ENAC inspectors in charge, in conjunction with their respective senior management, and with the assistance of the lessor and the lessee, will co-operate to guarantee that the maintenance records and documentation used for the issuance of the aircraft Certificate of Airworthiness and/or an ARC are made available to the lessee for ensuring the continuing airworthiness of the aircraft during the lease period.

Article 12

FLIGHT OPERATIONS AND AUTHORISATION

The Authority of the State of operator shall be responsible for the authorisation of all operations in respect of a leased aircraft in accordance with applicable operational requirements in respect of aircraft type of operation or 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 lease aircraft). Above operations shall be conducted in accordance with the EASA approved aircraft Flight Manual, or deemed as EASA approved under Regulation (EC) No. 1702/2003, and the Authority of the State of operator approved Operations Manual (or equivalent document requested for the specific operations under State of operator national requirements). Modifications of the aircraft to comply with operational requirements shall be treated in accordance with Article 5 of these implementation procedures.

The Minimum Equipment List (MEL) and any amendments thereto for each leased aircraft shall be approved by the Authority of the operator and shall not be less restrictive than the relevant EASA approved Master Minimum Equipment List (MMEL), or deemed as EASA approved/accepted. If an MEL does not exist, the use of an alternative MMEL (e.g. MMEL produced by the Type Certificate Holder and approved by the Authority of the State of Design, or MMEL produced or approved by another EU Member State Authority or by FAA) is subject to agreement with Authority of the State of operator. Any deviation from the approved MEL shall be



IMPLEMENTATION PROCEDURES TO AGREEMENT ENAC - SCAA

evaluated and approved by the lessee Authority in accordance with its national procedures and taking into account prescriptions and guidelines on that issue published or notified by the EU Commission.

Permit to Fly in respect of the registered aircraft, where the aircraft is temporarily not in an airworthy condition, shall be issued by the State of Registry upon application by the entitled entity (lessee, etc.) in accordance with Regulation (EC) No. 1702/2003 as amended by Regulation (EC) No. 375/2007 and taking into account ED Decision 2007/006/R and Regulation (EC) No. 376/2007. Permit to Fly may prescribe particular limiting conditions to permit the aircraft to be flown without fare-paying passengers to an approved maintenance facility at which it will be restored to an airworthy condition (refer to Regulation (EC) No. 375/2007, No. 376/2007 and ED Decision 2007/006/R). Such an approval may be issued for example for the following purposes: accomplishment of mandatory airworthiness requirements, airworthiness directives, aircraft repairs, etc. which require the aircraft to be flown to an approved maintenance facility. The Authority of the State of registry shall notify any such approval at the earliest possible opportunity to the Authority of the State of operator by providing a copy of the relevant approval documentation.

Operation of the aircraft conducted under the lessee's operations authorization will be carried out in accordance with applicable national rules and regulations of the State of operator; surveillance will be accomplished by the competent Authority in accordance with the current national procedures.

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

1. If the pilots hold lessee Authority National Flight Crew Licenses that are not issued in accordance with JAR-FCL, then they will either have to obtain individual lessor Authority Certificate of Validation or the lessor Authority may issue a block validation for the specific aircraft and operator's crew.

2. If the pilots hold JAR-FCL licenses, they are able to operate leased aircraft registered in the lessor Country under JAR-FCL recognition



3. If the pilots hold licenses other than Swedish or Italian national or JAR-FCL licenses, they will be required to obtain individual lessor Authority Certificate of Validation as licenses would not be covered under a block validation for the specific aircraft and operator's crew.

In case of flight school training operations, any flying training activities will be conducted, as necessary and required by regulations, under the supervision, responsibility and authorization of Flight Instructors employed by the lessee holding the appropriate pilot license with the requested ratings, issued, accepted or validated by the operator lessee Authority, and validated by the lessor Authority.

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

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

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

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

Article 13

SURVEILLANCE AND INSPECTION

During the term of a lease, the lessee Authority shall accomplish surveillance activities and inspections in respect of the leased aircraft and the lessee operator (e.g. product audit selected by the Authority of the State of Operator under surveillance plan of the lessee's



IMPLEMENTATION PROCEDURES TO AGREEMENT ENAC - SCAA

maintenance/continuing airworthiness/operational approvals, etc.) in accordance with its current procedures in order to verify that aircraft operations are conducted in accordance with the applicable standards of airworthiness, operational requirements and the terms and conditions specified in the present implementation procedures. At the specific request of the lessor Authority and for reasonable causes, the lessee Authority shall permit the lessor Authority to perform an inspection of the lessee operator or the leased aircraft (e.g. aircraft selected under the sample of the State of Registry Aircraft Continuing Airworthiness Monitoring Programme, etc.) and provide assistance in performing the inspection if requested, or may be requested by the lessor Authority to perform such an inspection.

Findings found during surveillance and inspections shall be promptly processed by the relevant authority according to relevant applicable requirements. Each Authority shall notify the other Authority of any finding or act which affects the validity status of any certificate or documentation issued in respect of the leased aircraft or the terms and conditions of the lease contract or the lessee operator authorisation. As far as possible in relation to the level of finding, proper and timely co-ordination will be ensured among State of Registry and State of Operator Authorities in order to allow each parties to adopt as applicable proper actions in respect of above findings in accordance with relevant applicable requirements.

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

Article 14

RENEWAL OR CONTINUED VALIDITY OF AIRCRAFT CERTIFICATES OF AIRWORTHINESS

The continued validity of the Certificate of Airworthiness of a leased aircraft shall be ensured in accordance with the relevant requirements in Regulation (EC) No. 2042/2003, Part M.

Continuing Airworthiness Management Organisation (C.A.M.O.) appropriately approved and privileged in accordance with Part M Subpart G by the Authority of the State of Operator may

IMPLEMENTATION PROCEDURES TO AGREEMENT ENAC - SCAA

issue, extend, or make recommendations for the issue of Airworthiness Review Certificate of individual aircraft to which the provisions of the present agreement apply. A copy of the ARC issued or extended by the concerned C.A.M.O. shall be sent by that organisation to both State of Registry and State of Operator Authorities within ten days since ARC issuance or extension. The lessee operator shall monitor compliance with that provisions.

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

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

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

Findings found during analysis of CAMO recommendation or performing airworthiness review shall be promptly processed by the Authority of the State of Registry according to Part M requirements (M.B.903, M.B.304) and notified to the Authority of the State of Operator in order to be taken into account by 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



IMPLEMENTATION PROCEDURES TO AGREEMENT ENAC - SCAA

Registry and State of Operator authorities in order to allow each parties to adopt as applicable proper actions in respect of above findings in accordance with Part M requirements.

Until Part M full implementation, upon written notification by the lessor Authority to the lessee Authority should the lessor Authority have made use of the provisions of paragraph 3(a) of Article 7 of the Regulation (EC) No. 2042/2003 and/or of any relevant transitional provisions in Regulation (EC) No. 2042/2003, the Certificate of Airworthiness will be renewed or its continued validity confirmed in accordance with the rules established by Authority of the State of registry, provided the aircraft has been properly maintained and is in a condition for safe operation. To this end, the Authority of the State of operator shall ensure that maintenance and service records are available at any time to the Authority of the State of registry or to the entity designated by that Authority in accordance with its national regulations.

For Swedish-registered aircraft not operated in commercial air transport, the Certificate of Airworthiness may, as an alternative to the relevant requirements in Regulation (EC) No. 2042/2003, Part M, be renewed by SCAA in accordance with national regulations (Decision LS 2008-6436).

For Italian registered aircraft not operated in commercial air transport, the Certificate of Airworthiness may, as an alternative to the relevant requirements in Regulation (EC) No. 2042/2003, Part M be renewed by ENAC in accordance with ENAC Regolamento Tecnico provisions.

However, on a case-by-case basis, proper arrangements could be made between the two Authorities to decide on alternative procedures. At the specific request of the lessor Authority and conditional on favourable results of the surveillance and inspection activities performed on the leased aircraft in accordance with the terms of the present implementation procedures, the lessee Authority shall renew the aircraft Certificate of Airworthiness on the basis of the procedures provided by the Authority of the State of registry or shall provide the Authority of the State of registry with a Certificate of Airworthiness renewal recommendation. The lessee is requested, in this case, to submit an application to its Authority. Other aircraft certificates/licenses (i.e. aircraft radio station license, etc.) will be renewed by the competent Authority of the State of registry.

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

Article 15

COOPERATION


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

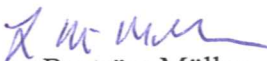
Each Authority shall provide such assistance as may reasonably be required by the other Authority in its carrying out inspections, investigations and other functions in respect of the leased aircraft.

Done on 19 March 2009 in two originals in English

For the Civil Aviation Authority of Italy

For the Swedish Civil Aviation Authority


Enea L. GUCCINI
Head of Maintenance and Production Dept


Lena Byström Möller
Civil Aviation Director

