

MEMORANDUM OF UNDERSTANDING BETWEEN THE IRISH AVIATION AUTHORITY (IRELAND) IAA AND CIVILINĖS AVIACIJOS ADMINISTRACIJA (LITHUANIA) CAA ON IMPLEMENTATION OF art. 83bis OF CONVENTION ON INTERNATIONAL CIVIL AVIATION (ICAO) FOR THE TRANSFER OF SURVEILLANCE RESPONSIBILITIES (OPERATIONS, MAINTENANCE AND CONTINUING AIRWORTHINESS) OF AIRCRAFT OPERATED UNDER DRY LEASING CONTRACT



**MEMORANDUM OF UNDERSTANDING: MOU-001**

**BETWEEN THE**

**IRISH AVIATION AUTHORITY (IRELAND) IAA**

**AND**

**CIVILINĖS AVIACIJOS ADMINISTRACIJA (LITHUANIAN) CAA**

**ON**

**IMPLEMENTATION OF ARTICLE 83bis OF CONVENTION ON  
INTERNATIONAL CIVIL AVIATION (ICAO)**

**FOR THE TRANSFER OF SURVEILLANCE RESPONSIBILITIES  
(OPERATIONS, MAINTENANCE AND CONTINUING  
AIRWORTHINESS) OF AIRCRAFT OPERATED UNDER DRY  
LEASING CONTRACT**

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**IAA F. GARRY**  
Registration Officer

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## I – INTRODUCTION

Whereas the protocol of 6 October 1980 relating to Article 83bis of the Convention on International Civil Aviation (Chicago, 1944), to which **IRELAND** and **LITHUANIA** are parties, entered into force on 20<sup>th</sup> June 1997.

Whereas Ireland and Lithuania are members of the European Union (EU)

Whereas Ireland and Lithuania are members of the European Civil Aviation Conference (ECAC)

Whereas the European Parliament and The Council of The European Union (EU) have adopted Regulation (EC) No 216/2008 to establish and maintain a high uniform level of civil aviation safety in Europe by the adoption of common safety rules and by measures ensuring that products, persons and organisations in the Community comply with such rules and those adopted to protect the environment,

Whereas the European Aviation Safety Agency (EASA) has been established pursuant to Regulation EC 216/2008 on behalf of every EU Member State, under the above referenced EU Regulation, the functions and tasks of the state of design, manufacture when related to design approval,

Whereas the European Commission has implemented Regulation (EC) 748/2012, (replacing 1702/2003) laying down implementation procedures for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations,

Whereas the European Commission has adopted Regulation (EC) 2042/2003, as amended 593/2012, on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks,

Whereas the Council of European Communities has adopted Council Regulation (EEC) of the 3922/1991 as amended by EC Regulation 859/2008 on the common technical requirements and administrative procedures in the field of civil aviation applicable to commercial transportation by aircraft for EU Member States,

Whereas each Authority has determined, pursuant to the above mentioned European Commission regulations at latest revision and or by amending regulation as issued by the commission, that the standards of airworthiness and systems for airworthiness, environmental certification and maintenance of the other Authority are equivalent to its own to establish and make this delegation arrangements possible;

Whereas each Authority has determined that the operating requirements and design-related operational requirements of the other Authority are sufficiently equivalent to its own to make this delegation arrangement feasible;

Whereas Article 83bis of the Chicago Convention with the Protocol of 6 October 1980 provides, with a view to enhanced safety, for the possibility of transferring to the State of the Operator all or part of the State of Registry's functions and duties pertaining to Articles 12, 30, 31, and 32 (a) of the Convention;

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Whereas, in line with ICAO Document 9642, Part VIII, Chapter 1, and in light of ICAO Document 8335, Chapter 10, it is necessary to establish precisely the international obligations and responsibilities of IRELAND and LITHUANIA in accordance with the Convention when an EI-registered aircraft is operated by the holder of an Air Operator Certificate (AOC) issued by the Lithuanian Civil Aviation Authority or when an LY-registered aircraft is operated by the holder of an AOC issued by the Irish Aviation Authority under an International leasing arrangement;

Whereas, with reference to the relevant Annexes to the Convention, this agreement organises the transfer from the lessor Authority to the lessee Authority of responsibilities normally carried out by the State of Registry, as set out in paragraphs III and IV below;

Whereas the protocol was ratified by Lithuania through law no IX-1681 dated 03rd July 2003 published in the "Valstybes Zinios" 91(1) -4103 dated 26th September 2003 has given effect to the agreement in relation to article 83bis;

Whereas the protocol was ratified by **IRELAND** through the transfer of certain functions as defined in Statutory Instrument S.I. 322 of 1989 'AIR NAVIGATION' (Transfer of Certain Functions and Duties of State of Registry of Aircraft) Order 1989, has given effect to the agreement in relation to article 83bis.

The Civil Aviation Authority of: **Ireland**

**IRISH AVIATION AUTHORITY**  
The Times Building,  
11-12 D'olier Street,  
Dublin 2,  
Ireland.

And

The Civil Aviation Authority of: **Lithuania**

**CIVILINĖS AVIACIJOS ADMINISTRACIJA**  
Civil Aviation Administration  
Rodunios Kelias 2  
LT-02188 Vilnius  
Lithuania

hereinafter also referred to as "the Parties" or State of registry and State of Operator Authority, have agreed as follows on the basis of Articles 33 and 83bis of the Convention, to provide for the acceptance and accomplishment of certain functions, in particular the performance of inspection and surveillance activities, required to ensure that an aircraft during the terms of a lease is operated and maintained to their mutual satisfaction.

**II - GENERAL**

0. The following definitions applies:

- lessor: registered owner or the party from which the aircraft is leased
- lessee: operator under whose operating licence including an air operator's certificate (AOC) the leased aircraft is operated
- authority of the State of Registry: The national civil aviation authority of the state where the relevant aircraft is registered.
- authority of the State of the Operator: The national civil aviation authority of the State where

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the AOC under which the leased aircraft is operated,

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- commercial air transport(ion): it is relevant to those aircraft operations involving the transport of passengers, cargo or mail for remuneration or hire performed by licensed air carrier as defined in Regulation (EC) No 1008/2008, on common rules for the operation of air services in the Community as revised, of the European Parliament and council,
- EASA Member State: any European Union Member State and any other State adhering to EASA system as recognized by EASA

ICAO Contracting States undertake to regulate aviation in their State. The state of registry of the aircraft sets criteria to ensure compliance with design standard, continued airworthiness, crew licensing and other matters. Contracting States license and supervise the certified operators to ensure a level of safety is achieved. When the state of registry passes control of an aircraft to another State under article 83bis of ICAO Convention, ICAO Annex 6 allows a working arrangement to be in place whereby the state of operator accepts the ICAO Annex 6 responsibilities for a set period. It is usual for the Authority of the State of operator to place certain criteria on the dry lease operator to ensure the aircraft in question complies with the requirement of the State of operator. These may include compliance with the State of operator design and maintenance requirement and current airworthiness data. Either a Lithuanian or Irish operator can operate an Irish or Lithuanian registered aircraft respectively to be used in commercial operation under a leasing contract. In accordance with ICAO Annex 8 and National regulations, the State of registration Authority retains legal responsibility for maintaining the validity of the Certificate of Airworthiness of the aircraft.

1. In pursuance of the Chicago Convention and article 4 and 5 of Statutory Instrument S.I. 322 of 1989 Ireland shall be relieved of responsibility in respect of the functions and duties transferred to Lithuania upon due publicity or notification of this agreement as determined in paragraph (b) of Article 83bis.
2. In pursuance through law no IX-1681 dated 03rd July 2003 published in the "Valstybes Zinios" 91(1) -4103 dated 26th September 2003, Lithuania Civil Aviation Administration shall be relieved of responsibility in respect of the functions and duties transferred to IRELAND upon due publicity or notification of this agreement as determined in paragraph (b) of Article 83bis.

### **III - SCOPE OF APPLICATION**

The scope of this agreement shall be limited to aircraft on the register of civil aircraft of Ireland or Lithuania and operated in commercial air transportation under leasing agreement by a Lithuanian or Irish AOC operators.

### **IV - TRANSFERRED RESPONSIBILITIES**

Under this agreement, the parties agree that the lessor Authority transfers to the lessee Authority the following responsibilities, including oversight and control of relevant items contained in the respective Annexes to the Convention:

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**Annex 1**

*Personnel Licensing* - issuance and validation of licenses.

**Annex 2**

*Rules of the Air* - enforcement of compliance with applicable rules and regulation relating to the flight and manoeuvre of aircraft.

**Annex 6**

*Operation of Aircraft* - (Part 1 International Commercial Air Transport-Aeroplanes) all responsibilities which are normally incumbent on the State of Registration. Where responsibilities in Annex 6, Part 1, may conflict with responsibilities in Annex 8 Airworthiness of Aircraft, allocation of specific responsibilities is defined in the attached Appendix 1.

**Annex 8**

*Airworthiness of Aircraft* - all responsibilities which are normally incumbent on the state of registry, and have not been assumed by EASA, for the oversight and control of aircraft entered on its register. Responsibilities related to the control of continued validity of Certificate of Airworthiness of individual aircraft to which the provisions of the present agreement apply, according to EU Regulations (Part M), are transferred in accordance with terms and conditions laid down in the implementation procedures (Appendix I) relevant to this agreement. Under this agreement, the responsibility for the supervision of maintenance and continuing airworthiness of leased aircraft operated under the air operator's certificate (AOC) of the lessee is hereby transferred to the State of operator Authority.

The transfer of above responsibilities will be accomplished in accordance with terms and conditions laid down in the implementation procedures relevant to this agreement.

The procedures related to the continuing airworthiness of leased aircraft to be followed by the lessee are contained in the lessee Continuing Airworthiness Management Exposition (CAME) and Operations Manual (OM).

**V - NOTIFICATION**

This agreement, as well as any amendments to it, will also be registered with ICAO by Irish Aviation Authority (IAA), as required by Article 83 of the Convention and in accordance with the Rules for Registration with ICAO of Aeronautical Agreements and Arrangements (ICAO Doc. 6685).

A certified copy of this agreement and its relevant implementation procedures, as well as any amendments to them, will be made available by the State of Operator Authority to the aircraft operators to which this agreement applies. A copy of the agreement and the implementation procedures as well as a copy of the relevant initiation and acceptance letters must be kept on board the aircraft concerned. A certified copy of the Air Operator Certificate (AOC) issued to the lessee AOC operator by the State of operator Authority in which the aircraft concerned will be duly and properly identified, shall also be carried on board each aircraft. If the lessee has obtained, from its authority, approval for a system to list the registration marks for aircraft operated and authorized under its AOC, this list and the relevant section of the operations manual describing this system must be kept on board each aircraft to which the present agreement applies.

Aircraft to which the present Agreement applies are listed in the Schedule of Lithuanian operators and aircraft types registered in Ireland (schedule IA) and "Schedule of Irish operators and aircraft types registered in Lithuania (Schedule II). The schedules are kept and maintained updated by Irish Aviation Authority IAA and Lithuanian CAA respectively. A copy of the above schedules reflecting the aircraft to which the present agreement applies at the time of its signature shall also be provided to the ICAO by each of the two depository authorities as an attachment to the agreement when the latter is registered according to this paragraph.

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The list of delegated aircraft registered with the ICAO shall be updated by the depository authority every time the validity of the present agreement is extended by a new aircraft or by a new lease period or annually whichever occurs first.

During the implementation of this agreement, and prior to any aircraft subject to it being made the object of a sub-lease (wet or dry lease), the State of the Operator shall inform the State of Registry authority of this. None of the duties and functions transferred from the State of Registry to the State of the Operator may be carried out under the authority of a third state without the express written agreement of the State of Registry.

## **VI LEASE AUTHORISATION**

Each Authority shall ensure that leasing contracts shall only be authorised when in compliance with terms and conditions laid down in the present Memorandum of Understanding.

## **VII- CO-ORDINATION**

Meetings between Irish Aviation Authority and Lithuanian Civil Aviation Administration will be arranged as necessary to discuss both operations and airworthiness matters resulting from inspections that have been conducted by respective inspectors. The following subjects may be reviewed during these meetings:

- Flight operations;
- Continuing airworthiness surveillance and aircraft maintenance;
- Operator Continuing Airworthiness Management Exposition procedures as applicable;
- Any other significant matters arising from inspections.

## **VIII - INITIATION**

The transfer of functions related to the surveillance of leased aircraft will be initiated by the State of Registry Authority with a letter referring to the Memorandum of Understanding (MOU-001) with reference to the specific aircraft for formal acceptance by the operator's Authority. In the case of leasing prolongation agreement, transfer of tasks and relevant acceptance will be confirmed in writing by both State of Registry and Operator Authority before the beginning of the new lease period. A certified true copy of these letters shall be provided to the lessee by the relevant authority to be kept on board the aircraft during the validity period of this Agreement in respect of that specific aircraft as established in accordance with the provisions of Chapter IX (samples of these letters are included in the appendix 3).

## **IX - EFFECTIVENESS**

Ireland (IAA) and Lithuanian (CAA) regulatory responsibilities comes into effect, for each individual delegated aircraft, when a delegation request is formally accepted by the operator's Authority on the basis of this agreement. For this purpose, a formal letter / fax of reply regarding the transfer of functions shall be sent by the State of Operator authority to the State of Registry authority indicating acceptance or refusal.

Before the start of operations the State of Registry authority shall send a request concerning the transfer of functions to the State of the Operator authority. The determined regulatory responsibilities of Ireland (IAA)

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and Lithuanian (CAA) for a leased aircraft to which this agreement applies shall cease to be in effect 24 hours after notice given by either the State of Registry authority or the State of the Operator authority, but not later than the date of aircraft lease agreement expiry as established by any of the parties. Such date shall be mentioned by the authority in the request concerning delegation of functions or in the acceptance letter.

The points of contact for the exchange of correspondence are those laid down in the appendix 1 of the present agreement.

**X-CHARGES**

Each Authority will charge fees and expenses according with its own rules.

**XI - FINAL**

This agreement will enter into force on its date of signature, and come to an end at the culmination of the respective aircraft leasing arrangements under which they are operated. Any modification to this agreement shall be agreed by the parties thereto in writing.

Implementation procedures for this agreement are included in the attached appendixes.

The responsibility for (MOU-001) registration amendments with ICAO shall be absolved by both State of Registry and or Operator Authority as agreed. The content of the general arrangement MOU-001 and their appendixes may be amended by written agreement signed by the both parties. The arrangement shall terminate after sixty (60) days of written notice on the termination of this arrangement by either of the two parties.

This agreement is accepted and signed by:

**IRELAND: Irish Aviation Authority (IAA)**

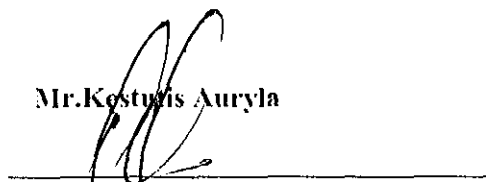
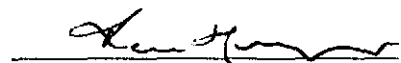
**LITHUANIA: Civilinės Aviacijos Administracija**

For the  
Civil Aviation Authority of IRELAND

For the  
Civil Aviation Administration of Lithuania

Mr Kevin Humphreys

Mr. Kestutis Auryla



Safety and Regulation Director

Civil Aviation Administration Director

Dated 09 JAN 2013 /2012

Dated. 14 Jan. 2013

Authority Stamp

Authority Stamp

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## APPENDIX n° 1

### I - PURPOSE

The purpose of this appendix is to provide detailed working arrangements between the Irish Aviation Authority (IAA) of Ireland and the Civil Aviation Administration of Lithuania (CAA) to implement the Memorandum of Understanding MOU-001 to allow both authorities to discharge their legal responsibilities for the continuing Airworthiness of dry leased aircraft to be operated in commercial air transportation while avoiding undue burden by elimination of duplication of tasks.

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

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

Cross reference table to identify competent authority in respect of Part M duties and responsibilities as resulting from duties and responsibilities transferred from State of registry Authority to State of Operator Authority according to article 3 the Agreement MOU-001 for the transfer of certain functions, duties and surveillance responsibilities (operations, maintenance and continuing airworthiness) for aircraft operated under dry leasing contracts, is reported in appendix 2.

### II - IMPLEMENTATION

For the implementation, the points of contact of the authorities are the following for all questions regarding Airworthiness, major changes and matter of principles:

**Irish Aviation Authority**  
**The Times Building,**  
**Dolier Street,**  
**Dublin 2, Ireland.**  
Tel +353-1-6718655 Fax +353-1-6793349  
Email: [registration@iaa.ie](mailto:registration@iaa.ie)

**Civil Aviation Administration**  
**Rodūnios kelias 2,**  
**LT-02188 Vilnius, Lithuania**  
Tel +370-5-273 9038 Fax +370-5-273 9248  
[caa@caa.lt](http://caa.lt)

As far as the current activities to be performed in accordance with these procedures are concerned: IAA inspectors in charge of a specific Irish registered aircraft or operators and the Lithuanian Civil Aviation Administration Offices in charge of a specific Lithuanian operators or Lithuanian registered aircraft will co-ordinate their specific intervention and the necessary exchange of information related to the present procedures.

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References of State of Registry and State of Operator Authority services in charge of daily implementation of these procedures are provided in the initiation and acceptance letters for each leased aircraft to which the agreement (MOU-001) applies. In Appendix A, references of Lithuanian CAA and Irish Aviation Authority (IAA) offices or departments in charge of subject matter specified in the present agreement are listed.

### III -TYPE DESIGN DEFINITION

The aircraft and any product or part thereof must comply with the relevant EASA approved type design (refer to provisions of the EU Regulation 748/2012).

The Authority of the State of registry will be responsible for checking compliance with this requirement at the delivery of the aircraft to the lessee when the leased aircraft was previously operated by a third country operator.

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

### IV-CHANGES TO THE TYPE DESIGN

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

The classification of major or minor changes to Type Design is defined in the part 21 of EU Regulation 748/2012.

Changes to Type Design are classified as major or minor by entitled entity to conduct technical investigations in accordance with part 21 of EU Regulation 748/2012 and approved in accordance with the following procedure.

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

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

Changes generated by the organisation responsible for the Type Design, (typically in the form of aircraft constructor Service Bulletins) and approved by the State of Design Authority are approved for incorporation in the series of aircraft to which no deviation from the modification is made.

#### Embodiment of approved changes

Embodiment on aircraft of the Design Changes approved in accordance with the above procedure will be performed in accordance with Chapter IX Maintenance.

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## **V-SERVICE BULLETINS APPROVAL**

The technical instructions and engineering contents of any Service Bulletin issued by the type design certificate holder (TDCH) can be used by the lessee on the leased aircraft once evidence of their approval by the State of Design Authority or by the TDCH under the Authority of a DOA approval issued under EU Regulation 748/2012 part 21 is available.

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

Embodiment of Service Bulletins on aircraft will be performed in accordance with Chapter IX Maintenance.

## **VI-CONFORMITY TO OPERATIONAL REQUIREMENTS**

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

Conformity to national operational requirements, including those which may have an impact on aircraft design, will remain within the responsibility of the operator's Authority where the modification relates and provided that design data related to the modification have to be approved in accordance with the procedure established in Chapter IV above.

The aircraft must be operated within the limitations described in the Aircraft Flight Manual approved by EASA, or deemed as EASA approved under (EC) 748/2012 regulation in accordance with EASA procedures. The Aircraft Flight Manual may include amendments approved in accordance with EASA procedures relevant to equipment required by operational regulations of the State of the operator.

## **VII-CONTINUING AIRWORTHINESS**

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

Pursuant to the above, the EC Regulations 216/2008 and 2042/2003 as amended and the Decision No. 2/2003 of the Executive Director of The Agency dated 14 October 2003 (or latest published issue), the aircraft must be in compliance with all the ADs applicable to that aircraft and to any component / parts thereof mandated either by EASA, the relevant State of design Authorities, unless EASA has issued a different decision before the date of entry into force of that airworthiness directive, or by the State of registry Authority under the provisions of art 14 of Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008. In this regard, the State of registry Authority will timely provide the lessee and the regional office of the State of the operator Authority in charge of aircraft surveillance with the above ADs and other airworthiness action mandated by the State of registry authority for the aircraft type concerned and parts/products thereof. The lessee must hold and keep up-to-date a complete set of the above mentioned applicable ADs.

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

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

Any non conformity deriving from production or maintenance deficiencies will be managed by the State of Operator and State of Registry authority in accordance with EASA policy. A preventive co-ordination policy between State of Operator and State of Registry authority will be implemented if aircraft to which this agreement applies may be affected.

The State of Operator Authority shall verify that the lessee is in receipt of all the ADs or other mandatory airworthiness actions applicable to the leased aircraft and products, components or parts thereof.

The operator's Authority will be responsible to supervise that all applicable ADs and other mandatory airworthiness actions are properly applied to the leased aircraft. All ADs issued by Irish Aviation Authority are available on the IAA web site [www.iaa.ie](http://www.iaa.ie). All Lithuanian AD's or information on AD's, issued on their website [www.cca.lt](http://www.cca.lt). Therefore the lessee is requested to regularly look at those sites as applicable to absolve their continuing airworthiness responsibilities in respect of this regulatory aspect. The lessee is also requested to on a regular basis look at EASA and other relevant State of Design Authority web sites to absolve their continuing airworthiness responsibilities in respect of the leased aircraft and their components / installed equipment etc.

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

The State of operator Authority is responsible for defining to the operator the type of service information that is to be reported to the State of Registration Authority. Under the national occurrence reporting system (ICAO Annex 6 8.5.1 and Annex 8 4.2.3(f) and 4.2.4 refer). The documents IAA-Aeronautical Notice A.30 (*latest issue*) and EASA measure AMC 20-8, part M.A.202. and Lithuanian rules on occurrence reporting, Appendix III (EU OPS 1) of EU regulation 3922/1991, relevant to AOC / operating authorisation holders and reporting system describe the type of in-service information, equivalent for both States to be reported under Irish and Lithuanian regulatory system respectively and relevant reporting times. For delegated aircraft registered in Ireland, accidents and incidents shall be reported to the Irish Aviation Authority (IAA) via SOTS reporting system at [www.iaa.ie](http://www.iaa.ie). For delegated aircraft registered in Lithuania, accidents and incidents shall be reported to the Lithuanian 'Civil Aviation Administration' in charge of a specific leased Lithuanian registered aircraft.

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 IAA F. GARRY  
Registration Officer

MEMORANDUM OF UNDERSTANDING BETWEEN THE IRISH AVIATION AUTHORITY (IRELAND) IAA AND CIVIL AVIATION ADMINISTRATION (LITHUANIA) CAA ON IMPLEMENTATION OF art. 83bis OF CONVENTION ON INTERNATIONAL CIVIL AVIATION (ICAO) FOR THE TRANSFER OF SURVEILLANCE RESPONSIBILITIES (OPERATIONS, MAINTENANCE AND CONTINUING AIRWORTHINESS) OF AIRCRAFT OPERATED UNDER DRY LEASING CONTRACT

Operator's Authority will ensure that a copy of reports on significant events that affect or could affect the continuing airworthiness of leased aircraft or invalidate their Certificate of Airworthiness or related airworthiness review certificate is also forwarded by the lessee operator to the State of Registration Authority in order to allow proper corrective actions. In such cases the State of Registration Authority will accept that, in accordance with ICAO Annex 8 3.6.2, the State of operator Authority is entitled to prevent the aircraft from resuming flight subject to the State of operator Authority advising the State of Registration Authority that they have taken such action and to allow adequate actions be taken by the State of Registration Authority in accordance with ICAO Annex 8 3.6.1. Authorisations to resume flights to permit the aircraft to be flown to an approved maintenance facility at which it will be restored to an airworthy condition shall be released in accordance with Chapter IX below.

The State of Operator Authority shall ensure that lessee operator transmits information on significant events affecting continuing airworthiness of leased aircraft to the organisation responsible for the type design ((EU regulation 2042/2003 part M point M.A.202, EU OPS 1.420 of EU regulation 3922/1991, (IR rules for ops October 2012), ICAO Annex 6 8.5.1 and Annex 8 4.2.3(f) refer).

The State of Registry Authority shall ensure transmission of information on significant events to the State of Design Authority. The follow-up of any reported occurrence that affects or could affect the continuing airworthiness of leased aircraft by the State of design Authority progressing to satisfactory closure shall be monitored by State of the operator Authority in co-ordination with the competent Authority under EASA system.

The State of Operator Authority and the State of Registration Authority will ensure a timely mutual exchange of information on any result arising from the following investigation phases of significant in service event in respect of leased aircraft.

The State of operator Authority 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 State of operator Authority and the State of Registration Authority (ICAO Annex 6 8.5.2. refers).

The State of operator Authority will ensure that the operator monitors and assesses maintenance and operational experience with respect to continuing airworthiness, flight safety and accident prevention (ICAO Annex 6 3.2 and 8.5.1 refers). Relevant procedures shall be described in the operator's Operations Manual, and Continuing Airworthiness Management Exposition (CAME).

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

## VIII-REPAIRS

Application of repairs on aircraft will be made under operator's Authority surveillance and responsibility according to its usual procedures.

The classification of major or minor repairs shall be made in accordance with the criteria of Part 21 of EU Regulation 748/2012 for a change in type design.

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Repairs are classified as major or minor in accordance with Part 21 of EC Regulation 748/2012. Repairs shall be approved in accordance with Part 21 of EC Regulation 748/2012. A copy of a specific EASA approval will be forwarded by the lessee to the State of Registry Authority.

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. Any damage resulting from a major incident should be notified to the State of Registration Authority prior to the embodiment of any repair.

The accomplishment of approved repairs on the aircraft will be performed in accordance with Chapter IX Maintenance.

### **IX-MAINTENANCE**

State of Operator Authority shall ensure that the operator Continuing Airworthiness Management Exposition (CAME), and Aircraft maintenance programme comply with State of Registry as agreed and specified and laid down in this agreement. State of Operator Authority shall approve the CAME and any revision thereof in accordance with relevant Part M of EC Regulation 2042/2003 as amended requirements.

#### **(a) Continuing airworthiness**

Leased aircraft, its engines and equipment, will be maintained in accordance with the lessee's operator maintenance programme approved by State of Registry Authority in accordance with relevant Part M requirements of EC Regulation 2042/2003 as amended. Any permanent variation (e.g. interval escalation, changes to content and classification of or deletion of maintenance tasks etc) to the aircraft maintenance program shall be approved by the State of Registry Authority in accordance with relevant Part M requirements of EC Regulation 2042/2003.

One time derogation to the approved maintenance program shall be approved by State of Registry Authority in accordance with their current national procedures. The maintenance programme will be based, as applicable, on MRBR, manufacturer/type certificate holder (TCH) recommendations (e.g. MPD), international recognised standards etc (ref. M.A.302).

Operational equipment will be maintained in accordance with State of Registry Authority's maintenance specifications when the equipment manufacturer maintenance documentation gives such opportunity (e.g. manufacturer /TCH maintenance documentation requirements report "as requested by national rules/NAA"). In default of operator Authority's or manufacturer maintenance specifications for Operational equipment, the State of Registration Authorities requirements, if any, will apply.

Where a reliability programme forms part of, or is a condition within the approved maintenance schedule approved by the State of Operator's Authority, the State of operator Authority will monitor the effectiveness of such a programme.

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

Due consideration, especially for dry lease agreements of six month or less, will be made by operator's Authority to validate the State of registration Authority approved maintenance programme, taking also into account additional burden on the operator and technical aspects related to delivery back of the aircraft to the owner. Surveillance of aircraft maintenance will be performed by the operator's Authority in accordance with

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its standard procedures developed in accordance with relevant Part M requirements of EC Regulation 2042/2003.

**(b) Performance of maintenance**

All maintenance inspections, overhauls, modification 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 EU regulation 2042/2003 Part 145.

Maintenance and airworthiness records will be kept by the aircraft operator (lessee) in accordance with procedures approved by the State of operator Authority. The records will be transferred by the lessee operator to the aircraft lessor at the end 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 State of Operator Authority. Aircraft or components will be released to service as applicable by personnel licensed in accordance with the EU Regulation 2042/2003 Part 66 or otherwise recognised or accepted by the State of the operator Authority pursuant to the applicable EU Regulation 2042/2003 provisions.

**X- RECORDS**

The State of Registration Authority shall ensure that maintenance and in service records and documentation relevant to the leased aircraft, as requested by ICAO Annex 6, part I, are transferred or made available and /or accessible to the lessee operator at the time of aircraft delivery to allow complete and accurate selection of the information judged necessary to manage the continued airworthiness of the aircraft all through the duration of the lease agreement.

The aircraft continuing airworthiness record system of the lessee shall comply with the relevant EU regulation 2042/2003 Part M requirements.

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 (i.e. relevant EU OPS1 requirements).

The operator Authority shall ensure that lessee operator shall make available these records for the aircraft lessor and the State of registration Authority at the end of the leasing period. Additionally the operator Authority shall ensure that lessee operator shall make available these records, as applicable, to the competent authority, or otherwise agreed by the Parties of this agreement, as per Part M provision, or as applicable to the contracted appropriately approved CAMO, for carrying out periodic aircraft airworthiness review for issuing or recommending the issuance of the Airworthiness Review Certificate (ARC) associated with Certificate of Airworthiness (CofA) of each aircraft to which the present agreement applies.

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

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 IAA F. GARRY  
Registration Officer

MEMORANDUM OF UNDERSTANDING BETWEEN THE IRISH AVIATION AUTHORITY (IRELAND) IAA AND CIVIL AVIATION ADMINISTRATION (LITHUANIA) CAA ON IMPLEMENTATION OF art. 83bis OF CONVENTION ON INTERNATIONAL CIVIL AVIATION (ICAO) FOR THE TRANSFER OF SURVEILLANCE RESPONSIBILITIES (OPERATIONS, MAINTENANCE AND CONTINUING AIRWORTHINESS) OF AIRCRAFT OPERATED UNDER DRY LEASING CONTRACT

If the aircraft is being transferred from an operator of a non EASA member Authority or the aircraft has been registered in Ireland or Lithuania just prior to a lease, the State of Registration Authority shall endorse the maintenance records and documentation mentioned above before a lease authorisation is issued for the concerned aircraft by the lessee's Authority.

Issue of the aircraft Certificate of Airworthiness and associated ARC by the State of Registration Authority shall be considered an endorsement of the status of the aircraft documentation and its associated maintenance records.

In the course of the activities leading to the approval of the lease agreement and preceding the aircraft delivery to the lessee operator, the Irish Aviation Authority (IAA) and Lithuanian (CAA) inspectors in charge in conjunction with their respective senior management, and with the assistance of the lessor and lessee, will coordinate to guarantee that the maintenance records and documentation used for the issuance of the aircraft Certificate of Airworthiness or associated ARC by the State of Registration authority are those provided to the lessee operator for ensuring the continuing airworthiness of the aircraft during the lease period.

## **XI – FLIGHT OPERATIONS AND AUTHORISATION**

The Operator's Authority shall be responsible for the authorisation of all operations in respect of a leased aircraft according to applicable operational requirements. Above operations shall be conducted in accordance with EASA approved aircraft Flight Manual, or deemed as EASA approved under (EC) 748/2012 regulation, and Operator's Authority approved Operations Manual. Modification of aircraft to comply with operation requirement shall be treated in accordance with Chapter VI of this appendix.

The Minimum Equipment List and any amendments thereto for each leased aircraft in accordance with which the aircraft operations may be allowed, shall be approved by Operator's Authority and shall not be less restrictive than the relevant EASA Approved Master Minimum Equipment List, or deemed as EASA approved/accepted. If this does not exist, the use of an alternative MMEL (e.g. MMEL produced by the Type Certificate Holder and approved by the Authority of the State of Design, MMEL produced or approved by another EU Member State Authority or by FAA) is subject to agreement with operator's Authority: Any deviation from the approved MEI shall be evaluated and approved by the lessee Authority according to its national procedures.

A copy of the operators M.E.L. (Minimum Equipment List) including amendment service shall be provided by the aircraft operator to the State of Registry Authority.

Permit to Fly in respect of the registered aircraft, where the aircraft is temporarily not in airworthy condition, shall be issued by the State of Registry upon application by the entitled entity (lessor lessee, etc.) in accordance with Commission Regulation (EC) 748/2012

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

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 **IAA F. GARRY**  
Registration Officer

MEMORANDUM OF UNDERSTANDING BETWEEN THE IRISH AVIATION AUTHORITY (IRELAND) IAA AND CIVIL AVIATION ADMINISTRATION (LITHUANIA) CAA ON IMPLEMENTATION OF art. 83bis OF CONVENTION ON INTERNATIONAL CIVIL AVIATION (ICAO) FOR THE TRANSFER OF SURVEILLANCE RESPONSIBILITIES (OPERATIONS, MAINTENANCE AND CONTINUING AIRWORTHINESS) OF AIRCRAFT OPERATED UNDER DRY LEASING CONTRACT documentation.

Flight operations will be conducted by the lessee operator employing flight crew members holding an appropriately rated license, issued, or validated, by the appropriate department of the lessee Civil Aviation 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 Irish or Lithuanian or JAR-FCL licenses, 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.

Leased aircraft may be operated by the lessee TRTO under the following conditions:

- the aircraft must be integrated in the TRTO manuals and procedures
- all instructors flying this aircraft must have their license validated by lessor Authority in accordance with above guidelines
- if the aircraft is flown for examination purposes, the examiner must also have its license validated if he has pilot/copilot responsibilities.
- The aircraft remains on the Lessee Air Operator Certificate for TRTO operation by lessee.

Permit to Fly for the purpose of flight demonstration of 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.

## **XII- SURVEILLANCE AND INSPECTION**

During the terms of a lease, the lessee Authority shall accomplish surveillance activities and inspections in respect of leased aircraft (e.g. product audit selected by the State of Operator authority under surveillance plan of the lessee's CAMO/AOC, etc.) and lessee operator in accordance with its current procedures in order to verify that the aircraft operations is conducted in accordance with the applicable standards of airworthiness, operating requirements and the terms and conditions specified in the present appendix.

On the specific request of the lessor Authority and for reasonable cause, the Lessee Authority shall permit lessor Authority to perform an inspection of lessee operator of its leased aircraft, and provide assistance in performing that inspection if requested, or where requested by lessor Authority for lessee authority to perform such an inspection.

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

MEMORANDUM OF UNDERSTANDING BETWEEN THE IRISH AVIATION AUTHORITY (IRELAND) IAA AND CIVIL AVIATION ADMINISTRATION (LITHUANIA) CAA ON IMPLEMENTATION OF art. 83bis OF CONVENTION ON INTERNATIONAL CIVIL AVIATION (ICAO) FOR THE TRANSFER OF SURVEILLANCE RESPONSIBILITIES (OPERATIONS, MAINTENANCE AND CONTINUING AIRWORTHINESS) OF AIRCRAFT OPERATED UNDER DRY LEASING CONTRACT

State of Registry and State of Operator Authority 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.

### **XIII- CONTINUED VALIDITY OF CERTIFICATE OF AIRWORTHINESS RENEWAL**

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

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

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

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 State of Registry Authority in accordance with Part M requirements. Copy of the ARC issued shall be sent by State of Registry Authority to State of Operator Authority within 10 day since ARC issuance.

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

However, on a case by case basis and with EASA concurrence, proper arrangements could be made between both state of registry and state of Operator Authorities to decide on alternative procedures to allow ARC be issued by the State of Operator authority instead of the State of Registry authority.

Other aircraft certificates / licenses (i.e. noise, aircraft radio license etc) will be renewed by the State of registration / state authorities.

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 **IAA** F. GARRY  
Registration Officer

MEMORANDUM OF UNDERSTANDING BETWEEN THE IRISH AVIATION AUTHORITY (IRELAND) IAA AND CIVIL AVIATION ADMINISTRATION (LITHUANIA) CAA ON IMPLEMENTATION OF art. 83bis OF CONVENTION ON INTERNATIONAL CIVIL AVIATION (ICAO) FOR THE TRANSFER OF SURVEILLANCE RESPONSIBILITIES (OPERATIONS, MAINTENANCE AND CONTINUING AIRWORTHINESS) OF AIRCRAFT OPERATED UNDER DRY LEASING CONTRACT

However, on a case by case basis and with EASA concurrence, proper arrangements could be made between both state of registry and state of Operator Authorities to decide on alternative procedures to allow ARC be issued by the State of Operator authority instead of the State of Registry authority.

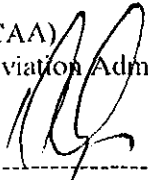
Other aircraft certificates / licenses (i.e. noise, aircraft radio license etc) will be renewed by the State of registration / state authorities.

#### XIV CO-OPERATION

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

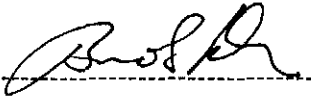
Each Authority shall render such assistance as may reasonably be required by the other Authority in its carrying out inspections, investigations and other functions in respect of the leased aircraft.

For (CAA)  
Civil Aviation Administration 'Lithuania'.

  
-----  
Mr. Kęstutis Auryla  
Civil Aviation Administration Director

-----  
Date: 2012

For (IAA)  
Irish Aviation Authority 'Ireland'

  
-----  
Mr Brian Skehan

Assistant Director Airworthiness

  
**SAFETY REGULATION DIVISION**

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Date: 09 JAN 2013

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**F. GARRY**  
Registration Officer

MEMORANDUM OF UNDERSTANDING BETWEEN THE IRISH AVIATION AUTHORITY (IRELAND) IAA AND CIVIL AVIATION ADMINISTRATION (LITHUANIA) CAA ON IMPLEMENTATION OF art. 83bis OF CONVENTION ON INTERNATIONAL CIVIL AVIATION (ICAO) FOR THE TRANSFER OF SURVEILLANCE RESPONSIBILITIES (OPERATIONS, MAINTENANCE AND CONTINUING AIRWORTHINESS) OF AIRCRAFT OPERATED UNDER DRY LEASING CONTRACT

Appendix 2

SAMPLE OF INITIATION LETTER

Date:

Ref:

Mr  
Director:  
Civil Aviation Administration  
Rodunios Kelias 2  
LT-02188 Vilnius,  
Lithuania,

or

Mr  
Director of Safety and Regulation  
Irish Aviation Authority  
The Times Building  
11-12 Dolier Street  
Dublin 2, Ireland.

Subject: Delegation of Surveillance for Irish (Lithuanian) Registered Aircraft EI-XXX (LY-XXX) Operating with XXXXXXXXXXXX Airlines Ireland or Lithuania.

Dear Sir,

In accordance with the provisions of the Memorandum of Understanding MOU-001 signed on *dd.mm.year* to implement the general conditions outlined in Article 83 bis of the Convention on International Civil Aviation, this Authority wishes to delegate flight operations, personnel and maintenance surveillance functions to the Civil Aviation Authority of Lithuania /Ireland in regard to the lease of the Irish / Lithuanian registered aircraft whilst being operated by XXXXXXXXXXXX Ireland /Lithuania.

This Authority would be grateful if you would acknowledge in writing your acceptance or otherwise of the delegated functions as mentioned in Memorandum of Understanding MOU-001. A copy of associated General Certificate of Validation of Pilots Licences is attached.

Thank you for your co-operation and assistance in this matter.

Yours faithfully,

-----  
(Name) Director  
Irish or Lithuanian Authority

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MEMORANDUM OF UNDERSTANDING BETWEEN THE IRISH AVIATION AUTHORITY (IRELAND) IAA AND CIVIL AVIATION ADMINISTRATION (LITHUANIA) CAA ON IMPLEMENTATION OF art. 83bis OF CONVENTION ON INTERNATIONAL CIVIL AVIATION (ICAO) FOR THE TRANSFER OF SURVEILLANCE RESPONSIBILITIES (OPERATIONS, MAINTENANCE AND CONTINUING AIRWORTHINESS) OF AIRCRAFT OPERATED UNDER DRY LEASING CONTRACT

GENERAL CERTIFICATE OF VALIDATION

Article 17 of the Air Navigation (Personnel Licensing) Order, 1996 (S.I. No 165 of 1996), as amended, (*Lithuania regulation ref*) hereby renders valid the Flight Crew licenses specified in paragraph 2 below, issued by the *Civil Aviation Administration Lithuania* or (*Irish Aviation Authority*), or issued by a Contracting State and rendered valid by the *Civil Aviation Administration Lithuania* or (*Irish Aviation Authority*), in accordance with Lithuanian or (*Irish*) law subject to the conditions contained in paragraph 3 below.

2. Licences held by Flight Crew employed by, or contracted to, XXXXXXXXXXXX Airline entitling them to act as members of the flight crew of (*type of aircraft involved*) aircraft.

3. (a) The said flight crew members shall be entitled to act in the capacity for which the said licences are valid pursuant to the law of the *Civil Aviation Administration Lithuania* or (*Irish Aviation Authority*).

(b)The said flight crew members shall be trained in the different configurations of the said aircraft as specified in the individual certificate of airworthiness.

(c) This General Certificate of Validation shall apply in respect of (*type of aircraft involved*) registered in Ireland (*Lithuania*) subject to a lease agreement, in respect of such aircraft types, remaining in force between the Lessee, XXXXXXXXXXXX Lithuania or (*Ireland*) and , the Lessor, YYYYYYYYYYY, Ireland (*Lithuania*).

A copy of this General Certificate of Validation shall be carried with the licence of each flight crew member to which it relates whilst acting in accordance herewith.

This General Certificate of Validation is valid from dd (*Month*) yyyy unless varied, suspended or revoked by this Authority

1. The Irish Aviation Authority (*Civil Aviation Administration Lithuania*) in exercise of its powers under the

Signed : \_\_\_\_\_

Head of Personnel Licensing  
And Aerodrome Standards Department  
For Irish Airworthiness Authority (for)

Head of Personnel Licensing Department  
Civil Aviation Administration Lithuania)

Date:

MEMORANDUM OF UNDERSTANDING BETWEEN THE IRISH AVIATION AUTHORITY (IRELAND) IAA AND CIVIL AVIATION ADMINISTRATION (LITHUANIA) CAA ON IMPLEMENTATION OF art. 83bis OF CONVENTION ON INTERNATIONAL CIVIL AVIATION (ICAO) FOR THE TRANSFER OF SURVEILLANCE RESPONSIBILITIES (OPERATIONS, MAINTENANCE AND CONTINUING AIRWORTHINESS) OF AIRCRAFT OPERATED UNDER DRY LEASING CONTRACT

SAMPLE OF ACCEPTANCE LETTER

Date:

Ref:

Mr  
Director:  
Civil Aviation Administration  
Rodunios Kelias 2  
LT-02188 Vilnius,  
Lithuania,

or

Mr  
Director of Safety and Regulation  
Irish Aviation Authority  
The Times Building  
11-12 Dolier Street  
Dublin 2, Ireland.

Subject:

Delegation of Surveillance for Irish (Lithuanian) Registered Aircraft EI-XXX or (LY-XXX) Operating with  
XXXXXXXXXX airline in Lithuania or (Ireland).

Dear Sir,

With reference to you letter dated *dd mm yyyy*, we wish to inform you that Lithuania CAA or Ireland (IAA) is willing to accept the transfer of surveillance responsibilities for the subject aircraft whilst operated by XXXXXXXXXXXX airline in Lithuania or (Ireland). The delegation will be accomplished in accordance with the terms and conditions laid down in the Memorandum of Understanding MOU-001 signed on: *dd mm. yyyy*.

Yours faithfully,

-----  
(Name)

Lithuanian CAA or Irish Aviation Authority.

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 F. GARRY  
Registration Officer

MEMORANDUM OF UNDERSTANDING BETWEEN THE IRISH AVIATION AUTHORITY (IRELAND) IAA AND CIVIL AVIATION ADMINISTRATION (LITHUANIA) CAA ON IMPLEMENTATION OF art. 83bis OF CONVENTION ON INTERNATIONAL CIVIL AVIATION (ICAO) FOR THE TRANSFER OF SURVEILLANCE RESPONSIBILITIES (OPERATIONS, MAINTENANCE AND CONTINUING AIRWORTHINESS) OF AIRCRAFT OPERATED UNDER DRY LEASING CONTRACT

SAMPLE OF LETTER FOR CONTINUED TRANSFER OF SURVEILLANCE RESPONSIBILITIES

Date:

Ref:

Mr  
Director:  
Civil Aviation Administration  
Rodunios Kelias 2  
LT-02188 Vilnius,  
Lithuania,

or

Mr  
Director of Safety and Regulation  
Irish Aviation Authority  
The Times Building  
11-12 Dolier Street  
Dublin 2, Ireland.

Subject: Prolongation of dry lease - Delegation of Surveillance request for Irish or (Lithuanian) Registered Aircraft EI-XXX or (LY-XXX) Operating with XXXXXXXXXXXX airline Lithuania or (Ireland).

Dear Sir,

We have been informed that the subject operator intends to extend the dry leasing agreement for the subject aircraft.

Please would you confirm that Lithuania Civil Aviation Administration(CAA) / Irish Aviation Authority (IAA) is willing to accept the continued transfer of surveillance responsibilities as defined in the Memorandum of Understanding MOU-001 signed on dd mm yyyy for the subject aircraft whilst operated by XXXXXXXXXXXX airline in Lithuania or (Ireland).

Yours faithfully,

-----  
(Name)  
Director (Irish or Lithuanian Authority as applicable)

MEMORANDUM OF UNDERSTANDING BETWEEN THE IRISH AVIATION AUTHORITY (IRELAND) IAA AND CIVIL AVIATION ADMINISTRATION (LITHUANIA) CAA ON IMPLEMENTATION OF art. 83bis OF CONVENTION ON INTERNATIONAL CIVIL AVIATION (ICAO) FOR THE TRANSFER OF SURVEILLANCE RESPONSIBILITIES (OPERATIONS, MAINTENANCE AND CONTINUING AIRWORTHINESS) OF AIRCRAFT OPERATED UNDER DRY LEASING CONTRACT

SAMPLE OF ACCEPTANCE LETTER

Date:

Ref:

Mr  
Director:  
Civil Aviation Administration  
Rodunios Kelias 2  
LT-02188 Vilnius,  
Lithuania,

or

Mr  
Director of Safety and Regulation  
Irish Aviation Authority  
The Times Building  
11-12 Dolier Street  
Dublin 2, Ireland.

Subject: Prolongation of dry lease - Delegation of Surveillance for Irish (Lithuanian) Registered Aircraft EI-XXX (LY-XXX) Operating with XXXXXXXXXXXX Lithuania or Ireland.

Dear Sir,

With reference to you letter dd mm yyyy, we wish to inform you that Lithuanian CAA or Irish Aviation Authority (IAA) is willing to accept the continued transfer of surveillance responsibilities for the subject aircraft while being operated by XXXXXXXXXXXX airline Lithuania Italy or Ireland. The delegation will be accomplished in accordance with the terms and conditions laid down in the Memorandum of Understanding MOU-001 signed on DD MM YYYY.

Yours faithfully,

-----  
(Name)

Director

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 **IAA** F. GARRY  
Registration Officer

MEMORANDUM OF UNDERSTANDING BETWEEN THE IRISH AVIATION AUTHORITY (IRELAND) IAA AND CIVIL AVIATION ADMINISTRATION (LITHUANIA) CAA ON IMPLEMENTATION OF art. 83bis OF CONVENTION ON INTERNATIONAL CIVIL AVIATION (ICAO) FOR THE TRANSFER OF SURVEILLANCE RESPONSIBILITIES (OPERATIONS, MAINTENANCE AND CONTINUING AIRWORTHINESS) OF AIRCRAFT OPERATED UNDER DRY LEASING CONTRACT

SAMPLE OF DELEGATION REQUEST LETTER

Date:

Ref: AWSD/Del/37/1/

Mr  
Director:  
Civil Aviation Administration  
Rodunios Kelias 2  
LT-02188 Vilnius.  
Lithuania,

or

Mr  
Director of Safety and Regulation  
Irish Aviation Authority  
The Times Building  
11-12 Dolier Street  
Dublin 2, Ireland.

Subject:

Delegation of Surveillance request for Irish Registered or Lithuanian registered Aircraft Registration "EI- or LY (MSN XXXXX)" for operation with airline xxxxxxx in Lithuania or Ireland.

Dear Sir,

In accordance with the provisions of the agreement MOU-001 signed on *DD MM YYYY* by Civil Aviation Administration Lithuania and Irish Aviation Authority on *DD MM YYYY* to implement the general conditions outlined in Article 83bis of the Convention on International Civil Aviation, this Authority (Lithuania or Ireland) wishes to delegate flight operations personnel and maintenance surveillance functions to the Civil Aviation Authority of Lithuania or Ireland in regard to the lease of the Irish registered or Lithuanian registered aircraft whilst operated by xxxxxxx Airline.

1. Annex 8  
Part II  
Chapter 4. Continuing Airworthiness of Aircraft.  
Chapter 3. 3.2 Renewal of a Certificate of Airworthiness.  
Chapter 3. 3.4 Aircraft Limitations and Information (AFM).  
Chapter 3. 3.5 Temporary Loss of Airworthiness.  
Chapter 3. 3.6 Damage to aircraft.
2. Annex 6 Part 1. Operation of Aircraft.
3. Annex 1 - Chapters 2, 3, 4 and 6. Licensing of Flight Crew Members and Personnel other than Flight Crew.
4. Annex 2 Rules of the Air.

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MEMORANDUM OF UNDERSTANDING BETWEEN THE IRISH AVIATION AUTHORITY (IRELAND) IAA AND CIVIL AVIATION ADMINISTRATION (LITHUANIA) CAA ON IMPLEMENTATION OF art. 83bis OF CONVENTION ON INTERNATIONAL CIVIL AVIATION (ICAO) FOR THE TRANSFER OF SURVEILLANCE RESPONSIBILITIES (OPERATIONS, MAINTENANCE AND CONTINUING AIRWORTHINESS) OF AIRCRAFT OPERATED UNDER DRY LEASING CONTRACT

- 2 -

The Regional Office in charge of aircraft surveillance and daily implementation of the agreement including any extension of duration of this agreement in respect of the subject aircraft is Dublin for Irish Aviation Authority and Vilnius for Lithuanian Civil Aviation Administration Division.

This Authority would be grateful if you would acknowledge in writing your acceptance or otherwise of the delegated functions as mentioned in the agreement MOU-001. A copy of the associated General Certificate of Validation of Pilots Licences is attached.

Thank you for your co-operation and assistance in this matter.

Yours faithfully,

-----  
Director

*Please reply by Fax to, Irish Aviation Authority at: + 353 1 6793349*

*Please reply by Fax to, Civil Aviation Administration Lithuania at: + 370 5 2739237*

 **IAA** F. GARRY  
Registration Office 

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MEMORANDUM OF UNDERSTANDING BETWEEN THE IRISH AVIATION AUTHORITY (IRELAND) IAA AND CIVIL AVIATION ADMINISTRATION (LITHUANIA) CAA ON IMPLEMENTATION OF art. 83bis OF CONVENTION ON INTERNATIONAL CIVIL AVIATION (ICAO) FOR THE TRANSFER OF SURVEILLANCE RESPONSIBILITIES (OPERATIONS, MAINTENANCE AND CONTINUING AIRWORTHINESS) OF AIRCRAFT OPERATED UNDER DRY LEASING CONTRACT.

APPENDIX 3: Transfer of responsibilities: Matrix 83bis to EC Regulation 2042 / 2003 Annex 1 Part M

ICAO Reference	Part M Requirement Reference	Requirement Detail	83bis Delegation Agreement Reference	Responsible NAA	Note or Remarks
Annex 8, Part III, Chapter 3 and 4.	M.1				
	1.	Oversight of continuing airworthiness of individual aircraft  and  the issue of ARC	All applicable Chapters and Appendix to the agreement  Chapter XIII "Continued validity of aircraft certificate of Airworthiness" of Appendix to the agreement	State of Operator NAA (Operation of aircraft)  1. State of Registry NAA when ARC is initially issued by the competent authority upon recommendation of appropriately approved and privileged continuing airworthiness management organizations 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.	
Annex 6, Part 1.	3	Oversight of continuing airworthiness management organizations as specified under M.A. Subpart G	All applicable Chapters of Appendix No. 1 to the agreement in relation to approval of operator's CAMO	State of Operator NAA for CAMO located in it's territory	Note: This includes oversight that operator / lessee shall use only Part 145 approved maintenance organization under EU regulatory system. Oversight of each Part 145 AMO is ensured by the authority issuing that



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MEMORANDUM OF UNDERSTANDING BETWEEN THE IRISH AVIATION AUTHORITY (IRELAND) IAA AND CIVIL AVIATION ADMINISTRATION (LITHUANIA) CAA ON IMPLEMENTATION OF art. 83bis OF CONVENTION ON INTERNATIONAL CIVIL AVIATION (ICAO) FOR THE TRANSFER OF SURVEILLANCE RESPONSIBILITIES (OPERATIONS, MAINTENANCE AND CONTINUING AIRWORTHINESS) OF AIRCRAFT OPERATED UNDER DRY LEASING CONTRACT.

APPENDIX 3: Transfer of responsibilities: Matrix 83bis to EC' Regulation 2042 / 2003 Annex 1 Part M

ICAO Reference	Part M Requirement Reference	Requirement Detail	83bis Delegation Agreement Reference	Responsible NAA	Note or Remarks
					Part 145 approval under EU regulatory system. Oversight of other CAMOs ultimately used to recommend issuance of ARC is ensured by the competent authority issuing that the CAMO approval under EU regulatory system.
Annex 6, Part I, 8.3	4	Approval of Maintenance Programmes	Chapter IX of Appendix No. 1 to the agreement	State of Registry NAA	
See above and below	M.B. 201	Responsibilities of each NAA			Each applicable Part B requirement for the aircraft delegated under 83bis agreements are referenced below
Annex 6, Part I, 8.3	M.B. 301	Maintenance Programme	Chapter IX of Appendix No. 1 to the agreement	State of Registry NAA	
	M.B. 302	Exemptions granted under art. 14.4 of the basic regulation	Chapter VII of Appendix No. 1 to the agreement	State of Registry or Operator NAA	Note: under Chapter XIV of Appendix 1 to the agreement, State of Registry and Operator NAA are requested to coordinate views on any art 14.4 exemption and concur on same before issue.
Annex 8, Part II, Chapter 3 and 4	M.B. 303	Aircraft Continuing Airworthiness Monitoring (ACAM)	Chapter XII of Appendix No. 1 to the agreement	State of Registry NAA (with assistance of state of operator authority )	Note: under Chapters XI, XII and XIII of Appendix No. 1 to the agreement, co-operation between



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MEMORANDUM OF UNDERSTANDING BETWEEN THE IRISH AVIATION AUTHORITY (IRELAND) IAA AND CIVIL AVIATION ADMINISTRATION (LITHUANIA) CAA ON IMPLEMENTATION OF art. 83bis OF CONVENTION ON INTERNATIONAL CIVIL AVIATION (ICAO) FOR THE TRANSFER OF SURVEILLANCE RESPONSIBILITIES (OPERATIONS, MAINTENANCE AND CONTINUING AIR WORTHINESS) OF AIRCRAFT OPERATED UNDER DRY LEASING CONTRACT.

APPENDIX 3: Transfer of responsibilities: Matrix 83bis to EC Regulation 2042 / 2003 Annex I Part M

ICAO Reference	Part M Requirement Reference	Requirement Detail	83bis Delegation Agreement Reference	Responsible NAA	Note or Remarks
					State of Registry and Operator NAA is reinforced in line with M.B.105 provisions.
Annex 6, Part 1, 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 CAMOs.
	M.B. 702	Initial Approval of operator's CAMO – process of		State of Operator NAA	See Note under M.1.3. for other CAMOs.
	M.B. 703	Issue of Approval of operator's CAMO		State of Operator NAA	See Note under M.1.3. for other CAMOs.
	M.B. 704	Continued Oversight of operator's CAMO	All applicable Chapters of Appendix No. 1 to the agreement	State of Operator NAA	See Note under M.1.3. for other CAMOs.
	M.B. 705	Findings on operator's CAMO	Chapter XI of Appendix No. 1 to the agreement	State of Operator NAA	See Note under M.1.3. for other CAMOs.
	M.B. 706	Changes in relation to approval of operator's CAMO		State of Operator NAA	See Note under M.1.3. for other CAMOs.
	M.B. 707	Revocation, Suspension and Limitation of Approval of operator's CAMO	Chapter XI of Appendix No. 1 to the agreement	State of Operator NAA	See Note under M.1.3. for other CAMOs.
Annex 8, Part II, Chapter 3 and 4	M.B. 901	Assessment of Recommendations by Competent Authority	Chapter XII of Appendix No. 1 to the agreement	State of Registry NAA	
	M.B. 902	Airworthiness Review by Competent Authority	Chapter XII of Appendix No. 1 to the agreement	State of Registry NAA	
Annex 8, Part II, Chapter 3 and 4	M.B. 903	Findings	Chapters VII, XI, XII and XIII of Appendix No. 1 to the agreement	State of Registry NAA with the assistance and co-operation of State of Operator NAA	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 it's ACAM activities or following notification by either State NAA of

  
IAA F. GARRY  
Registration Officer

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MEMORANDUM OF UNDERSTANDING BETWEEN THE IRISH AVIATION AUTHORITY (IRELAND) IAA AND CIVIL AVIATION ADMINISTRATION (LEBANON) CAA ON IMPLEMENTATION OF art. 83bis OF CONVENTION ON INTERNATIONAL CIVIL AVIATION (ICAO) FOR THE TRANSFER OF SURVEILLANCE RESPONSIBILITIES (OPERATIONS, MAINTENANCE AND CONTINUING AIRWORTHINESS) OF AIRCRAFT OPERATED UNDER DRY LEASING CONTRACT.

APPENDIX 3: Transfer of responsibilities: Matrix 83bis to EC Regulation 2042 / 2003 Annex 1 Part M

ICAO Reference	Part M Requirement Reference	Requirement Detail	83bis Delegation Agreement Reference	Responsible NAA	Note or Remarks
					<p><u>findings) resulting from it's surveillance activities.</u></p> <p>Under Chapter VII of Appendix 1, whenever the State of Operator NAA is aware or notified that a condition is in place that may affect the continuing airworthiness of leased aircraft or invalidate their Certificate of Airworthiness / related airworthiness review certificate, the State of Operator NAA is in any case allowed to prevent aircraft from resuming flights or suspend the ARC, until appropriate actions are taken according to Part M provisions.</p>

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SCHEDULE 1(a)



Current Schedule Of Irish Registered Aircraft Types, Registration, Serial Number and Lithuanian Operators Affected By This Delegation Agreement.

Schedule of Irish Registered Aircraft	Schedule of Lithuanian AOC Operators
Registration <u>EI- XXX</u> Serial Number xxxx Lease Expiry. TBA	CHARTER JETS, JSC

ARTICLE 10 TRUE COPY

This schedule is effective as of Date: \_\_\_\_\_, however aircraft details may change from time to time.

For Irish Aviation Authority, \_\_\_\_\_

SCHEDULE 1(b)

  
**IAA F. GARRY**  
Registration Officer

Current Schedule Of Lithuanian Registered Aircraft Types, Registration, Serial Number and Irish AOC Operators Affected By this Delegation Agreement.

Schedule of Lithuanian Registered Aircraft	<u>Schedule of Irish AOC Operators</u>
Registration <b>LY-XXX</b> Serial Number <b>XXXX</b> Lease Expiry. <b>TBA</b>	

 **TRUE COPY**

This schedule is effective as of Date: \_\_\_\_\_, however aircraft details may change from time to time.

For Lithuanian Civil Aviation Authority, \_\_\_\_\_