

Agreement between

The Republic of San Marino, represented by the


Civil Aviation Authority

and

The Kingdom of Saudi Arabia, represented by the

General Authority of Civil Aviation

on the Implementation of Article 83*bis* of the  
Convention on International Civil Aviation



WHEREAS the Protocol relating to Article 83*bis* of the Convention on International Civil Aviation (Chicago, 1944) (herein after referred to as “the Convention”), to which the Republic of San Marino and the Kingdom of Saudi Arabia are parties, entered into force on 20 June 1997;

WHEREAS Article 83*bis*, with a view to enhanced safety, provides 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;

WHEREAS, in line with Doc 9760 (Airworthiness Manual), and in consideration of Doc 8335 (Manual of Procedures for Operations Inspection, Certification and Continued Surveillance), Part V, it is necessary to establish precisely the international obligations and responsibilities of the Republic of San Marino (State of Registry) and the Kingdom of Saudi Arabia (State of the Operator) in accordance with the Convention;

WHEREAS, regarding the relevant Annexes to the Convention, this Agreement organises the transfer from the Republic of San Marino to the Kingdom of Saudi Arabia responsibilities normally carried out by the State of Registry, as set out in Sections 3 and 4 below;

The Government of the Republic of San Marino, represented by its Civil Aviation Authority, Via Consiglio dei Sessanta, 99 47891 Dogana, San Marino (hereinafter called Civil Aviation Authority) and referred to hereafter as the CAA.

and

The Government of the Kingdom of Saudi Arabia represented by its General Authority of Civil Aviation (hereinafter called the General Authority of Civil Aviation) and referred to hereafter as the GACA.

Hereinafter referred to as “the Parties”, have agreed as follows based on Articles 33 and 83*bis* of the Convention:

## **ARTICLE I—GENERAL**

- Section 1. The Republic of San Marino shall be relieved of responsibility in respect of the functions and duties transferred to the Kingdom of Saudi Arabia, upon the date of signature of this agreement by both parties.
- Section 2. The scope of this Agreement shall be limited to types of aircraft on the register of civil aircraft of the Republic of San Marino and operated by those operators defined in Attachment 1 and whose principal place of business is in the Kingdom of Saudi Arabia. The list of aircraft concerned, identified by type, registration number and serial number, is reproduced in Attachment 1.



## ARTICLE II—TRANSFERRED RESPONSIBILITIES

- Section 3. Under this Agreement, the Parties agree that the Republic of San Marino transfers to the Kingdom of Saudi Arabia the following functions and duties, including oversight and control of relevant items contained in the respective Annexes to the Convention:
- Annex 1; Personnel Licensing, the Republic of San Marino will issue validations of pilot licences issued by the Kingdom of Saudi Arabia or any other ICAO Annex 1 flight crew licences where a GACA have issued a Temporary Flight Authorisation (TFA).
  - Annex 2: Rules of the Air, enforcement of compliance with applicable rules and regulations relating to the flight and manoeuvre of aircraft.
  - Annex 6: Operation of Aircraft (Part I — International Commercial Air Transport Aeroplanes), all responsibilities which are normally incumbent on the State of Registry. Where responsibilities in Annex 6, Part I, may conflict with responsibilities in Annex 8 — Airworthiness of Aircraft, allocation of specific responsibilities are defined in Attachment 2.
- Section 4. Under this Agreement, while the Republic of San Marino will retain full responsibility under the Convention for the regulatory oversight and control of Annex 8 — Airworthiness of Aircraft, the responsibility for the approval of maintenance organisations and those equivalent organisations referred to in Annex 6 Part I Chapter 8.1.2, are the responsibility of the General Authority of Civil Aviation. The Civil Aviation Authority accepts maintenance performed under the GACA Part 121/121S approval as an acceptable equivalent to an approved maintenance organisation. The maintenance release will be in accordance with the GACA requirements and regulations. The procedures related to the maintenance and continuing airworthiness of aircraft to be followed by the operator will be contained in the operator's maintenance control manual (GMM) which will be approved by the General Authority of Civil Aviation and accepted by the Civil Aviation Authority. Attachment 2 hereunder describes the responsibilities of the Parties regarding the continuing airworthiness of aircraft.

## ARTICLE III—NOTIFICATION

- Section 5. Responsibility for notifying directly any States concerned of the existence and contents of this Agreement pursuant to Article 83*bis* rests with the Republic of San Marino as the State of Registry, as needed. This Agreement, as well as any amendments to it, shall also be registered with ICAO by the Republic of San Marino as the State of Registry as required by Article 83 of the Convention and in accordance with the Rules for Registration with ICAO of Aeronautical Agreements and Arrangements (Doc 6685).
- Section 6. A certified true copy, in the English language, of this Agreement shall be placed on board each aircraft to which this Agreement applies.



Section 7. A certified true copy of the air operator certificate (AOC) issued to the operator by the Kingdom of Saudi Arabia, in which the aircraft concerned will be duly listed and properly identified, will also be carried on board each aircraft. These aircraft will not be listed on any AOC issued by the San Marino Civil Aviation Authority.

#### **ARTICLE IV—COORDINATION**

Section 8. Meetings between the Civil Aviation Authority and the General Authority of Civil Aviation of the Kingdom of Saudi Arabia will be held at approximately 12-month intervals to discuss both operations and airworthiness matters resulting from inspections that have been conducted by respective Inspectors. For the sake of enhanced safety, these meetings will take place for the purpose of resolving any discrepancies found as a result of the inspections and in order to ensure that all parties are fully informed about the operator's operations.

The following subjects will be among those reviewed during these meetings:

- a) Flight Operations
- b) Continuing airworthiness and aircraft maintenance
- c) Operator's GMM procedures, if applicable
- d) Flight and cabin crew training and checking
- e) Any other significant matters arising from inspections
- f) Review of the agreement, including addition or subtraction of aircraft to or from Attachment 1

Section 9. Subject to reasonable notice, the Civil Aviation Authority will be permitted access to the General Authority of Civil Aviation of the Kingdom of Saudi Arabia's documentation concerning those operators defined in attachment 1, to verify that the Kingdom of Saudi Arabia is fulfilling its safety oversight obligations as transferred from the Republic of San Marino.

Section 10. During the implementation of this Agreement, and prior to any aircraft subject to it being made the object of a sub-lease, the Kingdom of Saudi Arabia, remaining the State of the Operator, shall inform the Republic of San Marino. None of the duties and functions transferred from the Republic of San Marino to the Kingdom of Saudi Arabia may be carried out under the authority of a third State without the express written agreement of the Republic of San Marino.

Section 11. The nominated operator under this agreement may operate leased aircraft provided the lease clearly identifies the State of Operator.

#### **ARTICLE V—FINAL CLAUSES**

Section 12. This Agreement will enter into force on its date of signature. Any modification to the



Agreement shall be agreed by the parties thereto in writing.

Section 13. Any disagreement concerning the interpretation or application of this Agreement shall be resolved by consultation between the Parties.

Section 14. In witness thereof, the undersigned directors of civil aviation of the Republic of San Marino and the Kingdom of Saudi Arabia have signed this Agreement.

For the Government of the Republic  
of San Marino

For the Government of the Kingdom of Saudi  
Arabia

Name: MARCO CONTI

Title: Director General

Place: RIYADH, KSA

Signature: 

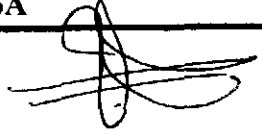
Date: 14 March 2017



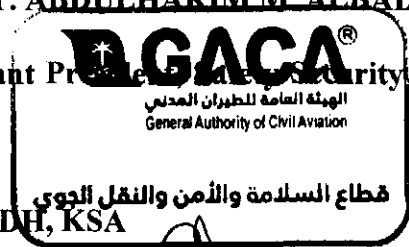
Name: CAPT. ABDULHAKIM M. ALBADIR

Title: Assistant President of Security & Air  
Transport

Place: RIYADH, KSA

Signature: 

Date: 14 March 2017



Attachment 1 - Aircraft Affected by this Agreement.



Attachment 2 - Responsibilities of the Republic of San Marino and the Kingdom of Saudi Arabia regarding Airworthiness

Attachment 3 - Application of Responsibilities of the Parties.

ATTACHMENT 1 Revision 1

AIRCRAFT AFFECTED BY THIS AGREEMENT

| Aircraft Type     | Registration Mark | Serial Number | Operator                    | Operator |
|-------------------|-------------------|---------------|-----------------------------|----------|
| CL-600-2B16 (604) | T7-BCH            | 5822          | PrivatAir Saudi Arabia Ltd. | APPROVED |
| CL-600-2B16 (605) | T7-DMA            | 5975          | Aviation Horizons           | APPROVED |
| CL-600-2B16 (604) | T7-BND            | 5641          | Aviation Horizons           | APPROVED |
| EMB-135BJ         | T7-JSJ            | 145540        | NASJET Business             | APPROVED |

| <u>CAA</u>  | <u>GACA</u>   |
|---|---|
| Date:14 March 2017  | Date:14 March 2017  |
| Sign Stamp<br> | Sign Stamp<br> |

## ATTACHMENT 2

### General Authority of Civil Aviation of the Kingdom of Saudi Arabia and the Civil Aviation Authority of the Republic of San Marino

#### Functional Responsibilities Matrix

- (a) This document formatted, as a matrix sets out the division of functional regulatory oversight responsibilities between GACA and the CAA.
- (b) References are given to applicable ICAO SARPs and associated ICAO documents.
- (c) For clarity, this matrix has four sections, each addressing primary functional areas of regulation.

#### Section One - Aircraft Operations and Airworthiness Interface

| Line Ref | ICAO Documents              | Subject              | Responsibilities of the State of Registry (CAA)   | Responsibilities of the State of Operator (GACA)  |
|----------|-----------------------------|----------------------|---|---|
| 1        |                             | Permit to Fly        | The CAA in response to an application shall review for issuance of a Permit to Fly.   | On application from the Operator shall undertake to validate the Permit to Fly issued by the CAA.   |
| 2        | Annex 6 Part I<br>Chapter 4 | Special Operations   | In association with the GACA, process for the issuance of Special Operations approvals, ensure the applicable CAA airworthiness, certification standards and maintenance requirements are complied with for the issuance of airworthiness approvals required by Special Operations approvals. The CAA will provide a statement that aircraft entered in this agreement shall be compliant with all necessary RVSM certification requirements. | For the issue of Special Operations approvals, co-ordinate with the CAA to ensure that required airworthiness approvals are granted.                              |
| 3        |                             | Units of Measurement | The CAA shall coordinate with the GACA to ensure any additional aircraft to Attachment 1 of the agreement and that of any proposed design change for the same are compatible with GACA operational standards for units of measurement.  | The GACA shall ensure by coordination with the CAA that installed aircraft instrumentation units of measurement are compliant with GACA operational requirements. |

| Line Ref                                       | ICAO Documents  | Subject  | Responsibilities of the State of Registry(CAA)  | Responsibilities of the State of Operator(GACA)  |
|--|---|--|---|--|
| 4  | Annex 8 Part II<br>Chapter 3.4 Annex<br>6 Part I Chapter<br>5.2.3 | Aircraft Limitations<br>and Information                      | The CAA shall promulgate to GACA the approved document references of all flight performance data and limitations required to be complied with for safe operation of the aircraft listed in Attachment 1.    | GACA shall ensure through regulatory oversight that aircraft are operated in compliance with the terms of their certificates of airworthiness and within the approved operating limitations contained in the applicable Flight Manual and associated data.   |
| 5  | Annex 8 Part II<br>Chapter 3.6                                    | Damage to aircraft   | CAA shall ensure that rectification action has been accomplished in accordance with the applicable certification standard, to approved data and to maintenance standards required by CAA regulation [CARs]. | GACA shall require the Operator to maintain procedures that provide notification to GACA and the CAA of aircraft damage that has been assessed to be outside the parameters of the applicable Structural Repair Manual.  |
| 6  | Annex 8 Part II<br>Chapter 4.2.4                                  | Accident Prevention<br>Measures                              | The CAA shall correlate, analyse and report on establish corrective actions to Airworthiness occurrences and where appropriate by coordination with GACA.   | GACA shall ensure Operators furnish reports [SDR MOR] of actual or potential safety deficiencies relating to operational and airworthiness of aircraft to GACA and the CAA. To analyse and report on establish corrective actions to occurrences and where appropriate by coordination with the CAA. |
| <b>Section Two - Certification of Aircraft</b> |   |  |   |  |
| 7  | Annex 8 Part II<br>Chapter 3.2.1<br>& 3.2.3                       | Issue and re issue of<br>the Certificate of<br>Airworthiness | CAA shall issue and reissue certificates of airworthiness in compliance with the applicable TCDS  | GACA shall verify that the certificate of airworthiness is valid and the Operator has approved procedures to ensure these certificates remain in force.  |
| 8  | Annex 8 Part II<br>Chapter 3.5                                    | Temporary loss of<br>airworthiness                           | CAA shall have oversight of the operators GMM control procedures that shall ensure appropriate operational control of aircraft in the event of the certificate of airworthiness not being in force.         | GACA shall require Operators to maintain approved procedures [GMM] that shall render an aircraft ineligible for operation until the aircraft is certified to be in an airworthy condition.   |
| 9  | Annex 6 Part I<br><br>Chapter 6.1.3                               | MEL  | CAA will inform GACA of the certification standards of an MMEL /CDL for each aircraft listed in Attachment 1.   | GACA shall approve MELs, with consideration of any applicable requirements furnished to GACA by the CAA The MEL standard shall be in accordance with the CAA Type Acceptance standard A.   |

|    |                                |                     |  |  |
|----|--------------------------------|---------------------|--|--|
| 10 | Annex 6 Part I<br>Chapter 6.13 | Noise Certification | CAA shall issue noise certificates in compliance with ICAO Annex 16. | GACA shall ensure that the CAA Noise Certificate is carried on the aircraft. |
|----|--------------------------------|---------------------|--|--|

**Section Three - Continued Airworthiness of Aircraft**

|    |                                 |  |   |  |
|----|---------------------------------|--|---|--|
| 11 | Annex 6 Part I<br>Chapter 8.1.1 | Operators<br>Maintenance<br>Responsibility | CAA shall promulgate to GACA standards of continued airworthiness management. Each airplane operated in accordance with this Agreement shall be required to be maintained in an airworthy condition (Certificate of Airworthiness to be in force). The procedures in the GMM must be acceptable to the CAA who will notify GACA of their acceptance in writing. | GACA shall require Operators to maintain procedures [GMM] that shall ensure aircraft are operated in an airworthy condition. The GMM shall be approved by the GACA who will ensure the operator provides a copy to the CAA. The GMM will include a procedure to ensure this. |
|----|---------------------------------|--|---|--|

| Line Ref | ICAO Documents  | Subject   | Responsibilities of the State of Registry (CAA)  | Responsibilities of the State of Operator(GACA)   |
|----------|---|---|--|---|
| 12       | Annex 8, Part II, Chapter 4; Doc 9760, Volume II, Part B, Chapter 8 | Mandatory continuing airworthiness information      | Confirm that the GACA and the AOC holders listed in Attachment1 receive all applicable mandatory continuing airworthiness information and verify with the operator through a programme of regular oversight, compliance with this data.  | The GACA shall require Operators to have approved procedures [GMM], acceptable to the CAA, that ensures compliance to applicable mandatory continuing airworthiness information.  |
| 13       |   | Software Management                                 | The CAA shall promulgate to GACA standards of software management and verify through operator oversight.   | The GACA shall require appropriate operator approved procedures, acceptable to the CAA, [GMM].  |
| 14       | Annex 6 Part I Chapter 7.4.1  | Electronic navigation data management               | The CAA shall promulgate standards of electronic navigation database management to GACA.   | The GACA shall ensure that operators monitor both the process for utilization in operation; navigation databases and the products delivered meet acceptable standards of integrity and are compatible with the intended function of the equipment that will use them. |
| 15       | Annex 6 Part I Chapter 8.3.1  | Maintenance Programme                               | The CAA shall approve and maintain continued oversight of the operators' aircraft maintenance programmes and will approve the supplement to the GACA GMM.  | The GACA shall approve the GMM.   |
| 16       | Annex 6 Part I Chapter 8.5.1 & 8.5.2                                | Continuing airworthiness information & Instructions | The CAA shall investigate for approval of maintenance programme amendments and ensure that operators obtain and assess continuing airworthiness information available from the organisation responsible for the Type Design and implement resulting actions considered necessary in accordance with a GACA approved procedure. | The GACA shall require operator procedures [GMM] to ensure compliance with continued airworthiness information identified by the applicable Type Design organisation or that identified in any CAA approved design change or maintenance programme amendment.         |
| 17       | Annex 6 Part I Chapter 8.6  | Modifications and repairs                           | The CAA shall investigate for approval all design changes and repairs and coordinate with GACA where Flight Manual changes are made.   | The GACA shall verify operator compliance to any required Flight Manual amendment resulting from an incorporated design change.   |

**Section Four- Maintenance Arrangements**

|    |  |   |                                   |  |
|----|--|---|-----------------------------------|--|
| 18 | Annex 6 Part I<br>Chapter 8.1.1 and<br>Chapter 8.7.1.1 | Maintenance<br>Organization<br>Approval           | Accept the procedures in the GMM. | GACA shall approve all maintenance organisations and those equivalent systems referred to in Annex 6 Part I Chapter 8.1.2 (maintenance under GACA Part 121/121S)<br>GACA shall require appropriate operators approved procedures, acceptable to CAA [GMM]. |
| 19 | Annex 6 Part I<br>Chapter 8.1.2                        | Maintenance Release<br>Operator<br>Responsibility | Accept the procedures in the GMM. | GACA shall require appropriate operators approved procedures, acceptable to CAA [GMM]. The Maintenance Release shall be in accordance with GACA requirements and regulations.  |

| Line Ref                               | ICAO Documents                  | Subject                               | Responsibilities of the State of Registry (CAA)  | Responsibilities of the State of Operator(GACA)  |
|--|---------------------------------|---------------------------------------|--|--|
| 20                                     | Annex 6 Part I<br>Chapter 8.1.4 | Maintenance iaw GMM                   | The CAA shall maintain oversight of the operators Continued Airworthiness Management procedures and arrangements in compliance with the GACA approved GMM  | GACA shall require appropriate operator's procedures and personnel accountabilities to ensure that the maintenance is performed in accordance with the GACA approved GMM   |
| 21                                     | Annex 6 Part I<br>Chapter 8.1.5 | Maintenance Responsibilities          | Oversee compliance with the CAA approved Maintenance Programme and approved Reliability Management System.   | GACA shall approve the GMM procedures requiring the operator to maintain its aeroplanes in accordance with the approved Maintenance Programme and associated Reliability Programmes.   |
| 22                                     | Annex 6 Part I<br>Chapter 8.2.1 | Operator's maintenance control manual | The CAA shall perform regulatory oversight of the operators' compliance with CAA Continued Airworthiness Management Requirements and the GACA approved procedures [GMM].   | GACA shall ensure the operator provides, for the use and guidance of maintenance, airworthiness and operational personnel concerned, a maintenance control manual [GMM] approved by GACA and acceptable to the CAA.                                  |
| 23                                     | Annex 6 Part I<br>Chapter 8.2.4 | Operator's maintenance control manual | CAA shall provide GACA and operators with any mandatory material to be incorporated into the operator's maintenance control manual [GMM] to be included in the GACA approved GMM.  | GACA shall ensure that the operator provides the CAA with a copy of the operator's maintenance control manual [GMM], together with all amendments and/or revisions to it and shall incorporate in it such mandatory material as the CAA may require. |
| 24                                     | ICAO Annex 13                   | Accident, Incident, Investigation     | CAA shall in the event of an accident or serious incident cooperate with GACA and any appointed investigator in charge established under the standards of ICAO Annex 13 (the CAA has an agreement with the Italian ANSV for their involvement in such events). | GACA shall in the event of an accident or serious incident cooperate with CAA, where applicable the Italian ANSV, and any appointed investigator in charge established under the standards of the ICAO Annex 13.                                     |
| <b>Section Five-Other Arrangements</b> |                                 |                                       |  |  |
| 25                                     | ICAO Annex 1                    | Licenses                              | The CAA will issue validations of pilot licences issued by the Kingdom of Saudi Arabia.  | GACA shall ensure that pilots are certified in accordance with ICAO Annex 1.   |

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ICAO Annex 6

Records

CAA shall ensure that maintenance and in-service records and documentation relevant to the aircraft are made available.

GACA will ensure that the operator is responsible for maintaining aircraft records. The records will include those required by CAR OPS 1.920(b).

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## ATTACHMENT 3

### APPLICATION OF RESPONSIBILITIES OF THE PARTIES

#### I PURPOSE

The purpose of this Attachment 3 is to provide detailed working arrangements between the General Authority of Civil Aviation Kingdom of Saudi Arabia and the San Marino Civil Aviation Authority to allow them to discharge their responsibilities for the continued airworthiness of aircraft while being operated in commercial air transportation by an operator of the Kingdom of Saudi Arabia.

#### II IMPLEMENTATION

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

General Authority of Civil Aviation  
Abdulhalim H. Bukhari  
[ahbukhari@gaca.gov.sa](mailto:ahbukhari@gaca.gov.sa)  
Po Box 887 Jeddah 21165  
KSA

San Marino Civil Aviation Authority  
Dennis Michelotti  
[dennis.michelotti@caa-mna.sm](mailto:dennis.michelotti@caa-mna.sm)  
Via Consiglio dei Sessanta 99 47891, Dogana,  
Republic of San Marino

As far as the current activities to be performed in accordance with these procedures are concerned, the Civil Aviation Authority's inspectors in charge of a specific Republic of San Marino's registered aircraft will coordinate their specific intervention and the necessary exchange of information related to the present procedures.

#### III TYPE DESIGN DEFINITION

The aircraft must conform to the type design approved or otherwise accepted by the Civil Aviation Authority.

The General Authority of Civil Aviation will be responsible for supervising continuous compliance with this requirement for the period the

aircraft is being operated by those operators defined in Attachment 1 under the Republic of San Marino's registration marks.

#### **IV CHANGES TO THE TYPE DESIGN**

The express permission of the CAA is required prior to the incorporation of any modification.

1. Changes generated by the organisation responsible for the type design (typically in the form of aircraft manufacturer's service bulletins) and approved by the State of Design Authority are approved for incorporation in the series of aircraft to which modification relates provided that no deviation from the modification is made.
2. Other changes

Changes to the type design are classified as major or minor by the Civil Aviation Authority and approved in accordance with the following procedure. Changes to aircraft shall be approved by the Civil Aviation Authority for Republic of San Marino registered aircraft. Approval requirements procedures are specified in the Republic of San Marino CAR 21.

3. Embodiment of approved changes.

Embodiment on aircraft of the design changes approved in accordance with the above procedure will be performed by an appropriately approved/accepted maintenance organisation. The embodiment of the changes shall be carried out and released by personnel qualified in accordance with General Authority of Civil Aviation requirements.

#### **V FLIGHT MANUAL**

The aircraft must be operated within the limitations described in the flight manual approved or accepted by the Civil Aviation Authority but may include amendments approved by the General Authority of Civil Aviation subject to their acceptance by the San Marino Civil Aviation Authority.

#### **VI CONTINUING AIRWORTHINESS**

In accordance with ICAO Annex 8, the San Marino Civil Aviation Authority shall adopt, or assess and take appropriate actions against, the mandatory information issued by the State of Design Authority. The Civil Aviation Authority may also issue and make mandatory other airworthiness actions in respect of aircraft in addition to those mentioned earlier.

In application of the principles stated above, aircraft must comply with the Civil Aviation Authority's airworthiness directives (ADs) or other Republic of San Marino's mandatory airworthiness actions or information. The General Authority of Civil Aviation shall ensure that the

operator is in receipt, in accordance with the system established by the Civil Aviation Authority, of all applicable ADs or other mandatory airworthiness actions issued by the Civil Aviation Authority. For the Republic of San Marino's registered aircraft in particular, all ADs prescribed for that aircraft or product by the State of type certification on which Civil Aviation Authority's Type Acceptance Certification rests shall apply.

The General Authority of Civil Aviation will be responsible to ensure that all applicable ADs and other mandatory airworthiness actions issued by the Civil Aviation Authority are properly applied to the aircraft.

Derogations of the Civil Aviation Authority ADs or other mandatory airworthiness action, if requested, will be coordinated between the General Authority of Civil Aviation and the Civil Aviation Authority on a case-by-case basis.

The General Authority of Civil Aviation shall ensure that in-service events on the aircraft are reported by the operator to GACA in accordance with the national occurrence reporting-system requirements.

The General Authority of Civil Aviation will be responsible for defining to the operator the type of service information to be reported to the Civil Aviation Authority. (ICAO Annex 6, Part I, 8.5.1, and Annex 8, Part II, 4.2.3 f) refers). The document (Republic of San Marino's CAR 21 latest issue) describes the type of in-service information to be reported.

The General Authority of Civil Aviation will ensure that a copy of reports on significant events that affect or could affect the continuing airworthiness of aircraft or invalidate their certificate of airworthiness is also forwarded by the operator to the Civil Aviation Authority in order to allow proper corrective action. In such cases, the Civil Aviation Authority will accept that, in accordance with ICAO Annex 8, Part II, 3.6.3, the General Authority of Civil Aviation is entitled to prevent the aircraft from resuming the flight subject to the General Authority of Civil Aviation advising the Civil Aviation Authority that they have taken suitable action.

The General Authority of Civil Aviation shall ensure that the operator transmits the information on significant events affecting the continuing airworthiness of aircraft to the organisation responsible for the type design (ICAO Annex 6, Part I, 8.5.1, and Annex 8, Part II, 4.2.3 f), refers).

The General Authority of Civil Aviation and the Civil Aviation Authority will ensure the mutual exchange of information on any result arising from the investigation phases of significant in-service events in respect of the aircraft.

The General Authority of Civil Aviation will ensure that the operator obtains and assesses airworthiness information and recommendations available from the type design organisations and implements the resulting actions considered necessary by the General Authority of Civil Aviation and the Civil Aviation Authority (ICAO Annex 6, Part I, 8.5.2 refers).

For any aircraft having systems utilising Field Loadable Software and Database Field Loadable Data, controlling procedures are required to be in place to ensure that:

- (1) Field Loadable Software uploads are accomplished in accordance with the approval requirements of CAR 21 Subpart C; and
- (2) Database Field Loadable Data is controlled and transferred in accordance with the equipment manufacturer's instructions;

The General Authority of Civil Aviation will ensure that the operator monitors and assesses maintenance and operational experience with respect to the continuing airworthiness, flight safety and safety management system (ICAO Annex 19, Annex 6, Part I, 3.3 and 8.5 refer). Relevant procedures shall be specified in the operator's maintenance control manual (MCM) or general maintenance manual (GMM).

The General Authority of Civil Aviation shall approve the maintenance control manual, (MCM), or equivalent (e.g. GMM), and any revision thereof and ensure that the relevant copies are sent to the Civil Aviation Authority, for their acceptance, which shall be notified to the General Authority of Civil Aviation in writing.

## **VII REPAIRS**

The application of repairs on aircraft will be made under the surveillance and responsibility of the General Authority of Civil Aviation according to its usual procedures.

All major repairs, unless contained in the SRM, shall be approved or accepted by the Civil Aviation Authority. Any damage resulting from a major incident should be notified to the Civil Aviation Authority prior to the commencement of any repair.

## **VIII MAINTENANCE**

The General Authority of Civil Aviation shall ensure that the operator's maintenance control manual (MCM) or equivalent manual (e.g. GMM) comply with the State of the Operator and State of Registry requirements as specified in this Attachment 3.

The maintenance programme, and any amendments, shall be approved by the Civil Aviation Authority.

The aircraft, its engines and equipment will be maintained in accordance with the Civil Aviation Authority's approved maintenance programme. Any permanent variation (e.g. interval escalation, changes to content and classification of, or deletion of maintenance tasks) to the aircraft maintenance programme shall be approved by the Civil Aviation Authority.

The operator shall provide a copy of the aircraft reliability report to the Civil Aviation Authority.

Maintenance and airworthiness records will be kept by the aircraft operator in accordance with procedures approved by the General

Authority of Civil Aviation and accepted by the Civil Aviation Authority.

The responsibility for the approval of maintenance organisations and those equivalent organisations referred to in Annex 6 Part I Chapter 8.1.2, are the responsibility of the General Authority of Civil Aviation. The Civil Aviation Authority accepts maintenance performed under the GACA Part 121/121S approval as an acceptable equivalent to an approved maintenance organisation. The maintenance release will be in accordance with the GACA requirements and regulations.

## **IX RECORDS**

The Civil Aviation Authority shall ensure that maintenance and in-service records and documentation relevant to the aircraft are made available by the operator when required.

The General Authority of Civil Aviation will ensure that the operator is responsible for maintaining and retaining aircraft records in accordance with San Marino CAR OPS 1.920 and AMC OPS 1.920.

The Authorities will ensure that at the time of aircraft transfer presentation of these records is arranged and taking into account the principles laid down in ICAO Doc. 9760 Airworthiness Manual.

The issue and renewal of the aircraft certificate of airworthiness by the Civil Aviation Authority shall be considered an endorsement of the status of the aircraft documentation and its associated maintenance records.

During activities leading to the approval of the agreement, the General Authority of Civil Aviation and the Civil Aviation Authority inspectors in charge, will coordinate to guarantee that the maintenance records and documentation used for the issuance and renewal of the aircraft certificate of airworthiness by the Republic of San Marino and those provided for ensuring the continuing airworthiness of the aircraft are maintained.

## **X FLIGHT OPERATIONS AND AUTHORISATION**

The General Authority of Civil Aviation shall be responsible for the authorisation of all operations in respect of the aircraft to be conducted in accordance with the Republic of San Marino's approved aircraft flight manual and the General Authority of Civil Aviation approved operations manual.

The minimum equipment list (MEL) for each aircraft and in accordance with aircraft operations shall be approved by the General Authority of Civil Aviation and shall not be less restrictive than the relevant master minimum equipment list (MMEL) prescribed for that aircraft by the State of type certification on which the San Marino Type Acceptance Certification rests.

A copy of the Operator's MEL, including the amendment service, shall be provided by the aircraft operator to the Civil Aviation Authority.

## **XI SURVEILLANCE AND INSPECTION**

The General Authority of Civil Aviation shall accomplish surveillance activities and inspections in respect of the aircraft and the operator 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 Attachment 3. Each Party shall notify the other Party of any finding or act that affects the validity status of any certificate or documentation issued in respect of the aircraft or the terms and conditions of the authorization of the operator.

## **XII CERTIFICATE OF AIRWORTHINESS**

The certificate of airworthiness will be renewed by the Civil Aviation Authority on the basis that the aircraft has been properly maintained and is in a condition for safe operation.

## **XIII COOPERATION**

Each Party shall ensure that the other Party 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 Attachment 3.

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