



Luftfahrt-Bundesamt

Bundesoberbehörde im Geschäftsbereich des Bundesministeriums
für Digitales und Verkehr (BMDV)



Luftfahrt-Bundesamt • 38144 Braunschweig • GERMANY

Austro Control GmbH
Department AOT
Attn. Mr. Altmann
Austria

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Elangeni GmbH: mdahmen@elangeni.at

Your reference:
Your letter dated:
Our reference: B113-30201.1/22
Our letter dated:
Further information: Ms Hanuschik
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Date: 2022-11-10

Agreement on the implementation of article 83^{bis} of the Convention on International Civil Aviation for the transfer of surveillance responsibilities (operations, maintenance and continuing airworthiness)

German registered aircraft EMB-505, registration-mark D-CHMD (Serial-Number 50500419) to be operated by Elangeni GmbH for an unlimited period

Dear Mr. Altmann,

As you are informed, the above mentioned operator intends to lease the **aircraft EMB-505, registered D- CHMD (Serial-No.: 50500419)**.

Since we see ourselves in this case unable to fulfil the responsibilities of the state of registry we kindly request that your authority will supervise flight operations and maintenance of the said aircraft under the aforementioned Agreement.

Please note that the German Airworthiness Requirements have to be complied with:

- EASA-AD's- effecting the aircraft have to be accomplished in due time (German Airworthiness Directives (LTA) will reflect these EASA-AD's).
- The German Airworthiness Requirements (called LTA) must be obtained from the printing office: Eisenschmidt GmbH (Web page: <http://www.eisenschmidt.aero>)
- Draft Airworthiness Requirements (LTA) can be downloaded from the Luftfahrt-Bundesamt homepage under <http://www.lba.de>.
- Any emergency LTA will be sent to the operator by the LBA directly.
- The operational requirements established by the State of the operator for the intended type of operations apply. The aircraft has to be equipped in accordance with your operational requirements established for the intended type of operations and has to be operated within the limitations described in the Aircraft Flight Manual.

Further we may point out that:

1. Maintenance shall be performed by Part 145 (Reg. EU 1321/2014)-approved/accepted organisations only. The English language may be used for maintenance documentation and technical reporting.
2. The technical requirements and administrative procedures for ensuring the continuing airworthiness of aircraft, including any component for installation has to be carried out in accordance with Part M.

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3. A Maintenance Planning Document - MPD - and/or an AMM Chapter 5 based maintenance programme shall be approved by the Authority of the state of operator according to Part M. In addition an operator Minimum Equipment List – MEL - based on applicable Master Minimum Equipment List - MMEL - shall be approved by the Authority of state of operator.
4. The aircraft and any product or part thereof must comply with the relevant EASA approved type design (refer to provisions of the Regulation (EC) No 748/2012).
5. Repairs performed during the lease period shall be documented in the A/C records. In addition repairs outside OEM documentation (e.g. outside SRM) must be approved according to Part 21 (Reg. EC No 748/2012) or EASA.
6. Modifications and/or changes to the type-design 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 as applicable. A copy of a specific EASA approval will be forwarded by the operator to the Authority of state of registry.
7. 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 Part 21 is available.
8. The necessary annual airworthiness review has to be done in accordance with Part M.
9. Major incidents and accidents shall be reported to the Federal Office of Civil Aviation (<http://www.lba.de>) within in 72 hours and to the German Federal Bureau of Aircraft Accidents Investigations (<http://www.bfu-web.de>) immediately.
10. Flight authorisations in respect of the German registered aircraft where the aircraft is temporarily not in an airworthy condition, may be issued by your authority on behalf of the LBA and may prescribe particular limiting conditions to permit the aircraft to be flown without passengers or cargo to an approved maintenance facility at which it will be restored to an airworthy condition. Any flight authorisation shall be reported to the Luftfahrt-Bundesamt (Federal Office of Civil Aviation) within 72 hours.
11. Should the Authority of state of operator grant exemptions under the provisions of art 14.4 of the Regulation (EC) No 216/2008 of the European Parliament and of the Council, these exemptions shall be notified to the Authority of state of registry as soon as possible.

Please send a copy of the approval of the maintenance program regarding the above mentioned aircraft to arc@lba.de.

Your early reply will be appreciated.

Yours faithfully



Anne Hanuschik
Licensing of Air Carriers





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Betrifft / Subject: Transfer of responsibilities for the aircraft D-CHMD
Bezug / Reference: Agreement on the Implementation of Art 83bis of the Convention
on International Civil Aviation for the Transfer of Responsibilities
Datum / Date: November 25th, 2022
Seiten inkl. Deckblatt / pages incl. cover page: 1

Dear Mrs Hanuschik,

With reference to your letter dated November 10th, 2022, we wish to inform you that Austro Control GmbH hereby accepts to undertake the operational and technical surveillance for the following aircrafts

- D-CHMD EMB-505 serial number 50500419

while being operated by Elangeni GmbH (AOC A-163).

The transfer of surveillance responsibilities shall be effective **from November 25th, 2022 for an unlimited period.**

The delegation will be accomplished in accordance with the terms and conditions laid down in the aforementioned agreement.

Kind regards

For
Austro Control Österreichische Gesellschaft für Zivilluftfahrt
mit beschränkter Haftung

Franz Graser
Deputy Director
Aviation Agency

	Untersigner	Austro Control GmbH
	Datum/Zeit	2022-11-25T10:21:22+01:00
	Prüfinformation	Informationen zur Prüfung der elektronischen Signatur finden Sie unter: http://www.signaturpruefung.gv.at/ Informationen zur Prüfung des Ausdrucks finden Sie unter: https://www.austrocontrol.at/lufffahrtbehoerde/formulare_serviceinfo/amtssignatur
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