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Federal Department of the Environment, Transport,
Energy and Communications DETEC

Federal Office of Civil Aviation FOCA
Safety Division - Flight Operations

CH-3003 Bern

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A-PRIORITY

Austro Control GmbH
z.H. Herrn Mag. Hans Jürgen Altmann
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A-1030 Wien

File: BAZL-305.2-1/55/2
Ittigen, 18 December 2023

Transfer of oversight responsibilities based on Art. 83bis of the Chicago Convention regarding the aircraft OE-IJU

Dear Mr. Welsersheimb,

With reference to your letter and agreement dated December 14th, 2023 we are pleased to accept the transfer of the operational and technical surveillance of the aircraft OE-IJU while being operated by easy Jet Switzerland S.A., Route de l'Aéroport 5, 1215 Genève 15 (Switzerland).

The transfer of surveillance responsibilities shall be effective in accordance with the aforementioned agreement according to Art 83^{bis} of the Chicago Convention from the day of signature of this letter until Mai 29th, 2024 for the aircraft OE-IJU. The delegation will be accomplished in accordance with the terms and conditions laid down in the aforementioned agreement.

A copy of the letter and the agreement and as soon as provided the summary of the transfer of surveillance shall be carried on board of the aircraft.

Yours, sincerely,

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Federal Office of Civil Aviation



Fritz Messerli, Director
Head of Safety Division - Flight
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Gianmario Giacomelli, Director
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an / to: Bundesamt für Zivilluftfahrt BAZL / Frau Christa Friedli, MLaw,
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Betrifft /
Reference: **Transfer of responsibilities for the aircraft OE-IJU**

Bezug: **Agreement on the Implementation of Art 83bis of the Convention
on International Civil Aviation for the Transfer of Responsibilities**

Datum / Date: 14th December 2023

Seiten inkl. Deckblatt / pages incl. cover page: 3

FAX

Dear Mr Messerli,
dear Mr Giacomelli,

easyJet Switzerland SA, route de l'Aéroport 5, 1217 Meyrin, Switzerland, informed us that its aircraft with the Austrian registration mark **OE-IJU**, aircraft type A320-214 and serial number 7460 will be operated under its Swiss AOC **until 29th May 2024**.

Considering that Austro Control GmbH is in the pertinent case unable to fulfil the responsibilities in its function as State of Registry, your Authority is kindly requested to undertake the operational and the technical surveillance of the said aircraft under the aforementioned Agreement **as of the day of your acceptance until 29th May 2024**.

The following items should be subject of the transferred duties and responsibilities:

1. General

The EU/EASA set of requirements, directly or indirectly called for in this agreement is to be intended at the latest amendment/change issued by EU/EASA in accordance with the pertinent effectiveness and implementation schedule as defined by EASA. In the case where your Authority would grant exemptions under provisions of Art 71 (1) of Regulation (EU) No 2018/1139 of the European Parliament and of the Council of 04 July 2018, these exemptions shall be notified to Austro Control GmbH as soon as possible.

2. Approved type design

The aircraft, and any product or part thereof, must comply with relevant EASA approved type design (refer to provisions of Commission Regulation (EU) No 748/2012). FOCA will be responsible for supervising compliance with this requirement after aircraft delivery to the operator all the time the aircraft is being operated by the national operator under Austrian registration marks.

3. AD's

The aircraft must be in compliance with all the AD's applicable to that aircraft, and to any part thereof, mandated either by the relevant State of Design Authorities (refer to Decision No. 2/2003 of The Executive Director Of The Agency dated 14 October 2003), by EASA, or by Austro Control GmbH. The Swiss operator must hold and keep up-to-date a complete set of the above applicable mentioned AD's. Any derogation to AD's requirements must be approved in accordance with EASA regulations. Any other airworthiness action mandated by Austro Control GmbH (e.g. LTH-Lufttüchtigkeitshinweise) is applicable to the concerned aircraft type and parts/products have to be fulfilled.

The AD's and LTH's are provided on our internet site : <http://www.austrocontrol.at>.

4. Maintenance

Approval and surveillance of the aircraft maintenance program will be performed by FOCA in accordance M.1.3.(ii) of Commission Regulation (EU) No 1321/2014. The aircraft shall be maintained in accordance with the approved Maintenance Programme.

All the maintenance inspections, repairs and modifications to be performed on the aircraft have to be carried out by Part 145 (of Commission Regulation (EU) No 1321/2014) approved/accepted Maintenance Organisations.

Repairs and modifications to be performed on the aircraft shall be approved in accordance with relevant Part 21 (of Commission Regulation (EU) No 748/2012) provisions and relevant implementation procedures, before their embodiment.

Aircraft or aircraft components will be released to service in accordance with all the applicable Part 145 provisions.

The Swiss operator shall be responsible for keeping maintenance records during the leasing/operating period in accordance with applicable Part M (of Commission Regulation (EU) No 1321/2014) requirements and operator's national procedure; all the maintenance records as described in the applicable Part M requirements shall be transferred to the operator when the aircraft will be transferred back.

The FOCA approved leasing contract (if applicable), Operations Manual and CAME must reflect all stated conditions in this arrangement as applicable.

5. Certificate of Airworthiness/ARC

The airworthiness review has to be performed in accordance with the regulations laid out in Part M of Commission Regulation (EU) No 1321/2014.

6. Permit to fly

Permits to fly in respect of the Austrian registered aircraft, where the aircraft is temporarily not in an airworthy condition, are issued by Austro Control GmbH 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.

7. In-service occurrences or incidents

Information on significant in-service occurrences that affect or could affect continuing airworthiness of the aircraft, shall be provided by the Swiss operator to the organisations responsible for the type design, FOCA, Austro Control GmbH [[ECCAIRS2 | Report an Occurrence \(aviationreporting.eu\)](https://www.eccairs2.eu)] and the State of Design Authorities as soon as possible (in particular with quickest means available in case of any accident or serious incident, in addition to the Austrian AIB (FUS@bmk.gv.at) and to Austro Control) but not later than 72 hours. FOCA shall provide Austro Control GmbH and EASA with more detailed information on investigation processes of those major events for which mandatory airworthiness actions may be taken or deemed necessary by FOCA. In case of in-service occurrences that could invalidate the aircraft Certificate of Airworthiness, FOCA is entitled to prevent aircraft from resuming any operations and shall immediately inform Austro Control GmbH in order to allow proper corrective actions.

8. Operational Considerations

The operational requirements established by the State of Operator for the intended operations apply. The aircraft has to be equipped in accordance with your operational requirements established for the intended type of operations.

The operator Minimum Equipment List (MEL) shall be approved by the competent authority of the state of operator - FOCA.

9. Language

The English or German language shall be used in the maintenance documentation and in the technical or operational reporting.

10. Information

Austro Control GmbH will make available to the lessor (if applicable) and FOCA will make available to the lessee/operator a copy of the aforementioned Art 83bis Agreement as well as of this correspondence.

Your Authority is kindly asked to confirm the acceptance of the transfer of responsibilities under the above mentioned conditions and for the designated period.

Thanks for your efforts and kind regards.

For
Austro Control Österreichische Gesellschaft für Zivilluftfahrt
mit beschränkter Haftung

Zeno Welsersheimb MSc. MBA
Director
Aviation Agency

##AUSTROCONTROL##

Platzhalter Amtssignatur

Der Platzhalter wird bei Genehmigung durch die Amtssignatur ersetzt (bitte Text, Formatierung und Größe nicht ändern!).