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Ihr Zeichen: BAZL-305.2-1/61/3  
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Betrifft / Subject: Transfer of responsibilities for the aircraft HB-ZUW  
Bezug / Reference: Agreement on the Implementation of Art 83bis of the Convention on  
International Civil Aviation for the Transfer of Responsibilities  
Datum / Date: March 26<sup>th</sup>, 2025  
Seiten inkl. Deckblatt / pages incl. cover page: 1

Dear Mr Messerli,  
dear Mr Giacomelli,

With reference to your letter dated 17<sup>th</sup> of March 2025, we wish to inform you that Austro Control GmbH hereby accepts to undertake the operational and technical surveillance for the below mentioned aircraft while being operated by Heli Austria GmbH (AOC A-306):

HB-ZUW AS 350 B3 serial number 8691

The transfer of surveillance responsibilities shall be effective from **01<sup>st</sup> of April 2025 until 30<sup>th</sup> of November 2025.**

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

Kind regards

On behalf of  
Austro Control Österreichische Gesellschaft für Zivilluftfahrt  
mit beschränkter Haftung

Manfred Spanblöchl  
Deputy Director  
Aviation Agency

	Unterzeichner	Austro Control GmbH
	Datum/Zeit	2025-03-26T18:25:11+01:00
	Prüfinformation	Informationen zur Prüfung der elektronischen Signatur finden Sie unter: <a href="https://www.signaturpruefung.gv.at/">https://www.signaturpruefung.gv.at/</a> Informationen zur Prüfung des Ausdrucks finden Sie unter: <a href="https://www.austrocontrol.at/fluffahrtbehoerde/formulare__serviceinfo/amlssignatur">https://www.austrocontrol.at/fluffahrtbehoerde/formulare__serviceinfo/amlssignatur</a>
Hinweis	Dieses Dokument wurde amsigniert. Auch ein Ausdruck dieses Dokuments hat gemäß § 20 E-Government-Gesetz die Beweiskraft einer öffentlichen Urkunde.	





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

Bundesamt für Zivilluftfahrt BAZL  
Sicherheit Flugbetrieb

CH-3003 Bern  
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z.H. Herrn Mag. Hans Jürgen Altmann  
Schnirchgasse 17  
A-1030 Wien

File: BAZL-305.2-1/61/3  
Ittigen, March 17, 2025

## HB-ZUW: Transfer of Responsibilities according to Art. 83bis of the Convention on International Civil Aviation

Dear Mr. Welsersheimb,

We, the Federal Office of Civil Aviation Switzerland (FOCA), were informed by Linth Air Service AG that the Swiss registered aircraft HB-ZUW, AS350 B3e, serial number 8691, shall be operated under a dry lease contract between Linth Air Service AG (Lessor) and Heli Austria GmbH (Lessee) on the Air Operator Certificate (AOC) of Heli Austria GmbH (Operator).

Considering that Austria and Switzerland generally agreed to collaborate under the terms of article 83<sup>bis</sup> of the Convention on International Civil Aviation (Agreement dated 4./19. July 2016) and that the operational and technical surveillance is undertaken more efficiently by the authority of the state of operator, FOCA Switzerland kindly requests AUSTRO CONTROL GMBH to accept the transfer of responsibilities concerning the aircraft HB-ZUW as follows:

### 1 Function, Duties and responsibilities

- 1.1 As the state of the operator<sup>1</sup>, AUSTRO CONTROL GMBH assumes, concerning the aircraft, all the responsibilities otherwise falling on the state of registry as far as defined in the ICAO-Chicago convention article 12 (Rules of the Air) and its Annexes 6 and 8, and Commission Regulation (EU) No 965/2012.

This includes the issuance of exemptions from these applicable regulations.

<sup>1</sup> State of the operator as defined in Annex 6 Chapter 1 of the Chicago Convention.

Bundesamt für Zivilluftfahrt BAZL  
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For the sake of clarity, the responsibility for the aircraft's MEL (Minimum Equipment List) and AMP (Approval of the Aircraft Maintenance Programme as well as all the revisions and deviations thereto) is included in the responsibilities transferred to AUSTRO CONTROL GMBH. FOCA will instead be provided with a copy of the latest revision of the approved AMP and MEL. Operations Specifications (OPS Specs) shall be issued (after consultation of the technical department of FOCA) and overseen by AUSTRO CONTROL GMBH.

- 1.2 FOCA assumes, concerning the Aircraft, all the rest of the responsibilities falling on the State of registry defined as such in the ICAO-Chicago convention articles 30 (Aircraft Radio Licence), 31 (Certificate of Airworthiness), 32(a) (Licences of Personnel) and its Annexes 6 and 8.

More specifically:

- 1.2.1 Pursuant to article 30 of the Convention of Chicago, the Aircraft Radio Station License is delivered by Switzerland.
- 1.2.2 Pursuant to article 31 of the Convention of Chicago and in accordance with the provisions of Regulation (EU) 1321/2014<sup>2</sup> and paragraphs M.1.1 and M.1.4 of Part-M and in accordance with the Commission Regulation (EU) No 965/2012 and all amendments thereto, FOCA retains the following functions, duties and responsibilities, concerning the aircraft:
- (a) Oversight of modifications and repairs, including interior installation and emergency and safety equipment, as the Competent Authority for Part-M M.1.§1;
  - (b) Issuance of exemptions from applicable regulations regarding continuing airworthiness;
  - (c) Technical inspections of the aircraft within the framework of the survey programme of FOCA to monitor the status of the fleet (M.B.303);
  - (d) Issuance and review of the Airworthiness Review Certificate of the Aircraft;
  - (e) Reception of occurrence reports envisaged in Part-M M.A.202 of Regulation (EU) No 1321/2014; in addition, accidents and serious incidents in accordance with ICAO Annex 13 have to be reported to Swiss AIB;
  - (f) Oversight of Part-M M.A.301.5 of Regulation (EU) No 1321/2014. For M.A.301.5(IV) EASA AD's must be followed;
  - (g) The issuance of Permits to Fly, unless Permits to Fly are issued by the Continuing Airworthiness Management Organisation according to its privileges under M.A.711 (c).

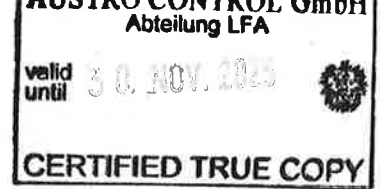
The AUSTRO CONTROL GMBH has the responsibility to ensure the oversight of the continuing airworthiness management system of the Continuing Airworthiness Management Organisation approved in accordance with Part-CAMO of Regulation (EU) No 1321/2014.

The AUSTRO CONTROL GMBH grants FOCA the right to carry out any inspections on the aircraft on Austrian territory or at the premises of the Operator, its Continuing Airworthiness Management Organisation or its Part-145 organisation. FOCA will inform the AUSTRO CONTROL GMBH at least 48 hours in advance of planned inspections (except in cases of urgent safety concerns).

- 1.2.3 Pursuant to Commission Regulation (EU) No 1178/2011 (as amended), the pilot licence of the crew members must be issued or rendered valid by an EASA member State.

The pilot licence of the crew conforms to the conditions in 1.2.3 para. 1 are deemed validated by the FOCA.

<sup>2</sup> Commission Regulation (EU) 1321/2014 of 26 November 2014 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of the organisations and personnel involved in these tasks.



## 2 Notification, coordination and control

The FOCA and AUSTRO CONTROL GMBH will notify each other in case of level 1 findings regarding: (a) the Monitoring of the Continuous Airworthiness, (b) the Maintenance of the Aircraft and (c) any exemption issued with regard to the relevant regulations within 72 hours after first notice.

## 3 Duration of the Agreement

- 3.1 This Agreement will enter into force on its signature date, the earliest at 01/04/2025 and will be valid until 30/11/2025 or any earlier termination/expiry of the Lease Agreement between Linth Air Service AG and Heli Austria GmbH. If the said Lease Agreement does not enter into force, this Agreement will become invalid.
- 3.2 This Agreement may be extended after a positive evaluation between FOCA and AUSTRO CONTROL GMBH.
- 3.3 Both parties are entitled to resolve this Agreement with written notice within a delay of 7 days.

## 4 Others

A certified true copy of the current Agreement shall always be on board of the Aircraft, together with the technical log.

This Agreement does not cover any sublease of the mentioned aircraft.

Any change in owner or operator of the aircraft other than described in paragraph 1.1 will automatically cancel this Bilateral Agreement.

Communication:

- **FOCA**

For matter of principles in relation to this Agreement, co-ordination for specific issues with the other interested FOCA Departments:

Competent person for any questions is Ms. Christa Friedli, e-mail [christa.friedli@bazl.admin.ch](mailto:christa.friedli@bazl.admin.ch) or phone +41 58 465 59 16)

Occurrence reports:  
Reporting Tool on the homepage of FOCA:  
<http://www.aviationreporting.eu/AviationReporting/>

Accidents and serious incidents:  
[info@SUST.admin.ch](mailto:info@SUST.admin.ch)

- **AUSTRO CONTROL**

For matter of principles in relation to this Agreement, co-ordination for specific issues with the other interested ACG involved Departments:

Competent person for any questions is Mr. Wilhelm Jagritsch, e-mail: [wilhelm.jagritsch@austro-control.at](mailto:wilhelm.jagritsch@austro-control.at) or phone +43 51703 -1630 (fax: -1666).

e.mail: [airworthiness@austrocontrol.at](mailto:airworthiness@austrocontrol.at)

File reference: BAZL-305.2-1/61/3

Coordination: Mr. Hans Jürgen Altmann,  
e-mail: [hans-juergen.altmann@austrocontrol.at](mailto:hans-juergen.altmann@austrocontrol.at) or phone +43 51703 -1647 (fax: -1666).

Occurrence reports:  
[ECCAIRS2 | Report an Occurrence \(aviationreporting.eu\)](https://www.eccairs2.eu)

Accidents and serious incidents:  
[FUS@bmk.gv.at](mailto:FUS@bmk.gv.at)

We kindly ask you to confirm the acceptance of the transfer of responsibilities under the above-mentioned conditions and for the designated period.

Please do not hesitate to contact us in case of any questions.

Yours sincerely,

Federal Office of Civil Aviation

  
Fritz Messerli, Director  
Head of Safety Division – Flight Operation

  
Gianmario Giacomelli, Director  
Head of Safety Division - Aircraft

