

1.6.5 **Agreement between the Austrian, Dutch, German and Swiss civil aviation authorities regarding minor maintenance on non-commercial aircraft and components in the general aviation<sup>1)</sup>**

Preamble:

Due to the international character of civil aviation and based on the fact that more and more aircraft are operated and maintained outside the state of registration and as long as there are no JAA and/or EU regulations available for the intended activities regarding the acceptance and approval of minor maintenance in the participating countries, the civil aviation authorities, committed to this agreement, ought it necessary to have an agreement of mutual approval and acceptance on maintenance on non-commercial operated aircraft and components, intended for fitment to such an aircraft.

Experts of airworthiness departments of the participating civil aviation authorities have investigated the adequacy and equivalence of the existing concerning national regulations / requirements extensively and as a result thereof, they have concluded that the adequacy and equivalence is of a high and sufficient level.

Therefore, there is a firm basis for this agreement and the parties agreed the following:

**1 Basic Condition:**

Under the condition that all contracting partners

– have layed down the requirements for maintenance on non-commercial operating aircraft and components, intended for fitment to such an aircraft, in national rules

and

– that they are convinced that these rules guarantee an equal level of airworthiness.

**2 Agreement:**

Provided, that the above mentioned conditions are fulfilled the following is agreed:

A civil aviation authority who participates in this agreement, will approve and accept minor maintenance on non-commercial aircraft and components intended for fitment to such an aircraft, performed by maintenance organizations which hold an applicable approval, given by their civil aviation authority who participates in this agreement.

**3 Detailed, supplementary conditions:**

- 3.1 Notwithstanding the conditions under article 1.1. each civil aviation authority has the right to disapprove and/or to refuse the executed minor maintenance

1) Zie Art. 8, eerste lid van de Regeling onderhoud vliegtuigen en de toelichting daarop (deel 1320).

whenever the airworthiness of the aircraft has been compromised by it, or there are serious doubts with respect to the airworthiness of it. In that case the civil aviation authority will immediately supply all information to the civil aviation authority responsible for the minor maintenance performed.

- 3.2 This agreement will become effective for the relevant civil aviation authority at the time the applicable national rules will give the opportunity to do so.
- 3.3 A civil aviation authority will inform the other participating civil aviation authorities as soon as possible about changes and/or amendments of their national regulations (referred to in appendix 2) in the field of minor maintenance.
- 3.4 Definitions of the specific and idiomatic terminology regarding maintenance operations, as used by the different countries have been laid down (see appendix 1). This in order to facilitate the judging with respect to the relevant maintenance activities.
- 3.5 It is agreed by the contracting parties, that maintenance activities on non-commercial aircraft and components, intended for fitment to such an aircraft, will only be executed under the restrictions of legal regulations as specified in appendix 2.
- 3.6 This agreement will only be applicable for maintenance activities in the geographic area in Europe of the relevant state.
- 3.7 The contracting parties have committed themselves to inform each other about those situations hampering a correct execution of maintenance. In case of fundamental problems each member of the contracting parties has the right to call for a meeting.
- 3.8 The agreement will be valid at the time when signed and countersigned by all the participating civil aviation authorities. Each party has the possibility to terminate the agreement with a 6 month's notice.
- 3.9 Due to the circumstance that the status of legal regulations may change in the future, each contracting partner may revise Appendix 2 in respect of changes to its own legislation. A list of effective pages, given in Appendix 3, shall show the corresponding history.
- 3.10 The responsible authorities for documentation and changes of this agreement including appendices are:
  - on behalf of Austria, the Federal Ministry of Transport, Innovation and Technology, Vienna,
  - on behalf of Germany, the Luftfahrt-Bundesamt at Braunschweig,
  - on behalf of the Netherlands, the Civil Aviation Authority - Netherlands at Hoofddorp,
  - on behalf of Switzerland, the Federal Office for Civil Aviation at Bern.

## Appendix 1 Definitions

### *Maintenance*

Maintenance means any one or combination of overhaul, repair, inspection, replacement, modification or defect rectification of all aircraft/aircraft component. (JAR-145)

### *Aircraft*

Aeroplanes, Helicopters, Airships, Powered Gliders, Sailplanes and Free Balloons.

### *Components*

Engines, Propeller and other Airborne Equipment (Accessories and Detail Parts) according to JAR-TSO or comparable requirements.

### *Minor Maintenance*

Maintenance which can be performed in a simple manner and can be accomplished by simple means.

### *Examples of Minor Maintenance*

Scheduled inspections, small repairs and small minor modifications.

Unscheduled activities and minor repairs, to correct indicated discrepancies or deviations.

This includes the installation/exchange of inspected and released parts replacing parts to be overhauled, repaired or modified.

### *Minor Modification*

This is a change which has no appreciable effect on the weight, balance, structural strength, reliability, operational characteristics, or other characteristics affecting the airworthiness of the aircraft or component (JAR-21), which do not require extensive disassembly and can be accomplished by simple means.

## Appendix 2 National Regulations

### **Austria**

- Luftfahrtgesetz
- Zivilluftfahrt- und Luftfahrtgerät-Verordnung (ZLLV 1999)
- Zivilluftfahrt-Personalverordnung (ZLPV)
- Instandhaltungsanweisungen der Behörden (LTA, AD, Lufttüchtigkeitshinweise)
- Instandhaltungsanweisungen des Entwicklungsbetriebes (SB, LTM, SL etc.)

### **German**

- Luftverkehrsgesetz (LuftVG)
- Betriebsordnung für Luftfahrtgerät (LuftBO)
- Verordnung zur Prüfung von Luftfahrtgerät (LuftGerPV)
- Erste Durchführungsverordnung zur Verordnung zur Prüfung von Luftfahrtgerät (1.DV LuftGerPV)
- Verordnung über Luftfahrtpersonal (LuftPersV)

**Netherlands**

- Luchtvaartwet
  - Hoofdstuk III, De Luchtvaartwet
- Regeling Toezicht Luchtvaart (RTL)
  - Hoofdstuk III, Luchtvaartpersoneel
  - Hoofdstuk IV, Luchtwaardigheid
- Beschikking ter Uitvoering van de Regeling Toezicht Luchtvaart

**Switzerland**

- Bundesgesetz über die Luftfahrt (LFG)
- Verordnung über die Luftfahrt (LFV)
- Verordnung über die Lufttüchtigkeit von Luftfahrzeugen (VLL)
- Verordnung über das Luftfahrzeug-Unterhaltungspersonal (VUP).

Remark: The above mentioned requirements should be applied to in the latest version.

**List of Effective Pages**

Page	Issue/Revision	Date
1	1	21. June 2001
2	1	21. June 2001
3 (Appendix 1)	1	21. June 2001
4 (Appendix 2)	3	12. May 2004
5 (Appendix 3)	2	12. May 2004