

Working Arrangement
between
the European Aviation Safety Agency
and
the Civil Aviation Administration of
Montenegro

The European Aviation Safety Agency (EASA) and the Civil Aviation Administration of Montenegro, hereinafter referred to as 'the Parties',

1 Considering the common interest of the Parties to achieve a high uniform level of civil aviation safety and environmental compatibility

2 Considering that it is desirable to ensure close cooperation in all areas of civil aviation safety with those members of the Joint Aviation Authorities (JAA) whose States have concluded with the European Community agreements providing for the full integration of those States into the EASA system, such as the multilateral agreement on the establishment of a European Common Aviation Area (hereinafter referred to the ECAA agreement), the Agreement establishing the European Economic Area and the Agreement between the European Community and the Swiss Confederation on Air Transport

3. Recognising that the parties to these agreements have agreed to adopt and implement Community law in the field covered by Regulation (EC) No 216/2008¹ and have therefore been given the opportunity to participate in the work of the Agency and become fully integrated into the EASA system as established by that Regulation.

4. Taking note that the Directors General of the Member States of the European Civil Aviation Conference decided at their DGCA/129 meeting (Paris, 19 March 2008) with the endorsement of the Final Report on the FUJA II *inter alia* that the JAA would be dissolved and the Cyprus Arrangements would cease to exist on 30 June 2009.

5 Noting that Regulation (EC) No 216/2008 declares that the involvement of European countries not Members of the European Union should be pursued, so as to ensure a proper pan-European dimension, in order to facilitate the improvement of civil aviation safety throughout Europe.

6. Conscious of the need to avoid any gap in their cooperation, which could result from the closure of the JAA pending the adoption of the relevant implementing rules pursuant to Regulation (EC) No 216/2008.

7. Noting that the Civil Aviation Administration of Montenegro, as a JAA member, has already accepted the competencies and tasks attributed to EASA in particular in the field of standardisation by the procedures implementing the JAA Arrangements.

8 Desiring to assist the European non-EU EASA Aviation Authorities in fulfilling their obligations under the respective agreements with the European Community by providing a basis for a common interpretation and uniform implementation of their provisions relating to matters covered by Regulation (EC) No 216/2008 and its Implementing Rules.

¹ Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency OJ L 79, 19 3 2008, p 1 , recital 30.

Have agreed as follows:

1. Scope and Purpose

This Working Arrangement covers all aspects of the regulation of civil aviation safety and environmental protection of products, organisations and personnel subject to Regulation (EC) No 216/2008 and its Implementing Rules

Through this Working Arrangement EASA assists the Civil Aviation Administration of Montenegro in implementing the relevant provisions of the ECAA agreement.

2. Definitions

For the purposes of this Working Arrangement the following definitions will apply:

"EASA Aviation Authority" means the competent authority (member of the JAA on 30 June 2009) of a Member State of the European Union or a Contracting Party to a Common Aviation Area type agreement providing for the full integration of that Party into the EASA system.

"non-EASA Aviation Authority" means the competent authority (member of the JAA), which is not an EASA Aviation Authority.

"JAA Standards" means the Joint Aviation Requirements as these stand on 30 June 2009.

"JIP" means the Joint Aviation Implementation Procedures as these stand on 30 June 2009.

3. EASA rules and standards

3.1 EASA and the Civil Aviation Administration of Montenegro will continue to apply the JAA Standards in those areas where the European Community has not yet adopted Implementing Rules as provided for in Regulation 216/2008. The list of these rules and standards is attached in Annex 2.

3.2 EASA will notify the Civil Aviation Administration of Montenegro of any change to the list in Annexes 1 and 2 and will assist the Civil Aviation Administration of Montenegro in understanding the applicable rules and standards so as to facilitate their implementation. Such change will become applicable upon amendment of the ECAA agreement

4. Certification of products, parts and appliances, persons and organisations

Where the Civil Aviation Administration of Montenegro has implemented rules and standards as these are set out in Annex 1, the relevant certification activities will be carried out according to that Annex

5. Standardisation

5.1 Where the Civil Aviation Administration of Montenegro has implemented rules and standards as set out in Annex 1, EASA will use the standardisation methods and principles established in Commission Regulation (EC) 736/2006² and the working procedures set out in Annex 3 to this Working Arrangement

5.2 Where the Civil Aviation Administration of Montenegro has not yet implemented standards set out in Annex 1, or where the adoption of Implementing Rules by the European Community is pending, EASA will use the standards referred to in Annex 2 and the relevant JIPs.

5.3 For the purpose of standardisation visits conducted to verify compliance in areas referred to in 5.2, the following principles will apply:

(1) The Civil Aviation Administration of Montenegro accepts the following classification of findings raised by EASA during the standardisation visits carried out in accordance with the relevant JIPs:

(a) fully compliant;

(b) compliant, but improvement is recommended in areas (reference to the standards affected) for better efficiency;

(c) not compliant, with objective evidence of minor deficiencies showing non-compliance with the applicable requirements in areas (reference to the standards affected), which could raise standardisation concerns;

(d) not compliant, with objective evidence of significant deficiencies showing non-compliance with the applicable requirements in areas (reference to the standards affected), which, besides standardisation concerns raise safety concerns if not promptly corrected;

(e) not applicable;

(f) not confirmed, when the national aviation authority inspected commits to produce shortly after the visit material evidence of compliance on findings otherwise classified as in (c) or (d), this material evidence not being directly available at the time of the visit.

² Commission Regulation (EC) No 736/2006 of 16 May 2006 on working methods of EASA for conducting standardisation inspections. OJ L 129, 17.5.2006, p 10, as last amended.

- (2) The Civil Aviation Administration of Montenegro accepts to duly take into account the safety recommendations resulting from the standardisation reports and will act upon them in order to redress the identified findings.
- (3) Where no satisfactory remedial action is proposed or implemented by the Civil Aviation Administration of Montenegro as undertaken, EASA will address a supplementary report to the (Non-EU EASA Aviation Authority), and will inform thereof all EASA and non-EASA Aviation Authorities as well as the Commission
- (4) Once EASA is satisfied with the actions undertaken by the Civil Aviation Administration of Montenegro, it will issue a statement of closure of findings. Such statement will be addressed to the Civil Aviation Administration of Montenegro and EASA will inform thereof all EASA and non-EASA Aviation Authorities as well as the Commission.

6. Acceptance of certificates and technical findings

6.1 Where in a given safety area the Civil Aviation Administration of Montenegro has implemented rules and standards as set out in Annex 1 acceptance of certificates takes place according to the relevant provisions of the ECAA agreement.

6.2 In all other areas falling in the scope of this Working Arrangement acceptance takes place according to applicable national law or as provided for in international agreements.

7. Consultations

7.1 If the Civil Aviation Administration of Montenegro has serious doubts about the compliance of a certificate issued pursuant to point 6.1, it will notify EASA thereof as soon as practicable but not later than 15 days after the doubts about compliance have been raised.

7.2 Following this notification the Parties will attempt to resolve any doubt about the compliance of the certificate concerned.

7.3 Application of paragraph 7.2 will not prevent the Civil Aviation Administration of Montenegro from taking any action it considers appropriate to preserve safety, neither will it affect its rights provided for in international agreements.

8. Costs

The Parties agree to bear the costs incurred from the application of this Working Arrangement. The modalities are described in Annex 4.

9. Communication and liaison activities

9.1 The Civil Aviation Administration of Montenegro will establish a liaison function with EASA and will assign a Focal Point to facilitate the implementation of this Working Arrangement.

9.2 Upon request, co-operation between EASA and the Civil Aviation Administration of Montenegro will be developed in the research and European Strategic Safety Initiative (ESSI) domains.

9.3 The Civil Aviation Administration of Montenegro is entitled to appoint an observer in the Advisory Group of National Authorities so as to be aware of regulatory developments in the EASA system and to contribute to defining priorities and policies for rulemaking. The Civil Aviation Administration of Montenegro is equally entitled to propose experts for participation in rulemaking activities, including working groups.

10. Final Provisions

This Working Arrangement does not affect or limit in any way the rights and obligations stemming from the relevant provisions of the ECAA Agreement.

11. Entry into force, amendment and termination

11.1 This Working Arrangement will enter into force on 1st August 2009.

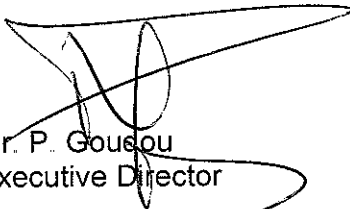
11.2 This Working Arrangement may be amended in writing by mutual consent of the Parties.

11.3 This Working Arrangement will continue to apply until terminated by either Party by written notice. Such termination will be effected upon the sixty calendar day's period following the date of receipt of the written notification, unless the notice of termination has been withdrawn by mutual agreement before the expiry of the aforesaid period.

Signed in duplicate in English language in Strasbourg on 7 July 2009.

**European Aviation Safety Agency
(EASA)**

By



Mr. P. Goussou
Executive Director

**Civil Aviation Administration of
Montenegro**

By



Mr. Budimir Šaranović
Director

Annex 1
Regulation (EC) No 216/2008, its implementing rules and EASA standards

Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, as last amended

Commission Regulation (EC) No 1702/2003 of 24 September 2003 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations, as last amended

CS-22 (Sailplanes and Powered Sailplanes)
CS-23 (Normal, Utility, Aerobatic and Commuter Aeroplanes)
CS-25 (Large Aeroplanes)
CS-27 (Small Rotorcraft)
CS-29 (Large Rotorcraft)
CS-34 (Aircraft Engine Emissions and Fuel Venting)
CS-36 (Aircraft Noise)
CS-APU (Auxiliary Power Units)
CS-AWO (All Weather Operations)
CS-E (Engines)
CS-ETSO (European Technical Standard Orders)
CS-Definitions (Definitions and Abbreviations)
CS-P (Propellers)
CS-VLA (Very Light Aeroplanes)
CS-VLR (Very Light Rotorcraft)

AMC&GM related material related to this field.

Commission Regulation (EC) No 2042/2003 of 20 November 2003 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks, as last amended.

AMC&GM related material related to this field

Annex 2
List of areas not covered by the Implementing Rules where JAA standards and JIPs apply

A Technical requirements and administrative procedures in the field of OPS:

Regulation (EC) No 1899/2006 of the European Parliament and of the Council of 12 December 2006 amending Council Regulation (EEC) No 3922/91 on the harmonisation of technical requirements and administrative procedures in the field of civil aviation (EU OPS)

JAR OPS 3 amendment 5 (1.07.2007)

JAR 26 amendment 3 (1.12.2005)

JAR MMEL/MEL amendment 1 (1.08.2005)

JAR-FSTD A (Aeroplanes) – First issue, 1.05.2008

JAR FSTD H (Helicopters) – First issue, 1.05.2008

JAA Administrative & Guidance Material, Section 4: Operations, Part 2, Procedures – revision 01/10/2008

JAA Administrative & Guidance Material, Section 6: Synthetic Training Devices, Part 2, Procedures – revision 1.02.2008

B. Technical requirements and administrative procedures in the field of FCL:

JAR-FCL 1 (Aeroplane) amendment 7, published 1.12.2006

JAR-FCL 2 (Helicopter) amendment 6, published 1.2.2007

JAR-FCL 3 (Medical) amendment 5, published 1.12.2006

JAR-FCL 4 (Flight Engineers) amendment 3, published 1/9/2005

JAA Administrative & Guidance Material, Section 5, Personnel Licensing, Part 2, Procedures – published 1.10.2008

Annex 3

Reference standards used for standardisation visits

S.P006 Standardisation Inspection Procedure including all related relevant Work Instructions and Standardisation Bulletins, as last amended and published on the “EASA Standardisation” electronic community of the Agency in SINAPSE³.

³ SINAPSE is a web-based software application hosted by the European Commission. It features tools to facilitate the effective communication amongst closed communities of experts. Nominated experts become group members.

Annex 4
Modalities for bearing the costs arising from the application of this
Working Arrangement

Standardisation visits

1. Areas covered by Implementing Rules adopted pursuant to Regulation (EC) N° 216/2008

Costs shall be borne, in compliance with Community rules and without prejudice to the annual Community budgetary procedure, by the Agency.

2. Areas not covered by Implementing Rules adopted pursuant to Regulation (EC) N° 216/2008.

Costs shall be borne by the Non-EU EASA Aviation Authority inspected.