

AGREEMENT

between State inspection of the Republic of Uzbekistan for Flight Safety Oversight and Bermuda Civil Aviation Department on the implementation of Article 83 *bis* of the Convention on International Civil Aviation of December 7, 1944

The State Inspection of the Republic of Uzbekistan for Flight Safety Oversight (Gosavianadzor) and Bermuda Civil Aviation Department (BDCA), further referred to as "Parties",

whereas, that Bermudas are overseas Territories of the United Kingdom of Great Britain and Northern Ireland,

taking into account, that the Republic of Uzbekistan and United Kingdom of Great Britain and Northern Ireland are Member States of Convention on International Civil Aviation (Chicago, 1944) and its Protocols,

taking into account, that Article 83 *bis*, with a view to enhance flight safety, provides for the possibility of transferring from the State of Registry to the State of Operator the rights and duties pertaining to Articles 12, 30, 31 and 32 *a*) of the Convention,

on the basis of Articles 33 and 83 *bis* of the Convention have agreed as follows:

Article 1 Definitions

For the purposes of the present Agreement the following terms are used:

- Convention – Convention on International Civil Aviation (Chicago, December 7, 1944);
- Operators of the Republic of Uzbekistan – National Airline "Uzbekistan Airways" and «SILK ROAD CARGO BUSINESS» LLC;
- AOC – Air Operator Certificate;
- State of Operator – Republic of Uzbekistan;
- State of Registry – Bermudas on behalf of United Kingdom of Great Britain and Northern Ireland;
- ICAO – International Civil Aviation Organization;
- MCM – Maintenance Control Manual.

Article 2 Scope

2.1. BDCA shall be exempted from liability in respect of the functions and duties transferred to Gosavianadzor according to the Annex №2 to the present Agreement, after due publication or notification of this Agreement in accordance with paragraph b of Article 83 *bis* of the Convention.

2.2. The scope of this Agreement shall be limited to the aircrafts listed in the Register of civil aircraft of Bermudas and operated by Operators of the Republic of Uzbekistan, whose principal place of business is the territory of Republic of Uzbekistan.

2.3. The list of the operators and concerned aircrafts, identified by type, registration number and serial number, is given in the Annex №1 to the present Agreement, where also indicated effective period of AOC.

Article 3 **Transferred Responsibilities**

3.1. BDCA transfers to Gosavianadzor the following functions and duties, including oversight and control functions under relevant provisions contained in the respective Annexes to the Convention:

Annex 1. *Personnel Licensing*. Issuance and validation of licences.

Annex 2. *Rules of the Air*. Enforcement of compliance with applicable rules and regulations relating to the flight and manoeuvre of aircraft.

Annex 6. *Operation of Aircraft (Part I – International Commercial Air Transport – Aeroplanes)*, to fulfill obligations which are normally laid on the State of Registry. In case of possible contradictions of obligations stipulated in the part I of Annex 6 with obligations stipulated in Annex 8 “*Airworthiness of Aircraft*”, the allocation of specific responsibilities shall be carried out in accordance with Annex №2 to the present Agreement.

3.2. In accordance with the Convention BDCA shall take full responsibility for realization of control under Annex 8 of the Convention – “*Airworthiness of Aircraft*”, the responsibility for the approval of line stations used by the operators of the Republic of Uzbekistan, which are located beyond its main base, is transferred to Gosavianadzor.

The procedures related to the continuing airworthiness of aircrafts to be followed by the operators of the Republic of Uzbekistan shall be added to the operator's MCM.

Annex №2 hereunder describes the responsibilities of the Parties regarding the continuing airworthiness of the aircraft.

Article 4 **Notification**

4.1. The obligation to notify third States about the conclusion of this Agreement pursuant of Article 83 *bis b*) of Convention shall be entrusted to Gosavianadzor as the Representative of State of Operator.

This Agreement as well as any amendments to it shall also be registered in ICAO by BDCA as the Representative of State of Registry or by Gosavianadzor as the Representative of State of Operator in accordance with Article 83 of the

Convention and in accordance with the *Rules for Registration with ICAO Aeronautical Agreements and Arrangements* (Doc 6685).

4.2. Certified copy of this Agreement in English and in Russian languages and certified copy of AOC issued by Gosavianadzor, where corresponding aircraft registered and identified in prescribed manner, shall be placed on board of each aircraft where this Agreement applies.

Article 5 Coordination

5.1. Meetings between Parties shall be held not less than once in a year to discuss both operations and airworthiness matters resulting from inspections conducted by the relevant inspectors.

For the sake of flight safety, such meetings will take place in order to resolve any discrepancies identified as a result of the inspections and in order to ensure that Parties are fully informed about the flights of the Operators of the Republic of Uzbekistan. The following subjects will be among those reviewed during these meetings:

- Flight operations;
- Continuing airworthiness and aircraft maintenance;
- Operator's MCM procedures, if applicable;
- Flight and cabin crew training and checking;
- Any other significant matters arising from inspections.

5.2. Subject of reasonable notice, BDCA shall be permitted access to Gosavianadzor documentation concerning the operators of the Republic of Uzbekistan in order to verify that the Republic of Uzbekistan is fulfilling safety oversight obligations as transferred from BDCA.

5.3. During the implementation of this Agreement Gosavianadzor representing the State of operator, beforehand informs BDCA about a sub-lease of any aircraft that is subject of this Agreement.

Article 6 Final Provisions



6.1. The present Agreement shall enter into force on its date of signature and shall remain effective during 5 years. The validity of the Agreement automatically extends for successive five year periods and terminates after 3 (three) month after receipt of written notification of one of the Parties through diplomatic channels its intention to terminate it.

This Agreement shall not be effective with respect to the aircrafts, listed in Annex №1 to this Agreement upon completion of the respective leasing arrangements under which they are operated.

6.2 By mutual consent of the Parties, the present Agreement may be amended and supplemented arranged by separate protocols that are integral part of this Agreement.

6.3. Any disputes arising from the application or interpretation of the provisions of this Agreement shall be settled by the Parties through consultations and negotiations.

DONE at Bermuda this "5" day of September 2013, in duplicate Russian and English languages.

Director of the Bermuda Department of Civil Aviation T. Dunstan	Head of the State Inspection of the Republic of Uzbekistan for Flight Safety Oversight T. Uljaev
 5th September 2013 Signature Name, place and date	 29th November 2013 Signature Name, place and date

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Thomas Dunstan
Director General
Bermuda Civil Aviation
Authority



Date: 15th June 2022

Takhir Nazarov
Director Civil Aviation Agency
under Ministry of Transport of the
Republic of Uzbekistan




Date:

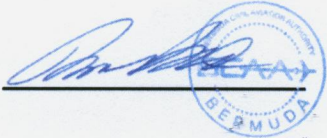
15/06./2022

SCHEDULE 1 - AIRCRAFT AFFECTED BY THIS AGREEMENT

QANOT SHARQ AIRLINES

AMENDMENT DATE	MAKE MODEL & SERIES	REGISTRATION	MSN
24 May 2022	Boeing 777-312	VP-BKV	33374
24 May 2022	Boeing 777-312	VP-BKU	33376

**Thomas Dunstan
 Director General
 Bermuda Civil Aviation
 Authority**



Date: 15th June 2022

**Takhir Nazarov
 Director Civil Aviation Agency
 under Ministry of Transport of the
 Republic of Uzbekistan**




Date: 15/06/2022

**Responsibilities of the Bermuda Department of Civil Aviation
and State Inspection of the Republic of Uzbekistan for Flight Safety Oversight related to
airworthiness**

ICAO Reference	Subject	Responsibilities of the Bermuda Department of Civil Aviation	Responsibilities of the State Inspection of the Republic of Uzbekistan for Flight Safety Oversight
Annex 8, Part II, Chapter 1 and 4.	Type certification and mandatory continuing airworthiness information	Conformity to BDCA type certification standards for the issue of a C of A. Ensure that GOSAVIANADZOR and Operator receive all applicable mandatory continuing airworthiness information.	Ensure that the Operator complies with mandatory continuing airworthiness information transmitted by BDCA.
Annex 6, Part I, Chapter 4	Flight operations	The airworthiness certification standards are complied with for any applicable flight operations approvals.	For the issue/extension of Air Operator Certificate including verification with the BDCA that required airworthiness certification standards have been incorporated.
Annex 6, Part I, Chapter 6.1.1	Aeroplane Instruments, equipment and installation	Ensure that the aircraft are configured to the applicable standards of ICAO Annex 6 for the issue of a C of A.	To ensure that in addition to the minimum equipment necessary for the issue of a certificate of airworthiness, the instruments, equipment and flight documents prescribed by the GOSAVIANADZOR shall be installed or carried, as appropriate, in aeroplanes according to the aeroplane usage and to the circumstances under which the flight is to be conducted. The prescribed instruments and equipment, including their installation, shall be approved or accepted by the BDCA.
Annex 8, Part II, Ch. 4 Doc. 9760, Chapter 4.	Continuing airworthiness of aircraft	Development or adopt requirements to ensure the continued airworthiness of the aircraft during its service life This requirement also covers the maintenance requirements of Annex 6 mentioned below.	
Annex 8, Part II, Ch. 4, paras. 4.2.3, 4.2.4, Doc 9760, Ch. 4	Communication with the State of Design	Communicate with State of Design	

Annex 8, Part II, Chapter 3.2.1 & 3.2.3	Issue and re issue of the Certificate of Airworthiness	Issue and re issue of a C of A in compliance with the applicable BDCA accepted TCDS.	Shall verify that the Certificate of Airworthiness is valid (remains in force) including compliance with Annex 6 Part I Chapter 6.1.1 and Annex 8 Part II, Chapter 1 and 4;
Annex 8, Part II, Ch. 3, para. 3.6	Damage to aircraft	To ensure that rectification action has been accomplished IAW the applicable certification standard.	To ensure Operator's MCM contains provision that when an aircraft has sustained damage, the BDCA shall be immediately notified and Operator complies with that provision.
Annex 6, Part I, Ch. 8, para. 8.1	Operator's Maintenance Responsibilities	BDCA shall promulgate to the Uzbekistan operators of Bermuda registered aircraft OTAR Part 39 standards of continued airworthiness management. Each airplane operated in accordance with this Agreement shall be maintained in an airworthy condition (Certificate of Airworthiness to be in force).	Ensure that responsibilities are contained in the Operator's Maintenance Control Manual (MCM).
Annex 6, Part I, Ch. 8, para. 8.2	Operator's Maintenance Control Manual	Ensure continued airworthiness management system complies with OTAR 39. Acceptance of the Maintenance Control Manual once approved by the GOSAVIANADZOR.	The approval of the operator's Maintenance Control Manual.
Annex 6, Part I, Ch. 8, para. 8.3	Maintenance Program	The approval of the Maintenance Programme and its amendments which is based on maintenance programme information made available by the State of Design or by the organization responsible for the type design, and any additional applicable experience. Maintenance Programme oversight for compliance.	Ensure the Maintenance Program responsibilities and development procedures are contained in the MCM.

Annex 6, Part I, Ch. 8, para. 8.5	Continuing airworthiness information	Ensure that operators monitor and assess maintenance and operational experience with respect to continuing airworthiness and provide the information as prescribed by the BDCA and report through the system specified in Annex 8, Part II, 4.2.3 f) and 4.2.4. Ensure that operators obtain and assess continuing airworthiness information available from the organisation responsible for type design and implement the resulting actions considered necessary in accordance with an approved procedure.	Ensure that airworthiness reports are provided to BDCA.
Annex 6, Part I, Ch. 8, para. 8.6	Modifications and repairs	Approval of all modifications and applicable repairs complying with airworthiness standards acceptable to BDCA.	Ensure that procedures are contained in the Operator's MCM.
Annex 6, Part I, Chapter 8.1.1, 8.1.2 and Chapter 8.7.1.1	Aircraft maintenance and maintenance organisation approval	Promulgate to the GOSAVIANADZOR the standards of aircraft maintenance, and issue aircraft maintenance organisation (AMO) approvals as well as standards for required certificate of release to service by publication of OTAR 43, Subpart C.	To ensure aircraft are maintained and released to service in compliance with BDCA aircraft maintenance standards in BDCA approved AMOs. Approval of Operator's line maintenance arrangements away from main base. Ensure the procedures are contained in the Operator's Maintenance Control Manual.

<p align="center">Director of the Bermuda Department of Civil Aviation T. Dunstan</p>	<p align="center">Head of the State Inspection of the Republic of Uzbekistan for Flight Safety Oversight T. Uljaev</p>
<p align="center"> Signature Name, place and date 5th SEPTEMBER 2013</p>	<p align="center"> Signature Name, place and date 29th November 2013</p>