



## AGREEMENT

Between the “Instituto Dominicano de Aviación Civil” of the Dominican Republic (further: IDAC-DR) and the Department of Civil Aviation of Aruba (further: DCA-A) concerning Regulatory Oversight Functions and Duties.

WHEREAS the Dominican Republic and Aruba, Kingdom of the Netherlands, are signatories to the Convention on International Civil Aviation (Chicago, 1944), hereinafter referred to as “The Convention”;

AND WHEREAS, Article 83 of the Convention provides for States to make arrangements that are not inconsistent with the Convention;

AND WHEREAS, it is recognized that it is essential for the State of Operator (Dominican Republic) and State of Registry (Aruba) to communicate, coordinate and synchronize Regulatory Oversight Functions and Duties;

AND WHEREAS, it is understood that no functions and duties are being transferred from the DCA-A to the IDAC-DR, as referred to in Article 83*bis* of the Convention;

The IDAC-DR and the DCA-A, hereinafter referred to as the “Parties”;

Declaring their mutual commitments to the safety and efficiency of flights;

The Parties have agreed as follows:

## ARTICLE I

The Parties shall work in close co-operation towards the safety oversight of the aircraft and its operators that this agreement applies to.

## ARTICLE II

The responsible agencies for implementing this Agreement are the IDAC-DR and the DCA-A.

### ARTICLE III

The scope of this Agreement shall be limited to aircraft on the register of civil aircraft of Aruba that operate commercially under an Air Operator Certificate (AOC) issued by the Dominican Republic. The list of aircraft concerned, identified by type, registration marks and serial number, is reproduced in the attached Schedule 1. Schedule 1 forms an integral part of this agreement and can be amended at any time by mutual Agreement of both Parties.

### ARTICLE IV

Under the present Agreement, the parties agree that none of these will transfer duties and/or responsibilities. Schedule 2 defines the tasks with respect to the safety oversight co-operation. Schedule 2 forms an integral part of this Agreement and can be amended at any time by mutual Agreement of both Parties.

### ARTICLE V

A certified true copy in English language of this Agreement shall be placed on board each aircraft to which this Agreement applies. A certified true copy of the Air Operator Certificate and Operation Specifications issued by the IDAC-DR, in which the aircraft concerned will be duly listed and properly identified, will also be carried on board each aircraft.

### ARTICLE VI

Meetings between IDAC-DR and DCA-A will be held at yearly intervals to discuss both operations and airworthiness matters resulting from inspections that have been conducted by respective inspectors. For the sake of enhanced safety, these meetings will take place for the purpose of resolving any discrepancies found as a result of the inspections and in order to ensure that all parties are fully informed about operators' operations. The meetings will be agreed upon after prior notice has been given by one of the parties and the confirmed by the other party.

The official communications of the "Parties" will be made through focal points to facilitate the implementation of this Agreement. Regular communication will take place between these focal points that the Parties will designate.

The Focal Point designated by IDAC-DR	The Focal Point designated by DCA-A
Rodolfo A. Victoria <hr/> Technical Coordinator	ing. Glenn Kelly <hr/> Manager Airworthiness & Registration



DCA-A will be permitted access to IDAC-DR documentation concerning all applicable operators in order to verify that the IDAC-DR is fulfilling its safety oversight obligations.

The following subjects will be reviewed during these meetings:

- Safety oversight activities conducted by IDAC-DR;
- Flight Operations activities;
- Continuing airworthiness and aircraft maintenance;
- Operator Maintenance Control Manual (MCM) procedures if applicable;
- Ramp inspections by foreign Civil Aviation Authorities;
- Crews, licenses and capacities;
- Any other significant matters arising from inspections, audits and data analysis.

## ARTICLE VII

The IDAC-DR will cooperate with and facilitate on-site inspections on the operators performed by the DCA-A in the territory of the Dominican Republic. This includes facilitation with visa (if applicable), access to the airport premises and apron, and access to the aircraft, including cockpit.

## ARTICLE VIII

If, during the execution of this Agreement, any aircraft subject to it is to be made the object of a sublease, the IDAC-DR, remaining the State of Operator, must inform the DCA-A of this fact and of any impact it will have on the safety oversight activities of the IDAC-DR.

## ARTICLE IX

In case of divergence of interpretation of the provisions of the Agreement or its application, the Parties will settle disputes by mutual consultations and/or negotiations, and they are not considered to be subject of discussions in international tribunal, arbitration, or at the organizations of the third countries.

## ARTICLE X

By mutual understanding of the Parties this Agreement may be fulfilled by modifications, which are defined as separate Protocols and are considered to be inseparable parts of this Agreement.

## ARTICLE XI

This Agreement will enter into force on its date of signature of last Party and will be effective for three-year period, after which this Agreement may be renewed for a period to be



decided by both parties. This Agreement is made in duplicate in Santo Domingo, Dominican Republic in the English and Spanish language.

#### ARTICLE XII


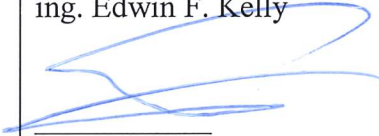
For the fulfillment of this Agreement, no labor relations will be created between the Parties, so in no case will they be held jointly liable or substitute employer.

#### ARTICLE XIII

Each Party shall have the right to terminate the MOU by giving six (6) months written notice in writing to the other Party at any time.

#### ARTICLE XIV

The Parties agree to assume their respective costs incurred as of the application of this agreement.

<p>For the Instituto Dominicano de Aviación Civil of the Dominican Republic.</p> <p>Lic. Hector E. Porcella Dumas</p>  <p>Interim General Director ____ June 2022</p>	<p>For the Department of Civil Aviation of Aruba.</p> <p>ing. Edwin F. Kelly</p>  <p>Director <u>22</u> June 2022</p>
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### SCHEDULE 1 – APPLICABLE AIRCRAFT

**Operator:** Sky High Aviation Services, S.A.

**AOC number:** SKYA022A

**ICAO code:** SHH

Registration marks	Make & model	Serial number
P4-KCI	Embraer ERJ 190-100 LR	19000604
P4-KCK	Embraer ERJ 190-100 LR	19000657

For the Instituto Dominicano de Aviación  
Civil of the Dominican Republic.

Lic. Hector E. Porcella Dumas



Interim General Director

\_\_\_\_ June 2022

For the Department of Civil Aviation of  
Aruba.

ing. Edwin F. Kelly



Director

\_\_\_\_ June 2022

## SCHEDULE 2 – DUTIES AND RESPONSIBILITIES

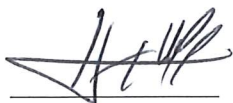
ICAO Doc	Subject	Responsibilities of the State of Registry (Aruba)	Responsibilities of the State of Operator (Dominican Republic)
Annex 1 Para 1.2.2.	Licensing of flight crew members and aircraft maintenance technicians.	Validate the current license issued by an ICAO Member State.	<ul style="list-style-type: none"> <li>- Confirm to the DCA-A authenticity of IDAC-DR issued licences.</li> <li>- Verify that the flight crew members and aircraft maintenance technicians are properly licensed.</li> </ul>
Annex 6, Part I, para 3.3.	Safety Management System	None	Approve the Operator's safety management system. Establish the level of safety to be achieved. Ensure the operator's compliance with the safety management system.
Annex 6, Part I, para 4.2.3.	Operations Manual	None	Approve the operator's operations manual.
Annex 6, Part I, para 5.2.3.	Compliance with the Certificate of Airworthiness and flight manual.	Ensure that the operation of the aircraft is in compliance with its Certificate of Airworthiness and its flight manual.	Assist to ensure that the operation of the aircraft is in compliance with its Certificate of Airworthiness and its flight manual.
Annex 6, Part I, para 7.2.2, 7.2.3. and 7.2.4	PBN	Upon request, assist IDAC-DR in the approval process with airworthiness related information.	Issue PBN approvals upon request of the operator.
Annex 6, Part I, para 7.2.5.	MNPS	Upon request, assist IDAC-DR in the approval process with airworthiness related information.	Issue MNPS approvals upon request of the operator.
Annex 6, Part I, para 7.2.6 to 7.2.10.	RVSM	Upon request, assist IDAC-DR in the approval process with airworthiness related information.	Issue RVSM approvals upon request of the operator.
Annex 6, Part I, para 8.1.2.	Operator's Maintenance Responsibilities.	Approve or accept maintenance organizations used by the operators, including line stations away from the operator's main base.	None
Annex 6, Part I, paras 8.2.1. to	Operator's Maintenance Control	Ensure that the guidance is contained in the MCM and	Acceptance of the DCA-A approved MCM after review




8.2.4.	Manual (MCM).	approve the MCM.	process.
Annex 6, Part I, paras 8.4.1. to 8.4.3.	Maintenance records.	Inspect maintenance records and documents at every renewal of Certificate of Airworthiness. Ensure that records are kept in accordance with the MCM.	Assist to inspect maintenance records and documents at a frequent basis, and assist to ensure that records are kept in accordance with the MCM.
Annex 6, Part I, paras 8.5.1. and 8.5.2.	Continuing Airworthiness Information.	Ensure the operator monitors and has access to maintenance and operational experience relating to continuing airworthiness and reports this to the DCA-A.	Assist to ensure the continuing airworthiness requirements of Aruba are complied with and adequate procedures are incorporated in the MCM.
Annex 6, Part I, para 8.6; - Doc 9760, Part V.	Modifications and Repairs.	Ensure modifications and repairs have been approved. Ensure the requirements are contained in the MCM.	Assist to ensure that no modifications or repairs are performed without due approval or validation by State responsible for the type design and DCA-A as required.
Annex 6, Part I, para 6.1.3.	Operator's Minimum Equipment List (MEL).	Acceptance of the IDAC-DR approved MEL after review process.	Approval of the Operator's customized MEL in accordance with the Master MEL (MMEL) approved by the State Responsible for the Type Design.
Annex 6, Part I, para 4.2.1.8, and Annex 6, Appendix 5, par. 7.	Continued surveillance responsibilities (Safety Oversight).	Conduct on a periodical basis, on the aircraft registered in Aruba: - inspection on a yearly base for renewal of the Certificate of Airworthiness; - Perform audits a minimum of once a year of the maintenance and operations Departments of the operators involved.	Ensure that there is a system for the certification and the continued surveillance of the operator in accordance with ICAO Annex 6 to ensure that the required standards of operations established in paragraph 4.2 are maintained. Provide the DCA-A the continued surveillance results every 6 months.
Annex 6, Part I, Ch. 8.3	Maintenance Program.	Ensure that the maintenance program is based on manufacturer's maintenance data; approve the Maintenance Program.	It is the operator's responsibility to inform IDAC-DR on changes in AMP in timely manner.

For the Instituto Dominicano de Aviación  
Civil of the Dominican Republic.

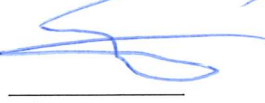
Lic. Hector E. Porcella Dumas



Interim General Director  
\_\_\_\_ June 2022

For the Department of Civil Aviation of  
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ing. Edwin F. Kelly



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22 June 2022