

COMMISSION REGULATION (EC) No 619/2009

of 13 July 2009

amending Regulation (EC) No 474/2006 establishing the Community list of air carriers which are subject to an operating ban within the Community

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 2111/2005 of the European Parliament and of the Council of 14 December 2005 on the establishment of a Community list of air carriers subject to an operating ban within the Community and on informing air transport passengers of the identity of the operating air carrier, and repealing Article 9 of Directive 2004/36/EC ⁽¹⁾, and in particular Article 4 thereof,

Whereas:

- (1) Commission Regulation (EC) No 474/2006 of 22 March 2006 establishing the Community list of air carriers which are subject to an operating ban within the Community referred to in Chapter II of Regulation (EC) No 2111/2005 of the European Parliament and of the Council ⁽²⁾.
- (2) In accordance with Article 4(3) of Regulation (EC) No 2111/2005, some Member States communicated to the Commission information that is relevant in the context of updating the Community list. Relevant information was also communicated by third countries. On this basis, the Community list should be updated.
- (3) The Commission informed all air carriers concerned either directly or, when this was not practicable, through the authorities responsible for their regulatory oversight, indicating the essential facts and considerations which would form the basis for a decision to impose on them an operating ban within the Community or to modify the conditions of an operating ban imposed on an air carrier which is included in the Community list.
- (4) Opportunity was given by the Commission to the air carriers concerned to consult the documents provided by Member States, to submit written comments and to make an oral presentation to the Commission within 10 working days and to the Air Safety Committee established by Council Regulation (EEC) No 3922/91 of

16 December 1991 on the harmonization of technical requirements and administrative procedures in the field of civil aviation ⁽³⁾.

- (5) The authorities with responsibility for regulatory oversight over the air carriers concerned have been consulted by the Commission as well as, in specific cases, by some Member States.
- (6) Regulation (EC) No 474/2006 should therefore be amended accordingly.

Community carriers

- (7) Following information resulting from SAFA ramp checks carried out on aircraft of certain Community air carriers, as well as area specific inspections and audits carried out by their national aviation authorities, some Member States have taken certain enforcement measures. They informed the Commission and the Air Safety Committee about these measures: the competent authorities of Greece informed that the Air Operator Certificate (AOC) of the carrier EuroAir Ltd had been withdrawn on 8 May 2009; the competent authorities of Sweden informed that they had withdrawn on 23 January 2009 the AOC of the carrier of Nordic Airways AB ('Regional') and on 31 March 2009 that of the carrier Fly Excellence AB.

One Two Go Airlines and Orient Thai Airlines*One Two Go Airlines*

- (8) On 8 April 2009, the competent authorities of Thailand (the Thai Department of Civil Aviation — Thai DCA) informed the Commission that they have revoked the AOC of the carrier One Two Go. Although One Two Go had filed appeal against the revocation order, the Thai DCA has re-affirmed such order on 4 May 2009.
- (9) Therefore, taking into account that the operator has lost its AOC, and that as a consequence its operating licence cannot be considered as valid, on the basis of the common criteria, it is assessed that the One Two Go is no longer an 'air carrier' as defined by Article 2 of Regulation (EC) No 2111/2005, and should therefore be removed from Annex A.

⁽¹⁾ OJ L 344, 27.12.2005, p. 15.

⁽²⁾ OJ L 84, 23.3.2006, p. 14.

⁽³⁾ OJ L 373, 31.12.1991, p. 4.

Orient Thai Airlines

(10) Pursuant to the provisions of Commission Regulation (EC) No 298/2009 of 8 April 2009 amending Regulation (EC) No 474/2006 establishing the Community list of air carriers which are subject to an operating ban within the Community ⁽¹⁾, the Thai DCA provided the Commission with information regarding the effectiveness of the corrective actions taken by the carrier Orient Thai, as well as measures taken by the Thai DCA to resolve the safety deficiencies detected previously, and which led to the suspension of the carrier's operations with aircraft of type MD-80 for a period of 75 days until 7 October 2008.

(11) The Commission considers that, on the basis of this information, no further action is needed.

Air carriers from Ukraine*Overall safety oversight of air carriers from Ukraine*

(12) Following the adoption of Regulation (EC) No 298/2009 a team of European experts carried out a visit in Ukraine from 25 to 29 May 2009 to verify the status of implementation of the action plan submitted by the competent authorities of Ukraine to enhance oversight as well as the safety situation of the two carriers whose operations are subject to an operating ban in the Community — Ukraine Cargo Airways and Ukrainian Mediterranean Airlines. Also, with a view to verifying the exercise of oversight by the State Aviation Administration of Ukraine, the EC team of experts met with two carriers — South Airlines and Khors Air Company, which operate in to the Community and have been subject to ramp checks in the Community and in other ECAC states.

(13) The State Aviation Administration has made limited progress in the implementation of its action plan. All actions (12/12) identified by the State Aviation Administration in its action plan submitted on 31 May 2008 to enhance the exercise of oversight remain open so far. No certification according to the requirements announced by the State Aviation Administration has taken place, the corresponding legislation has not been enacted and the completion of the corrective actions will not be completed before July 2011 at the earliest, for some implementation has slipped to 2015.

(14) The implementation of the action plan is directly linked to the complexity of the legal system of Ukraine which does not permit to identify clearly the standards used for approval of aircraft and operators and whether they actually comply with annexes of the International Civil Aviation Organisation (ICAO). This was confirmed during meetings with the four operators.

(15) Also, the report of the visit reveals that the competent authorities of Ukraine do not have sufficient qualified personnel to carry out the oversight of 74 AOC holders (airworthiness and operations). The implementation of the continuing oversight activities could not be fully demonstrated and the comments presented by the competent authorities of Ukraine after the visit could not clarify these matters. Also, careful review of the AOC system used by the competent authorities of Ukraine shows that this system does not provide for clear identification of the regulations/standards applied for certification nor for certainty about the exact fleet authorised for operations and the exact authorisations held.

(16) The competent authorities of Ukraine submitted comments which were not sufficient to remove the findings raised during the visit. The various corrective actions announced by these authorities will need to be closely monitored and evaluated on a regular basis taking also into account the results of the ICAO USOAP visit carried out in June 2008. Also, following the visit, the competent authorities of Ukraine submitted a new corrective action plan, whose implementation depends on the adoption of a new aviation law in Ukraine the adoption of which is planned for 2010. Hence the adoption of various implementing rules will not be completed before the second half of 2011 for aircraft operations, end 2012 for flight crew licensing and end of 2015 for continuing airworthiness.

(17) In the light of the results of the visit, and presentations made during the meeting of the Air Safety Committee on 1 July 2009, the Commission will continue to monitor closely the implementation of these actions and cooperate with the competent authorities of Ukraine to assist them in enhancing oversight and in addressing any non-compliances. Furthermore, Member States will verify systematically the effective compliance with relevant safety standards through the prioritisation of ramp inspections to be carried out on aircraft of carriers licensed in Ukraine pursuant to Commission Regulation (EC) No 351/2008 ⁽²⁾.

Motor Sich JSC Airlines

(18) Following the adoption of Regulation (EC) No 298/2009 the carrier was invited to present any relevant information including corrective actions to redress the previously detected safety deficiencies. The competent authorities of Ukraine submitted information clarifying the actions taken on the AOC of the carrier. Motor Sich submitted documentation on 4 June 2009 stating that the company had carried out a root cause analysis and had drawn up corrective actions to resolve any safety deficiencies. Its analysis and corrective actions were approved by the competent authorities of Ukraine. Also, the company addressed on 15 June correspondence

⁽¹⁾ OJ L 95, 9.4.2009, p. 16.

⁽²⁾ OJ L 109, 19.4.2008, p. 7.

including corrective actions to the competent authorities of France which had performed an inspection ⁽¹⁾ on the aircraft AN-12 (UR-11819). The corrective action plan indicates that the manuals and documentation of the company (operation manual and flight manual) have been modified to bring them into conformity with ICAO standards and allowing for a correct flight preparation.

- (19) However, the training of pilot and crew to ensure that the revised manuals and procedures are effectively applied is not sufficient to ensure appropriate coverage of the broad range of changes. Furthermore, the Commission has not received any information from the competent authorities of Ukraine indicating the verification of the status of implementation and the effective closure of these actions with a view to resolving in a sustainable manner the detected safety deficiencies.
- (20) In the light of these findings, and on the basis of the common criteria, the Commission considers that at this stage, the carrier Motor Sich does not meet the relevant safety standards and should therefore be retained in Annex A.

Ukraine Cargo Airways

- (21) Following the adoption of Regulation (EC) No 298/2009 the carrier was visited by the EC team of experts on 27 May 2009. The report of the visit indicates that the fleet of Ukraine Cargo Airways (UCA) has been considerably reduced in one year, declining from 20 aircraft at the beginning of 2008 (ten IL-76, three AN-12, three AN-26, three MIL-8 helicopters and one Tupolev Tu-134), to four aircraft at the time of the visit (two IL-76, one AN-12 and one AN-26). Out of 4 aircraft on the AOC, only one aircraft, an IL-76 (UR-UCC) is in airworthy condition, the other three aircraft on the AOC having expired certificates of airworthiness. The carrier stated that all other aircraft are not airworthy anymore and are not operated in any manner.
- (22) According to the report UCA has made significant progress in the implementation of its corrective action plan submitted on 1 April 2008 to the Commission. Out of the 22 actions scheduled, 19 are indicated as completed and closed. Safety policy and documentation were revised and improved. An internal safety inspection department was established. The aircraft technical condition was improved. The crew training procedures were revised and improved. However, three actions proposed in this corrective action plan still remain open, the most problematic one being the absence of quick donning masks for IL-76, AN-12 and AN-26 as required by ICAO for flights above a certain altitude.
- (23) The report also points out to significant safety deficiencies in the areas of flight operations, training and checking, continuing airworthiness and maintenance.

Furthermore, the quality management system is deficient as there is no assurance that findings raised by internal audit or by the competent authorities of Ukraine are corrected and verified prior to closure, neither does it ensure that there is systematic analysis of deficiencies. These findings raise doubts about the sustainability of corrective measures put in place by the company after the imposition of the operating ban.

- (24) The company was invited to present comments. UCA submitted documentation on 10 June to the findings raised during the visit. Out of 16 new findings raised during the visit, one could be effectively closed after examination of documentation by the company. For two findings concerning the manual of operations and its AOC, the company indicated that it had submitted to the approval of the competent authorities of Ukraine changes to its manual of operations and had requested a flight level limitation in its AOC regarding aircraft AN-12 (UR-UCN) and AN-26 (UR-UDM).
- (25) The Commission did not receive any information regarding the approval of the changes (limitations) requested by the company. Also, the carrier requested to be heard and made representations to the Commission and the Air Safety Committee on 1 July indicating that out of a total of 51 corrective actions 15 were still to be implemented by the end of August 2009 following which verification by the competent authorities of Ukraine would take place. The Commission reserves the right to proceed to verification of the implementation of corrective measures by this carrier.
- (26) In the light of these findings the Commission considers that at this stage, on the basis of the common criteria, the company does not meet the relevant safety standards and should therefore be retained in Annex A.

Ukrainian Mediterranean Airlines

- (27) Following the adoption of Regulation (EC) No 298/2009 the carrier was visited by the EC team of experts on 28 May 2009. The report of the visit indicates that UMAir has made significant improvements in its documentation system which has been completely reviewed. A safety department was established and a focal point for SAFA inspections nominated. The training procedures were also revised and improved. Nevertheless, while UMAir contends having completed the implementation of its corrective action plan, as verified by the competent authorities of Ukraine, sampled corrective actions by the team show that some deficiencies remain: Corrective actions undertaken by UMAir in relation to the load-sheet/dry operating index do not appear to be effectively applied for all aircraft types on the AOC. Some remedial actions for deficiencies noted during SAFA inspection are not being systematically corrected including determination of their root cause (oil leak on engine, missing screws, performance limitation in MEL, etc).

⁽¹⁾ DGAC/F-2008-564.

(28) Furthermore, significant safety findings were raised in the area of operations and continuing airworthiness, maintenance and engineering: a clear procedure to be applied by UMAir flight crew in case of an en route engine failure (drift-down) is not available and in the operations manual, the procedure to declare an emergency when during the flight the expected/calculated fuel at landing is expected to be below the minimum, is missing. Also, no evidence of compliance with airworthiness directives for an aircraft (UR-CFF) and its engine could be presented, various deficiencies for the aircraft of type DC-9 and MD 83 were found and the program rules of the corrosion prevention and control program (CPCP, Corrosion Level identification and reporting rules) are not followed. With regard to the quality system of the carrier, the EC team found in its report that the organization could not demonstrate that all aspects of the maintenance and flight operational processes are audited on a regular basis; actions implemented do not always take the root cause into account and there is no overall system to control the open findings (internal and external audits including Ukraine SAA findings).

(29) The company was invited to present comments. UMAir presented a corrective action plan approved by the competent authorities of Ukraine at the meeting of the Air Safety Committee on 1 July 2009. The corrective action plan has been drawn-up to address the safety deficiencies identified during the visit. However, the presentation by the carrier did not allow resolution of the findings raised during the visit in particular in the area of continuing airworthiness. The Commission reserves the right to proceed to verification of the implementation of corrective measures by this carrier.

(30) In the light of these findings, the Commission considers that at this stage, on the basis of the common criteria, the company does not meet the relevant safety standards and should therefore be retained in Annex A.

Air carriers from the Republic of Kazakhstan

(31) There is verified evidence of lack of ability of the authority responsible for the safety oversight of air carriers certified in Kazakhstan to implement and enforce the relevant safety standards, as demonstrated by the results of the audit carried out by the ICAO under the Universal Safety Oversight Audit Programme (USOAP).

(32) Following the USOAP audit of Kazakhstan carried out in April 2009, ICAO has notified to all states party to the Chicago convention the existence of significant safety concerns affecting the safety oversight of carriers and

aircraft registered in Kazakhstan, one related to operations ⁽¹⁾ and one related to airworthiness ⁽²⁾, according which the certification process used in Kazakhstan for the issuance of an Air Operator Certificate (AOC) does not address all the applicable provisions of ICAO Annex 6. Most of the existing AOCs have been issued without the involvement of a qualified airworthiness inspector. In particular, the following items are not addressed as part of the certification process: submission of maintenance programmes, review of minimum equipment lists (MEL), continuing airworthiness requirements for the issue of specific operations approvals such as ETOPS and CAT III. Further, the majority of the certificates of airworthiness have been issued without technical inspection of the aircraft and periodic aircraft inspections have not been conducted by the competent authorities of Kazakhstan. Corrective actions plans proposed by these authorities were not considered acceptable by ICAO as they do not include firm implementation dates for the immediate correctives actions to resolve these significant safety concerns.

(33) The Commission, having regard to the two significant safety concerns published shortly after the visit by ICAO and the SAFA reports, has entered into consultation with the competent authorities of Kazakhstan, expressing serious concerns about the safety of the operations of air carriers licensed in the State, asking for clarifications regarding the actions undertaken by the competent authorities to respond to ICAO findings and to SAFA findings.

(34) The competent authorities of Kazakhstan submitted documentation between 5 and 29 June and made a presentation to the Air Safety Committee on 30 June 2009. The competent authorities of Kazakhstan informed the Commission and the Air Safety Committee during their presentation on 30 June 2009 that a corrective action plan was established to address the deficiencies reported by ICAO and that they have initiated the first steps of its implementation, allowing for compliance with all ICAO safety requirements possibly in June 2010. As regards the resolution of the two significant safety concerns published by ICAO, their resolution is not expected before December 2009. The competent authorities of Kazakhstan have also informed the Commission and the Air Safety Committee that they would present quarterly reports on the status of the implementation of the corrective actions proposed to ICAO.

(35) Furthermore, the competent authorities of Kazakhstan have clarified that a total of 69 AOC have been issued and that they have taken measures to suspend or revoke 11 of these on 1 April 2009. However, uncertainty

⁽¹⁾ ICAO finding OPS/01.

⁽²⁾ ICAO finding AIR/01.

remains in relation to the enforcement actions implemented to respond to ICAO significant safety concerns as the suspension/revocations presented by the competent authorities of Kazakhstan were taken before ICAO USOAP audit, that no evidence was provided that the AOC were actually revoked and that some of the AOC indicated as revoked on 1 April 2009 are indicated as valid on 1 June 2009. Further, the competent authorities of Kazakhstan acknowledged that Kazakh law currently allows for aircraft to be operated simultaneously by more than one operator, therefore not designating clearly the entity which is responsible for the airworthiness and operation of the said aircraft.

- (36) The carrier Berkut State Airline certified in Kazakhstan requested to be heard by the Commission and the Air Safety Committee, and did so on 30 June 2009. During this presentation, the carrier did not present a comprehensive action plan undertaken to ensure compliance with safety standards and to dissipate any confusion with the carrier BEK Air previously named Berkut Air which is included in Annex A since April 2009. Berkut State Airline also indicated that it intends to abandon commercial operations and the operations of old aircraft.
- (37) The competent authorities of Kazakhstan failed to present any information regarding the certificates held by the carriers BEK Air previously named Berkut Air, and the implementation of any corrective actions affecting the safety deficiencies which led to the inclusion of this carrier into Annex A in April 2009 and failed to submit the evidence demonstrating that this air carrier is subject to any enforcement actions.
- (38) The competent authorities of Kazakhstan informed the Air Safety Committee of the existence of a third carrier called Berkut KZ but failed to present any information regarding the certificates held by this carrier.
- (39) The carrier SCAT certified in Kazakhstan requested belatedly to be heard by the Commission and the Air Safety Committee, and did so on 30 June 2009. During this presentation, the carrier acknowledged that some of the aircraft such as the Yak 42 with registration mark UP-Y4210 are also operated by other carriers certified in Kazakhstan, therefore not designating clearly the entity which is responsible for the airworthiness and operation of the said aircraft. In addition, the carrier and the competent authorities of Kazakhstan failed to provide evidence that the continuing airworthiness and maintenance of the aircraft of type Boeing B-737-522 and B-757-204 registered in Lithuania (registration marks:

LY-AWE, LY-AWD, LY-FLB and LY-FLG) is done in accordance with applicable European regulations.

- (40) The Commission acknowledges the efforts made to reform the civil aviation system in Kazakhstan and the first steps undertaken to address the safety deficiencies reported by ICAO. However, on the basis of the common criteria, pending the effective implementation of adequate corrective actions to remedy the ICAO significant safety concerns, it is assessed that the competent authorities of Kazakhstan are, at this stage, not able to implement and enforce the relevant safety standards on all air carriers under their regulatory control. Therefore, all air carriers certified in Kazakhstan should be subject to an operating ban and therefore included in Annex A, with the exception of the air carrier Air Astana.

Air Astana

- (41) The carrier Air Astana certified in Kazakhstan requested to be heard by the Commission and the Air Safety Committee, and made presentations on 30 June 2009. During this presentation, the carrier presented a comprehensive series of corrective actions and a root cause analysis designed to address the numerous safety deficiencies on the part of the air carrier identified by Germany ⁽¹⁾, The Netherlands ⁽²⁾, the United Kingdom ⁽³⁾ as well as other ECAC states ⁽⁴⁾ during ramp inspections performed under the SAFA programme. With regard to the safety situation of its fleet, all aircraft on the AOC of the carrier are registered outside Kazakhstan (Aruba). The competent authority of Aruba is responsible for the oversight of the aircraft on the fleet of Air Astana in accordance with the provisions of Annexes 1, and 8 to the Chicago Convention as well as Annex 6 for continuing airworthiness aspects.
- (42) In view of the above does not consider it necessary to include the carrier Air Astana into Annex A. However, taking into account the results of recent ramp inspections ⁽⁵⁾ performed at Community airports under the SAFA programme, as well as the commitment of Member States to further increase the number of ramp checks on aircraft operated by Air Astana to the Community, the Commission considers that it is appropriate to institute specific surveillance of the operations of Air Astana into the Community under strict conditions and therefore that its operations should be strictly limited to their present level and with the aircraft currently used. Consequently, on the basis of the common criteria, and under these conditions, this carrier should be included in Annex B.

⁽¹⁾ LBA/D-2008-334, LBA/D-2008-944.

⁽²⁾ CAA-NL-2008-24, CAA-NL-2008-254, CAA-NL-2009-7, CAA-NL-2009-42, CAA-NL-2009-55.

⁽³⁾ CAA-UK-2008-187.

⁽⁴⁾ DGCATR-2008-85, DGCATR-2008-310, DGCATR-2008-360, DGCATR-2008-381, DGCATR-2008-460, DGCATR-2008-585, DGCATR-2009-39, DGCATR-2009-69, DGCATR-2009-93, DGCATR-2009-105.

⁽⁵⁾ LBA/D-2009-332.

Air carriers from Zambia

- (43) Following the suspension of operations of the Zambian flag carrier Zambian Airways in January 2009 and the publication by ICAO of a significant safety concern in February 2009 after the USOAP Audit visit regarding aircraft operations, certification and supervision exercised by the Civil Aviation Authority of Zambia, the Commission requested information from these authorities in April 2009 to verify the implementation of corrective actions to redress this concern. The significant safety concern relates to the fact that the Department of Civil Aviation (DCA) of Zambia has issued 21 Air Service Permits to commercial air operators, with some including the permission to conduct international operations. These Air Service Permits address economic rather than safety-related issues. The holders of these Air Service Permits operate international flights, even though the operations and airworthiness inspections required prior to the issuance of an AOC have not been conducted. In addition, reports of DCA periodic inspections identify safety deficiencies, with no record of their resolution.
- (44) The information provided by the Zambian authorities in May 2009 does not contain any evidence of the urgent corrective actions needed to resolve the significant safety concerns raised by ICAO. In particular, there is no certification plan and procedures presented, no rules and regulations substantiating the ICAO requirements in Annex 6 to the Chicago Convention for the certification. Also, there is no evidence of limitations to Zambian 'Air Service Permits', and no documentation to support the certification process required by ICAO Annex 6.
- (45) Supplementary documentation sent by the competent authorities of Zambia on 1 June 2009 did not demonstrate that the AOC (Z/AOC/001/2009) issued on 29 May 2009 to Zambezi Airlines certified in Zambia is compliant with ICAO requirements and that the safety concern has been addressed. To date the ICAO safety concern is maintained.
- (46) In the light of these findings and in view of the potential risk that this situation may present for the safety of operations of air carriers certified in Zambia which are authorised to perform international flights, the Commission considers that on the basis of the common criteria, all carriers certified in Zambia should be included in Annex A.

Air carriers from the Republic of Indonesia

- (47) The Indonesian Directorate General for Civil Aviation (DGCA) has provided the Commission with evidence that the air carriers Garuda Indonesia, Airfast Indonesia, Mandala Airlines, and Ekspres Transportasi Antarbenua (trading as Premiair) have been granted on 10 June 2009

a new AOC under the new Indonesian Civil Aviation Safety Regulations (CASRs). In particular, the air carriers Garuda and Airfast have been granted new AOCs valid for two years, following a complete audit and recertification procedure. Mandala and Premi Air have been subject to an audit limited to the new requirements under the new CASRs.

- (48) Upon request of the Indonesian DGCA, a team of EC experts conducted a fact-finding visit to Indonesia from 15 to 18 June 2009, so as to verify if oversight activities are fully conducted at present, and if the system for the oversight activities has been upgraded to allow for an adequate follow-up of findings raised by the DGCA on Indonesian carriers. In this framework, two air carriers (Mandala Airlines and Premi Air) have also been visited to verify the capability of DGCA Indonesia to ensure their safety oversight in compliance with the relevant standards (new CASRs).
- (49) The visit showed that the current level of effectiveness of DGCA surveillance on the four above-mentioned carriers, coupled with their recertification ensures compliance with the new requirements and is considered adequate. The oversight system has been enhanced to allow for appropriate follow-up of findings raised by the DGCA on Indonesian carriers. DGCA has developed a system to efficiently manage the information coming from surveillance activities and, consequently, to track the target and actual date for the closure of a finding as well as for any extension granted by the DGCA.
- (50) In addition, the differences to Annex 6 to the Chicago Convention, which had been notified by DGCA to ICAO on 20 February 2009, and which could have an adverse impact on the safety of operations of Indonesian carriers, have been withdrawn on 25 March 2009. Following a technical review by DGCA, a new notification with limited differences has been sent to ICAO on 28 May 2009. ICAO standards henceforth going to be enforced on Indonesian carriers as of 30 November 2009; nevertheless, these newly adopted standards are already enforced on the carriers Garuda, Mandala, Premiair and Airfast since 10 June 2009 — date of issuance of their new AOC.
- (51) DGCA requested to be heard by the Air Safety Committee, and did so on 30 June 2009. DGCA has informed the Commission that the aircraft of type Embraer EMB-120 with registration marks PK-RJC operated by Premi Air is at present not equipped with TCAS as required by the new CASR, and that its installation should be completed within 30 November 2009. This information is clearly stipulated on the AOC of the carrier, as showed by the report of the EU team.

- (52) On the basis of the common criteria, it is assessed that the current level of effectiveness of surveillance conducted by the DGCA allows for the adequate enforcement and respect of the relevant safety standards by four carriers which have been subject to a recertification process: Garuda Indonesia, Airfast Indonesia, Mandala Airlines, and Ekspres Transportasi Antarbenua (trading as Premiair). As a consequence, these four air carriers should be withdrawn from Annex A. All other Indonesian carriers should be retained in Annex A at this stage. The Commission will closely liaise with the competent authorities of Indonesia following the recertification of other Indonesian carriers.
- (53) The competent authorities of Indonesia have also provided the Commission with an updated list of air carriers holding an AOC. At present, the air carriers certified in Indonesia other than the four above-mentioned carriers, are the following: Merpati Nusantara, Kartika Airlines, Trigana Air Service, Metro Batavia, Pelita Air Service, Indonesia Air Asia, Lion Mentari Airlines, Wing Adabi Airlines, Cardig Air, Riau Airlines, Transwisata Prima Aviation, Tri MG Intra Asia Airlines, Manunggal Air Service, Megantara, Indonesia Air Transport, Sriwijaya Air, Travel Express Aviation Service, Republic Express Airlines, KAL Star, Sayap Garuda Indah, Survei Udara Penas, Nusantara Air Charter, Nusantara Buana Air, Nyaman Air, Travira Utama, Derazona Air Service, National Utility Helicopter, Deraya Air Taxi, Dirgantara Air Service, SMAC, Kura-Kura Aviation, Gatari Air Service, Intan Angkasa Air Service, Air Pacific Utama, Asco Nusa Air, Pura Wisata Baruna, Penerbangan Angkasa Semesta, ASI Pudjiastuti, Aviastar Mandiri, Dabi Air Nusantara, Sampoerna Air Nusantara, Mimika Air, Alfa Trans Dirgantara, Unindo, Sky Aviation, Johnlin Air Transport and Eastindo. The Community list should be updated accordingly and these carriers should be included in Annex A.
- (56) TAAG requested to be heard by the Air Safety Committee, and did so on 1 July 2009 assisted by INAVIC. The carrier also informed the Committee that it passed an IOSA audit in May 2009 with only a limited number of findings and that these findings were all closed by 29 June 2009.
- (57) The carrier provided to the Air Safety Committee convincing evidence that further actions were taken after the visit and that very good progress had been made in order to address the remaining open findings and presented comprehensive measures showing that more than 90 % of the findings are now closed, the remaining actions being in progress. However, the carrier could not demonstrate that flights performed by aircraft of type B-747 and B-737-200 are subject to flight data monitoring as required.
- (58) The Portuguese authorities informed the Air Safety Committee that they agreed to provide assistance to the competent authorities of Angola to enhance safety oversight of TAAG with a view to enabling this carrier to operate into Portugal. In particular, they informed the Air Safety Committee that they would accept flights operated with certain aircraft after having performed pre-flight checks in Angola and ramp checks upon arrival in Portugal. The competent authorities of Angola confirmed their acceptance of pre-flight ramp inspections in Luanda of any aircraft operated by TAAG to Lisbon with the support of the Portuguese authorities. The competent authorities of Portugal will carry out ramp checks under the SAFA programme of each flight operated by TAAG.
- (59) Consequently, on the basis of the common criteria, it is assessed that TAAG as a first step should be removed from Annex A and included into Annex B under the condition that the carrier carries out no more than 10 flights per week with the aircraft of type Boeing B-777 with registration marks D2-TED, D2-TEE and D2-TEF from Luanda to Lisbon. These flights are to be operated only after the Angolan authorities have carried out ramp checks of the aircraft to be operated before each departure from Angola and the Portuguese authorities have conducted ramp checks of each aircraft in Portugal. This is a temporary measure and the Commission will review the situation on the basis of all available information and in particular of an evaluation from the competent authorities of Portugal.

Air carriers from the Republic of Angola

TAAG Angola Airlines

- (54) The competent authorities from Angola (INAVIC) have informed the Commission that the air carrier TAAG Angola Airlines has been granted a new AOC in accordance with the Angolan Aviation Safety Regulations (AASR) on 28 May 2009, following a complete recertification procedure.
- (55) Upon request of the competent authorities of Angola (INAVIC) as well as of the carrier TAAG Angola Airlines, a team of European experts conducted a fact-finding visit to Angola from 8 to 11 June 2009. The visit confirmed that significant progress has been made towards compliance with ICAO standards. INAVIC closed 66 % of the findings raised by the previous EU fact-finding visit in February 2008 and TAAG 75 % of the findings. In particular, Angola has adopted new aviation safety rules in accordance with ICAO standards, and its flag carrier, TAAG, was recertified in compliance with the new legal framework.
- (60) The fact-finding visit conducted in Angola from 8 to 11 June 2009 revealed that Air Operator Certificates were issued to the operators PHA and SERVISAIR without appropriate certification process. Although these 2 AOCs have been temporarily suspended by INAVIC, on the basis of the common criteria, the Commission considers that the corresponding carriers should be placed on Annex A.

Overall safety oversight of air carriers from Angola

(61) The Commission takes note of the on-going recertification of 18 carriers undertaken by INAVIC and expected to be completed by end 2010 and encourages INAVIC to continue this process with determination and due consideration to potential safety concerns identified in this framework. In that respect, the Commission acknowledges that INAVIC took enforcement actions regarding some AOC holders, as 6 out of 19 have been temporarily suspended.

(62) The Commission considers that pending the complete recertification of the air carriers by INAVIC in full compliance with the new Angolan Aviation Safety Regulations, on the basis of the common criteria, these carriers should remain in Annex A.

Société Nouvelle Air Affaires Gabon (SN2AG)

(63) The air carrier SN2AG certified in Gabon requested to be heard by the Air Safety Committee in order to demonstrate that the operations performed with the aircraft of type Challenger CL601 with registration mark TR-AAG and of type HS-125-800 with registration mark ZS-AFG are in compliance with the relevant standards, and did so on 1 July 2009. The Commission took note that this carrier has undertaken further re-organisation and has made significant progress in its remedial action plan towards compliance with international standards. The Commission also noted that SN2AG was subject to a recertification audit by the competent authorities of Gabon in February 2009, and that the carrier was re-issued a new AOC in February 2009.

(64) The competent authorities of Gabon (ANAC) have also presented to the Air Safety Committee on 1 July 2009 the progress made in the enhancement of their structure and staffing, and declared they have now sufficient qualified resources to ensure the oversight of the operations and the maintenance of this carrier in accordance with ICAO provisions. This has been confirmed by the ICAO experts assisting Gabon in their oversight until March 2010.

(65) Therefore, on the basis of the common criteria, it is assessed that SN2AG meets the relevant safety standards only for flights operated with the aircraft of type Challenger CL601 with registration mark TR-AAG and of type HS-125-800 with registration mark ZS-AFG. Consequently, SN2AG should be subject to operational restrictions with respect to the rest of its fleet and should be moved from Annex A to Annex B.

Egypt Air

(66) There is evidence of numerous safety deficiencies on the part of Egypt Air certified in Egypt. These deficiencies

have been identified in 75 inspections carried out since January 2008 mainly by Austria, France, Germany, Italy, Netherlands, and Spain as well as other ECAC states during ramp inspections performed under the SAFA programme. The repetition of these findings (a total of 240 findings out of which 91 category 2 and 69 category 3) raises concerns about systemic safety deficiencies.

(67) The Commission, having regard to the SAFA reports, entered on 25 May 2009 into a formal consultation with the competent authorities of Egypt (ECAA), expressing serious concerns about the safety of the operations of this carrier and urging the carrier and its competent authorities pursuant to Article 7 of Regulation (EC) No 2111/2005 to take measures to satisfactorily resolve the detected safety deficiencies.

(68) The carrier submitted voluminous documentation on 10, 16, 17, 19 and 26 June 2009. The submitted documents indicated remedial actions taken or envisaged to be taken after the ramp inspections as well as root cause analysis, providing for long term solutions. The carrier requested to make an oral presentation to the Air Safety Committee and did so on 30 June 2009.

(69) In view of the persistence of serious findings in the areas of continuing airworthiness, maintenance, operations, as well as the safety of cargo on board, the Commission requests the competent authorities of Egypt to send monthly reports on verification of the implementation of the corrective action plan along with any other reports of audits that these authorities will carry out on Egypt Air. The Commission should also receive a report of the final audit to be carried out by the competent authorities of Egypt at the end of this period, the results of which will be communicated to the Commission along with the recommendations of this authority.

(70) The carrier and competent authorities of Egypt accepted a visit from EC experts to verify the implementation of the corrective action plan. The Commission urged the carrier to provide without delay for the sustainable resolution of the various findings, failing which appropriate measures will have to be taken. On this basis, at this stage, it is assessed that the carrier should not be included in Annex A.

(71) The Member States shall ensure that the number of inspections of Egypt Air will be intensified in order to provide the basis for a reassessment of this case during the next Air Safety Committee meeting which is to take place in November 2009.

Air carriers from the Russian Federation

- (72) The competent authorities of the Russian Federation informed the Commission on 11 June 2009 that they modified their decision of 25 April 2008, whereby they excluded from operations into the Community aircraft on the AOC of 13 Russian aircraft which at that time were not equipped to perform international flights as per ICAO standards, since they lacked in particular the required TAWS/E-GPWS equipment. Certain aircraft excluded by decision of 25 April 2008 have been since then equipped appropriately to perform international flights. Furthermore, the AOCs and operations' specifications of these carriers have been modified to take account of these changes.
- (73) According to the new decision, the following aircraft are excluded from operations into, within and out of the Community:
- (a) Aircompany Yakutia: Tupolev TU-154: RA-85007 and RA-85790; Antonov AN-140: RA-41250; AN-24RV: RA-46496, RA-46665, RA-47304, RA-47352, RA-47353, RA-47360; AN-26: RA-26660.
- (b) Atlant Soyuz: Tupolev TU-154M: RA-85672.
- (c) Gazpromavia: Tupolev TU-154M: RA-85625 and RA-85774; Yakovlev Yak-40: RA-87511, RA-88186 and RA-88300; Yak-40K: RA-21505 and RA-98109; Yak-42D: RA-42437; all (22) helicopters Kamov Ka-26 (unknown registration); all (49) helicopters Mi-8 (unknown registration); all (11) helicopters Mi-171 (unknown registration); all (8) helicopters Mi-2 (unknown registration); all (1) helicopter EC-120B: RA-04116.
- (d) Kavminvodyavia: Tupolev TU-154B: RA-85307, RA-85494 and RA-85457.
- (e) Krasnoyarsky Airlines: The AOC of the air carrier has been revoked. As concerns the following two aircraft of type TU-154M previously operated by Krasnoyarsky Airlines, RA-85682 is currently operated by another air carrier certified in the Russian Federation, and the aircraft RA-85683 is currently not operated.
- (f) Kuban Airlines: Yakovlev Yak-42: RA-42526, RA-42331, RA-42336, RA-42350, RA-42538, and RA-42541.
- (g) Orenburg Airlines: Tupolev TU-154B: RA-85602; all TU-134 (unknown registration); all Antonov An-24 (unknown registration); all An-2 (unknown registration); all helicopters Mi-2 (unknown registration); all helicopters Mi-8 (unknown registration);
- (h) Siberia Airlines: Tupolev TU-154M: RA-85613, RA-85619, RA-85622 and RA-85690.
- (i) Tatarstan Airlines: Yakovlev Yak-42D: RA-42374, RA-42433; all Tupolev TU-134A including: RA-65065, RA-65102, RA-65691, RA-65970 and RA-65973; all Antonov AN-24RV including: RA-46625 and RA-47818; the aircraft of type AN24RV with registration marks RA-46625 and RA-47818 are currently operated by another Russian carrier.
- (j) Ural Airlines: Tupolev TU-154B: RA-85319, RA-85337, RA-85357, RA-85375, RA-85374, RA-85432 and RA-85508.
- (k) UTAir: Tupolev TU-154M: RA-85813, RA-85733, RA-85755, RA-85806, RA-85820; all (25) TU-134: RA-65024, RA-65033, RA-65127, RA-65148, RA-65560, RA-65572, RA-65575, RA-65607, RA-65608, RA-65609, RA-65611, RA-65613, RA-65616, RA-65618, RA-65620, RA-65622, RA-65728, RA-65755, RA-65777, RA-65780, RA-65793, RA-65901, RA-65902, and RA-65977; the aircraft RA_65143 is operated by another Russian carrier; all (1) TU-134B: RA-65726; all (10) Yakovlev Yak-40: RA-87292, RA-87348, RA-87907, RA-87941, RA-87997, RA-88209, RA-88210, RA-88227, RA-88244 and RA-88280; all helicopters Mil-26: (unknown registration); all helicopters Mil-10: (unknown registration); all helicopters Mil-8 (unknown registration); all helicopters AS-355 (unknown registration); all helicopters BO-105 (unknown registration); the aircraft of type AN-24B RA-46388; the aircraft AN-24B (RA-46267 and RA-47289) and the aircraft of type AN-24RV (RA-46509, RA-46519 and RA-47800) are operated by another Russian carrier.
- (l) Rossija (STC Russia): Tupolev TU-134: RA-65555, RA-65904, RA-65905, RA-65911, RA-65921 and RA-65979; TU-214: RA-64504, RA-64505; Ilyushin IL-18: RA-75454 and RA-75464; Yakovlev Yak-40: RA-87203, RA-87968, RA-87971, RA-87972 and RA-88200.
- (74) No such aircraft were identified for the carriers Red Wings (former Airlines 400 JSC).
- (75) The competent authorities of the Russian Federation also informed the Commission that the AOC of the carrier Aeroflot-Nord had been limited on June 3 2009 to exclude operations into the Community.

(76) The competent authorities of the Russian Federation and the Commission remain committed to continue their close cooperation and to exchange all necessary information related to the safety of their air carriers. Member States will verify systematically the effective compliance with relevant safety standards through the prioritisation of ramp inspections to be carried out on aircraft of these carriers pursuant to Regulation (EC) No 351/2008.

Yemenia Yemen Airways

(77) The European Aviation Safety Agency (EASA) informed the Air Safety Committee that it suspended the maintenance organisation approval EASA.145.0177 issued to Yemenia Yemen Airways certified in Yemen, due to unresolved safety deficiencies. Furthermore, the competent authorities of France informed the Air Safety Committee that they subsequently suspended the certificates of airworthiness of the aircraft of type Airbus A-310 registered in France (F-OHPR and F-OHPS) and operated by the carrier.

(78) The Commission takes note of non-compliance with European regulations, as applicable, and, having regard to the fatal accident to Yemenia Yemen Airways flight 626 on 30 June, decided on 1 July 2009 to launch formal consultations with Yemenia Yemen Airways pursuant to Article 7 of Regulation (EC) No 2111/2005 as well as the competent authorities of Yemen pursuant to Article 3 of Regulation (EC) No 473/2006 in order to assess compliance of the operations and maintenance of the aforementioned carrier with applicable ICAO standards and reserves itself the right to take urgent measures, if appropriate.

General considerations concerning the other carriers included in Annexes A and B

(79) No evidence of the full implementation of appropriate remedial actions by the other carriers included in the Community list updated on 8 April 2009 and by the authorities with responsibility for regulatory oversight of these air carriers has been communicated to the Commission so far in spite of specific requests submitted by the latter. Therefore, on the basis of the common criteria, it is assessed that these air carriers should continue to be subject to an operating ban (Annex A) or operating restrictions (Annex B), as the case may be.

(80) The measures provided for in this Regulation are in accordance with the opinion of the Air Safety Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 474/2006 is amended as follows:

1. Annex A is replaced by the text set out in Annex A to this Regulation.
2. Annex B is replaced by the text set out in Annex B to this Regulation.

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 13 July 2009.

For the Commission
Antonio TAJANI
Vice-President

ANNEX A

LIST OF AIR CARRIERS OF WHICH ALL OPERATIONS ARE SUBJECT TO A BAN WITHIN THE COMMUNITY ⁽¹⁾

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
AIR KORYO	Unknown	KOR	Democratic People Republic of Korea (DPRK)
AIR WEST CO. LTD	004/A	AWZ	Republic of the Sudan
ARIANA AFGHAN AIRLINES	009	AFG	Islamic Republic of Afghanistan
MOTOR SICH	025	MSI	Ukraine
SIEM REAP AIRWAYS INTERNATIONAL	AOC/013/00	SRH	Kingdom of Cambodia
SILVERBACK CARGO FREIGHTERS	Unknown	VRB	Republic of Rwanda
UKRAINE CARGO AIRWAYS	145	UKS	Ukraine
UKRAINIAN MEDITERRANEAN AIRLINES	164	UKM	Ukraine
VOLARE AVIATION ENTREPRISE	143	VRE	Ukraine
All air carriers certified by the authorities with responsibility for regulatory oversight of Angola, with the exception of TAAG Angola Airlines, including,			Republic of Angola
AEROJET	015	Unknown	Republic of Angola
AIR26	004	Unknown	Republic of Angola
AIR GEMINI	002	Unknown	Republic of Angola
AIR GICANGO	009	Unknown	Republic of Angola
AIR JET	003	Unknown	Republic of Angola
AIR NAVE	017	Unknown	Republic of Angola
ALADA	005	Unknown	Republic of Angola
ANGOLA AIR SERVICES	006	Unknown	Republic of Angola
DIEXIM	007	Unknown	Republic of Angola
GIRA GLOBO	008	Unknown	Republic of Angola
HELIANG	010	Unknown	Republic of Angola
HELIMALONGO	011	Unknown	Republic of Angola
MAVEWA	016	Unknown	Republic of Angola
PHA	019	Unknown	Republic of Angola
RUI & CONCEICAO	012	Unknown	Republic of Angola
SAL	013	Unknown	Republic of Angola

⁽¹⁾ Air carriers listed in Annex A could be permitted to exercise traffic rights by using wet-leased aircraft of an air carrier which is not subject to an operating ban, provided that the relevant safety standards are complied with.

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
SERVISAIR	018	Unknown	Republic of Angola
SONAIR	014/	Unknown	Republic of Angola
All air carriers certified by the authorities with responsibility for regulatory oversight of Benin, including,		—	Republic of Benin
AERO BENIN	PEA No 014/MDCTTTATP-PR/ANAC/DEA/SCS	Unknown	Republic of Benin
AFRICA AIRWAYS	Unknown	Unknown	Republic of Benin
ALAFIA JET	PEA No 014/ANAC/MDCTTTATP-PR/DEA/SCS	N/A	Republic of Benin
BENIN GOLF AIR	PEA No 012/MDCTTP-PR/ANAC/DEA/SCS.	Unknown	Republic of Benin
BENIN LITTORAL AIRWAYS	PEA No 013/MDCTTTATP-PR/ANAC/DEA/SCS.	BLA	Republic of Benin
COTAIR	PEA No 015/MDCTTTATP-PR/ANAC/DEA/SCS.	Unknown	Republic of Benin
ROYAL AIR	PEA No 11/ANAC/MDCTTP-PR/DEA/SCS	Unknown	Republic of Benin
TRANS AIR BENIN	PEA No 016/MDCTTTATP-PR/ANAC/DEA/SCS	TNB	Republic of Benin
All air carriers certified by the authorities with responsibility for regulatory oversight of Democratic Republic of Congo (RDC), including,		—	Democratic Republic of Congo (RDC)
AFRICA ONE	409/CAB/MIN/TC/0114/2006	CFR	Democratic Republic of Congo (RDC)
AFRICAN AIR SERVICES COMMUTER	409/CAB/MIN/TVC/051/09	Unknown	Democratic Republic of Congo (RDC)
AIGLE AVIATION	409/CAB/MIN/TC/0042/2006	Unknown	Democratic Republic of Congo (RDC)
AIR BENI	409/CAB/MIN/TC/0019/2005	Unknown	Democratic Republic of Congo (RDC)
AIR BOYOMA	409/CAB/MIN/TC/0049/2006	Unknown	Democratic Republic of Congo (RDC)
AIR INFINI	409/CAB/MIN/TC/006/2006	Unknown	Democratic Republic of Congo (RDC)
AIR KASAI	409/CAB/MIN/ TVC/036/08	Unknown	Democratic Republic of Congo (RDC)
AIR KATANGA	409/CAB/MIN/TVC/031/08	Unknown	Democratic Republic of Congo (RDC)
AIR NAVETTE	409/CAB/MIN/TC/015/2005	Unknown	Democratic Republic of Congo (RDC)

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
AIR TROPIQUES	409/CAB/MIN/TVC/029/08	Unknown	Democratic Republic of Congo (RDC)
BEL GLOB AIRLINES	409/CAB/MIN/TC/0073/2006	Unknown	Democratic Republic of Congo (RDC)
BLUE AIRLINES	409/CAB/MIN/TVC/028/08	BUL	Democratic Republic of Congo (RDC)
BRAVO AIR CONGO	409/CAB/MIN/TC/0090/2006	Unknown	Democratic Republic of Congo (RDC)
BUSINESS AVIATION	409/CAB/MIN/TVC/048/09	Unknown	Democratic Republic of Congo (RDC)
BUSY BEE CONGO	409/CAB/MIN/TVC/052/09	Unknown	Democratic Republic of Congo (RDC)
BUTEMBO AIRLINES	409/CAB/MIN/TC/0056/2006	Unknown	Democratic Republic of Congo (RDC)
CARGO BULL AVIATION	409/CAB/MIN/TC/0106/2006	Unknown	Democratic Republic of Congo (RDC)
CETRACA AVIATION SERVICE	409/CAB/MIN/TVC/026/08	CER	Democratic Republic of Congo (RDC)
CHC STELLAVIA	409/CAB/MIN/TC/0050/2006	Unknown	Democratic Republic of Congo (RDC)
COMAIR	409/CAB/MIN/TC/0057/2006	Unknown	Democratic Republic of Congo (RDC)
COMPAGNIE AFRICAINE D'AVIATION (CAA)	409/CAB/MIN/TVC/035/08	Unknown	Democratic Republic of Congo (RDC)
DOREN AIR CONGO	409/CAB/MIN/TVC/0032/08	Unknown	Democratic Republic of Congo (RDC)
EL SAM AIRLIFT	409/CAB/MIN/TC/0002/2007	Unknown	Democratic Republic of Congo (RDC)
ENTREPRISE WORLD AIRWAYS (EWA)	409/CAB/MIN/TVC/003/08	Unknown	Democratic Republic of Congo (RDC)
ESPACE AVIATION SERVICE	409/CAB/MIN/TC/0003/2007	Unknown	Democratic Republic of Congo (RDC)
FILAIR	409/CAB/MIN/TVC/037/08	Unknown	Democratic Republic of Congo (RDC)
FREE AIRLINES	409/CAB/MIN/TC/0047/2006	Unknown	Democratic Republic of Congo (RDC)
GALAXY KAVATSI	409/CAB/MIN/TVC/027/08	Unknown	Democratic Republic of Congo (RDC)
GILEMBE AIR SOUTENANCE (GISAIR)	409/CAB/MIN/TVC/053/09	Unknown	Democratic Republic of Congo (RDC)
GOMA EXPRESS	409/CAB/MIN/TC/0051/2006	Unknown	Democratic Republic of Congo (RDC)
GOMAIR	409/CAB/MIN/TVC/045/09	Unknown	Democratic Republic of Congo (RDC)
GREAT LAKE BUSINESS COMPANY	409/CAB/MIN/TC/0048/2006	Unknown	Democratic Republic of Congo (RDC)
HEWA BORA AIRWAYS (HBA)	409/CAB/MIN/TVC/038/08	ALX	Democratic Republic of Congo (RDC)

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
INTERNATIONAL TRANS AIR BUSINESS (ITAB)	409/CAB/MIN/TVC/033/08	Unknown	Democratic Republic of Congo (RDC)
KATANGA AIRWAYS	409/CAB/MIN/TC/0088/2006	Unknown	Democratic Republic of Congo (RDC)
KIN AVIA	409/CAB/MIN/TVC/042/09	Unknown	Democratic Republic of Congo (RDC)
KIVU AIR	409/CAB/MIN/TC/0044/2006	Unknown	Democratic Republic of Congo (RDC)
LIGNES AERIENNES CONGOLAISES (LAC)	Ministerial signature (ordonnance No. 78/205)	LCG	Democratic Republic of Congo (RDC)
MALU AVIATION	409/CAB/MIN/TVC/04008	Unknown	Democratic Republic of Congo (RDC)
MALILA AIRLIFT	409/CAB/MIN/TC/0112/2006	MLC	Democratic Republic of Congo (RDC)
MANGO AVIATION	409/CAB/MIN/TVC/034/08	Unknown	Democratic Republic of Congo (RDC)
PIVA AIRLINES	409/CAB/MIN/TC/0001/2007	Unknown	Democratic Republic of Congo (RDC)
RWAKABIKA BUSHI EXPRESS	409/CAB/MIN/TC/0052/2006	Unknown	Democratic Republic of Congo (RDC)
SAFARI LOGISTICS SPRL	409/CAB/MIN/TC/0076/2006	Unknown	Democratic Republic of Congo (RDC)
SAFE AIR COMPANY	409/CAB/MIN/TVC/025/08	Unknown	Democratic Republic of Congo (RDC)
SERVICES AIR	409/CAB/MIN/TVC/030/08	Unknown	Democratic Republic of Congo (RDC)
SUN AIR SERVICES	409/CAB/MIN/TC/0077/2006	Unknown	Democratic Republic of Congo (RDC)
SWALA AVIATION	409/CAB/MIN/TVC/050/09	Unknown	Democratic Republic of Congo (RDC)
TEMBO AIR SERVICES	409/CAB/MIN/TC/0089/2006	Unknown	Democratic Republic of Congo (RDC)
THOM'S AIRWAYS	409/CAB/MIN/TC/0009/2007	Unknown	Democratic Republic of Congo (RDC)
TMK AIR COMMUTER	409/CAB/MIN/TVC/044/09	Unknown	Democratic Republic of Congo (RDC)
TRACEP CONGO AVIATION	409/CAB/MIN/TVC/046/09	Unknown	Democratic Republic of Congo (RDC)
TRANS AIR CARGO SERVICES	409/CAB/MIN/TVC/024/08	Unknown	Democratic Republic of Congo (RDC)
TRANSPORTS AERIENS CONGOLAIS (TRACO)	409/CAB/MIN/TC/0105/2006	Unknown	Democratic Republic of Congo (RDC)
VIRUNGA AIR CHARTER	409/CAB/MIN/TC/018/2005	Unknown	Democratic Republic of Congo (RDC)

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
WIMBI DIRA AIRWAYS	409/CAB/MIN/TVC/039/08	WDA	Democratic Republic of Congo (RDC)
ZAABU INTERNATIONAL	409/CAB/MIN/TVC/049/09	Unknown	Democratic Republic of Congo (RDC)
All air carriers certified by the authorities with responsibility for regulatory oversight of Equatorial Guinea, including,			Equatorial Guinea
CRONOS AIRLINES	Unknown	Unknown	Equatorial Guinea
CEIBA INTERCONTINENTAL	Unknown	CEL	Equatorial Guinea
EGAMS	Unknown	EGM	Equatorial Guinea
EUROGUINEANA DE AVIACION Y TRANSPORTES	2006/001/MTTCT/DGAC/SOPS	EUG	Equatorial Guinea
GENERAL WORK AVIACION	002/ANAC	n/a	Equatorial Guinea
GETRA — GUINEA ECUATORIAL DE TRANSPORTES AEREOS	739	GET	Equatorial Guinea
GUINEA AIRWAYS	738	n/a	Equatorial Guinea
STAR EQUATORIAL AIRLINES	Unknown	Unknown	Equatorial Guinea
UTAGE — UNION DE TRANSPORT AEREO DE GUINEA ECUATORIAL	737	UTG	Equatorial Guinea
All air carriers certified by the authorities with responsibility for regulatory oversight of Indonesia, with the exception of Garuda Indonesia, Airfast Indonesia, Mandala Airlines, and Ekspres Transportasi Antarbenua, including,			Republic of Indonesia
AIR PACIFIC UTAMA	135-020	Unknown	Republic of Indonesia
ALFA TRANS DIRGANTATA	135-012	Unknown	Republic of Indonesia
ASCO NUSA AIR	135-022	Unknown	Republic of Indonesia
ASI PUDJIASTUTI	135-028	Unknown	Republic of Indonesia
AVIASTAR MANDIRI	135-029	Unknown	Republic of Indonesia
CARDIG AIR	121-013	Unknown	Republic of Indonesia
DABI AIR NUSANTARA	135-030	Unknown	Republic of Indonesia
DERAYA AIR TAXI	135-013	DRY	Republic of Indonesia
DERAZONA AIR SERVICE	135-010	Unknown	Republic of Indonesia
DIRGANTARA AIR SERVICE	135-014	DIR	Republic of Indonesia
EASTINDO	135-038	Unknown	Republic of Indonesia
GATARI AIR SERVICE	135-018	GHS	Republic of Indonesia
INDONESIA AIR ASIA	121-009	AWQ	Republic of Indonesia
INDONESIA AIR TRANSPORT	135-034	IDA	Republic of Indonesia

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
INTAN ANGKASA AIR SERVICE	135-019	Unknown	Republic of Indonesia
JOHNLIN AIR TRANSPORT	135-043	Unknown	Republic of Indonesia
KAL STAR	121-037	Unknown	Republic of Indonesia
KARTIKA AIRLINES	121-003	KAE	Republic of Indonesia
KURA-KURA AVIATION	135-016	Unknown	Republic of Indonesia
LION MENTARI AIRLINES	121-010	LNI	Republic of Indonesia
MANUNGGAL AIR SERVICE	121-020	Unknown	Republic of Indonesia
MEGANTARA	121-025	Unknown	Republic of Indonesia
MERPATI NUSANTARA AIRLINES	121-002	MNA	Republic of Indonesia
METRO BATAVIA	121-007	BTV	Republic of Indonesia
MIMIKA AIR	135-007	Unknown	Republic of Indonesia
NATIONAL UTILITY HELICOPTER	135-011	Unknown	Republic of Indonesia
NUSANTARA AIR CHARTER	121-022	Unknown	Republic of Indonesia
NUSANTARA BUANA AIR	135-041	Unknown	Republic of Indonesia
NYAMAN AIR	135-042	Unknown	Republic of Indonesia
PELITA AIR SERVICE	121-008	PAS	Republic of Indonesia
PENERBANGAN ANGKASA SEMESTA	135-026	Unknown	Republic of Indonesia
PURA WISATA BARUNA	135-025	Unknown	Republic of Indonesia
REPUBLIC EXPRESS AIRLINES	121-040	RPH	Republic of Indonesia
RIAU AIRLINES	121-016	RIU	Republic of Indonesia
SAMPOERNA AIR NUSANTARA	135-036	Unknown	Republic of Indonesia
SAYAP GARUDA INDAH	135-004	Unknown	Republic of Indonesia
SKY AVIATION	135-044	Unknown	Republic of Indonesia
SMAC	135-015	SMC	Republic of Indonesia
SRIWIJAYA AIR	121-035	SJY	Republic of Indonesia
SURVEI UDARA PENAS	135-006	Unknown	Republic of Indonesia
TRANSWISATA PRIMA AVIATION	135-021	Unknown	Republic of Indonesia
TRAVEL EXPRESS AVIATION SERVICE	121-038	XAR	Republic of Indonesia
TRAVIRA UTAMA	135-009	Unknown	Republic of Indonesia
TRI MG INTRA ASIA AIRLINES	121-018	TMG	Republic of Indonesia
TRIGANA AIR SERVICE	121-006	TGN	Republic of Indonesia
UNINDO	135-040	Unknown	Republic of Indonesia

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
WING ABADI AIRLINES	121-012	WON	Republic of Indonesia
All air carriers certified by the authorities with responsibility for regulatory oversight of Kazakhstan, with the exception of Air Astana, including,			Republic of Kazakhstan
AERO AIR COMPANY	Unknown	Unknown	Republic of Kazakhstan
AEROPRAKT KZ	Unknown	Unknown	Republic of Kazakhstan
AEROTOUR KZ	Unknown	Unknown	Republic of Kazakhstan
AIR ALMATY	AK-0331-07	LMY	Republic of Kazakhstan
AIR COMPANY KOKSHETAU	AK-0357-08	KRT	Republic of Kazakhstan
AIR DIVISION OF EKA	Unknown	Unknown	Republic of Kazakhstan
AIR FLAMINGO	Unknown	Unknown	Republic of Kazakhstan
AIR TRUST AIRCOMPANY	Unknown	Unknown	Republic of Kazakhstan
AK SUNKAR AIRCOMPANY	Unknown	Unknown	Republic of Kazakhstan
ALMATY AVIATION	Unknown	Unknown	Republic of Kazakhstan
ARKHABAY	Unknown	Unknown	Republic of Kazakhstan
ASIA CONTINENTAL AIRLINES	AK-0345-08	CID	Republic of Kazakhstan
ASIA CONTINENTAL AVIALINES	AK-0371-08	RRK	Republic of Kazakhstan
ASIA WINGS	AK-0390-09	AWA	Republic of Kazakhstan
ASSOCIATION OF AMATEUR PILOTS OF KAZAKHSTAN	Unknown	Unknown	Republic of Kazakhstan
ATMA AIRLINES	AK-0372-08	AMA	Republic of Kazakhstan
ATYRAU AYE JOLY	AK-0321-07	JOL	Republic of Kazakhstan
AVIA-JAYNAR	Unknown	Unknown	Republic of Kazakhstan
BEYBARS AIRCOMPANY	Unknown	Unknown	Republic of Kazakhstan
BERKUT AIR/BEK AIR	AK-0311-07	BKT/BEK	Republic of Kazakhstan
BERKUT STATE AIRLINE	AK-0378-09	BEC	Republic of Kazakhstan
BERKUT KZ	Unknown	Unknown	Republic of Kazakhstan
BURUNDAYAVIA AIRLINES	AK-0374-08	BRY	Republic of Kazakhstan
COMLUX	AK-0352-08	KAZ	Republic of Kazakhstan
DETA AIR	AK-0344-08	DET	Republic of Kazakhstan
EAST WING	AK-0332-07	EWZ	Republic of Kazakhstan
EASTERN EXPRESS	AK-0358-08	LIS	Republic of Kazakhstan
EOL AIR	Unknown	Unknown	Republic of Kazakhstan
EURO-ASIA AIR	AK-0384-09	EAK	Republic of Kazakhstan

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
EURO-ASIA AIR INTERNATIONAL	Unknown	Unknown	Republic of Kazakhstan
EXCELLENT GLIDE	AK-0338-08	EGB	Republic of Kazakhstan
FENIX	Unknown	Unknown	Republic of Kazakhstan
FLY JET KZ	AK-0391-09	FJK	Republic of Kazakhstan
IJT AVIATION	AK-0335-08	DVB	Republic of Kazakhstan
INVESTAVIA	AK-0342-08	TLG	Republic of Kazakhstan
IRBIS	AK-0317-07	BIS	Republic of Kazakhstan
IRTYSH AIR	AK-0381-09	MZA	Republic of Kazakhstan
JET AIRLINES	AK-0349-09	SOZ	Republic of Kazakhstan
JET ONE	AK-0367-08	JKZ	Republic of Kazakhstan
KAVIASPAS	AK-0322-07	KZS	Republic of Kazakhstan
KAZAIR JET	AK-0387-09	KEJ	Republic of Kazakhstan
KAZAIRTRANS AIRLINE	AK-0347-08	KUY	Republic of Kazakhstan
KAZAIRWEST	Unknown	Unknown	Republic of Kazakhstan
KAZAVIA	Unknown	Unknown	Republic of Kazakhstan
KOKSHETAU	AK-0357-08	KRT	Republic of Kazakhstan
MAK AIR AIRLINE	AK-0334-07	AKM	Republic of Kazakhstan
MEGA AIRLINES	AK-0356-08	MGK	Republic of Kazakhstan
MIRAS	AK-0315-07	MIF	Republic of Kazakhstan
NAVIGATOR	Unknown	Unknown	Republic of Kazakhstan
OLIMP AIR	Unknown	Unknown	Republic of Kazakhstan
ORLAN 2000 AIRCOMPANY	Unknown	Unknown	Republic of Kazakhstan
PANKH CENTER KAZAKHSTAN	Unknown	Unknown	Republic of Kazakhstan
PRIME AVIATION	AK-0308-07	PKZ	Republic of Kazakhstan
SALEM AIRCOMPANY	Unknown	Unknown	Republic of Kazakhstan
SAMAL AIR	Unknown	Unknown	Republic of Kazakhstan
SAYAT AIR	AK-0351-08	SYM	Republic of Kazakhstan
SAYAKHAT AIRLINES	AK-0359-08	Unknown	Republic of Kazakhstan
SEMEYAVIA	Unknown	Unknown	Republic of Kazakhstan
SCAT	AK-0350-08	VSV	Republic of Kazakhstan
STARLINE KZ	AK-0373-08	LMZ	Republic of Kazakhstan
SKYBUS	AK-0364-08	BYK	Republic of Kazakhstan
SKYJET	AK-0307-09	SEK	Republic of Kazakhstan

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
SKYSERVICE	Unknown	Unknown	Republic of Kazakhstan
TAHMID AIR	Unknown	Unknown	Republic of Kazakhstan
TULPAR AVIA SERVICE	Unknown	Unknown	Republic of Kazakhstan
TYAN SHAN	Unknown	Unknown	Republic of Kazakhstan
UST-KAMENOGORSK	AK-0385-09	UCK	Republic of Kazakhstan
ZHETYSU AIRCOMPANY	Unknown	Unknown	Republic of Kazakhstan
ZHERSU AVIA	Unknown	Unknown	Republic of Kazakhstan
ZHEZKAZGANAIR	Unknown	Unknown	Republic of Kazakhstan
All air carriers certified by the authorities with responsibility for regulatory oversight of the Kyrgyz Republic, including,			Kyrgyz Republic
AIR MANAS	17	MBB	Kyrgyz Republic
AVIA TRAFFIC COMPANY	23	AVJ	Kyrgyz Republic
AEROSTAN (EX BISTAIR-FEZ BISHKEK)	08	BSC	Kyrgyz Republic
CLICK AIRWAYS	11	CGK	Kyrgyz Republic
DAMES	20	DAM	Kyrgyz Republic
EASTOK AVIA	15	Unknown	Kyrgyz Republic
GOLDEN RULE AIRLINES	22	GRS	Kyrgyz Republic
ITEK AIR	04	IKA	Kyrgyz Republic
KYRGYZ TRANS AVIA	31	KTC	Kyrgyz Republic
KYRGYZSTAN	03	LYN	Kyrgyz Republic
MAX AVIA	33	MAI	Kyrgyz Republic
S GROUP AVIATION	6	Unknown	Kyrgyz Republic
SKY GATE INTERNATIONAL AVIATION	14	SGD	Kyrgyz Republic
SKY WAY AIR	21	SAB	Kyrgyz Republic
TENIR AIRLINES	26	TEB	Kyrgyz Republic
TRAST AERO	05	TSJ	Kyrgyz Republic
VALOR AIR	07	Unknown	Kyrgyz Republic
All air carriers certified by the authorities with responsibility for regulatory oversight of Liberia		—	Liberia

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
All air carriers certified by the authorities with responsibility for regulatory oversight of the Republic of Gabon, with the exception of Gabon Airlines, Afrijet and SN2AG, including,			Republic of Gabon
AIR SERVICES SA	0002/MTACCMDH/SGACC/DTA	Unknown	Republic of Gabon
AIR TOURIST (ALLEGIANCE)	0026/MTACCMDH/SGACC/DTA	NIL	Republic of Gabon
NATIONALE ET REGIONALE TRANSPORT (NATIONALE)	0020/MTACCMDH/SGACC/DTA	Unknown	Republic of Gabon
SCD AVIATION	0022/MTACCMDH/SGACC/DTA	Unknown	Republic of Gabon
SKY GABON	0043/MTACCMDH/SGACC/DTA	SKG	Republic of Gabon
SOLENTA AVIATION GABON	0023/MTACCMDH/SGACC/DTA	Unknown	Republic of Gabon
All air carriers certified by the authorities with responsibility for regulatory oversight of Sierra Leone, including,	—	—	Sierra Leone
AIR RUM, LTD	Unknown	RUM	Sierra Leone
DESTINY AIR SERVICES, LTD	Unknown	DTY	Sierra Leone
HEAVYLIFT CARGO	Unknown	Unknown	Sierra Leone
ORANGE AIR SIERRA LEONE LTD	Unknown	ORJ	Sierra Leone
PARAMOUNT AIRLINES, LTD	Unknown	PRR	Sierra Leone
SEVEN FOUR EIGHT AIR SERVICES LTD	Unknown	SVT	Sierra Leone
TEEBAH AIRWAYS	Unknown	Unknown	Sierra Leone
All air carriers certified by the authorities with responsibility for regulatory oversight of Swaziland, including,	—	—	Swaziland
AERO AFRICA (PTY) LTD	Unknown	RFC	Swaziland
JET AFRICA SWAZILAND	Unknown	OSW	Swaziland
ROYAL SWAZI NATIONAL AIRWAYS CORPORATION	Unknown	RSN	Swaziland
SCAN AIR CHARTER, LTD	Unknown	Unknown	Swaziland
SWAZI EXPRESS AIRWAYS	Unknown	SWX	Swaziland
SWAZILAND AIRLINK	Unknown	SZL	Swaziland
All air carriers certified by the authorities with responsibility for regulatory oversight of Zambia, including,			Zambia
Zambezi Airlines	Z/AOC/001/2009	Unknown	Zambia

ANNEX B

LIST OF AIR CARRIERS OF WHICH OPERATIONS ARE SUBJECT TO OPERATIONAL RESTRICTIONS
WITHIN THE COMMUNITY ⁽¹⁾

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number	ICAO airline designation number	State of the Operator	Aircraft type	Registration mark(s) and, when available, construction serial number(s)	State of registry
AFRIJET ⁽¹⁾	CTA 0002/MTAC/ ANAC-G/DSA		Republic of Gabon	All fleet with the exception of: 2 aircraft of type Falcon 50; 1 aircraft of type Falcon 900	All fleet with the exception of: TR-LGV; TR-LGY; TR-AFJ	Republic of Gabon
AIR ASTANA ⁽²⁾	AK-0388-09	KZR	Kazakhstan	All fleet with the exception of: 2 aircraft of type B767; 4 aircraft of type B757; 10 aircraft of type A319/320/321; 5 aircraft of type Fokker 50	All fleet with the exception of: P4-KCA, P4-KCB; P4-EAS, P4-FAS, P4-GAS, P4-MAS; P4-NAS, P4-OAS, P4-PAS, P4-SAS, P4-TAS, P4-UAS, P4-VAS, P4-WAS, P4-YAS, P4-XAS; P4-HAS, P4-IAS, P4-JAS, P4-KAS, P4-LAS	Aruba (Kingdom of the Netherlands)
AIR BANGLADESH	17	BGD	Bangladesh	B747-269B	S2-ADT	Bangladesh
AIR SERVICE COMORES	06-819/TA-15/ DGACM	KMD	Comoros	All fleet with the exception of: LET 410 UVP	All fleet with the exception of: D6-CAM (851336)	Comoros
GABON AIRLINES ⁽³⁾	CTA 0001/MTAC/ ANAC	GBK	Republic of Gabon	All fleet with the exception of: 1 aircraft of type Boeing B-767-200	All fleet with the exception of: TR-LHP	Republic of Gabon
NOUVELLE AIR AFFAIRES GABON (SN2AG)	CTA 0003/MTAC/ ANAC-G/DSA	NVS	Republic of Gabon	All fleet with the exception of: 1 aircraft of type Challenger; CL601 1 aircraft of type HS-125-800	All fleet with the exception of: TR-AAG, ZS-AFG	Republic of Gabon; Republic of South Africa
TAAG ANGOLA AIRLINES ⁽⁴⁾	001	DTA	Republic of Angola	All fleet with the exception of: 3 aircraft of type Boeing B-777	All fleet with the exception of: D2-TED, D2-TEE, D2-TEF	Republic of Angola

⁽¹⁾ Afrijet is only allowed to use the specific aircraft mentioned for its current operations within the European Community.

⁽²⁾ Air Astana is only allowed to use the specific aircraft mentioned for its current operations within the European Community.

⁽³⁾ Gabon Airlines is only allowed to use the specific aircraft mentioned for its current operations within the European Community.

⁽⁴⁾ TAAG Angola Airlines is allowed to operate only to Portugal using the specific aircraft under the conditions set out in recitals (58) and (59) of this Regulation.

⁽¹⁾ Air carriers listed in Annex B could be permitted to exercise traffic rights by using wet-leased aircraft of an air carrier which is not subject to an operating ban, provided that the relevant safety standards are complied with.