Entitled:

MINISTERIAL REGULATION of October 2nd 1995 nr. 4 in implementation of articles 10 and 20 of the Aviation Order (AB 1989 nr. GT 58) *

Official title:

Airworthiness Regulation

Publication:

A.B. 1995 nr. 71, amended by A.B. 2000 nr. 58

September 2000 edition

Even though the utmost care has been exercised with this translation, the translator can not be held responsable for eventual (printing) errors and incompleteness and threrefore does not assume liability. In cases of doubt or when a strictly legal interpreatation is necessary the original Dutch text will prevail.

* last amended by national order of August 20th, 1997 (AB 1997 nr.34)

LIST OF CONTENTS AIRWORTHINESS REGULATIONS

Page

CHAPTER I GENERAL DEFINITIONS 6
Article 1 Definition of terms 6
Article 2 Foreign aircraft 7
Article 3 Testflights 8
Article 4 Applicability 8
CHAPTER II AIRWORTHINESS 8
TITLE I Type-certificate 8
Article 5 Application 8
Article 6 Issue of type-certificate 8
Article 7 Recognition of foreign type-certificate 9
Article 7a Notification state of design 9
Article 8 Obligation of the holder 9
Article 9 Supplementation and amendment 9
Article 10 Suspension 10
Article 11 Revocation 10
Article 12 Renewal 10
TITLE II Certificates of airworthiness. 10
Section 1. Issue 10
Article 13 Issue and sample 10
Artikel 14 Submission of information and period of validity 11
Article 15 Evaluation of the airworthiness 12
Section 2 Review of airworthiness 12
Paragraph 1 Introductory provisions 12
Article 16 Categories 12
Article 17 Purposes of use, restrictions of use and airworthiness. 13
Paragraph 2 General regulations 13
Article 18 Aircraft manufactured in a state, with which Aruba has made an agreement concerning mutual recognition. 13
Article 19 Aircraft manufactured in a state, with which Aruba has not made an agreement concerning mutual recognition 14
Article 20 Imported aircraft 14
Article 21 Application of other regulations and requirements 15
Article 22 Modification of an aircraft.. 15
Article 23 Parts and equipment of aircraft 15
Paragraph 3 Special regulations 16
Article 24 Airworhtiness requirements for type-aircraft 16
Article 25 Aircraft not being from category T which are being used for commercial/traffic flights 16
Article 26 Airworhtiness requirements for aircraft which are used for special purposes 17
Article 27 Additional provisions 17
Article 28 Airworhtiness condition 17

Section 3 Administrative regulations 18
Article 29 Obligations of owner or holder 18
Article 30 Contents technical administration 18
Article 31 Execution 19
Article 32 Obligation by an airworhtiness investigation. 19
Section 3 Reporting serious faults 20
Article 33 Applicability 20
Article 34 The reports 20
Article 35 Events to be reported 20
Article 36 Information to be reported 21
Article 37 Periodical reports 22
Section 4 Extension. 22
Article 38 Extension of the period of validity 22
Article 39 Status of maintenance at the time of extension 22
Article 40 Suspension 22
Article 41 Revocation 23
Article 42 Renewal certificate of airworthiness 23
TITLE III Supervision of aviation equipment 23
Section 1 Maintenance, revision and major repairs 23
Article 43 Introductory provisions 23
Article 44 Holder of operating certificate 24
Article 45 Parts and parts of equipment 24
Article 46 General 24
Article 47 Workshops and personel 25
Article 48 Materials 25
Article 49 Inspections and tests 25
Section 2 Deviant regime 25
Article 50 Daily inspections 25
Article 51 Maintenance 25
Article 52 Maintenance, revision and repair of aircraft abroad 26
Article 53 Omission of maintenance statements 26
Article 54 Maintenance of certain aircraft 26
Section 3 Modification of aircraft 27
Article 55 Introductory provisions 27
Article 56 Approval of modifications A 27
Article 57 Approval of modifications B 27
Section 4 Damage to aircraft 28
Article 57a Report, grounding and ferry flight 28
TITLE IV Towflight 28
Article 58 Introductory provisions 28
Article 59 Acrobatic flights and transportation of passengers or cargo 28
Article 60 Townets 29
Article 61 Towlines 29
Artikel 62 Breukstukken 29
Article 63 Use of foreign aircraft 30

CHAPTER III CERTIFICATION 30
TITLE I Certification of maintenance organisations 30
Section 1 General provisions 30
Article 64 In general 30
Article 65 Cancelled 30
Article 66 Certification of organisations 30
Article 67 Information to be submitted 31
Article 68 Certificate of recognition 31
Article 69 Validity and renewed application 31
Article 70 Changes 32
Article 72 Revocation 33
Article 72 Renewed application after revocation or amendment 33
Article 73 Authorities 33
Article 74 Publications 33
Seccion 2 Obligations of certified organisations 33
Article 75 General 33
Article 76 Quality policy 33
Article 77 Quality department 34
Article 78 Organisational structure 34
Article 79 Work force 34
Article 80 Housing, equipment and facilities 35
Article 81 Quality system 35
Article 82 Delivery and contracting out 36
Article 83 Amendments 37
Article 84 Quality Assurance 37
Article 85 Manuals 37
Article 86 Documentation 37
Article 87 Adminstration 38
Article 88 Preservation of records 38
Article 89 Delivery 38
Article 90 Certificate of approval 39
Article 91 Certificate of approval model 39
Article 92 Government supervision 39
Article 93 Defects and shortcomings 40
Article 94 Product improvement 40
Article 95 Declaratons and publications 40
TITLE II Acceptation of recognized companies in accordance with JAR-145 40
Article 96 Application acceptance 40
Article 97 Issue 41
Article 98 Extension 41
Article 98a Amendments, Revocation and renewed application 41
TITLE III Recognition of non JAR-145 certified organisations 41
Article 98b Validation 41
CHAPTER IV REQUIREMENTS FOR TECHNICAL PERSONEL 42
TITEL I General provisions 42
Article 99 Licenses 42

Article 100 Obligation of the holder 42
TITEL II Licenses 42
Seccion 1 Licenses 42
Article 101 General provisions 42
Seccion 2 Acceptance 43
Article 101a General provisions 43
Seccion 3 Validation 43
Article 102 General provisions 43
Seccion 4 Other provisions 43
Article 103 Period of validity 43
Article 104 Extension of the period of validity 43
Artikel 105 Suspension 44
Article 106 Revocation 44
Article 107 License renewal 44
Article 108 Way of application 44
TITLE III Categories of ratings 45
Article 109 Ratings 45
Article 110 Categories 45
CHAPTER V TRANSMISSION AND RECEPTION PERMIT 45
Article 111 Prohibitions 45
Article 112 Issue 45
Article 113 Amendment 46
CHAPTER VII CONCLUDING DEFINITIONS 46
Article 114 Title and commencement 46

The minister of TRANSPORT AND COMMUNICATION

Taking in to consideration:

That the Convention of Chicago of the 7th of december 1944 (Stb. H 165) concerning civil aviation in the annexes 1, 6, 8 and 16 obligates all participating states, among which all countries of The Netherlands, to provide regulations concerning general safety in the air, on the ground and concerning airworthiness, the enforcement thereof, the certification of maintenance organisations and tecnical personnel.

Taking notice of:

Articles 10 and 20 of the Aviation Act (AB 1989 nr. GT 58).

HAS CONCLUDED:

CHAPTER I
GENERAL DEFINITIONS

Article 1

Definition of terms

1. In this regulation it is meant by:

the Convention	:	convention come to on the 7th of december 1944 in Chicago, concerning international civil aviation (Stb. H 165);
FAR	:	a collection of regulations concerning aviation issued by the aviation authority of the United States of America;
JAR	:	a collection of regulations concerning aviation issued by the United European aviation authorities;
the Director	:	the Director of Civil Aviation;
test-flight	:	a flight by which the airworthiness of an aircraft is judged or confirmed;
type-aircraft	:	an aircraft of a kind for which Aruba has not issued a type-certificate;
serie-aircraft	:	an aircraft of a kind for which Aruba has issued a type-certificate;
the Agreement	:	the Multilateral agreement concerning certificates of airworthiness of imported aircraft (Trb. 1961, 117);
certification	:	the legal recognition that a product, organ or person complies with the valid regulations in the matter;
revision	:	periodical activities to maintain an aircraft or part of it in an airworthy condition by which the aircraft or the part is being partly or completely disassembled, including the repairs performed hereby;
maintenane	:	periodical activities, not being revisions, to keep an aircraft in an airworthy condition or to keep a part of the aircraft in a sound state, including the hereby performed small and simple repairs;

major repairs	:	activities to repair an error or fault on an aircraft or on part there-of, that if executed incorrectly can influence the airworthiness of the aircraft or the adequacy of the part in a non-neglectable way;
certificate of approval:		document that the company must issue for each product delivered, for the purpose of which a certification has been issued;
safety links	:	a part of a tow-cable that gives away under a previous stipulated load whereby the connection between the tow-aircraft and the tow is being interrupted;
certified organization	:	company or part of a company that the Director has recognized concerning the activities that are mentioned in the certificate of recognition;
serious fault	:	a deficiency or fault of such nature that:
		- as a result of which the safe operation of the aircraft is not guaranteed anymore;
		- is has resulted or could have resulted in seriuous injury or danger of life for a passenger;
quality policy	:	the objectives, the ways and means, as well as the priorities amongst these, that the company has chosen so that final products of a quality stipulated beforehand can be materialized;
quality system	:	a system of determined managerial procedures and rules that concerns the production of final products and that aims to assure that these products comply with requirements that are beforehand stipulated;
commercial flight	:	a flight that aims transportation by a permit holder;
state of design	:	the country in charge of with the supervision of the organisation that is responsable for a type-aircraft;
contracting state:	:	a country participant in the Convention;

2. Where by or by virtue of this ministerial regulation english terms are being used, these will be as much as possible terms of which the definition is included in FAR-1 or JAR-1.

3. The valid tekst of the FARs and JARs mentioned in this regulation are open to public during office hours at the Department of Civil Aviation.

Article 2
Foreign aircraft

1. If the take-off of a foreign aircraft is obstructed or prevented by or on behalf of the Director and as a result of this there is damage influencing airworthiness, the competent authority of the country where the aircraft is registered will be notified immediately mencioning all particularities concerning the damage necessary for the judgement of the airworthiness. This authority decides if, when and under which circumstances the aircraft may take off.

2. Paragraph 1 is not applicable to an aircraft that carries the nationality of a country not member of the Convention. In such a case the Director decides if, when and under what circumstances the aircraft may take off.

Article 3
Test-flights

1. For the execution of a test-flight a permit of the Director is required.

2. The Director can attach conditions, regulations and restrictions to a permit as ment in the first paragraph..

Article 4
Applicability

The regulations mentioned in chapters II through VI are applicable to aircraft registered in the aircraft registration of Aruba as to elsewhere registered aircraft that are in use of a company that possesses a permit as meant in article 13 of the Aviation Order (AB 1989 nr. GT58).

CHAPTER II
AIRWORTHINESS
TITLE I
Type-certificate

Article 5
Application

By submitting an application for certification of a type-aircraft, it will be submitted to an inspection whereby will be investigated if aircraft of that type comply with the airworthiness regulations applied in Aruba.

Article 6
Issue of type-certificate

1. The Director issues a type-certificate with corresponding type-definition page to the applicant as meant in article 5 if to his judgement it has been proven that:

a. the aircraft complies with the airworthiness requirements applied in Aruba;
b. the aircraft of the type in question can be manufactured according to methods that guarantee good quality of the product;
c. there are several aircraft built of the type in question;
d. never an aircraft of the type in question has been registered in the aircraft register *of Aruba;*

2. A type certificate has a unlimited period of validity, barring suspension or revocation;

3. The Director stipulates the model of the type-certificate.

Article 7
Recognition of foreign type-certification

If by international agreement it is not otherwise stipulated a type-certificate, as meant in article 6 paragraph I, that is issued abroad, by or on behalf of the competent authorities there, will be recognized in Aruba if:

a. the foreign type-certificate is valid and is issued by reason of requirements that to the judgement of the Director are at least equivalent to the airworthiness regulations that are applicable in Aruba for the aircraft of the same kind;

b. to the judgement of the Director the aircraft of the relevant kind can be manufactured according to methods that can guarantee a good quality of the product.

Article 7a
Notification state of design

If a type-aircraft is registered in Aruba for the first time the Director informs this to its state of design.

Article 8
Obligation of the holder

1. The holder of a type-certifiacte sees to it that:

a. known or suspected deficiencies of an aircraft of the same kind that are of influence on the airworhtiness are reported to the Director,
b. the changes and supplements of the specifications that were submitted with the request to issue a type-certificate are sent as soon as possible to the Director;
c. as soon as possible information is sent to the Director and the owners or holders of aircraft of the relevant kind concerning the recommended changes, the supplementary changes for the maintenance, the revision and the repair of the aircraft.

The Director can issue additional requirements with regard to the way of reporting of the the meant circumstances in abocementioned cases a through c.

2. The holder of a type-certificate that is issued in accordance with article 7, will send the specifications meant in the first paragraph to the Director by the medium of the competent authority of the country that issued that type-certificate.

Article 9
Supplementation and modification

1. In case of further technical development or an amendment of a type-aircraft the type certificate or the corresponding type-definition page is supplemented, after that to the satisfaction of the Director has been proven that:

a. it is out of the question that the design is new or that the design has been amended on one of the main points and
b. the thus developed, or modified aircraft complies with the airworhtiness regulations applicable for that type of aircraft

2. In case of amendment of the specifications, belonging to the type-certificate or if is found that before mentioned specifications do not correspond with reality these specifications are accordingly amended.

Article 10

Suspension

1. The holder of a type-certificate suspended by virtue of the Regulation Aviation Sanctions (AB 1995 no. 66) sends the copy of that certificate and the corresponding type-defintion page in his possesion immediately to the Director after receiving the notification of suspension.

2. The suspenson is discontinued if the circumstances that led to the suspension seize to occur. In that case the type-certificate and the type-definition page are returned to the person involved at once.

Article 11
Revocation

The holder of a type-certificate revoked by virtue of the Regulation Aviation Sanctions immediately sends the copy of that certificate and the corresponding type-defintion page in his possesion to the Director after receiving the notification of revocation.

Article 12
Renewal

1. A type-certificate or the type-definition page can be renewed by the Director if it is missing, destroyed, lost or illegible, damaged or has become otherwise onusable.

2. If a document as meant in the first paragraph is renewed because it is missing or lost and the original is found again the holder will immediately send the original copy to the Director.

3. If a document as meant in the first paragraph is renewed other than because it is missing, destroyed or lost the holder will send the original document to the Director within a week after the date the new copy is sent to the holder.

TITEL II Certificates of airworthiness

Section 1. Issue

Article 13

Issue and sample

1. A certificate of airworhtiness for a Aruban aircraft is issued on request of its owner or holder after that has been proven, to the satisfaction of the Director, that the aircraft is airworhty.

2. The sample of a certificate of airworthiness is included in annex A corresponding to this regulation; it is issued on paper that over the complete width is provided with an illustration of the coat of arms of the Department of Civil Aviation.

3. A certificate of airworhtiness is valid for a period of one year after the date of issue, unless another period is stated in the certificate.

4. A certificate of conformity, of which the sample is included in anex L is issued, for the benefit of an aircraft that is not registered in Aruba but that has been issued a permit as meant in article 13 of the Aviation Act, after having been proven to the satisfaction of the Director that the aircraft is airworthy. The third paragraph is accordingly applicable.

5. By de-registration of an aircraft registered in Aruba on request of the owner or holder an export-certificate of airworhtyness, of which the form is included in annex M, is issued after that to the satisfaction of the Director it is shown that the aircraft is airworthy.

Article 14
Submission of information and period of validity

1. An application to issue a certificate of airworthiness is filed at the Department of Civil Aviation by means of a fully completed and signed form of which specimen are available there free of charge.

2. To an application as meant in the first paragraph are attached:

a. if applicable, the certificate of airworthiness for export for that aircraft that was issued by the competent authority of an other country;
b. a declaration that states which airworthiness regulations the aircraft meets;
c. an type-specification issued by the manufacturer, and if possible one issued by the competent authority, that contains the most relevant information about the properties, dimensions, weight and required parts of equipment;
d. the accurate description of eventual differences in comparision to the original type-aircraft;
e. a report of the weighing and stipulation of centre of gravity, containing a specified description of all exchangeable parts and parts of equipment that were in the aircraft during its weighing;
f. if possible, a manual as meant in article 15, second paragraph, approved by the competent authority of an other country that contains instructions necessary for safe operation.
g. a maintenance manual issued by the manufacturer that contains at least:
    1°. the description of the aircraft;
    2°. the instructions for the handling of the aircraft on the ground;
    3°. the instructions for assembly, disassembly and joining of the different parts of the aircraft;
    4°. the description of the powerplant, propellors and installations;
    5°. the instructions for maintenance and revision and the hereto related inspections and inspection-intervals;
h. a list by means of which the several parts of the aircraft, the powerplants and the installations can be purchased;
i. if a used aircraft is concerned, the logbook, as also the technical records or correspondent documents of the aircraft en of the parts it contains;
j. the records that, by virtue of an international agreement in regard to mutual equalization of certificates of airworthiness concern the application, have to be submitted;
k. the supplementary records that are required by the Director.

3. If the applicant can not comply to the requirement meant in part d of the second paragraph, he submits those records on the basis of which the differences meant can be determined. If the applicant can not comply to the requirement meant in part j of the second paragraph, he puts records, books and other documents requested by the Director to this one's disposal.

4. Regarding a series-aircraft, with reference to the records meant in the second paragraph, a reference to the submitted records concerning aircraft of the same type can be enough, in so far these are apliccable for that series-aircraft.

5. The records to be supplied have to be submitted on such a moment that the evaluation of the airworthiness of the aircraft and the investigation to the correctness of the submitted records can take place in time.

6. In the event of the records meant in parts g en h of the second paragraph being partly or completely saved in an information system, the Director can allow these systems to be submitted with the application, so long the applicant, if requested to, makes available to the Department of Civil Aviation and keeps in a usefull status the necessary equipment for the use of these systems.

Article 15

Evaluation of the airworthiness

1. If it is found that information appearing on the certificate of airworhtiness is not in concordance with reality, a certificate containing the right information will be sent to the owner or holder.

2. The owner or holder sends de certificate he received earlier back to the Department of Civil Aviation not later than the eighth day after the date of mailing of the edited copy meant in the first paragraph.

Section 2. Review of airworthiness

Paragraph 1. Introductory provisions

Article 16

Categories

1. In accordance with the regulations to which aircraft must comply they are classified in categories.

2. An aircraft can be classified in more than one category, on the understanding that an aircraft classified in category S can not be classified in another category.

3. The categories mentioned on certificates of airworhtiness are:

a. concerning winged aircraft:
   - for large commercial aircraft: T;
   - for other aircraft: N;
   - for company aircraft: U;
   - for stunt aircraft: A;
   - for commuter aircraft: C;

b. concerning helicopters:
   - for multi-engine commercial aircraft: A;
   - for single or multi-engine commercial aircraft: B;
   - for other aircraft: N;

c. concerning commercial aircraft in regard of which for the use or the form of construccion particular additional limitations of use and instruccioons are applicable: R;
d. concerning aircraft in regard of which, prior to the issue of a certificate of airworthiness, in a category mentioned under a or b, an investigation to the airworthiness takes place: S.

Article 17

Purposes of use, restrictions of use and airworthiness

1. The categories mentioned on the certificate of airworthiness determine the use that is authorized to be made of that aircraft.

2. In a manual belonging to the concerning aircraft the use is further stipulated, on the understanding that:

a. for commercial flights only winged aircraft are permitted, classified in category T, helicopters classified in categories A or B, for so far these are classified in the category N and comply to the regulations stipulated in paragraphs 2 and 3
b. aircraft equippped for special flights are classified in category R and that they must comply with the regulations stipulated in paragraphs 2 and 3.
c. regarding an aircraft, classified in category S, the use particularly will be limited in accordance with the regulations to which the aircraft complies;
d. the use can be limited in case safety makes this necessary.

3. In the manual , meant in the second paragraph, the limitations of use and the boundaries of use are stated.

4. The manual, meant in the second paragraph, is at all times on board the aircraft.

Paragraph 2. Introductory provisions

Article 18

Aircraft manufactured in a State with which Aruba has come to an agreement regarding mutual recognition.

1. Aircraft that are designed, built, tested and equipped in the United States of America and are imported from that country under the terms of the Agreement concerning the issue of certificates of airworthiness (Trb. 1974, 60) have to:

a. be designed, built, tested and equipped according to the regulations applicable in the United States of America;
b. comply to all particular requirements that are applicable on the date of application for the Aruban certificate of airworthiness for so far these regulations are brought to the notice of the United States of America;
c. be provided with an export-certificate of airworthiness issued by the competent aviation authority of the United States of America.

2. With regard to aircraft that are designed, built, tested and equipped in the territory of a State as meant in the Agreement and that are imported under the terms of that agreement, it has to be established that they:

a. are designed, built, tested and equipped according to the regulations applicable in the state concerned.
b. comply with the requirements stipulated in accordance with the Agreement;

c. comply with de regulations concerning the flight operation;
d. comply with all other particular requirements that are applicable on the date of application for an Aruban certificate of airworthiness for a certificate issued by another state, for so far these regulations are brought to notice of the other country;

e. are provided with a certificate of airworhtiness issued by the exporting state that is not issued earlier than sixty days immediately preceding the date of application for issue of an Aruban certificate of airworthiness.

Article 19

Aircraft manufactured in a State with which Aruba has not come to an agreement regarding mutual recognition.

For aircraft that are designed, built, tested and equipped in a state with which on behalf of Aruba no agreement has been made concerning mutual recognition of airworthiness and that are imported from that country:

a. it has to be proven, if it concerns type-aircraft, that these aircraft as well as their parts and parts of equipment comply with the requirements incorporated in paragraph 3, as they read on the date of application for the issue of an Aruban certificate of airworthiness, by which the Director can stipulate that by the evaluation of the aircraft, the part or the equipment and the processing of the application for a certificate of airworthiness, complete or parcial equalization will take place in accordance with article 18;
b. that specimen complies with the in Aruba applicable requirements that were applicable type-aircraft, if it concerns a serie-aircraft of which at least one specimen has an valid Aruban certificate of airworthiness;
c. that aircraft complies with the in Aruba applicable requirements as they read on the date of application for the issue of the Aruban certificate of airworthiness, if it concerns a serie-aircraft of which not one specimen has a valid Aruban certificate of airworthiness, provided that the Director can stipulate further requirements or can allow differences.

Article 20

Imported aircraft

1. On aircraft that are manufactured in the United States of America and that are imported from another country, article 18, paragraph 2, subs a, b, and c are applicable for the issue of an Aruban certificate of airworthiness. With the apllication for issue the following records are submitted:

a. the at that time issued American export certificate of airworthiness;
b. a certificate of airworthiness that is issued by the country from which the aircraft is imported, which certificate is not older than sixty days before the date of the application for the issue of an Aruban certificate of airworthiness.

2. On aircraft that are manufactured in a State as meant in the Agreement and that are imported from another country, article 14, second paragraph is applicable for the issue of an Aruban certificate of airworthiness. Without prejudice to the records to be submitted concerning aircraft that are manufactured elsewhere when filing an application for issue, the next are added:

a. the export airworthiness cerficate at the time issued by the country where the aircraft was manufactured;
b. a certificate of airworthiness, issued by the country from which the aircraftis imported, not older than sixty days before the date of application for issue of the Aruban certificate of airworthiness.

3. On aircraft that are manufactured in a country with which on behalf of Aruba no agreement concerning mutual recognition of certificates of airworthiness is made and that are imported from an other country, article 19 is applicable for the issue of an Aruban certificate of airworthiness. By the application for issue are added:
a. records supplied by the country where the aircraft was manufactured that prove that the aircraft at least complies to the requirements meant in article 19;
b. a certificate of airworthiness that is issued by the country from which the aircraft is imported which certificate is not older than sixty days before the date of application.

4. With regard to serie-aircraft as meant in the first, second and third paragraph the relevant applicable particular instructions of the Director are followed.

Article 21
Application of other regulations and requirements

1. In particular cases the Director can allow application of airworthiness regulations different than those meant in previous articles for the evaluation of the airworthiness of an aircraft provided that with this an equivalent level of airworthiness is achieved.

2. The director can issue further relevant regulations if the aircraft, a part or the equipment are of such a construction or have such properties that to his judgement the existing regulations do not offer enough guarantee for safety.

Article 22
Modification of an aircraft

1. On the modification of an aircraft those regulations are applicable that are applicable on the type-aircraft on the understanding that regarding the modification further regulations can be issued by the Director, if those regulations differ from the regulations that are in effect on the date on which the application for approval of the modification is filed.

2. On the modification of a winged aircraft of categorie T as meant in article 16 sub 3 that has as consequence that the amount of seats for passengers is extended above the amount for which the type-aircraft was approved, paragraph 25.2, subs a through d of FAR-23 are applicable.

3. If on the moment of application for the issue of an Aruban certificate of airworthiness no noise regulations were in effect, the aircraft may not produce more noise after its modification than before.

Article 23
Parts and parts of equipment of aircraft

On parts and parts of equipment of aircarft those regulations are applicable that are applicable on the type-aircraft for so far it is not otherwise stipulated by the Director

§ 3. Particular regulations

Article 24

Airworthiness regulations for type-aircraft

1. By the application for certification of type-aircraft for obtaining a certificate of airworthiness in categorie T, as meant in article 16, third paragraph, sub a, to the choice of the applicant, the inspection goes by:

a. the regulations for winged aircraft included in the FAR—25 with the in annex B including abberations and additions to it , or
b. the regulations included in JAR—25.

2. By the application for certification of type-aircraft for a certificate of airworthiness in categorie N, U, A or C as meant in article 16, third paragraph, sub a, to the choice of the applicant, the inspection goes by:

a. the regulations for winged aircraft included in the FAR—23 with the in annex C included abberations and additions to it, or
b. the regulations included in JAR—23.

3. Type-aircraft that comply to the regulations of JAR—VLA, are evaluated for a certificate of airworthiness in category L as meant in article 16.

4. Type-aircraft that comply to the regulations of JAR—AWO, are evaluated for a certificate of airworthiness for flight execution under bad sight circumstances.

5. By the application for certification for type-helicopters, for a certificate of airworthiness in the category A or B as referred to in article 16, third paragraph, sub b, to the choice of the applicant, the inspection goes by:

a. the regulations for winged aircraft included in FAR—29 with the abberations and additions to it as included in annex D , or
b. the regulations included in JAR—29.

6. By the application for certification for type-helicopters for a certificate of airworthiness in category N as referred to in article 16, to the choice of the applicant, the inspection goes by:

a. the regulations for winged aircraft included in FAR—27 and the included abberations and additions to it in annex E, or
b. the regulations included in JAR—27.

7. For jet powerplants the regulations included in JAR-E are applicable.

8. For auxiliary power units the regulations included in JAR-APU are applicable.

9. For propellors the regulations included in JAR-P are applicable.

10. For parts of equipment the regulations included in annex F are applicable.

Article 25

Aircraft not being from category T which are being used for commercial flights

Aircraft that are used for commercial flights and that comply to the regulations referred to in article 24, second, third and sixth paragraph and to the additional regulations for those aircraft included in annex G of this regulation are evaluated for a certificate of airworthiness in category N as referred to in article 16, third paragraph, sub b.

Article 26

Airworhtiness requirements for aircraft which are used for special purposes

1. For winged aircraft that are used for towing objects, except the regulations as referred to in article 23, the regulations for tow-aircrafts included as annex H in this regulation are also applicable

2. Without prejudice to article 23, for winged aircraft that are used for parachute-jumping, the regulations futher issued by the Director are in effect.

Article 27

Additional provisions

1. The Director stipulates, which modifications on the in the annexes mentioned foreign or international regulations will not be applied. The modifications that will not be applied are published in the Landscourant of Aruba.

2. Where in a FAR or JAR the aviation authority of the United States of America respectively the United European aviation authorities are authorized to stipulate additional technical regulations for Aruban aviation authorities this is effected by the Director.

Article 28

Airworthiness Condition

1. Each owner or holder of an aircraft complies to the instructions with the purpose to maintain or re-establish the airworthiness and quality given by the country that is responsable for the type-certificate of that aircraft, if this, based on symptoms that occurred with the use of aircraft or with means to be used by take off and landing of aircraft, hereabouts or abroad, is considered necessary in the interest of safety or the combat of noise abatement. In Aruba the Director issues these instructions. The Director can also issue furhter instructions as meant in the first sentence.

2. An aircraft is not airworthy if:

a. it is not maintained in accordance with of by virtue of this order issued regulations and instructions with regard to maintenance, revision and major repairs:
b. it gives evidence of such serious defects that a repair conform JAR-145 is necessary or major repairs are necessary;
c. the execution of a modification of the aircraft, as referred to in 55, first paragraph, is not approved;
d. the limitations of use concerning the aircraft are not complied to;
e. the instructions, issued by the Director concerning the maintenence or recovery of the airworthiness, are not complied to;
f. the aircraft does not comply with the certification requirements or further instructions of the Director for maintaining airworthiness.

3. An owner or holder of an aircraft is forbidden to operate or to have that aircraft operated without there being an airworthiness cerficate issued for that aircraft aboard or without the aircraft being in an airworthy condition.

4. The Director can impose a flight restriction on an foreign aircraft on Aruban territory or on an Aruban aircraft if to the judgement of the Director the aircraft is not in an airworthy condition or the suspicion exists that the aircraft is not being operated in a safe way.

Seccion 3. Administrative regulations

Article 29
Obligation of the owner or holder

During the period of validation of an issued certificate of airworthiness for an aircraft the owner or holder of the aircraft will:

a. on a request made by the Director, make the aircraft available for an inspection to its airworthiness, on a further to be stipulated time and place whereby as much as possible the interests of the owner or holder are kept in account,
b. see to it that known and suspected shortcomings of the aircraft as also defects and damages that occur or are discovered in installatons or parts of the aircraft and influence the airworthiness in a negative way are reported to the Director;
c. as soon as possible make mention to the Director of eventual loss of the certificate of airworthiness:
d. carry a technical administration concerning the aircraft and of the by or on behalf of the Director to be stipulated parts of it;
e. see to it that the modifications of and the additions to the records submitted in accordance with articles 14, second and third paragraph, and 39, first paragraph, are sent as soon as possible to the Director;
f. see to it that the modifications, recommended by the manufacturer, concerning the aircraft and the powerplant and the additonal, by them issued, instructions for the maintenence, the revision and repair are sent to the Director;
g. supply to the Director every year in januari a statement concerning the amount of flight hours made, in the preceding period of twelve months, with each aircraft registered under his name in the Aruban aircraft register.

Article 30
Contents of technical administration

The technical administration of aircraft contains at least notes with regard to the following parts:

a. powerplants;
b. propellors;
c. parts that after revision or repair generally will not be mounted in the same aircraft, for so far the records mentioned in article 31, third paragraph, are necessary, after mounting of the part to the aircraft, to stipulate the point in time on which the part must be inspected, revised or considering its limited life span has to be put out of use.

Article 31
Execution

1. The technical administration of aircraft and of thier parts is carried out on instructions of the Director in for that purpose designated registers or on for that purpose destinated forms.

2. In the technical administration of an aircraft the maintenance release, as also the records and reports concerning the proceedings performed to the aircraft are included, and with mention of the data, at least records are being kept of:

a. the amount of flight hours, on the understanding that this gives evidence of how long the aircraft has flown since the manufacturing and since the last maintenance.
b. the technical malfunctions, the sustained damage and the test-flights;
c. the maintenance, the revisions, the repairs and the modifications that the aircraft has undergone.

3. In the technical administration of the parts of aircraft the records and reports, concerning the proceedings performed to the part, are included and with mention of the data , at least records are being kept of:

a. the registration features of the aircraft where the part is built in or has been built in;
b. the amount of operation hours, on the understanding that this gives evidence of how long the part has been in use since the manufacturing and since the last maintenance;
c. the maintenance, the revisions, the repairs and the modifications that the part has undergone;
d. the technical malfunctions and the sustained damage.

4. The records have to be put on with a non-erasable writing tool, in English or Dutch, and may not be erased, removed or made illegible. The records must be dated and complete, clearly legible and understandable.

5. The records and the related documents are, unless the Director has stipulated a shorter term, saved during the below mentioned periods:

a. with regard to maintenance: two years;
b. with regard to revisions: so long that the records of the penultimate and the last revision are available;
c. with regard to modifications and major repairs: until one year has gone by after the aircraft is de-registered in the aircraft-register;
d. with regard to parts with a limited life span: until one year has gone by after the replacement of the regarding part;

6. The obligations stipulated in the fifth paragraph, subs a, b and d, stay in effect untill one year after the date on which the aircraft is de-registered in the aircraft-register.

7. On the registers, forms and other records at least the nomination, type-indication, the serial number and the name of the manufacturer of the aircraft have to be mentioned.

8. Following registers and following cards, that are used for the continuation of the serie of records, are provided with a serial number, the pages of the registers are nummered continuously.

Article 32
Obligation by an airworthiness investigation

By an investigation to the airworthiness of an aircraft its owner or holder will:

a. make available enough qualified personnel to grant the necessary assistance, as also de necessary resources, in particular those for the investigation of the installations;

b. see to it that the aircraft is well cleaned up, and that, if by the Director such is considered necessary for the investigation, all removable capping, plating and inspection panels are removed or opened, and the aircraft, if necessary, is further taken apart;
c. see to it that the tests and test flights, that are considered necessary by or on behalf of the Director, are executed;
d. on request of the Director see to it that:
   1°. the weight and the point of gravity of the aircraft are stipulated
   2°. the technical administration, referred to in article 31, sub d, and the records relevant to it are submitted.

Section 3. Reporting serious faults

Article 33
Applicability

This section exclusively applies to the owner or holder of aircraft that are registered in the aircraft register of Aruba or that are operated by a license-holder established in Aruba to whom an operating certificate has been issued in accordance with article 13 of the Aviation Order.

Article 34
The reports

1. The owner or holder notifies incidents that are of influence on the airworthiness of an aircraft and the therewith associated detected serious defects in writing to the Director. These notifications are done in the form of a report, in which are included the records, referred to in article 36, for so far these are available. The Director makes mention of the shortcomings to the state of design .

2. Unless an other arrangement has been made with the Director, the reports must each cover a period of 24 hours, must follow each other and must be submitted at the latest on the working day following the period they refer to.

3. A notification of an incident may not be omitted for lack of complete information. In that case a report with the additional information, with reference to the original report, must to be submitted as soon as possible.

4. The owner or holder reports the incidents as referred to in the first paragraph to the manufacturer of the aircraft or of the part of it that displays a shortcoming.

Article 35
Events to be reported

Incidents to be reported in accordance with article 34, first paragraph, first sentence, are in each case:
a. fire during the flight, mentioning, if applicable, if the fire detection installation has functioned propperly or not;
b. a false fire alarm during the flight;

c. malfunction of the engine exhaust installations as a result of which, during the flight, the powerplant, surrounding constructionparts , equipment or parts are damaged;
d. malfunctions in a part of an aircraft or in one of its installations, as a result of which, during the flight, smoke, poisonous or hazardous damps have developed in the cockpit or passenger cabins, or else have ended up there;
e. the stopping of a turbine-engine during the flight with as consequence the outing of a flame;
f. the stopping of an engine during the flight as a result of external damages to the powerplant or aircraft construction;
g. the stopping of an engine during the flight as a result of ice deposition or ingestion of objects;
h. stopping of more than one engine during the flight
i. the failing of an attempt to stop an engine during the flight;
j. an exceeding of the maximal allowed number of revolutions of an engine during the flight;
k. a malfunction of the fuel installation or fuel deposit installation during the flight, as result of which the fuel supply was disrupted or a dangerous leakage occured;
l. a malfunction by the extension or the rectraction of a landing gear or by the opening and closing of landing gear doors during the flight;
m. a malfunction in the brake-installation, as result of which the brake-function has deminished;
n. a surging defect in the aircraft construction, as result of which a major repair is necessary;
o. cracks other than detected in aircraft parts during revision and permanent deformation or corrosion of aircraft parts, that mean an exceeding of the maximal allowed limiting value that follows on from the requirements of the manufacturer and from the instructions issued by the Director;
p. malfunctioning of installations, equipment and parts of the aircraft, as a result of which during the flight emergency measures have been taken, except for the stopping of an engine;
q. malfunctions in installations, euipment and parts of the aircraft, as a result of which during the flight a passenger has been or could have been seriously injured or else the life of a passenger was brought or could have been endangered.

Article 36
Data to be reported

In the report, meant in article 34, first paragraph, second sentence are, for so far applicable, in each case mentioned:
a. the type-indication and the registration mark of the aircraft, the name of the owner or holder of the aircraft, the date of the flight, the flight number and the stadium in which the incident occured;
b. the followed emergency procedure:
c. the nature of the circumstances:
d. the indication of the relevant part and eventually of the installation, including available information concerning the type-indication of the relevant main part and the operating time since revision;
e. the probable cause of the problems.
f. the measures taken to prevent the occurence of the serious malfunction;
g. a brief report of the other relevant data that are necessary for a more complete information regarding irregularities which occured during the flight and its consequences.

Article 37
Periodical reports

1. The owner or holder periodically compiles reports regarding irregularities occured during the flight execution as consequence of technical difficulties; the reports are submitted periodically to the Director on a moment in time stipulated by him for that purpose.

2. The reports contain information regarding:

a. each delay and interruption during the flight execution, each replacement of aircraft, each landing not executed according to schedule and each time that it was necesarry to divert as concequence of detected or suspected technical difficulties, for so far these do not have to be reported
b. the amount of prematurely, because of technical difficulties, changed engines, classified per engine-type and per aircraft-type;
c. the amount of times that an engine has been stopped during flight, classified per engine-type and per aircraft-type, with exeption of the cases in which the engine was stopped by means of exercise or for testing-purposes.

Section 4. Extensions

Article 38
Extension of the period of validity

1. The period of validity of a certificate of airworthiness issued in Aruba can be extended if, to the satisfaction of the Director, is proven that an aircraft has maintained its airworthiness. In that case the holder is sent an addition page which states until what date the certificate is valid.

2. In order to extend the period of validity, the application for this purpose is submitted not more than thirty but not less than fourteen days before the expiration of the period of validity.

3. The extension can be for a period of at most six months after the expiration of the period of validity mentioned on the certificate.

Article 39
Status of maintenance at time of extension

1. With the application as meant in article 38, first paragraph, records are submitted that provide a representative picture of the state of maintenance.

2. Records as meant in the first paragraph, that originate from abroad, must, for so far possible, be authenticated by the competent authority of the country in question, or be accompanied by a declaration of this authority that these records carry its approval.

Article 40
Suspension

1. The owner or holder of the aircraft of which the certificate of airworthiness based on the 'Regeling luchtvaartsancties' (Aviation sanctions order) has been suspended, sends the copy of the certificate that is in his property, to which the suspension refers to the Director, not later than on the fourteenth day after the sending date of the notification of suspension,.

2. Article 10, second paragraph, is applicable

Article 41
Revocation

The owner or holder of the aircraft of which the certificate of airworthiness based on the 'Regeling luchtvaartsancties' (Aviation sanctions order) has been revoked, sends the copy of the certificate that is in his property, to which the revocation refers to the Director, not later than on the fourteenth day after the sending date of the notification of suspension,.

Article 42
Renewal airworthiness certificate

Article 12 is accordingly applicable for certificates of airworthines.

TITEL III Supervision on aircraft equipment
Afdeling 1. Maintenance, revision and major repairs

Article 43
Introductary provisions

1. The owner or holder of an aircraft that is provided with a valid certificate of airworthiness is obligated to see to it that the aircraft is in an airworthy condition before start of each flight.

2. Exept for cases indicated in this regulation:

a. easy to be carried out maintenance and between times major repairs of aircraft, that can be carried out in an easy way, are executed by or under supervision of the holder of a valid license, certificate of acceptance or certificate of validation as meant in Title II of chapter IV of this regulation;
b. other maintenance, revision and major repairs of aircraft, that can not be carried out in an easy way, are executed by a company certified for this pupose.

3. Exept for in the cases indicated by the Director:

a. before the aircraft is put in operation again after performing maintenance, a maintenance release is drawn that states that actions have been taken in accordance with the instructions given by virtue of this article, which release is signed by the holder of a license as a ground-engineer by whom or under whom's supervision the the proceeding by virtue of the second paragraph are executed, and on which is stated when at the latest the next maintenance statement has to be drawn;
b. before putting the aircraft or part of it in operation again after performing maintenance, a revision or a major repair, a release is drawn that states that at the time of maintenance, revision or major repair, actions have been taken in accordance with instructions given by virtue of this article, which release is signed by the person by whom or under whom's supervision the actions by virtue of the second paragraph have been taken, on the understanding that this statement is not required if a maintenance statement, as meant in sub a, has been drawn.. The Director can issue further instructions regarding the contents and the form of these releases.

4. Releases, as meant in subs a and b of the third paragraph, are kept during at least two years after the date of issue.

5. Exept for in cases stipulated by the Director the findings and the performed proceedings bij the maintenance, the revision and major repairs are stated in a report, to be signed by the persons that performed the proceedings by virtue of the second paragraph, or under whose supervision the proceedings were performed.

6. If regarding the maintenance, the revision or the repair meant in JAR-145, respectively the major repair an investigation is started by the Director, the articles 34 through 37 are accordingly applicable.

Article 44

Holder of an operating certificate

1. The holder of a certificate as meant in article 13 of the Aviation Act, complies with JAR-OPS-1, sub M, and JAR-OPS-3, sub M, for so far for him applicable.

2. The Director can grant complete or partial exemption of the requirements, meant in the first paragraph, provided that an equivalent level of airworthiness of the aircraft concerned is guaranteed. Hereby further regulations can be stipulated, whereby the regulations of Chapter III, Title I, apply as minimum requirement .

Article 45

Parts and parts of equipment

1. The maintenance and the revision of aircraft, parts and parts of equipment is done on such time and in such manner that the airworthiness of the aircraft is guaranteed.

2. The owner of the aircraft provides the compilation of a maintenance program that contains the maintenance activities as well as the moments in time on which these activities must take place.

3. The Director can issue further regulations regarding the moments in time on which maintenance and revision must take place, as also the way in which these activities must take place. Thereby will as much as possible be taken into account the recommendations of the manufacturer concerning the aircraft, the part or part of equipment and the records that have been supplied by the owner or holder of the aircraft.

Article 46

In general

With regard to the maintenance, the revision and the major repair of an Aruban aircraft the owner or holder will:

a. give assistence to the performing of government supervision on this;
b. see to it that the Director, on a request for that purpose, is informed about the point in time on which will start with the maintenance, the revision or the major repair or with certain activities that are part of it.

Article 47
Workshops and personnel

The organisation and the equipment of the workshops involved by the maintenance, the revision or the major repair, the operating procedures and controle methods, the tools, as also the expertise of the personnel involved with the proceedings is such, that to the judgement of the Director a good execution of the maintenance, the revision or the major repair is guaranteed.

Article 48
Materials

1. Before materials, parts and halfproducts, and also parts of equipment are incorporated in the maintenance, the revision or the major repair, these are approved by the Director or by a certified company.

2. The parts intended for replacement are easy to identify and are, if possible, accompanied of instructions for their installation and their use.

Article 49
Inspections and tests

In order to assure that after the maintenance, the revision or the major repair the aircraft will be airworthy, inspections and tests are carried out, that are considered necessary by or on behalf of the Director, whereby has to be proven that:

a. the incorporated materials, parts, halfproducts and parts of equipment comply to the specifications required for the aircraft;
b. the manufactured parts are at least equivalent to the original parts to be replaced and in sound condition:
c. the manufacturing method, the assembly and the test methods are approved by the Director;
d. the functioning is correct.

Section 2. Deviant regime

Article 50
Daily inspections

The daily inspections, or those inspections to be equated to these, of aircraft may be carried out by the holder of a valid pilot license, who has the authorization to function as conductor of the aircraft concerned, as long as the maximum permitted total weight of the aircraft adds up to no more than 2000 kg. In all other cases the daily inspections should be carried out by the holder of a valid license as a ground engineer.

Article 51
Maintenance

The small maintenance of an aircraft may be carried out by or under supervision of the owner or holder, on whose name the aircraft is recorded in the aircraft-register, provided that:

a. the owner or holder has in his posession a valid license, that gives the competence to act as the conductor of the relevant aircraft;
b. the maximum permitted total weight of the aircraft adds up to no more than 2000 kg;
c. the aircraft is used exclusively by the above mentioned owner or holder as only passenger;
d. the aircraft is used exclusively for flights other than professional ones;
e. the aircraft is not registered under the name of an association or legal entity to Aruban law;

Article 52
Maintenance, revision and repairs of aircraft abroad

1. The Director can permit the maintenance, the revision and the major repair of aircraft and parts of them to be carried out abroad:
a. by or under supervision of persons for that purpose certified by the aviation authority of the country, where the execution is carried, or
b. by or under supervision of companies or approved organisations, for that purpose certified by the aviation authority of the country, where the execution is carried out,.

A permission as meant above, does not exempt the owner or holder of the obligation that weighs on him in accordance with the by or by virtue of this regulation stipulated requirements.

2. The permission meant in the first paragraph is given, if to the judgement of the Director a good execution of the work is safeguarded.

3. By the evaluation, whether there has been complied to the regulations resulting from this article, the Director can also take in consideration:
a. the regulations that the respective foreign aviation authorities stipulate regarding the granting of authority, the recognition of companies or the approval of organisations for the carrying out of the relevant work and further how the government supervision is regulated in the respective country;
b. relevant information and records that are provided by the owner or holder of the aircraft.

4. The permission meant in the first paragraph is not required for maintenance, repair and major repair, carried out by maintenance companies that are certified by the United European aviation authorities.

Article 53
Ommission of maintenance releases

A maintenance release as meant in article 43, third paragraph, sub a, does not have be drawn after carrying out:
a. maintenance on aircraft that are not being used for international commercial flights;
b. daily or herewith equivalent maintenance.

Article 54
Maintenance of certain aircraft

1. To aircraft with a maximum allowed total weight of 5700 kg or more and helicopters with a maximum allowed total weight of 2700 kg or more, as also aircraft with which commercial flights

are carried out, the base maintenance must be carried out by or under supervision of a certified company.

2. In deviant cases the Director can issue complete or partial exoneration of the in the first paragraph stipulated requirement, provided that by this means an equivalent airworthiness-level of the relevant aircraft is maintained. He can for this matter, taking in account Chapter IV, Title 1, stipulate further regulations.

Section 3. Modification of aircraft

Article 55
Introductory provisions

1. Modifiactions of aircraft are approved by the Director. On the execution of the modifications, article 43, second paragraph, subs a and b, and fifth paragraph, are accordingly applicable.

2. If as a consequence of modifications, to the judgement of the Director, the design is modified on main points, the aircraft is considered as a new type.

Article 56
Approval of modifications A

1. Modifications of aircraft are distinguished to type and serie on the understanding that with a type-modification is understood a modification that has not been carried out before on a similar aircraft registered in the Aruban aircraft-register, while under a serie-modification is understood a modification that is equal to a for a similar aircraft approved *type-modification.*

2. A type-modification on request of the owner or holder of the aircraft is only approved after that the design as well as the execution of the modification are evaluated by the Director and after that to his satisfaction is proven that the aircraft complies to the regulations, stipulated in the articles 14 through 26, regarding the evaluation of the airworthiness.

3. A serie-modification on request of the owner or holder of the aircraft is only approved after the execution of the modification is evaluated by the Director and after that to his satisfaction is proven that the aircraft complies to the regulations stipulated in the articles 14 through 26 regarding evaluation of the airworthiness.

4. A modification may only be carried out after the Director has approved of it. A serie-modification may be carried out without permission if the activities are carried out by or under supervision of a for that means certified company, or if the *similar type-modification* is approved for execution by a, for those proceedings, certified ground engineer.

5. The application for approval of a modification is done in writing and is directed to the Director. By the application are added the records necessary for the evaluation.

Article 57
Approval of modifications B

1. Unless by means of a by virtue of article 28, sub 1, issued instruction for the preservation or recovery of the airworthines is stipulated differently, and except for the second paragraph, a type-modification is and the subsequent serie-modifications are legally approved, if:

a. the design of the type-modification, the execution of the type-modification and the subsequent serie-modification were prepared by a for that purpose certified company, taking into account the by the Director stipulated limitations and eventual further issued instructions by him.
b. the type-modification and the subsequent serie-modification were carried out by or under supervision of a company as in sub a;
c. by a, for that purpose, certified company is proven that is complied to the stipulated regulations, by or by virtue of articles 14 through 26, regarding the airworthiness for so far these are applicable on the modification;
d. the execution of the modification is reported to the Director taking into acccount the instructions issued by him.

2. If a type-modification as meant in sub 1, to the judgement of the Director influences the airworthiness of the aircraft in a significant way, he can stipulate that for the type-modification still an application for approval has to be submitted.

3. Article 56, sub 2 through 5, is not applicable on the modifications mean in this article.

Section 4. Damage to aircraft

Article 57a
Notification, grounding and ferry vlucht

1. If a foreign aircraft in Aruba, or an Aruban aircraft has suffered damage, the Director stipulates the level of airworthiness and the repairs to be carried out.

2. If an Aruban aircraft has suffered damage on the teritory of a member state or another country of the Kingdom, the Director requests the competent authorities of that member state or that country to immediately be informed of this and of the degree of damage.

3. In a case as meant in sub 2, the Director can ground the aircraft. In special cases the Director can give permission to fly to a maintenance facility without passengers if the state of airworthiness and the competent authorities of the member state or the country as meant in sub 2, allow this. Conditions can be attached to this permission.

4. The aircraft can resume its flights after the Director has determined that the damage is of that nature that the aircraft still remains in an airworthy condition.

TITlE IV Tow-flights

Article 58
Introductory provisions

By the Director further regulations can be issued regarding the towing of objects by an aircraft.

Article 59
Acrobatic flights and transportation of passengers or cargo

During flights with a tow no special performance may be carried out with the aircraft and no passengers or cargo may be transported than are necessary for the flight.

Article 60
Townets

1. By the towing of a townet this is one of the type approved by the Director.

2. The construction and strength of townets is such that damages, that can occur by normal use, can not lead to the occurance of dangerous situations during the towing.

3. The tow may not contain such concentrated masses that by breaking out of the tow, or of part of it, serious danger can occur for persons on the ground. Concentrated masses are attached in such a way that individual breaking out is impossible.

4. By a free fall the tow may not reach a higher speed of fall than 5m/sec.

5. The townet may not be able to move in such a way during towing that this affects the steering or the construction of the tow-aircraft or the tow.

Article 61
Towlines

1. The towline for the towing of a townet is provided with:

a. a line of such a length, that can be complied with the by or by virtue of articles 23 and 26, sub 1, stipulated regulations regarding the manageability and stability of the tow-aircraft, on the understanding that, if the line is used for the picking up during the flight of a tow on the ground, it may not be that long that this becomes a difficulty for a safe execution of the pick-up procedure;
b. a safety link that complies to the regulations, mentioned in article 62, where the distance between the safety link and the tow hook is at most 2 meters;
c. a smooth ring, fitting around the tow hook of the tow aircraft, which may not hamper the release.

2. If a tow-line has a device for picking up a tow-net from the ground during flight this device complies to the follwing regulations:

a. it is of a type approved by or on behalf of the Director;
b. it can be thrown out safely from the aircraft without hitting parts of the aircraft and without the line tangling up around parts of the aircraft;
c. it is of such a form, that the catch hooks don not get caught in the ground when dragging the townet over the ground and furthermore is of such a finish that the catchline does not get impermissibly damaged;
d. it is of such nature that by the release of the tow the device can not come loose from the tow.

3. All parts of the towline, with exeption of the safety link, can endure a puling power that is at least 1.5 times the nominal power of the device and this without permanenent deformation.

4. All connecting devices are constructed in such a way that they can not come loose during the towing.

Article 62
Safety links

1. The safety link and the holder in which it must be included are adequate and of a type approved by the Director. The adecuacy of safety links is proven by testing five samples of the relevant production serie in the following way:

a. the safety link may not have undergone measurable, permanent deformation after the safety link has been loaded for five minutes with a pulling power of 0.85 times the nominal power.
b. the braking power of the safety link may not be greater than 1.07 times and not less than 0.93 times the nominal power.

2. The safety link, of which the nominal power is mentioned in the annex concerning, meant in article 15, sub two, is clearly marked with one or more colours and with a stamped in mark.

Article 63
Use of foreign aircraft

The captain of a tow-aircraft that is not registered in Aruba at all times has a written statement of the Director in his possession, which proves that the towing with the aircraft meant is permitted. Conditions can be attached to this permission.

CHAPTER III CERTIFICATION

TITLE I Certification of maintenance organisations
Section 1. General provisions

Article 64
General

1. Companies that execute proceedings that are related with the airworthiness of aircraft can be certified by the Director if they comply with the regulations for obtaining certification stipulated by him.

2. Proceedings, as meant in sub 1, are in anyway:
a. the production of materials and halfproducts to be used in the manufacturing of aircraft;
b. the production, maintenance, revision, repair and modification of aircraft and of parts and parts of equipment to be used in aircraft;
c. the inspection of parts, parts of equipment, materials and halfproducts to be used in aircraft;
d. supervise the in subs a and b mentioned proceedings, if they are executed by a third party;
e. evaluate partially or completely the airworthiness and soundness of aircraft.

3. On the proof of certification is indicated which proceeding the certification refers to as also its period of vailidation.

Article 65

Cancelled

Article 66
Certification of organizations

1. Application for a certification is done by submittion of a completely filled out form, of which copies are avilable to no cost at the Department of Civil Aviation, to the Director, by or on

behalf of the officer of the organization that carries the final responsability regarding the organization's policy.

2. An organisation that has submitted an application for certification, gets certified, if to satifaction of the Director is proven that:

a. it delivers, in sufficient matter, final products that contribute to the airworthiness of aircraft;
b. the applied for certification not exclusively refers to final products that will be supplied to, regarding those products, already certified organisations, so that the production would be able to take place within the boundaries of the certification of those organisations;
c. it offers enough guarantees for adequate final products for the purpose of which certification is applied for and for a meticulous compliance by or by virtue of the Aviation Act stipulated regulations regarding the airworthiness of aircraft, for so far these are applicable on the concerned final products.

3. The applying organisation complies furthermore to the conditions for certification mentioned in Section 2.

Article 67
Information to be submitted

For the evaluation of the application for certification the following information must be handed over:

a. a description of education, experience and formerfunctions of the head of the quality department, the applicator of the certification, the persons authorized to sign certificates of approval, as also those that regarding the certification of the company fullfill an important function;
b. a copy of the manual, meant in article 85, sub 2, a reference of the numbers and subs of the articles of this regulation to the mentioned proceedings;
c. a global summary of proceedings that the organisation contracts out to other organisations;
d. a statement of the probable customers and buyers of the final products for whoms benefit is applying for certification;
e. copies of the certificates of approval, to be used, as meant in article 89;
f. an extract from the register of the Chamber of Comerce.

Article 68
Certificate of recognition

1. A certificate of the recogntion with appendix is issued that states to which final products the recognition refers and until which date the recognition is valid. Until that date the organisation is authorized to issue certificates of approval.

2. The model of the certificate of recognition is included as annex I of this regulation.

Article 69
Validity an renewed application

1. An organisation is recognized for at most two years after which can be applied for a new certificate of recognition.

2. The repeated issue comes about on request of the organisation, provided that it regarding

the final products for which it has been recognized it still complies with the in article 66, sub 2, stipulated regulations.

3. With the application an evaluation done by the organisation has to be submitted in which is indicated:

a. eventual modifications, regarding the in article 67 and in Section 2 mentioned topics, as these have occured since the last issue of the certificate of recognition;
b. important developments of the organisation, that matter with reference to the recognition, as well as in the current period of recognition as in the period for which is applying for a new vertificate of recognition;

4. With the means to be able to issue the recognition on time, the application for this purpose is submitted at the latest sixty days , but not before ninety days, before the expiration of the term of recognition mentioned on the certificate.

Article 70
Changes

1. In the following cases the organisation submits an application for changes of the recognition:

a. by an important change in the nature of the final products for which purpose a recognition has been issued;
b. by a change of the name of the organisation;
c. by the moving of the organisation;

2. In the following cases the organisaion has to submit an application for approval of change of the records submittted by the original application:

a. by an important change in the amount of final products to be manufactured for which purpose the organisation has been recognized;
b. by a change in the quality-policy of the organisation;
c. by an important change of the organisation of the organisation;
d. by replacement of the applicant of the recognition, a change in the management of the quality department or the technical department of the organisation;
e. by a change in the list of authorized persons for the signing of certificates of approval, unless it is agreed differnetly with the organisation;
f. by an important changed in the applied operating procedure;
g. by change in the accomodations and the equipment of the organisation.

3. An application for change as meant in sub 1 and 2, are approved by the Director, after that to his judgement is proven that the organisation will, also after the introduction of the changes, keep complying to the stipulated regulations for the acquiring of a recognition; if necessary he will issue a new certificate of recognition.

Article 71
Revocation

1. If a certification by virtue of the Aviation Sanctions Regulation is completely revoced certificates of approval will not be issued anymore. In that case the organisation returns the certificates of recognition as soon as possible to the Director.

2. If a certification by virtue of the Aviation Sanctions Regulation is partially revoced certificates of approval will not be issued regarding the products which the revocation refers to.

Article 72
Renewed application after revocation of change

1. A company of which the certification has been revoced or of which an application for a renewed certification was denied, and that wishes to be considered again for certification, submits a new application.

2. In a case as meant in sub 1, the data, meant in article 67, are submitted again and is proven that the circumstances that lead to the revocation or else the rejection are canceled.

Article 73
Authorities

1. In general the authorities that can be derived from a certification are limited to certain proceedings regarding certain type of aircraft or certain materials, half-products, parts or parts of equipment.

2. A certified company is authorized to supply the final products mentioned in the proof of certification in behalf of aviation.

Article 74
Publications

In the "Landscourant van Aruba" the following information of the companies that are certified by virtue of this section are published:

a. name of the company;
b. place(s) of establishment;
c. description of the proceedings for which the company is certified.

Section 2. Obligations of certified companies

Article 75
In general

A company that wishes to be considered for certification, or for an extension of certification, proofs to satisfaction of the Director that it complies to the regulations of Section 1 and to this Section.

Article 76
Quality policy

1. The quality policy, carried out by the certification-aplicant is put down in writing and, if necessary, adjusted to need by the Director.

2. In the report, meant in sub 1, at least the next topics are described:

a. the organisation of the company;

b. the personnel of the company;
c. the accomodations, equipment and interior of the company:
d. the quality policy of the company;
e. the quality system of the company;
f. the control of the influence of exrenal economical and commercial factors on the quality of the products of the company.

3. The quality policy has to be known and carried out by the personnel. It is checked at specified times for appropiateness by the certification applicant.

Article 77
Quality department

1. The quality department sees to it that the quality policy is applied as it should.

2. The quality department fullfills its task independantly of the organisation directly responsable for the execution of the proceedings. If to the judgement of the Director the nature and size of the company are not suitable for a independent quality department, the rule can be broken, provided that the regulations, issued by him for that purpose, are complied with.

3. The quality department makes enough information and efficient and adequate equipment available with the purpose to execute its assigned task as it should be.

4. The quality department has at least the authority stop or cancel the issue of certificates of approval.

Article 78
Organisational structure

1. If the company is part of a bigger concern, it disposes of a description of that concern from which the place of the company within the concern is made clear.

2. The company disposes of a description of the internal organisation with a diagram. This organisation diagram contains also the foreign establishments of the company.

3. The company disposes of a description of all functions of importance within the organisation. The function-descriptions indicate the responsabilities, tasks and authorities.

Article 79
Work force

1. The company provides for enough, for their task calculated, personnel for the supervision of the proceedings.

2. The company provides for a regulation on basis of which each member of the personnel that, is directly responsable for or supervises the execution of proceedings on aircraft or on parts of them, or executes procedures that can be remarked as special, is administrated as such by means of a company license or other issued by the company.

3. The company provides a description of:
a. the training structure and the training programs if there is a training taken care of by the company, by which is assured that the personnel has the required knowledge, training and experience regarding the executive and the managerial as well as the supervisory tasks;

b. the conditions for admission to this training, the method of examining and the evaluation of the progress made.

Article 80
Housing, equipment and facilities

In order to guarantee good execution of the proceedings the company disposes of enough and functional housing and storage space, and also of the for this type of company usual material equipment, that is of such nature, that it protects the personnel and the products against undesired external influences.

Article 81
Quality system

1. The company disposes of a good quality system, so that the execution of the proceedings takes place in a planned manner, where necessary improvements are introduced and the final products have the required quality.

2. The company complies with reference to the first paragraph to at least with the following conditions:

a. it disposes of a description of the production processes applied, starting with the preparation through the delivery, in outlines as well as in detailed work-instructions;
b. it stipulates in which way information regarding the quality of the products and the production processes is gathered and becomes available for the technical management on the different levels and the quality department, so that by anomalities the necessary corrective and preventive measures can be taken;
c. if verifies that:
    1°. the materials and products, acquired from third parties, comply to the required specifications;
    2°. the products in the different stadia comply to the regulations put to it;
    3°. by delivery the materials and final products comply to the respective specifications and drawings;
d. it takes care of a good storage and handling of materials and products so that:
    1°. After the maximum permitted storage period is expired, these materials and products are not any longer issued for procesing;
    2°. Rejected and un-approved samples are kept well separated from approved samples;
    3°. Samples from a production department that are taken in storage, if necessary, are evaluated for quality and are seperately marked.
e. it stipulates how materials and products, that at first were dissapproved, eventually will be evaluated later, how will handle with materials and products that have to be repaired, and how these can be taken in the production proces again, as also how must be handled with definitely not approved materials and products;
f. it takes care of it that important materials and products are marked in a systematic way so that these, in every stage of production as also after delivery, can be identified and that its origin can be traced;
g. it marks dissapproved materials and products in such a way that these are clearly distinguishable from other samples;

h. it provides manufactured goods and products of at least the following information:
   1°. The mark of the manufacturer;
   2°. the type-, model- or specification indication;
   3°. The serial number and the date of manufacturing;
i. it disposes of enough and adequate measuring- and testing equipment so that materials and products can be measured, tested and tried out with the required accuracy;
j. it takes care of it that the proceedings to aircraft and parts of them and special proceedings are carried out by or under supervision of personnel that is appointed to do so conform article 79, by which those proceedings are appointed as special proceedings that are of complex nature, or of which the results can not or not completely be stipulated by means of inspections, measurements or tests.

3. By the evaluation of the question of a company complies to part i of the second paragraph, the Director investigates if:
a. the company disposes of a system to regularly evaluate the quality of and to calibrate or have calibrated the measuring- and testing equipment so that these when used these are in evident good condition;
b. calibrations and gaugings are done by organisations certified, or else accepted, for that by the Director so that the measurings are reducible to the national standards;
c. measurings, testings, calibrations and gaugings are done in an environment adecuate for this means;
d. measuring- and testing equipment that does not comply to the requirements is kept separate from good functioning equipment and is marked as such.

4. By the evaluation of the question of a company complies to part j of the second paragraph, the Director investigates if the company compiles a manual of the regulations to be applied regarding the required competences, as also of the procedure to be followed and the conditions for testing and periodical re-testing of these competences and if description is given of the organisation of the supervision on this regulation.

Article 82
Delivery and contracting out

1. A company takes care of it that delivered materials and products comply to the respective specifications.

2. The delivery, meant in the first paragraph, happens in one of the following ways:
a. it is accompanied by a certificate of approval as meant in article 89, or an equivalent certificate issued by an other certified company;
b. the goods or products are approved by the certified company itself based on:
   1°.a check on entry and
   2°.the quality system of the supplier that is applicable on the respective order and that concurres to that of the certified company;
c. the goods or products are approved by the Director.

Article 83
Amendments

Amendments in the way of functioning of the company are prepared and carried out in such a way that the quality system of the existing organisation, meant in article 81, remains of the same level and the quality control, meant in article 84, is safeguarded.

Article 84
Quality Assurance

1. In order to assure that the quality system functions as it should and that product of the right quality are delivered the company disposes of, in particular the department in charge of quality control, for that means necessary records, as also of a method to evaluate the functioning of the company regularly.

2. As soon as turns out that the quality system has shortcomings the company takes the necessary measures for improvement.

Article 85
Manuals

1. The quality management is put down in writing and made available to all parties concerned.

2. In a company manual or a similar discription the way is recorded in which is complied to the regulations included in articles 77 through 90, 93 and 94.

3. If to the judgement of the Director this is necessary, the company disposes of and makes use of a central manual in which the outlines of and the referrals to the company manuals are included as also a description of the important production processes and of the way how these are inspected/controlled.

4. The company takes care of it that the manual is evaluated regularly on its actuality and is, if necessary, updated. The amendments are sent as soon as possible to the Director.

5. Each member of the personnel is notified of and can take , to his necessity, notice of the for him important parts of these manuals. Amendments to these manuals are made known to the members of personnel that works with the respective parts of the manuals.

Article 86
Documentation

The company takes care of it that the regulations, specifications, norms and other records, that in accordance with the instructions of the Director are applicable on the material, products and final products, are present in the company.

Article 87
Administration

1. The company bears the responsability for a functional and sound technical administration. The records, safeguarded against being erased, must be saved and stored by for that means certified personnel; by mutation of records the identity of the one inputting the mutations must be recorded.

2. The technical administration is provided with a system to detect and timely correct errors.

3. The technical administration regards:

a. de carried out proceedings and the way of carrying these out;
b. the handling of material and products in order to be able to identify and trace these in each stage of the proceedings and to be able to determine their origin after their delivery.
c. the company- and storage time of material and products for which this is of importance;
d. the records of the inspections, testings and trials;
e. the measuring records regarding the material and products, if its evaluation occurs based on also these records;
f. the issued certificates of approval meant in article 89.

Article 88
Preservation of records

In order to determine the origin of shortcomings in the design, the production or the maintenance during the use of delivered products by a certified company, at least the following records are kept for the indicated periods:

a. the drawings, specifications and other records regarding the manufactured final products: ten years after the last final product is delivered;
b. the inspection- the testing and trial records regarding the manufactured final products: ten years after the delivery;
c. the records regarding maintenance, revision, repair and modification of products: ten years after the ending of the proceedings;
d. the administration regarding the issued certificates of approval: ten years after the issue of the certificate;
e. the proof of approvals received for material and products that were purchased from third parties: ten years after the processing of these material and products.

Article 89
Delivery

Material and products to which the certification refers and that are destined to be used in Aruban or foreign aircraft or to be used by third parties may not be isued for use or processing without issueing a certificate of approval.

Article 90

Bewijzen van goedkeuring

1. A certificate of approval as meant in article 89, refers exclusively to the mentioned material and products in the certificate of recognition. It is only valid if it is completely filled out and safeguarded against erasing and signed by a person authorised for that means who can only be:

a. the head of the department in charge of the monitoring of the quality;
b. his substitute;
c. by the company, with permission of the Director, for this means, appointed persons.

2. It is not permitted for the persons meant in the first paragraph to sign a certificate of approval without having convinced themselves of the correctness of the declaration to be signed.

Article 91

Certificate of approval model

A certificate of approval to be employed by a certified company includes in each case:

a. the words " bewijs van goedkeuring, afgegeven ingevolge het door de Directie Luchtvaart van Aruba afgegeven bewijs van erkenning nr...," or "Certificate of approval, released in accordance with the approval by the Department of Civil Aviation of Aruba ref. Company approval no...", or an declaration in accordance in the Dutch or English language, as also the serial number of the certificate of recognition;
b. the name of the company, as stated on the certificate of recognition;
c. the serial number of the certificate of approval;
d. which final product the approval refers to;
e. the statement that the final product complies to the requirements stipulated in this regulation;
f. under which number eventual further records regarding the final product can be found in the administration;
g. mention of by whom and on which date the certificate is signed.

Article 92

Government supervision

1. A certified company lends his assistance to the practice of government supervision on the company.

2. If improvement of the final product of the quality of the proceedings or else of the quality policy or its execution to the judgement of the Director is necessary the company takes measures for improvement taking in account the relevant regulations issued by the Director.

3. If under the terms of the supervision meant in the first paragraph a government investigation is opened, the company lends, for so far necessary, cooperation in the form of:

a. a internal investigation to the usual run of things in the company;
b. investigations and tests regarding the adequacy of the final product;
c. the submission and elaboration of proposals for improvement;
d. the issue of a report of an investigation done by the company.

4. The costs and the risk related to an investigation, as meant in the third paragraph, are carried by the company with exeption of the costs of the persons assigned by the government and the risks to be carried by them.

Article 93
Defects and shortcomings

1. A certified company reports to the Director each serious shortcoming that is detects:
a. in a product delivered by the company;
b. during the production process as meant in part a;
c. in an aircraft or its part or its part of equipment.

2. A report as meant in the first paragraph is made in writing, as soon as possible, though within 72 hours of its discovery or the becoming known of it, to the Director in a way stipulated by him. The report goes accompanied of a as complete possible description of what was detected and a statement of other information that is of importance; if the incident regards a serious shortcoming in the subject the case is reported in the fastest way.

3. If as a consequence of the shortcomings as meant in the first paragraph the Director doubts of the airworthiness of the relevant products and if to his judgement measures for the improvement in the form of a modification of the aircraft, the part, the part of equipment or their design are necessary, the company takes care of it that a proposal for the modification of the product, with a request for approval, is submitted to the Director. After the request is approved, the company takes care of it that the necessary information for the implementation of the modifications is made available to the owners or holders of the aircraft, parts and parts of equipment manufactured or designed by the company to which the proposal for modification refers.

Article 94
Product improvement

1. A certified company disposes of a system with which information can be gathered and analysed with regard to the expected operational performance of the final product in order to, where necessary, implememt improvements in the design, the production or the maintenance regulation.

2. Modifications of products and maintenance regulations that, to the judgement of the Director, benefit the safety of the company are published by the company to the users or holders of those products.

Article 95
Declarations and publications

A certified company takes care of it that the publishing of the fact that the company is certified happens only regarding the proceedings mentioned on the certificate of recognition and that the publishing of this fact in declarations, publications and pieces of writing cannot be reason for misunderstandings about the proceedings for which recognition is obtained.

TITEL II Acceptation of certified organisations in accordance with JAR-145

Article 96
Acceptance application

1. A maintenance company that is certified by the United European aviation authorities in accordance with JAR-145, is certified in Aruba.

2. To obtain the certificate of recognition, a maintenance company as meant in the first paragraph, through the holder of the aircraft that are being maintained by that company, submits an application in writing to the Director.

3. With the application the maintenance company issues:

a. a copy of the manual meant in JAR-145.70, as also a referral of the numbers of the paragraphs and the sub-paragraphs of JAR-145 to the manual and
b. a copy of the certificate of maintenance release meant in JAR-145.50.

Article 97
Issue

1. The period of validation of the recognition in Aruba of a company as meant in article 96, first paragraph, is equal to the period of recognition applicable in JAR-145-recognition, with a maximum of two years.

2. After expiration of the term meant in the first paragraph the recognition can be prolonged again with for each time at the most two years.

Article 98
Extension

1. By extension of a certificate of recognition as meant in article 96, second paragraph, article 96, third paragraph, is applicable, on the understanding that indicating which changes have taken place regarding the records that have been submitted for the last issued recognition can be enough. Also an evaluation of the own activities, which states in which ways the own activities comply to JAR-145, made by the company itself is added by the request for extension , as also:

a. which modifications regarding the in this article and in JAR-145 mentioned topics have taken place since the last extension of the recognition;
b. which important developments can eventually be expected, within two years in the company, related to the extension.

2. In order to extend the term of validation in time the request for this purpose is submitted not more than twelve weeks and not less than eight weeks before expiration date of the term of validation.

Article 98a
Ammendments, revocation and renewed application

Articles 70, 71 and 72 are accordingly applicable by application of article 98.

TITEL III Recognition of non JAR-145 certified organisations

Article 98b
Validation

1. A valid certificate of recognition of a foreign maintenance company issued by the competent authorities of a member country of another country of the Kingdom can be validated under terms stipulated by the Director.

2. On validation, meant in the firts paragraph, the regulation of Title I of this Chapter are accordingly applicable.

CHAPTER IV
REQUIREMENTS FOR TECHNICAL PERSONEL

TITLE I General provisions

Article 99
Licenses

1. For the purpose of carrying out of proceedings, meant to keep aircraft in an airworthy condition, the Director can issue licenses to ground engineers if they comply with the regulations of Title II.

2. A ground engineer license gives its holder the authority to, without supervision, carry out the maintenance proceedings on aircraft prescribed in article 43, second paragraph, to supervise those proceedings and to sign the report meant in article 43, fifth paragraph.

3. Only ground engineers carrying a license according to article 101 or carying a validation according to article 101a, can carry out proceedings meant in the second paragraph of the Airworthiness Regulation for the holder of a certificate meant in article 13 of this regulation.

Article 100
Obligation of the holder

1. The holder of a ground engineer license notices the Director of the loss of his license.

2. On the first request of a government official as meant in article 23, fourth paragraph, of the Airworthiness Regulation the holder of the license for ground personnel hands in the isued license or the, by virtue of this regulation, required documents.

TITEL II Licenses

Section 1. Licenses

Article 101
General provisions

1. A ground engineer license is isued to those:

a. that have reached the age of eightteen years:
b. that have succesfully passed the exams by virtue of the "Landsbesluit luchtvaartexamens (AB 1993 no. GT 17)" regarding the required knowledge and ability;
c. that have the experience meant in Annex 1, chapter 4, of the Treaty and that have working experience of at least twenty four months.

2. The ground engineer license model is included in annex J belonging to this regulation.

Section 2. Acceptance

Article 101a
General provisions

1. Licenses can be issued based on licenses issued by foreign authorities if to the judgement of the Director these licenses comply to requirements at least equal to those described in Annex 1, chapter 4, of the Convention.

2. On a license issued by virtue of the first paragraph those qualifications are indicated that are also included in the validated license.

3. A validation can be refused if the competent authority of the country where the license in question is issued refuses to validate Aruban licenses.

4. After issue of a validated license that license is considered like one as meant in article 101.

5. Articles 103 through 108 are accordingly applicable

Section. Validation

Article 102
General provisions

1. A valid license issued by the competent authorities of a member country or a country of the Kingdom, can be validated under conditions stipulated by the Director.

2. The validation, meant in the first paragraph, is only applicable, if the holder of the valid foreign certificate has this one in his property.

3. Articles 103 throuhg 108 are acordingly applicable

Section 4. Other provisions

Article 103
Period of validity

The term of validation of a ground engineer license is twenty four months, on the understanding that the license maintains its validity through the last day of the month of validity.

Article 104
Extension of the period of validity

1. The term of validity of a license can each time be extended for at most twenty four months. Extension only takes place if the holder, in accordance with the third paragraph, has proven that he has maintained his ability; if he is not capable of doing this the extension will not take place until the holder has succesfully passed a complete or partial exam to obtain the license in question.

2. The extension of the term of validation of a license is requested at least fourteen days before the expiration date of the period of validity mentioned on the license. A license of which the perid of validation has expired can be validated again after is shown that the one in question complies to the requirements for the issue of the license.

3.During the twenty four months immediately preceding the date of application the applicant, for at least six months, must have fullfilled a function by an aircraft maintenance facility as a independent ground engineer regarding category and type aircraft, powerplants and aircraft installations to which the application refers.

Article 105
Suspension

1. By doubt in the aptitude of the holder of a license the Director can stipulate that the party concerned will have to sybmit its self again to a partial or complete exam.

2. The holder of a license that is suspended by virtue of the "Regeling luchtvaartsancties" (aviation sanctions regulation), sends the copy of the suspended license, that is in his property, immediately, after receiving the notification meant in the first paragraph, to the Director.

3. If the suspension does not regard all the qualifications mentioned in the license, the license is returned to the party involved after ommision or deletion of the qualifications to which the suspenson applies.

4. A suspension is discontinued:

a. if the exam meant in the first paragraph is not pased with succes;
b. if the party concerned possesses the required experience.

5. After discontinuance of a suspension the license is returned to the party concerned by the Director.

Article 106
Revocation

1. The holder of a license that is revoked by virtue of the "Regeling luchtvaartsancties" (aviation sanctions regulation), sends that license immediately after receiving the notification of its revocation to the Director.

2. If the revocation does not concern all the qualifications mentioned in the license, the license is returned by the Director to the party involved after ommision or deletion of the qualifications to which the revocation applies.

Article 107
License renewal

Article 12 is accordingly applicable to a license, a certificate of recognition and a validation as meant in articles 101, 101a and 102.

Article 108
Way of application

The application for issue, extension of term of validation or renewal of a license or certificate of recognition is done by submitting to the Director a form, completely filled out and signed by the applicant, of which copies are obtainable at no cost at the Department of Civil Aviation.

TITEL III Categories of ratings

Article 109

Ratings

1. Licenses and recognitions as also validations are arranged in accordance with Annex 1, Chapter 4, of the Treaty.

2. They carry on or more of the following identifications:

- for aircraft and powerplant of a certain category and type, with exeption of the proceedings for which a license CEF or DG is required: AB;
- for instruments without electronical auxiliary equipment, climate control and electrical installations for aircraft of all categories for which licenses are instituted: CEF;
- for automatic flight guiding systems as also communication-, navigation-, and identificationinstallations for aircraft of all categories for which licenses are instituted: DG.

Article 110

Categories

The categories meant in article 109 are ordered to type and weight, as follows:

- winged aircraft with one piston engine, without pressurised cabin: 1Z;
- winged aircraft with one turbine-engine, without pressureised cabin: 1T;
- winged aircraft of a type mentioned in the license, with a allowed total weight of at most 5700 kg, with more than one piston engine and equiped with a pressurised cabin: 2Z;
- winged aircraft of a type mentioned in the license, with a allowed total weight of at most 5700 kg, with more than one turbine-engine and equiped with a pressurised cabin: 2T;
- helicopters of a type mentioned in the license, with a allowed total weight of at most 2700 kg, with one or more than one piston engine: 3Z;
- helicopters of a type mentioned in the license, with a allowed total weight of at most 2700 kg, with one or more than one turbine-engines: 3T.

CHAPTER V
TRANSMISSION AND RECEPTION PERMIT

Article 111

Prohibitions

1. It is prohibited to operate an Aruban aircraft that is equiped with a transmission- or reception installation, without their being a permit issued for this installation.

2. For a commercial flight registered in Aruba the equipment with an operational transmission- and reception installation is mandatory.

Article 112

Issue

1. A permit as meant in article 111, first paragraph, is requested by the owner or holder of the aircraft by the Director who, after the approval of the installation by or on behalf of the director

of "Directie Telecommunicatiezaken" (department of tele-communication affairs), issues the radio-permit and registers this in a file destinated for this purpose.

2. The form of a permit as meant in article 111, first paragraph, is included in annex K, included by this regulation; it is issued on paper that over the full width is provided with the nark of arms of the Department of Civil Aviation.

Article 113
Amendment/modification

By modification or replacement of the transmission- and reception installation the owner or holder gives notice of this to the Director, where upon an inspection takes place again.

CHAPTER VII
CONCLUDING DEFINITIONS

Article 114
Title and commencement

1. This regulation and the state decree containing general measures, of september 29th 1995 (AB 1995 no. 70) for revocation of the Aviation decree (AB 1989 no. GT 59) take immediate effect on the day after the one one which this regulation is published in the "Afkondigingsblad van Aruba" (Publication paper of Aruba).

2. She can be referred to as the Airworthiness Regulation

L.G.Beke-Martinez