



Croatian Civil Aviation Agency

Guidance to Croatian air operators for Code-Share Agreements

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1. Introduction

- 1.1 COMMISSION REGULATION (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council, known as the European Aviation Safety Agency (EASA) Air Operations Regulation or EASA-OPS, includes provisions for the regulation of code-share agreements between EU Member State operators and Third-Country Operators (TCOs).
- 1.2 'Code-share' means an arrangement under which an operator places its designator code on a flight operated by another operator, and sells and issues tickets for that flight.
- 1.3 The purpose of this guidance is to inform and guide Croatian air operators about how compliance with ORO.AOC.115 and ARO.OPS.105 and related Acceptable Means of Compliance (AMCs) and Guidance Material (GM) is to be achieved.

2. Roles and Responsibilities

- 3.1 Croatian operators – to make code-share statements to the CCAA about code-share agreements with TCOs, having put in place appropriate audit programmes in compliance with the applicable requirements.
- 3.2 The CCAA – to accept initial and renewal code-share statements; to check that the applicable requirements have been met.

3. Policy

- 3.1 The 'applicable International Civil Aviation Organization (ICAO) Standards' as mentioned in ORO.AOC.115 and ARO.OPS.105 means: The Convention itself, plus Annexes 1, 6, 8 and 19; and Annex 18 if relevant.
- 3.2 The International Air Transport Association (IATA) Operational Safety Audit (IOSA) is to be regarded as the default standard, and the scope of any in-house or other third party audits should check compliance with at least the same ICAO Standards.
- 3.3 The 'Documented information' to be submitted for initial, renewal and changed code-share agreements are next:

A. Third Country Operator Details:

1. Name of third country operator;
2. AOC Number;
3. Address;
4. State;

5. Tel. No.;

6. E-mail.

B. Croatian AOC Operator Details:

1. Name of Croatian AOC operator;

2. AOC Number;

3. Address;

4. Tel. No.;

5. E-mail.

6. Statement:

6.1 We have entered into a code-share agreement with the third country operator specified above.

6.2 We confirm that we have verified that this Third Country Operator complies with the applicable ICAO standards.

6.3 We have attached the required documented information enabling the CCAA to comply with ARO.OPS.105.

6.4 Name of AOC manager authorized to make this Statement.

6.5 Signature.

C. Details of TCO Code-Share:

1. Aircraft types on TCO AOC;

2. Aircraft types to be used for code-sharing;

3. Regions of operation involved in code-sharing.

D. Monitoring Arrangements:

1. Croatian AOC operator manager responsible for audit programme;

2. Audit frequency, scope and location(s);

3. Details of any third party audits, e.g. IOSA;

4. Verification of third party auditor competence, if not IOSA;

5. Other planned monitoring arrangements, e.g. ramp inspections, flight inspections;

6. Initial audit report and audit compliance statement (see AMC1 ORO.AOC.115(a)(1), AMC1 ORO.AOC.115(b)(a)(1) and AMC1 ORO.AOC.115(b)(e).

3.4 The acceptable scope for the audit reports is those ICAO Standards addressed by IOSA. Any in-house or other third party audits must cover at least these Standards.

3.5 IOSA registration of the TCO is accepted as meeting the requirements of:

- ORO.AOC.115;
- AMC1 ORO.AOC.115(a)(1);
- AMC1 ORO.AOC.115(b); and
- AMC2 ORO.AOC.115(b), paragraph (a).

Where IOSA registration is to be relied upon, a copy of the latest IOSA audit report will need to be provided.

3.6 Operators which do not fall within the scope of the IOSA requirements (due to the equipment operated and/or the type of operation) must comply with the applicable ICAO Standards, and the audit schedule of in-house or other third party audits must therefore cover the applicable ICAO Standards addressed by IOSA.

3.7 The ORO/ARO requirements do not apply to inbound, one-way code-share arrangements where a Croatian operator's flight bears a TCO's designator code, but no TCO flight bears the Croatian operator's designator code.

3.8 The audit schedules, renewal audit reports and any other relevant records relating to code-share flights will be sampled by the CCAA as part of the routine oversight of the AOC holder's Compliance Monitoring System (CMS) and Safety Management System (SMS).

3.9 Where an AOC holder uses another third-party provider in place of IOSA to audit TCOs, there should be a contract in place and the organization considered as a sub-contracting organization. The CAA will verify that other third-party providers meet audit programme requirements by checking:

- the audit scope against IOSA;
- how AOC holders have verified auditor competence; and
- audit frequencies.

3.10 Where omissions or non-compliances are identified in initial, renewal or changed code-share statements, a report will be raised with Level 2 findings, and managed in accordance with ARO.GEN.350.

4. Action Required

All aircraft operators to whom this guidance applies should, as part of their process to transition to EASA-OPS, submit completed code-share statements, with 'Documented information' required under 3.3, to their assigned Flight Operations Inspector. Thereafter, such statements relating to new, renewal or changed code-share agreements should also be submitted.

5. Queries

- 5.1 Any queries or requests for further guidance from AOC holders should be addressed to Flight Operations Inspector at the following e-address: natasa.poznic@ccaa.hr in the first instance,
- 5.2 Otherwise, queries should be addressed to the Manager of Flight Operations Department at the following e-mail address: damir.bezik@ccaa.hr.