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MIRATIMIN E “GUIDANCE MATERIAL FOR SHORT TERM WET LEASE”

Në mbështetje të pikës “ë”, të nenit 14, të Ligjit Nr.53/2022 “Për organizimin dhe funksionimin e Autoritetit të Aviacionit Civil”:

V E N D O S A

1. Miratimin e ACAA-DFS-GM4-STW “Guidance Material for Short Term Wet Lease”, Lëshimi 01, Rishikimi 00.
2. Ngarkohet Drejtoria e Standardeve të Fluturimit, të sigurojë shpërndarjen dhe përdorimin e këtij manuali tek operatorët.
3. Ky vendim hyn në fuqi menjëherë.

DREJTOR EKZEKUTIV

Maksim Et'hemaj





REPUBLIC OF ALBANIA



ALBANIAN CIVIL AVIATION AUTHORITY

**GUIDANCE MATERIAL FOR SHORT TERM WET LEASE**

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ACAA-DFS-GM4-STW  
Issue: 01, Revision 00  
Date: 01.11.2024

Approved by:

Maksim Eftemaj

Executive Director of Albanian Civil Aviation Authority



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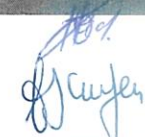


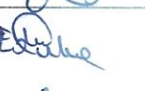



## 0.1 Record of Amendments

The table below describes the dates and reasons for the different amendments of the current procedure. A vertical black line on the left-hand side of the page identify the changes with the previous version.

Issue No.	Revision No.	Date	Amended by	Reason
01	00	01/11/2024		Initial Issue

In case of major amendment, a new issue will be released to replace the existing procedure. In that case, all the page will identify with a new issue and the revision will set back to zero. For a minor amendment to some provisions, when only a few pages are modified a vertical black line on the left-hand margin of the page identifying the change of the existing version. Users can focus their attention to the changes identified.

## 0.2 Approval List

Action	Name and position	Date	Signature
Prepared by:	Mrs. Ledja Bacova, Specialist in SFO		
	Mrs. Xhenifer Muco, Head of SFO		
Accepted by:	Mr. Alket Zani, DFS Director	28.10.24	
Reviewed by:	Mrs. Edmira Çuko, Specialist of SQSC		
	Mrs. Krista Garo, Head of SQSC	30.10.24	
	Mrs. Edlira Kraja, Director of DLS		
Approved by:	Mr. Maksim Et'hemaj, Executive Director	01.11.24	





### 0.3 Revision table

Page #	Issue No.	Revision No.	Date	Edited by
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### 0.4 Distribution List

Control #	Responsible Person	Type of Document
Original	SFO/DFS SSS/DAM	Hard Copy
Original (Electronic)	SFO/DFS Staff	Electronic Copy at DRMS

Note: In case of interested party involved in ACAA activities, access rights shall be given on case-by-case basis by the concerned Directorate/ Sector (s).

### 0.5 Definitions & Acronyms

When the following terms are used in the GM, they have the meanings indicated below.

Term	Definition
Short term wet lease	A short-term wet lease agreement is a contractual arrangement where one airline (the lessor) provides an aircraft, complete crew, maintenance, and insurance to another airline (the lessee) for a relatively brief period
Commercial air transport	An aircraft operation involving the transport of passengers, cargo, or mail for remuneration or hire.
Scheduled operation	An aircraft operation conducted by a commercial air transport operator for which the certificate holder or its representative offers in advance the departure location, departure time, and arrival location.
Charter operation	An operation for which the departure time, departure location, and arrival locations are specifically negotiated with the operator's customer or the customer's representative
White list	A white list (WLI) is a process developed by an airline (AOC holder) to

	evaluate and approve potential wet lessors (air carriers providing aircraft, crew, maintenance, and insurance).
Duration	Typically ranges from a few days to several months, depending on the needs of the lessee.
Seasonal Demand	Typically ranges from a few days to several months, depending on the needs of the lessee.
Maintenance	Temporary replacement for aircraft undergoing maintenance or repairs.
Crew Shortages	Cover for crew shortages or regulatory crew rest requirements.
Route Testing	Trial new routes without long-term fleet commitments.
Special Events	Additional capacity for large events or sudden surges in demand.

## 0.6 Abbreviations and Acronyms

Abbreviation	Meaning
ACAA	Albanian Civil Aviation Authority
ACMI	Aircraft, complete crew, maintenance and insurance
AOC	Air Operator Certificate
DFS	Directory of Flights Standards
FOIM	Flight Operation Inspector Manual
GM	Guidance Material
WLI	White List

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## 1. Introduction

### 1.1 Background

The ACAA recognizes that commercial air transport operators are responsible for providing air transportation with the highest degree of safety possible in the public interest. Guidance materials (GMs) are periodically issued by the Executive Director of Albanian Civil Aviation Authority (ACAA) to offer practical guidance and ensure clarity concerning statutory requirements for aviation safety. These GMs provide information on standards, practices, and procedures acceptable to the Civil Aviation Authority of Albania (ACAA).

### 1.2 Purpose

This Guidance material (GM) aims to provide guidance on compliance with, and information related to, the requirements for applying for short term wet lease-in, based on Albanian Air Code 96/2020; Minister Orders; and the International Standards pertaining to the operation of aircraft.

### 1.3 Related Regulations

Applicable legislation for wet lease-in:

1. Law No. 96/2020 "Air Code of Republic of Albania";
2. Decision of Council of Minister No.1095, 24.12.2020 "Common Rules in the Field of Civil Aviation";
3. Minister Order 80/2023 "Technical requirements for air operations in Albania";
4. Minister Order 78/2024 "For the safe transport of dangerous goods in Albania";

## 2. Short-Term Wet Lease Agreements

A short-term wet lease agreement is a contractual arrangement where one airline (the lessor) provides an aircraft, complete crew, maintenance and insurance (ACMI) to another airline (the lessee) for a relatively brief period. This guide aims to provide an overview of the key aspects, benefits, and considerations involved in short-term wet leases in the aviation industry.

### 2.1 Benefits of Short-Term Wet Leases

#### A. Flexibility

Allows airlines to quickly adjust capacity based on immediate demand without long-term financial commitments.

#### B. Operational Efficiency



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Provides comprehensive operational support, including crew and maintenance, enabling the lessee to focus on other aspects of their operations.

**C. Cost-Effective**

Avoids the high capital expenditure associated with purchasing new aircraft or entering long-term lease agreements.

**D. Risk Mitigation**

Reduces the risk associated with sudden changes in demand or unforeseen operational issues.

**2.2 Key Considerations for Short-Term Wet Lease Agreements**

**A. Regulatory Compliance**

- i. Ensure that the lease agreement complies with international aviation regulations and standards.
- ii. Verify that the lessor holds the necessary certifications and approvals from relevant aviation authorities.

**B. Contractual Terms**

- i. Clearly define the lease duration, financial terms, and responsibilities of both parties.
- ii. Include provisions for termination, extension, and penalties for non-compliance.

**C. Operational Integration**

- i. Plan for the integration of the leased aircraft into the lessee's existing operations, including scheduling, crew coordination, and maintenance checks.
- ii. Ensure that the lessee's operational staff are familiar with the procedures and requirements of the lessor.

**D. Insurance and Liability**

- i. Confirm that the lessor provides comprehensive insurance coverage, including hull, liability, and third-party risks.
- ii. Clearly outline the responsibilities for any damages or incidents that occur during the lease period.

**E. Quality and Safety Standards**



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- i. Assess the safety and maintenance records of the lessor to ensure high operational standards.
  - ii. Conduct regular audits and inspections to verify compliance with safety regulations and maintenance procedures.

## 2.3 Steps to Execute a Short-Term Wet Lease Agreement

### A. Identify Needs and Objectives

- i. Determine the specific operational requirements and objectives for entering into a short-term wet lease.

### B. Select a Suitable Lessor

- i. Research and evaluate potential lessors based on their reputation, safety record, and ability to meet your operational needs.

### C. Negotiate Terms and Conditions

- i. Engage in negotiations to establish favorable terms and conditions, ensuring clarity on all aspects of the agreement.

### D. Draft and Review the Contract and apply to ACAA for approval

- i. Work with legal and aviation experts to draft a comprehensive contract that addresses all regulatory, operational, and financial considerations.

### E. Implement and Monitor the Lease

- i. Coordinate with the lessor to integrate the leased aircraft into your operations.
- ii. Continuously monitor the performance and compliance of the leased aircraft and crew throughout the lease period.

Short-term wet lease agreements provide a strategic and flexible solution for airlines to manage capacity and respond to fluctuating demand. By understanding the key aspects, benefits, and considerations, airlines can effectively utilize wet leases to enhance their operational efficiency and maintain high service standards. Proper planning, due diligence, and clear contractual agreements are essential to maximizing the benefits and mitigating the risks associated with short-term wet leases.

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### 3. Required Documentation for Albanian AOC Holders to Obtain Approval for Short-Term Wet Lease Operations

AOC (Air Operator Certificate) holders in Albania must provide specific documentation to the Albanian Civil Aviation Authority (ACAA) to obtain approval for short-term wet lease (ACMI) operations. This chapter outlines the required documents and procedures that need to be followed to ensure compliance with regulatory requirements.

#### 3.1 Required Documentation

##### A. Application Letter along with Wet Lease Application form

- i. A formal application letter requesting approval for the short-term wet lease operation. This letter should include details of the lease, such as the duration, purpose, and the lessor's information.
- ii. Application form ACAA-DFS-FOIM-257 Lease Approval.
- iii. Risk Assessment performed by the operator.
- iv. Management of Change.
- v. Audit Compliances Reports.
- vi. Evidence of ERP Integration between two operators.
- vii. Statement of Compliance from the operator.

##### B. Aircraft Information

- i. Type, Registration Markings, and Serial Number: Provide the aircraft type, registration markings, and serial number as soon as they are available.
- ii. Registered Owner Information: Include the name and address of the registered owner of the aircraft.

##### C. Certificates of the aircraft

- i. A copy of the valid certificate of airworthiness (issued in accordance with ICAO Annex 8) for the leased aircraft.
- ii. A copy of the valid certificate of registration for the leased aircraft.
- iii. A copy of the Airworthiness Review Certificate for the leased aircraft.
- iv. Noise Certificate.
- v. Insurance Certificate.
- vi. Radio License.

**D. Lease Agreement**

- viii. A copy of the lease agreement or a detailed description of the lease provisions, excluding financial arrangements, translated and notarized in Albanian.

**E. Duration of the Lease**

- i. Clearly specify the duration of the lease.

**F. AOC of the Lessor**

- i. In the case of a wet lease-in, provide a copy of valid Air Operator Certificate (AOC) along with the areas of operation and Operations Specifications.

**G. Other**

- i. A statement signed by the lessee confirming that both parties to the lease agreement fully understand their respective responsibilities under the applicable regulations.

**H. Copies of the pilot's license and medical certificate, when applicable and available****3.2 Submission Procedure****A. Preparation of Documents**

- i. Gather and organize all required documents as outlined above. Ensure that all documents are current, certified, and meet the regulatory standards.

**B. Submission to ACAA**

- i. Submit the complete set of documents to the Albanian Civil Aviation Authority (ACAA).

**C. Review Process**

- i. The ACAA will review the submitted documents to ensure compliance with all regulatory requirements. This process may involve additional queries or requests for further information. Air Operators need to take into account the submission time, so that there is enough available time for ACAA technical and non-technical personnel to evaluate.

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#### D. Approval and Issuance of Permission

- i. Once the ACAA is satisfied with the documentation and compliance, they will issue the necessary permission, approval for the short-term wet lease operation. This permission will specify any conditions or limitations applicable to the operation.

*The lessee should maintain a record of occasions when lessors are used, for inspection by the State that issued its AOC.*

Obtaining permission for short-term wet lease operations involves a thorough preparation of various documents to demonstrate compliance with regulatory standards. AOC holders in Albania must ensure that all required documents are accurate and complete to facilitate a smooth approval process. Adherence to these requirements is essential for maintaining safety and operational efficiency in wet lease operations.

The operator may develop a white list, included in the OM-D with potential other AOC-s and its related documentation.

After the whole documentation of the proposed AOC is reviewed and found satisfactory from the ACAA, the OM-A can be approved containing the name of the operator proposed and the specific registration mark to be used. In this case it is a prior approval and there is no need of approval every time there is the need of a short-term wet lease.

Please note, this is only applicable if ACAA has given its prior approval on the potential AOC and officially approved the list in the OM-A.