



## Explanation of the provision of services in the following area for service providers from EU/EFTA states in Switzerland

# Aircraft maintenance staff

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### Introduction

Under the Free Movement of Persons Agreement (FMA<sup>1</sup>), professionals domiciled in an EU/EFTA state have the opportunity to provide services in Switzerland for no more than 90 days per calendar year.

Professionals domiciled in an EU/EFTA state need to go through an expedited procedure to verify their professional qualifications, which is specified in the EU Directive 2005/36/EC<sup>2</sup> and the DRPA<sup>3</sup>. For the provision of services, **SERI** must be notified in advance.

This explanation specifies the conditions that apply to the provision of services and particularly which professional activities do and do not require a declaration to verify an applicant's professional qualifications.

### What activities require the verification of professional qualifications?

The activity of aircraft maintenance staff is regulated in the DETEC Ordinance on Aircraft Maintenance Staff (AMSO, SR 748.127.2). This Ordinance regulates the permits and personal authorisations of persons who monitor, certify, carry out maintenance work on or apply special operating procedures to aircraft or aircraft components.

The AMSO therefore applies to all persons who monitor, certify, carry out maintenance work on or apply special operating procedures to aircraft. Persons under the direct supervision of a person professionally established in Switzerland who hold Swiss qualifications, a personal authorisation or a licence issued as defined in Annex III of the Ordinance (EC) No. 2042/2003 (EASA Part-66), however, are not required to hold any operating licence or special professional qualifications pursuant to the AMSO.

<sup>1</sup> Bilateral Agreement of 21 June 1999 between the Swiss Confederation and the European Union and its Member States on the Free Movement of Persons, SR 0.142.112.681.

<sup>2</sup> EU Directive 2005/36/EC of the European Parliament and the European Council of 7 September 2005 on the recognition of professional qualifications, OJ L 255 of 30.09.2005, p. 22, applicable version according to the Free Movement of Persons Agreement and the amended EFTA Convention.

<sup>3</sup> Federal Act of 14 December 2012 on the Declaration Requirement and the Verification of Service Provider Qualifications in Regulated Professions; SR 935.01.

Persons who would like to provide services involving the monitoring, certifying or carrying out maintenance work on aircraft, must submit a declaration to the SERI. Their professional qualifications will then be verified by the competent authority, i.e. the Federal Office of Civil Aviation (FOCA).

Service providers who perform work under supervision (non-qualified personnel according to the AMSO), do not need to submit a declaration to the SERI.

### **Do certain European training programmes or licences automatically entitle you to practice a profession?**

Certain qualifications issued in the EU that correspond to the Agreement between the European Community and the Swiss Confederation of 21 June 1999 on Air Transport (SR 0.748.127.192.68), allow their holders to directly carry out the corresponding activity in Switzerland. For the maintenance of aircraft, this qualification is the EASA Part-66 licence (Annex III to Regulation (EC) No. 2042/2003).

Although service providers from an EU or EFTA member state holding such a licence are subject to the declaration requirement according to the DRPA, their qualifications are immediately guaranteed pursuant to the uniform European legal norms. The approved maintenance organisations as defined in Annex II to Regulation (EC) No 2042/2003 (EASA Part-145), in which these service providers intend to work, are responsible for testing the practical qualifications of the service providers.

### **Who qualifies as a service provider?**

A service is an independent employment of limited duration (no more than 90 working days per calendar year) and not bound to a contract with a Swiss employer, which is carried out for payment by a person from an EU or EFTA member state domiciled in Switzerland. For further information, a detailed information sheet regarding the provision of services is available on the SERI website.