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Genehmigung Wet-Lease Erteilung

Heruntergeladen am 06.06.2025

<https://fimportal.de/xzufi-services/103778576/B100019>

Modul	Sachverhalt
Leistungsschlüssel	99080093001000
Leistungsbezeichnung I	Genehmigung Wet-Lease Erteilung
Leistungsbezeichnung II	Display or apply for a wet lease
Typisierung	1 - Bund: Regelung und Vollzug
Quellredaktion	Bund
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	
Verrichtungskennung	Erteilung (1)
SDG-Informationsbereich	Erlangung von Lizenzen, Genehmigungen oder Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens
Lagen Portalverbund	Reisen (1120100), Erlaubnisse und Genehmigungen (2010400), Transportgenehmigungen (2110200)
Einheitlicher	

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Ansprechpartner	Nein
Fachlich freigegeben am	18.07.2024
Fachlich freigegeben durch	Federal Ministry for Digital and Transport Affairs (BMDV)
Handlungsgrundlage	https://eur-lex.europa.eu/legal-content/DE/TXT/?uri=celex%3A32012R0965 https://eur-lex.europa.eu/legal-content/DE/TXT/?uri=celex%3A32012R0965 https://eur-lex.europa.eu/legal-content/DE/TXT/?uri=CELEX%3A32008R1008
Teaser	If you, as a German airline, wish to use aircraft under wet lease agreements, you must apply for or notify us of this.
Volltext	<p>A wet lease is the leasing or rental of an aircraft. In contrast to a dry lease, a wet lease involves a crew and also includes the costs for maintenance and insurance (Aircraft Charter Maintenance Insurance, ACMI). The leasing company, hereinafter referred to as the lessor, carries out transportation orders on behalf of the leasing company, hereinafter referred to as the lessee. You must report and apply for a wet lease to the Luftfahrt-Bundesamt (LBA).</p> <p>Which leasing cases can you report?</p> <ul style="list-style-type: none"> • Wet lease-in • Short-term wet lease-in: call-off from a framework agreement <ul style="list-style-type: none"> • Wet lease-in due to urgent operational requirements (e.g. aircraft on ground, AOG) • Wet lease-out • Short-term deregistration of an aircraft from a framework agreement <p>Wet lease-in</p> <p>A wet lease-in is an agreement between airlines under which the aircraft is operated under the lessor's Air</p>

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Operator Certificate (AOC). The aircraft remains in the lessor's AOC. The lessor therefore continues to assume operational, technical and commercial responsibility for the leased aircraft. The leased aircraft is therefore not included in the AOC of the lessor. You can apply for a wet lease-in for one or more aircraft for a maximum period of one year. Subsequent extensions are possible.

Wet lease in the framework agreement

You have the option of concluding a framework agreement with another airline as a wet lease-in leasing agreement. All aircraft that can be leased by the leasing company via wet lease-in are included in this framework agreement. In framework agreements, terms of up to a maximum of 1 year can be agreed between the contracting parties. Subsequent extensions are possible.

If you wish to retrieve an aircraft from the framework agreement, please inform the LBA by means of a retrieval notice.

With the approval of a wet lease or a framework agreement for leasing agreements for planned leases, you will receive a notification from the LBA and the specially designed "Appendix Wet Lease-In" for the operating permit. The notification of a leasing event takes place without further or subsequent approval.

Short-term wet lease-in

With a short-term wet lease-in from a framework agreement, you inform the LBA that an individual aircraft from a pool of an approved wet lease-in framework agreement is being called up. The maximum leasing period for a short-term wet lease is 30 days per call-off.

Wet lease-in due to urgent operational need

With a wet lease-in due to urgent operational need, you inform the LBA that an aircraft must be replaced by a rental at short notice. The reason for this may be a

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technical defect (Aircraft On Ground, AOG) or another urgent operational requirement. The assignment is limited to a maximum of 5 consecutive days and is only valid for one event.

Wet lease-out

With a wet lease-out, you inform the LBA that an aircraft and its crew are being leased to another airline.

Short-term deregistration from a wet lease-in contract

With a short-term deregistration, you inform the LBA that an aircraft must be temporarily deregistered from an approved wet lease-in agreement.

Erforderliche Unterlagen

when applying for a framework agreement with a contractual person from Germany:

- signed framework contract
- proof of insurance in respect of passengers, baggage, goods and third parties and delayed transportation for each aircraft
- a declaration signed by the lessees that the parties are aware of their respective responsibilities

with a contract person from a state of the European Economic Area (EEA) in addition:

- Operating license/AOC and operating specification of your contractual partner
- Certificate of Registration (CofR) for each aircraft
- Certificate of Airworthiness (CofA) for each aircraft
- Airworthiness Review Certificate (ARC) for each aircraft

when applying for a wet lease-in

with a contractual person from Germany:

- signed leasing agreement

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- proof of insurance for passengers, baggage, goods and third parties as well as delayed transportation for each aircraft
- a declaration signed by the lessees that the parties are aware of their respective responsibilities

with a contract person from a state of the EEA or from a third country in addition:

- Operating license, Air Operator Certificate (AOC) and operations specification of your contractual partner
- Certificate of Registration (CofR) for each aircraft
- Certificate of Airworthiness (CofA) for each aircraft
- Airworthiness Review Certificate (ARC) for each aircraft

with a contract person from a third country in addition:

- Justification for the application (or formulation in free text) with detailed explanations as to why the rental of third country equipment is justified or necessary and reasonable
- Proof of equivalent safety standards of the third country operator (TCO) with regard to continuing airworthiness and flight operations
- 5 rejected non-objection requests to airlines based in the European Union (EU) as proof that it is neither possible nor reasonable to rent aircraft registered in the EU
- TCO approval of the lessor

when displaying and requesting an aircraft from a framework agreement (short-term wet lease-in):

- Route planning on which the leased aircraft is to be used
- Leasing period
- Registration number and serial number of the aircraft called up

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when displaying a wet lease-out:

- Leasing period
- License plate and serial number of the leased aircraft, Optional: Copy of the lease agreement or description of the lease conditions including financial agreements
- Route planning on which the leased aircraft is to be used

in the case of notification of an urgent operational requirement (AOG):

- License plate number or serial number of the failed aircraft
- Notification of the technical defect of the failed aircraft, optional: copy of the TecLog
- Period of use

You must have the following documents available and be able to show them on request. You can also upload them as an option:

- Certificate of Registration (CofR) for each aircraft
- Certificate of Airworthiness (CofA) for each aircraft
- Airworthiness Review Certificate (ARC) for each aircraft
- Certificates of insurance in respect of passengers, baggage, cargo and third parties and delayed transportation for each aircraft
- Copy of the Lessor's Air Operator Certificate (title page and full operating requirements)

Please refer to the application form to find out which documents are required in your case.

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	<p>You do not have to submit certain documents at the time of application - you can submit these documents later.</p>
Voraussetzungen	<ul style="list-style-type: none"> • As a German airline, you must have a valid operating license and AOC. • You may only apply for wet lease-in agreements for equivalent aircraft types that have been approved under your AOC and operating specifications. • Your planned flight destinations must be within the ICAO regions approved in the lessor's AOC. <p>with a contractual partner from a third country for wet lease-in:</p> <ul style="list-style-type: none"> • You must demonstrate that the lease-in is justified and necessary. • You must submit non-availability requests to at least 5 companies from (EEA) countries proving that they could not fulfill the leasing request. • You must prove that the safety standards of the third country operator with regard to continuing airworthiness and flight operations meet European standards. <p>for a short-term wet lease-in:</p> <ul style="list-style-type: none"> • A corresponding framework agreement must have been concluded for a short-term wet lease-in. <p>Exception: If you have an urgent operational need, you can make use of the special regulation for wet lease-in. To cover an urgent operational need, you can also indicate a leasing agreement for a maximum of 5 consecutive days without a framework agreement.</p>
Kosten	<p>Gebühr: 150€ - 500€ Costs for the approval of an advertisement Gebühr: 1.200€ - 8.000€</p>

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	<p>Costs for the approval of a framework agreement Gebühr: 150€ - 500€</p> <p>Costs for the approval of a wet lease-out Gebühr: 500€ - 8.000€</p> <p>Costs for the approval of a wet lease-in</p>
Verfahrensablauf	<p>You can report or apply for a wet lease-in online or by post or fax.</p> <p>Online application:</p> <ul style="list-style-type: none"> • Go to the federal portal verwaltung.bund.de and complete the online application. • You can upload your documents directly. • The LBA will then check whether your aviation company meets all the necessary requirements. • If anything is unclear or information is missing, the LBA will contact you. • Once your application has been processed by the authority, you will receive a notification and a fee notice. You can retrieve the decision and receive the amended operating license by post. <p>Application by post or fax:</p> <ul style="list-style-type: none"> • Call up the forms on the LBA website. • Complete the forms and compile the required documents. • Send all documents to the LBA. • The further procedural steps are the same as for the online application.
Bearbeitungsdauer	<p>The processing time may vary depending on the particular circumstances of each case. The Luftfahrt-Bundesamt will provide information on the status of processing on request.</p>
Frist	<p>30 Tag(e) maximum leasing period per call.</p> <p>4 Woche(n) For wet leasing, the notification must be made 4 weeks before the start of the rental period.</p> <p>0 - 7 Tag(e)</p>

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	<p>For the notification and deregistration of wet lease-outs, the notification must be made 0 to 7 days before the tenant event. 0 - 3 Tag(e)</p> <p>In the case of a wet lease-in, the application must be submitted 0 to 3 days after the rental event due to urgent operational requirements (AOG).</p>
weiterführende Informationen	https://www.lba.de/SharedDocs/Downloads/DE/Formulare/B1/B11_Genehmigungen/Merkblaetter_Info/Merkblatt_Leasing.pdf.pdf?__blob=publicationFile&v=5
Hinweise	There are no indications or special features.
Rechtsbehelf	<ul style="list-style-type: none"> • Objection <p>You can lodge an objection within 1 month.</p>
Kurztext	<ul style="list-style-type: none"> • Wet lease approval <ul style="list-style-type: none"> • German airlines must submit various applications for the wet leasing of aircraft • Application and notification of <ul style="list-style-type: none"> • Wet lease-in • Short-term wet lease-in: call-off from a framework agreement • Wet lease-in due to urgent operational need (AOG) • Wet lease-out • Short-term deregistration of an aircraft from a framework agreement • Short-term deregistration of an aircraft from a framework agreement • Luftfahrt-Bundesamt (LBA) checks to what extent the requirements are met • Application by <ul style="list-style-type: none"> • German air carrier with a valid Air Operator Certificate (AOC) • not possible by proxy • Costs: <ul style="list-style-type: none"> • for the approval of a wet lease-in: EUR 500.00 to EUR 8,000 • for the approval of a wet lease-out: EUR 150.00 to 500.00 • for the approval of a framework agreement: EUR 1,200 to 8,000 • for the approval of an advertisement: EUR 150.00 to 500.00 • Responsible: Luftfahrt-Bundesamt

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Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	Genehmigung Wet-Lease Erteilung, Genehmigung Wet-Lease Erteilung