

TECHNICAL IMPLEMENTATION PROCEDURES
FOR
AIRWORTHINESS AND ENVIRONMENTAL
CERTIFICATION

Under
The Agreement On Civil Aviation Safety
Between
The Government Of Canada
And
The European Union*

Original Issue: MM-DD-YYY

**As a consequence of the entry into force of the Treaty of Lisbon on 1 December 2009, the European Union has replaced and succeeded the European Community and from that date exercises all rights and assumes all obligations of the European Community. Therefore, references to “the European Community” in the text of the Agreement are, where appropriate, to be read as “the European Union”. Consequently all references to “European Community” and “EC” have been replaced with “European Union” and “EU” in this document.*

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1.0 SECTION I — GENERAL

1.1 Purpose

The purpose of these Technical Implementation Procedures is to define the interface requirements and activities between Transport Canada Civil Aviation (TCCA) and the European Aviation Safety Agency (EASA) for the import, export, and continued support of civil aeronautical products. TCCA and EASA shall conduct their certification and validation activities consistent with the Agreement on Civil Aviation Safety (hereafter referred to as the Agreement) and these Technical Implementation Procedures.

Note:

Appendix D lists all acronyms used in this document.

1.2 Basis of Authority for Technical Implementation Procedures

- (1) These Technical Implementation Procedures are authorized under Annex A, Procedures for the Certification of Civil Aeronautical Products, of the Agreement on Civil Aviation Safety between the Government of Canada and the European Union, signed on 6 May 2009 and entered into force on TBD. The Agreement designates TCCA and EASA as the Competent Authorities for Canada and the European Union, respectively, so that they may perform the functions of either the Importing Party or Exporting Party, as applicable, for purposes of these Technical Implementation Procedures.
- (2) The Agreement, in addition to superseding all previous bilateral agreements and technical arrangements between Canada and the Member States of the European Union, with respect to any matters covered by the Agreement, also supersedes the Administrative Arrangement on Product Certification dated 2 February 2004 and the Administrative Agreement on Maintenance between TCCA and EASA dated 2 February 2004.

1.3 Communications

1.3.1 Changes in Certification or Approval Systems

- (1) These Technical Implementation Procedures are based upon similar certification and approval systems for civil aeronautical products being in place at the time of signing. Therefore, the Competent Authorities shall keep each other informed of significant changes within those systems, such as changes in:
 - (a) statutory responsibilities;
 - (b) organizational structure (e.g., key personnel, management structure, office location);
 - (c) airworthiness and environmental requirements, procedures and technical training;
 - (d) production quality system oversight, including system oversight outside their territory; and
 - (e) delegated or contracted functions, or the kinds of organizations to which functions have been granted, delegated or contracted.
- (2) Revision by either Competent Authority of its certification or approval system may affect the basis and the scope of these Technical Implementation Procedures. Accordingly, upon notice of such changes by a Competent Authority, the other may request a meeting to review the need to amend these Technical Implementation Procedures.

1.3.2 Language of Communications

Data and documents exchanged between the Competent Authorities under these Technical Implementation Procedures shall be in the English language.

1.3.3 Technical Consultations

- (1) The Competent Authorities should, within the framework of their regular meetings, discuss draft advisory and guidance materials and consult on new or proposed changes to the certification standards or specifications for civil aeronautical products.
- (2) The Competent Authorities agree to consult as necessary to provide input when requested on technical issues and to resolve technical disagreements. The frequency of these exchanges will depend on the number and significance of the issues to be discussed.

1.3.4 Communications Regarding Delegates and Approved Organizations

The Competent Authorities understand that there may be occasional situations where either may interact directly with a delegate or an approved organization of the other. In such cases, it is the responsibility of the initiator of the contact to notify the other as soon as possible. Any such direct communication between delegates or organizational representatives should be limited to information exchange. The Competent Authorities should always consult one another on significant validation program decisions.

1.4 Interpretations and Resolution of Conflicts

- (1) In the case of conflicting interpretations by the Competent Authorities of the laws, airworthiness or environmental regulations, standards, specifications, requirements, or acceptable means of compliance pertaining to certifications, approvals, or acceptance under these Technical Implementation Procedures, the interpretation of the Importing Party whose regulations, standards, specifications, requirements, or acceptable means of compliance are being interpreted shall prevail.
- (2) The Competent Authorities agree to resolve issues through consultation or any other mutually agreed-upon means. Every effort should be made to resolve issues at the lowest possible level before elevating the issue to higher management.
- (3) Issues that cannot be satisfactorily resolved at the working level should be expeditiously raised to the respective managements of TCCA and EASA, on a progressive level, until an agreement or compromise is reached.
- (4) Issues that cannot be satisfactorily resolved between TCCA and EASA may be raised to the Joint Sectorial Committee on Certification.
- (5) Issues that cannot be resolved by the Joint Sectorial Committee on Certification may be forwarded to the Joint Committee.

1.5 Amendments and Points of Contact

- (1) These Technical Implementation Procedures may be amended based on a decision of the Joint Sectorial Committee on Certification. Such amendments shall be made effective by signature of the duly authorized representatives of TCCA and EASA. Administrative and editorial changes to these procedures may be made by the focal points after mutual consultation.
- (2) Appendix A identifies the:
 - (a) focal points for implementation of these Technical Implementation Procedures;
 - (b) focal points for coordination of amendment of these Technical Implementation Procedures; and
 - (c) Office addresses for both EASA and TCCA.

1.6 Applicable Requirements, Procedures, and Guidance Material

The Competent Authorities agree that their respective regulations, certification standards or specifications, policies, procedures, and guidance materials for airworthiness and environmental

certification will guide these Technical Implementation Procedures. These materials and where they may be obtained are identified in Appendix B. It is not intended that this be an all-inclusive listing.

1.7 Effective Date and Termination

These Technical Implementation Procedures become effective on the date of the latest signature and shall remain in force until terminated by either Technical Agent. Either Technical Agent may terminate these Technical Implementation Procedures upon sixty days written notice to the other Technical Agent. Termination shall not affect the validity of activities conducted under these Technical Implementation Procedures prior to termination.

1.8 Terminology

In addition to the definitions in the Agreement, the following terms as used in these Technical Implementation Procedures are defined as follows:

- (a) “Acoustical Change” means a change in the type design of an aircraft or aircraft engine that results in an increase in the noise emission levels of that aircraft.
- (b) “Airworthiness Requirements” mean regulations, airworthiness standards or other certification specifications governing the design and performance of civil aeronautical products.
- (c) “Appliance” means any instrument, equipment, mechanism, part, apparatus, appurtenance or accessory, including communications equipment that is used, or intended to be used, in operating or controlling an aircraft in flight and is installed in or attached to the aircraft.
- (d) “Approved Manuals” mean manuals, or sections of manuals, requiring approval by TCCA or EASA. These include the approved sections of the Flight Manual, the airworthiness limitation section of the Instructions for Continued Airworthiness (ICA), the structural repair manual, the engine and propeller installation and operating manuals, and the certification maintenance requirements, where applicable.
- (e) “Certification Basis” consists of the applicable airworthiness and environmental requirements established by a Competent Authority as the basis by which the type design of a civil aeronautical product, or a change to that type design was approved or accepted. The certification basis may also include Special Conditions, Findings of Equivalent Level of Safety, and Exemptions or Deviations when determined by a Competent Authority to apply to the type design.
- (f) “Competent Authority” means Transport Canada Civil Aviation (TCCA) for Canada, and European Aviation Safety Agency (EASA) for the European Union, as designated under the Agreement.
- (g) “Compliance Determination” means the determination, by either TCCA’s system or EASA’s system, that the applicant has demonstrated compliance with identified individual airworthiness standards.
- (h) “Critical Part” means a part identified as critical by the design approval holder or the Exporting Party during the type validation process for the civil aeronautical product. Typically, such components include parts for which a replacement time, inspection interval, or related procedure is specified in the airworthiness limitations section or certification maintenance requirements of the Instructions for Continued Airworthiness. Specific definitions for critical parts are found within the applicable airworthiness requirements.

- (i) “Deviation” is a grant of relief from the requirements of a certification specification when processed through the appropriate regulatory procedure by EASA.
- (j) “Emissions Change” in respect of an aircraft means a change in the type design of an aircraft or aircraft engine that results in an increase in fuel venting or exhaust emissions of a turbine engine.
- (k) “Environmental Requirements” mean regulations, environmental standards, or certification specifications governing the certification of designs with regard to noise characteristics, exhaust emissions, and fuel venting of civil aeronautical products.
- (l) “Finding of Equivalent Level of Safety ” means a finding by a Competent Authority that alternative action taken provides a level of safety equal to that provided by the airworthiness requirements for which equivalency is being sought.
- (m) “Exemption” means a grant of relief from requirements of a regulation (and for TCCA, an airworthiness requirement) when processed through the appropriate regulatory procedure by TCCA or the European Commission.
- (n) “Export” means the process by which a civil aeronautical product is released from one regulatory system for subsequent use by another country.
- (o) “Exporting Party” means the organization within the exporting State charged by the laws of the exporting State, to regulate the airworthiness and environmental certification, approval, or acceptance of civil aeronautical products, parts, and appliances.
 - (i) For Canada, the Exporting Party is TCCA.
 - (ii) For the European Union, the Exporting Party is:
 - (A) EASA, for:
 - 1) the functions and tasks of the State of Design, Manufacture or Registry when related to design approval; and
 - 2) the approval of certain production organisations and their export airworthiness approvals.
 - (B) the airworthiness authority in an EU Member State, for:
 - 1) the approval of production organisations within that State;
 - 2) the issuance of corresponding Certificate of Airworthiness; and
 - 3) export airworthiness approvals.
- (p) “Import” means the process by which an exported civil aeronautical product is accepted by TCCA or EASA (on behalf of an EU Member State), for use and is subsequently placed under that authority’s regulatory system.
- (q) “Importing Party” means the organization within the importing State charged by the laws of the importing State with regulating the airworthiness and environmental certification, approval, or acceptance of civil aeronautical products.
 - (i) For Canada, the Importing Party is TCCA.
 - (ii) For the European Union, the Importing Party is:
 - (A) EASA for the functions and tasks related to design approval; and
 - (B) the airworthiness authority in the EU Member State for all other issues related to the import of a civil aeronautical product.

- (r) “Licensing Agreement” means a commercial contract between a Type Certificate (TC) or Supplemental Type Certificate (STC) holder and a production organization approval holder (or applicant) formalizing the rights and duties of both Parties to use the design data for the purpose of manufacturing the civil aeronautical product.
- (s) “Life-limited Part” means a part that, as a condition of the type certificate, may not exceed a specified time, or number of operating cycles, in service.
- (t) “Manufacturer” means a person who, by Canadian or European Union regulation, is responsible for determining that all products, parts, or appliances produced within its production quality system conform to a TCCA or EASA approved design or established government or industry standard and are in a condition for safe operation. For the European Union this includes a production organisation.
- (u) “Part Design Approval” for TCCA means a document issued by the Minister to record the approval of the design of a replacement part, identified by a part number or by some other means of identification unique to the part, for use on an aeronautical product that is identified by type or model.
- (v) “Production Quality System” means a systematic process, which meets the requirements of the Exporting Party and ensures that products, parts, and appliances will conform to the approved design and will be in a condition for safe operation. For TCCA this is known as a Production Control System.
- (w) “Restricted Type Certificate” means a type certificate in the restricted category.
- (x) “Special Condition” means:
 - (i) For TCCA: an additional airworthiness requirement prescribed by TCCA when the airworthiness standard for the category of civil aeronautical product does not contain adequate or appropriate safety standards due to novel or unusual design features of the product design. Special Conditions contain such safety requirements as TCCA finds necessary to establish a level of safety equivalent to that intended by the applicable airworthiness standards.
 - (ii) For EASA: an additional detailed technical specification prescribed by EASA when the airworthiness code for the category of civil aeronautical product does not contain adequate or appropriate safety standards due to novel or unusual design features, unconventional use of the product, or experience in service with similar products showing that unsafe conditions may develop. Special Conditions contain such safety standards as the European Union finds necessary to establish a level of safety equivalent to that intended in the applicable airworthiness code.
- (y) “Standard Part” means a part that is manufactured in accordance with an established government or industry-accepted specification, which includes design, manufacturing, and uniform identification requirements. The specification must include all information necessary to produce and conform the part, and must be published so that any person or organization may manufacture the part.
- (z) “Technical Agent” means, for Canada, the Canadian organization responsible for civil aviation (Transport Canada Civil Aviation) and for the European Union, the European Aviation Safety Agency (EASA).
- (aa) “Validation” means the Importing Party’s own process for compliance determination of a design, or a design change, as approved or certified by Exporting Party.

2.0 SECTION II — DESIGN APPROVAL

2.1 General

- (1) The procedures of this Section apply to the initial design approval of each other's civil aeronautical products, the approval of subsequent design changes, and approval of design data used in support of repairs. When validating each other's products, the Competent Authorities shall follow the validation process described in Appendix C.
- (2) These procedures are based on the high degree of mutual confidence and trust between the Competent Authorities on their technical competence, regulatory capabilities and similarities of each other's certification and approval systems. These procedures establish the process for implementing the reciprocal acceptance of each other's compliance determinations and approvals on civil aeronautical products.
- (3) Canada and the European Union recognize that they have sovereign authority over the certification and approval processes and compliance determinations within their respective jurisdictions. The procedures in this Section are not intended to diminish the responsibilities of either Competent Authority or their right to type design information. Rather, each Competent Authority has determined that its requirements, standards, practices, procedures, and systems for the certification, approval and production of civil aeronautical products are sufficiently similar to enable the Importing Party to rely on and accept, to the maximum extent practicable, the compliance determination by the Exporting Party with the Importing Party's requirements. It is agreed that if there are overwhelming reasons to go outside this defined principle, such reasons will be discussed between the Competent Authorities.
- (4) The Competent Authorities mutually recognize each other's systems of individual and organizational delegation and authorization as part of their overall certification and approval systems. Compliance determinations and approvals made pursuant to these Technical Implementation Procedures through these systems are given the same validity as those made directly by the Competent Authorities.

2.2 Limitations of Design or Design Change Approvals

- (1) A certificate or an approval issued by either Competent Authority is intended for civil aeronautical products, which have a civilian application. Civil aeronautical products that are engaged strictly in military, customs, police, search and rescue, coastguard or similar activities or services are not eligible for certification or approval under these Technical Implementation Procedures. A Competent Authority may accept an application for these products under these Technical implementation Procedures where they perform a dual role and the product has a civil certification basis.
- (2) An applicant under the jurisdiction of a Competent Authority who submits an application directly to the other Competent Authority is not eligible for certification, approval or validation under these Technical Implementation Procedures. An applicant shall submit an application through its Competent Authority to the other Competent Authority.

2.3 General Procedures for Validation of a Design or a Design Change

2.3.1 Submission of an Application

Where specified by these Technical Implementation Procedures, an application for approval of a design or a design change shall:

- (a) be made using the forms required by the Importing Party, duly completed by the applicant. The forms are available from the following websites:
 - (i) For EASA: http://www.easa.eu.int/ws_prod/c/c_app_forms.php

- (ii) For TCCA: <http://wwwapps.tc.gc.ca/Corp-Serv-Gen/5/Forms-Formulaire/English.aspx>

Note:

It may be necessary for the applicant to complete an undertaking or acknowledge its commitment to the appropriate financial requirements before the application can be processed.

- (b) be accompanied by the applicable technical data package necessary for the Importing Party to conduct preliminary administrative and technical assessments of the application;
- (c) be forwarded by the Exporting Party to the Importing Party along with a cover letter stating that the application is within the scope of these Technical Implementation Procedures; and
- (d) be acknowledged formally by the Importing Party and give notice to the Exporting Party of the contact points for purpose of further communication on the application.

2.3.2 Joint or Concurrent Certification

- (1) When TCCA, EASA, and the applicant seeking approval agree to a joint or concurrent certification/validation process, the Competent Authority performing the validation shall conduct its activities using the validation procedures contained in Appendix C.
- (2) The Competent Authorities shall document their agreement under Section VII of these Technical Implementation Procedures. This documentation shall include the details of their work-sharing program necessary to cover both type certification and post-type certification activities and shall include those elements that would be documented as part of the Validation Plan of Appendix C.

2.3.3 Projects Involving a Separate State of Design and State of Manufacture

The Competent Authorities recognize that some of their aviation industries projects may involve products designed under one Party's jurisdiction and manufactured under the other Party's jurisdiction. In such cases, the Competent Authorities shall work together to develop and document a working arrangement in accordance with Section VII of these Technical Implementation Procedures. The working arrangement shall define their respective responsibilities to ensure that the relevant functions assigned to the State of Design and the State of Manufacture under Annex 8 to the Convention on International Civil Aviation ("Chicago Convention") are carried out. Such a working arrangement shall address the continued airworthiness responsibilities assigned to the State of Design and the State of Manufacture.

2.3.4 Communications during a Certification, Approval or Validation Project

A communications protocol shall be established by the Competent Authorities at a level considered appropriate for the scope of the certification, approval or validation activity under this Section. The communications protocol shall, as a minimum, identify primary contact offices or persons, accommodate for an early exchange of information and discussion between Competent Authorities, and promote continued communications throughout the certification, approval or validation project. The contact points for TCCA and EASA for the purpose of this Technical Implementation Procedures are provided in Appendix A.

2.3.5 TCCA and EASA Validation Process

The reciprocal acceptance of compliance determinations and/or approvals on products under the Agreement shall be respected on validation projects between the Competent Authorities. The Competent Authorities agree to conduct validation activities using the validation procedures contained in Appendix C. The expectation is that the Exporting Party's certification activities would allow the Importing Party to make a compliance determination that the type design of a civil aeronautical product complies with its requirements. It is the intent of this Section that the

number of compliance determinations retained by the Importing Party be reduced as much as practicable while respecting regulatory requirements. The validation process is intended to allow:

- (a) the Importing Party to issue its design approval based on the Exporting Party's design approval and declaration that the type design has been examined and found to comply with the Importing Party's certification basis; and
- (b) the Importing Party to review selected aspects of a type design presented for design approval, due to the origin and nature of the civil aeronautical product and the validation criteria defined in Appendix C.

2.3.6 Completion of Validation

Except where these Technical Implementation Procedures provide for the automatic acceptance of an approval issued by the Exporting Party, the completion of the validation process by the Importing Party, which includes the resolution of all issues raised during the validation activity, shall result in the issuance of a corresponding approval, or an indication of its acceptance of the Exporting Party's approval as equivalent to its own. In the case where the Importing Party issues an approval, the approval shall be forwarded directly to the holder, and at the same time, a copy provided to the Competent Authority of the Exporting Party.

2.4 Type Certificate (TC)

The Importing Party shall use the following procedures for its validation and approval of an aircraft, aircraft engine or propeller for which TCCA or EASA is the Competent Authority of the State of Design.

Notes:

(i) Prior to the implementation of Subpart 521 of the CARs in December of 2009, TCCA has used the type certification system as the means to record the design approval of an appliance. Appliances that have been issued an appliance TC have a certification basis consisting of either a FAA Technical Standard Order (TSO) or a Special Condition in the case where no standards existed.

(ii) The appliance TC process is considered equivalent to that of the ETSOA, however the production approval is granted under Subpart 561 of the CARs. The appliance TC does not confer installation approval. Appliances approved under an appliance TC process should be evaluated using the criteria in respect of the CAN-TSO design approval.

2.4.1 Application for a Type Certificate

- (1) An application for a TC shall be submitted for an aircraft, aircraft engine or propeller that has been issued a TC by the Exporting Party, or for an aircraft, aircraft engine or propeller where an application for certification has been made to the Exporting Party.
- (2) The Exporting Party should ensure that the application contains the following information:
 - (a) the data required in accordance with, for TCCA, Division II and XI of Subpart 521 of the Canadian Aviation Regulations (CAR), and for EASA, in accordance with EASA Part 21A.15;
 - (b) a copy of the Exporting Party's TC and TC data sheet, if available, that identifies the certification basis upon which the Exporting Party's design approval was based. In the absence of a TC data sheet, the Exporting Party should submit the document that defines the certification basis;
 - (c) the date of application for a TC to the Exporting Party;
 - (d) the applicant's requested date for completion of type certification;

- (e) the applicant's proposed certification basis, which includes the amendment level of the applicable airworthiness and environmental requirements of the Importing Party; and
 - (f) any other technical data requested by the Importing Party in order to proceed with the application.
- (3) If known at the time of application, the application should also contain the following:
- (a) a description of all novel or unusual design features known to the applicant or the Exporting Party, which might necessitate issuance of Special Conditions or may require a review of the acceptable means of compliance;
 - (b) all known or expected exemptions or deviations, or Findings of Equivalent Level of Safety relative to the Exporting Party's standards for design approval that might affect compliance with the applicable Importing Party's airworthiness and environmental standards; and
 - (c) available information on Canadian or European Union customers and delivery schedules.
- (4) The Importing Party shall acknowledge receipt of the application and notify the Exporting Party of the subsequent procedures for the validation and its proposed certification basis.
- (5) TCCA and EASA may accept applications for concurrent or joint type certification/validation in accordance with 2.3.2 above.

2.4.2 Establishing the Certification Basis for the Type Certificate

For the purpose of validation by the Importing Party, the certification basis shall be developed using:

- (a) the applicable airworthiness requirements of the Importing Party in effect on the date of application for a TC to the Exporting Party.
- (b) for TCCA, the applicable environmental requirements are those that were in effect on the date of application for the TC to the Exporting Party and are specified in Chapter 516 of the Airworthiness Manual (AWM) and Divisions II and XI of Subpart 521 of the CARs.
- (c) for EASA, the procedural requirements in effect on the date of application for the TC to the Importing Party that enable the determination of the applicable environmental requirements.

2.4.3 Type Certificate Validation by the Importing Party

The Importing Party shall conduct its validation of a TC for an aircraft, aircraft engine or propeller in accordance with the applicable procedures of Appendix C.

2.4.4 Issuance of a Type Certificate

The Importing Party shall issue a TC for an aircraft, aircraft engine or propeller when:

- (a) the applicant has demonstrated and declared compliance to the Importing Party's certification basis;
- (b) the Exporting Party has issued a statement of compliance to the Importing Party's certification basis;
- (c) the Exporting Party has issued its own TC for the aircraft, aircraft engine or propeller; and
- (d) the Importing Party has completed its validation procedures for a TC.

2.5 Restricted Type Certificate (RTC)

For aircraft that have been, or shall be, granted a Restricted TC, a Competent Authority may agree to validate such aircraft designs on a case-by-case basis. In such a case, the Competent Authorities agree to follow the procedures in 2.4 above.

2.6 Supplemental Type Certificate (STC)

The Importing Party shall use the following procedures for its approval of a design change to a civil aeronautical product that is type certified in both Canada and the European Union.

Note:

For EASA STCs associated with replacement part design, the procedures of section 2.9 of this document should be used.

2.6.1 Application for a Supplemental Type Certificate

- (1) An application for an STC shall be submitted for a civil aeronautical product:
- (a) that has been issued a TC by both Competent Authorities, regardless of the State of Design of the product;
 - (b) for which one of the Competent Authorities is the State of Design for the design change; and
 - (c) for which one of the Competent Authorities has approved the design change through the issuance of an STC.

Note:

TCCA, EASA, and the applicant may agree to a joint or concurrent certification/validation process as per section 2.3.2.

- (2) The Exporting Party should ensure that each application contains the following information:
- (a) the data required and a description of the design change, in accordance with Divisions V and XI of Subpart 521 of the CARs for TCCA, and in accordance with Part 21.113(a) for EASA, including the information to fulfill Part 21.113(b) regarding a link to the TC holder or adequacy of the applicant's own resources;
 - (b) a copy of the Exporting Party's STC that identifies the certification basis upon which the Exporting Party's design approval was based. In the absence of the STC, the exporting party should submit the document that defines the certification basis;
 - (c) the date of application for an STC to the Exporting Party;
 - (d) the applicant's requested date for completion of the STC;
 - (e) the applicant's proposed certification basis, which includes the amendment level of the applicable airworthiness and environmental requirements of the Importing Party; and
 - (f) any additional technical data that may be requested by the Importing Party in order to proceed with the application, but not limited to the following:
 - (i) *Compliance Checklist;*
 - (ii) *Airplane/Rotorcraft Flight Manual Supplement;*
 - (iii) *Master Documentation List/Master Drawing List;*
 - (iv) *Manufacturing and Installation Instruction Drawings;*
 - (v) *Maintenance/Repair Manual Supplements;*
 - (vi) *Weight and Balance data; and*

(vii) *Instructions for Continued Airworthiness.*

- (3) If known at the time of application, the application should also contain the following:
- (a) a description of all novel or unusual design features known to the applicant or the Exporting Party, which might necessitate issuance of Special Conditions or may require a review of the acceptable means of compliance;
 - (b) all known or expected exemptions or deviations, or equivalent level of safety findings relative to the Exporting Party's standards for design approval that might affect compliance with the applicable Importing Party's airworthiness and environmental standards; and
 - (c) available information on Canadian or European Union customers and delivery schedules.
- (4) In the case of applications from Canada where an STC applicant has not entered into an arrangement with the TC holder as set out in EASA Part 21A.113, TCCA shall review and confirm the applicant's justification that such an arrangement is not necessary as the information on which the application is based is adequate from the applicant's own resources. The applicant's justification and the TCCA concurrence statement shall be provided to EASA.
- (5) The Importing Party shall acknowledge receipt of the application and notify the Exporting Party of the subsequent procedures for the validation and its proposed certification basis.
- (6) The Competent Authorities may accept applications for concurrent or joint supplemental type certification/validation in accordance with 2.3.2 above.

2.6.2 Establishing the Certification Basis for the Supplemental Type Certificate

For the purpose of supplemental type certification by the Importing Party, the certification basis shall be developed:

- (a) using the Importing Party's procedures and its applicable airworthiness requirements as determined in a manner that is consistent with the criteria that is used to establish the certification basis for a domestic STC of similar design and service history. These requirements are defined, for TCCA in section 521.157 of the CARs and for EASA in EASA Part 21A.101;
- (b) using the date of application to the Exporting Party for the STC, as the date that is to be used for the purpose of determining the Importing Party's certification basis; and,
- (c) using in the case of a design change involving an acoustical or emissions change:
 - (i) for TCCA, the applicable environmental requirements are those that were in effect on the date of application for the STC to the Exporting Party, of Chapter 516 of the Airworthiness Manual, as set out in Division IV, V or XI of Subpart 521 of the CARs; and
 - (ii) for EASA, the procedural requirements in effect on the date of application for the STC to the Importing Party that enable the determination of the applicable environmental requirements.

2.6.3 Supplemental Type Certificate Validation by the Importing Party

The Importing Party shall conduct its validation of an STC for a civil aeronautical product in accordance with the applicable procedures of Appendix C.

2.6.4 Issuance of the Supplemental Type Certificate

The Importing Party shall issue an STC for a civil aeronautical product when:

- (a) the applicant has demonstrated and declared compliance to the Importing Party's certification basis;

- (b) the Exporting Party has issued a statement of compliance to the Importing Party's certification basis;
- (c) the Exporting Party has issued its own STC for the product; and
- (d) the Importing Party has completed its validation procedures for an STC.

2.7 Supplemental Type Certificate for Special-Purpose Operations

For an STC intended for an aircraft to be reconfigured for use in a special-purpose operation, and the proposed configuration is not eligible for a standard Certificate of Airworthiness, the Importing Party may agree to validate such a design change on a case-by-case basis. In such a case, the Competent Authorities agree to follow the procedures of 2.6 above.

2.8 European Technical Standard Order Authorization (ETSOA) and Canadian Technical Standard Order Design Approval

Notes:

(i) TCCA issues Canadian Technical Standard Order (CAN-TSO) design approvals under Division III of Subpart 521 of the CARs, to record the approval of the design of an appliance. The authority to produce the appliance requires that a manufacturer certificate be granted under Subpart 561 of the CARs.

(ii) Prior to Dec 2009 TCCA approved the design of an appliance through the issuance of an appliance TC where the certification basis was based on adopted FAA Technical Standard Orders or standards defined through the issuance of a Special Condition. The authority to manufacture the appliance requires that a manufacturer certificate be granted under Subpart 561 of the CARs. These appliance TCs do not confer installation approval.

(iii) Where the certification basis of a TCCA appliance TC consists of a common TSO discussed in 2.8.1, that appliance shall be automatically accepted as set out in 2.8.2 and 2.8.3.

(iv) CAN-TSO-C148 fasteners, CAN-TSO-C149 bearings, and CAN-TSO-C150 seals are not eligible for approval through an ETSOA. EASA considers such parts to be standard parts and as such they do not require approval under an ETSOA.

(v) Design approvals for Auxiliary Power Units (APU) shall be subject to the application and validation requirements set out in Appendix C4.0.

2.8.1 Common Technical Standard Orders

- (1) The Competent Authorities shall agree on a list of common Technical Standard Orders that are:
 - (a) common for use in Canada and the European Union; and
 - (b) found technically equivalent to each other's standards.
- (2) The establishment and maintenance of a list of common TSOs shall be done in accordance with the procedures jointly developed by the Competent Authorities, and approved by the Joint Sectorial Committee on Certification as required under the Agreement. Each Competent Authority shall publish and make available the list of common TSOs:
 - (a) For EASA, the common TSOs shall be based on European TSOs (ETSOs).
 - (b) For TCCA, the common TSOs shall be based on Canadian TSOs (CAN-TSOs), which are identified in Chapter 537 of the AWM.
- (3) Either Competent Authority may recommend changes (either additions or removals) to the list of common TSOs by giving notice to the other of its intent, and rationale for the change. Any change to the list of common TSOs shall be the subject of discussion and agreement between

the Competent Authorities, and the changes shall be approved in accordance with the agreed procedures. The validity of an ETSO Authorization (ETSOA) or a CAN-TSO design approval issued prior to the removal of the TSO from the list of common TSOs shall not be affected.

- (4) Each Competent Authority shall notify the other of changes to its TSOs that may affect the technical equivalence of the common TSOs established under paragraph 2.8.1.

2.8.2 Acceptance of Non-TSO Functions

- (1) The Importing Party shall accept, without further validation, data related to non-TSO functions that are integrated into an appliance approved to a common TSO when:
- (a) the non-TSO functions included in the appliance do not interfere with the functionality of the appliance and/or its ability to comply with the TSO;
 - (b) the data provided with the appliance relative to non-TSO functions is valid data as processed by the Exporting Party granting the approval; and
 - (c) the non-TSO functions are covered under the ETSOA or CAN-TSO design approval holder's quality system.
- (2) The acceptance of this additional data does not constitute installation approval.

2.8.3 Reciprocal Acceptance

- (1) When either Competent Authority grants its ETSOA or CAN-TSO design approval based on a common TSO the other Competent Authority shall automatically accept that approval as equivalent to having granted and issued its own approval.
- (2) The reciprocal acceptance of an ETSOA or a CAN-TSO design approval under the Agreement shall be based on the following conditions:
- (a) the appliance meets the common TSO, as evidenced by a statement or declaration of conformity by the ETSOA or the CAN-TSO design approval holder;
 - (b) if applicable, deviations or exemptions from the common TSO are substantiated and have been approved by the Exporting Party in conformity with the requirements of its regulatory system;
 - (c) the Exporting Party has determined compliance and as a result issued its own ETSOA or CAN-TSO approval, in accordance with its regulations;
 - (d) the Exporting Party issuing the ETSOA or CAN-TSO approval, exercises continued safety oversight functions for those TSO products; and
 - (e) any additional conditions defined in Appendix C4.2:
- (3) Each Competent Authority shall apply, without further investigation, the reciprocal acceptance of an ETSOA or a CAN-TSO design approval under these Technical Implementation Procedures, unless the conditions for reciprocal acceptance are no longer met.
- (4) Where reciprocal acceptance of an ETSOA or a CAN-TSO design approval is not possible that appliance shall be subject to the application and validation requirements set out in Appendix C4.0.

2.9 Reciprocal Acceptance of Replacement Parts

2.9.1 Replacement Parts

- (1) The term replacement part, as used in these Technical Implementation Procedures, assumes a general meaning of a part intended to be installed in the place of a part specified in the type design of a civil aeronautical product. The references to a replacement part approval in these Technical Implementation Procedures are:

- (a) For EASA, a replacement part design approved using a Supplemental Type Certificate (STC); and
 - (b) For TCCA, a replacement part design approved using a Part Design Approval (PDA).
- (2) The Competent Authorities shall not approve a replacement part where that part is a critical part or a life-limited part. These parts shall be approved using an STC as set out in 2.6.

2.9.2 Reciprocal Acceptance

- (1) Except as stated in (2) below, the Competent Authorities agree that when either grants its own approval for a replacement part as set out in 2.9.1 above, such approval will be automatically accepted by the other Competent Authority as being equivalent to having granted and issued its own replacement part approval. In this case, an application and a validation will not be required. The reciprocal acceptance of replacement parts under the Agreement is based on the following agreed and underlying conditions:
- (a) TCCA or EASA is the Competent Authority of the State of Design for the replacement part;
 - (b) the replacement part applies to a civil aeronautical product that has been certified or validated by both Competent Authorities, regardless of the State of Design of the product;
 - (c) the replacement part has been approved in accordance with the approval procedures of the Competent Authority of the State of Design of the replacement part;
 - (d) the Competent Authority that issued the approval shall exercise continued safety oversight functions for those replacement parts; and
 - (e) any additional conditions defined in Appendix C5.1.
- (2) Each Competent Authority shall apply, without further investigation, the reciprocal acceptance of replacement parts under these Technical Implementation Procedures, unless the conditions for reciprocal acceptance are no longer met.

Notes:

(i) At the time of signing of the Agreement, the European Union has no standalone design approval for a replacement part. EASA approves replacement parts through the issuance of an STC.

(ii) TCCA shall automatically accept those STCs issued by EASA where it can be clearly established that the approval is for a replacement part, which meets the conditions of (1) above.

(iii) TCCA does not issue PDA for life-limited parts.

2.10 Repair Design

- (1) Except as stated in (2) below, the Competent Authorities agree that when either grants its own approval for a repair design, such approval will be automatically accepted by the other Competent Authority as being equivalent to having granted and issued its own repair design approval. In this case, an application and a validation will not be required. The reciprocal acceptance of repair design approvals under the Agreement is based on the following agreed and underlying conditions:
- (a) TCCA or EASA is the Competent Authority of the State of Design for the repair design;
 - (b) the repair data applies to a civil aeronautical product that has been certified or validated by both Competent Authorities, regardless of the State of Design of the product;

- (c) the repair design has been approved in accordance with the approval procedures of the Competent Authority of the State of Design for the repair;
 - (d) the Competent Authority that granted or issued the approval exercises continued safety oversight functions for that repair design; and
 - (e) any additional conditions defined in Appendix C6.0.
- (2) The Competent Authorities shall require the submission of an application for a repair design for its direct approval as Importing Party when the repair design is for:
- (a) a critical part or a life-limited part, if the repair design was developed by a person other than the holder of the TC,STC or other equivalent approval for the affected civil aeronautical product; or
 - (b) an area that is the subject of an airworthiness directive by the Importing Party, unless such airworthiness directive allows for the acceptance of a repair design approved by the Exporting Party.
- (3) Repair designs for the fabrication of new parts, which result in a change in type design, are not eligible for reciprocal acceptance under these Technical Implementation Procedures.
- (4) Each Competent Authority shall apply, without further investigation, the reciprocal acceptance of repair design approvals under these Technical Implementation Procedures, unless the conditions for reciprocal acceptance are no longer met.
- (5) Each Competent Authority shall notify the other of changes to its repair design approval processes or procedures that affect the validity of a repair design accepted under these Technical Implementation Procedures.

2.11 Evaluation of Operational and Maintenance Aspects

- (1) The Competent Authorities shall evaluate the operational and maintenance aspects of the TC, STC, and repair design using their own respective internal procedures, or using a common procedure that provides for a single assessment acceptable to both Competent Authorities.
- (2) The Competent Authorities shall accept a Maintenance Review Board (MRB) Report and associated Instructions for Continued Airworthiness (ICA) documentation when developed jointly. Changes to this documentation may also be addressed jointly. In the absence of a joint MRB, TCCA and EASA shall conduct their own MRB or equivalent process, in accordance with their own internal procedures, to develop acceptable ICA. Differences in the required ICA, if any, shall be communicated and resolved between the Competent Authorities.

2.12 Approved Manuals

2.12.1 Initial Approval of Manuals

The Exporting Party shall submit to the Importing Party for review and acceptance all Approved Manuals. Following a review of the submitted Approved Manuals and notification by the Importing Party of its acceptance, the Exporting Party shall approve the Manual(s) on behalf of the Importing Party.

2.12.2 Changes to Approved Manuals

The Competent Authorities may authorize the review and approval of revisions to Flight Manuals and other Approved Manuals, supplements, and appendices on behalf of each other in order to facilitate their timely approval. If the Competent Authorities agree to such an arrangement, the Exporting Party shall:

- (a) notify the Importing Party of changes to the existing approved limitations, performance, weight and balance, or procedures of Approved Manuals, and changes to any parts of the Approved Manuals for which the Importing Party retained the compliance

determination during its validation. For these changes, the Importing Party shall review the changes and notify the Exporting Party of its acceptance. Following the notification of acceptance, the Exporting Party shall approve the changes on behalf of the Importing Party; and

- (b) review editorial, administrative, and other minor changes on behalf of the Importing Party, and ensure that those changes meet the Importing Party's requirements. For these changes, the Importing Party may authorize the Exporting Party to approve such revisions on its behalf without prior notification. Such revisions shall be submitted promptly for the Importing Party's record.

2.12.3 Authorization to Approve

The authorization of a Competent Authority to sign on behalf of the other must be documented clearly between the appropriate persons or offices responsible for the Approved Manuals.

2.13 Changes to the Approved Design

2.13.1 Changes to the Type Design by the TC or STC Holder

- (1) The Exporting Party shall define the proposed design changes relative to the Importing Party's current definition of the approved type design.
- (2) Design changes are classified into two categories, as required by the Agreement. The criteria and procedures for the classifications are contained in Appendix C.
 - (a) For the category of design changes that require the involvement of the Importing Party, the Importing Party shall approve the design changes following receipt of a written statement by the Exporting Party that the design changes comply with the certification basis. In order to fulfill its obligations under this subparagraph, the Exporting Party may provide individual statements for each design change or collective statements for lists of approved design changes; and
 - (b) For all other design changes the approval of the Exporting Party constitutes a valid approval of the Importing Party without additional action.
- (3) For purposes of validation, the Importing Party's certification basis shall be developed:
 - (a) using the applicable airworthiness requirements of the Importing Party as determined, for TCCA, in accordance with Division IV and XI of Subpart 521 of the CARs, and for EASA in accordance with EASA Part 21A.101;
 - (b) using the date of application to the Exporting Party for the design change, as the date that is to be used for the purpose of determining the Importing Party's certification basis, which is consistent with that for a similar domestic design change; and
 - (c) in the case of a design change involving an acoustical or emissions change,
 - (i) for TCCA, the applicable environmental requirements are those that were in effect on the date of application for the change to the Exporting Party, of Chapter 516 of the AWM, as set out in Division IV or XI of Subpart 521 of the CARs; and
 - (ii) for EASA, the procedural requirements in effect on the date of application for the change to the Importing Party that enable the determination of the applicable environmental requirements.
- (4) The Competent Authority shall address relevant changes to the ICAs during its design change approval. If changes to the ICA are required, these changes must be communicated to the Importing Party.

2.13.2 Design Changes by a Person other than the TC or STC Holder

- (1) For major changes to a type design by a person other than the TC or STC Holder, the Competent Authorities agree to follow the design change approval procedures in 2.6.
- (2) For minor changes to a type design by a person other than the TC or STC Holder, the change shall be accepted or approved in accordance with the respective procedures of TCCA and EASA for such change. Once a minor change is approved under the system of either Competent Authority, then the minor change is considered approved by the other.

2.13.3 Changes to an Appliance Approved to an ETSOA or a CAN-TSO Design Approval

- (1) Major design changes to an appliance approved to a common TSO that is accepted under 2.8 require substantiation of the new design and issuance of a new approval under the respective approval systems of the appropriate Competent Authority.
- (2) For Minor design changes approved by the ETSOA or CAN-TSO design approval holder that remain within the scope of the appliance approval, the Competent Authorities shall rely on each other's system of compliance determination. Neither Competent Authority shall require notification of these minor changes, except in the case of an APU where such changes result in a new APU model designation.

2.13.4 Changes to a Repair Design

Design changes to an approved repair require approval by the Competent Authority that originally approved the repair design. The approving Competent Authority shall ensure that the approval continues to be valid and eligible for recognition under 2.10. Neither Competent Authority shall require notification of these changes, except where the repair is no longer eligible for reciprocal acceptance.

2.14 Coordination between Design and Production

When a Competent Authority, or in the case of EASA a national airworthiness authority of a Member State, grants a production approval for a civil aeronautical product in its territory based on design data obtained from a design approval holder in the other's jurisdiction, the Competent Authority, or in the case of EASA a national airworthiness authority of a Member State, shall ensure that the design approval holder collaborates with the production organisation as required under Part 21A.4 or Subpart 561 of the CARs, to ensure:

- (a) satisfactory coordination of design and production as appropriate:
 - (i) to ensure correct and timely transfer of up-to-date applicable design data (e.g., drawings, material specifications, dimensional data, processes, surface treatments, shipping conditions, quality requirements, etc.) to the production organization;
 - (ii) to provide visible statement(s) of approved design data;
 - (iii) to deal adequately with production deviations and non conforming parts in accordance with the applicable procedures of the design organisation and the production organisation approval holder; and
 - (iv) to achieve adequate configuration control of manufactured parts, to enable the production organisation to make the final determination and identification for conformity or airworthiness release; and
- (b) the proper support of the continued airworthiness of the civil aeronautical product.

3.0 SECTION III — CONTINUING AIRWORTHINESS

3.1 General

The Competent Authorities respectively agree to fulfill the applicable continuing airworthiness obligations assigned to ICAO Contracting States under Annex 8 to the Convention on International Civil Aviation. The functions of the State of Design, and where appropriate, State of Manufacture or State of Registry are to be carried out by the appropriate Competent Authority. These procedures are intended to facilitate the fulfillment of those obligations and for the timely resolution of in-service safety issues arising on civil aeronautical products under their respective jurisdictions.

3.2 Continuing Airworthiness Obligations

- (1) Under International Civil Aviation Organization (ICAO) Annex 8, the State of Design is responsible for resolving in-service safety issues related to a civil aeronautical product's design or production. The State of Design shall provide applicable information, which it has found to be necessary for mandatory modifications, required limitations and/or inspections to the Importing Party to ensure continued operational safety of the civil aeronautical product. The Importing Party will review and normally accept the corrective actions taken by the State of Design in the issuance of, or as part of, its own mandatory corrective actions.
- (2) The State of Design shall, upon request, assist in determining any actions considered necessary by the Importing Party for the continued safety of civil aeronautical products operating under its jurisdiction. The Importing Party decides the final action to be taken with respect to these civil aeronautical products.

3.3 Failure, Malfunction and Defect Reporting

Note:

For the purpose of 3.3, the reporting of failures, malfunctions and defects to the Competent Authorities is in respect of those failures, malfunctions and defects that have resulted in or may result in an unsafe condition. For TCCA this is known as a reportable service difficulty.

- (1) The Competent Authorities agree to perform the following functions for those civil aeronautical products for which they are the State of Design:
 - (a) tracking of reports on failures, malfunctions and defects, other service difficulty reports, and accident/incidents;
 - (b) evaluating failures, malfunctions and defects, and the results and/or conclusions drawn from accident or incident investigations;
 - (c) investigating and resolving unsafe conditions;
 - (d) advising the Importing Party of known unsafe conditions and the necessary corrective actions (see 3.4);

Notes:

(i) In the case of TCCA, this information is provided through the Continuing Airworthiness Web Information System (CAWIS), which provides access to the Web Service Difficulty Reporting System (WSDRS) for reports of failures, malfunctions and defects, and to the Airworthiness Directives database. Both systems can be accessed at: <http://wwwapps3.tc.gc.ca/Saf-Sec-Sur/2/cawis-swimn/logon-cs0101.asp?lang=E#>

(ii) In the case of EASA, this information is provided through the Airworthiness Directive publishing tool, which can be accessed at: <http://ad.easa.europa.eu/>

- (e) providing the Importing Party, upon request, with the following:
 - (i) reports of failures, malfunctions and defects;
 - (ii) status of investigations into failures, malfunctions and defects and accidents/incidents;
 - (iii) copies of final reports reached in its investigation into failures, malfunctions and defects, if available; and
 - (f) making a reasonable effort to resolve issues raised by the Importing Party concerning matters of safety for civil aeronautical products operated or used in its jurisdiction.
- (2) TCCA and EASA, as Importing Parties, agree to perform the following functions:
- (a) advise each other of failures, malfunctions and defects and accidents/incidents which are believed to be potentially unsafe conditions occurring on the civil aeronautical products which are imported from that country;
 - (b) support the Exporting Party in investigations of unsafe conditions and their occurrences on the imported aircraft; and
 - (c) advise the Exporting Party, if as a result of investigations made by the Importing Party into failures, malfunctions and defects and accidents/incidents, it has determined that it will implement its own mandatory corrective action(s).
- (3) Failure, malfunction and defect reports shall be transmitted in the manner required by the State of Design, as follows:
- (a) for TCCA, through the TCCA web-based Web Service Difficulty Reporting System, which will forward the failures, malfunctions and defects (known as Service Difficulty Reports) to the TC holder; and
 - (b) for EASA, directly to the TC holders, who then are responsible to report to the EASA PCM per applicable EASA procedures.

3.4 Unsafe Conditions and Mandatory Continuing Airworthiness Information

- (1) The Competent Authorities agree to perform the following activities for the civil aeronautical products for which they function as the State of Design:
- (a) issue mandatory continuing airworthiness information (such as an airworthiness directive) whenever the Competent Authority determines that an unsafe condition exists in a civil aeronautical product, or is likely to exist or develop in a product of the same type design. This may include a civil aeronautical product that has another product installed on it and the installation causes the unsafe condition. The contents of such a mandatory continuing airworthiness information should include, but are not limited to, the following:
 - (i) make, model, and serial numbers of affected civil aeronautical products;
 - (ii) description of the unsafe condition, reasons for the mandatory action, and its impact on the overall aircraft and continued operation;
 - (iii) description of the cause of the unsafe condition (e.g., stress corrosion, fatigue, design problem, quality control, suspected unapproved part);
 - (iv) the means by which the unsafe condition was detected and, if resulting from in-service experience, the number of occurrences may be provided; and
 - (v) corrective actions and corresponding compliance times, with a list of the relevant manufacturer's service information including reference number, revision number and date.

Note:

TCCA does not necessarily automatically issue an airworthiness directive. It may allow the manufacturer to campaign the replacement of defective parts. Where that campaign is not successful, then TCCA will issue an airworthiness directive.

- (b) issue a revised or superseding mandatory continuing airworthiness information whenever the Exporting Party finds any previously issued mandatory continuing airworthiness information was incomplete or inadequate to fully correct the unsafe condition;
- (c) notify the Importing Party, and affected State(s) of Registry in the case of the European Union, of the unsafe condition and the necessary corrective actions by transmitting by e-mail or other mutually accepted means a copy of the mandatory continuing airworthiness information at the time of publication;

Note:

The Competent Authorities are encouraged to provide an advance copy of the mandatory continuing airworthiness information.

- (d) notify the Importing Party and affected State(s) of Registry in the case of the European Union, of any emergency airworthiness information;
- (e) assist the Importing Party in defining the appropriate actions to take in the issuance of its own mandatory continuing airworthiness information; and
- (f) provide the Importing Party with a summary index list of mandatory continuing airworthiness information issued by the State of Design for civil aeronautical products operated or used by the Importing Party.

Notes:

(i) In the case of TCCA, this information is provided through the Continuing Airworthiness Web Information System (CAWIS), which provides access to the Web Service Difficulty Reporting System (WSDRS) for reports of failures, malfunctions and defects, and to the Airworthiness Directives database. Both can be accessed at: <http://www.wapps3.tc.gc.ca/Saf-Sec-Sur/2/cawis-swimn/logon-cs0101.asp?lang=E#>

(ii) In the case of EASA, this information is provided through the Airworthiness Directive publishing tool, which can be accessed at: <http://ad.easa.europa.eu/>

- (2) The Competent Authorities recognize that they may disagree as to the finding of an unsafe condition. If such a disagreement arises, the Importing Party will normally consult with the State of Design prior to issuing its own airworthiness directive. The State of Design will work with the TC holder to provide sufficient information, e.g. service bulletins, to the Importing Party in a timely manner for its use in issuing this unilateral airworthiness directive.
- (3) The Importing Party may issue its own mandatory continuing airworthiness information to address all unsafe conditions on affected products that have been certified, approved or otherwise accepted by the Importing Party. The Competent Authorities agree to respond quickly when the State of Design issues a mandatory continuing airworthiness information.

Note:

For an appliance or part where the Importing Party automatically accepts the approval under 2.8.3 or 2.9.2 as equivalent to having granted and issued its own approval, any mandatory continuing airworthiness information issued by the State of Design for the appliance or part shall be automatically accepted by the Importing Party.

3.5 Alternative Means of Compliance (AMOC) to Mandatory Continuing Airworthiness Information

- (1) An AMOC of general applicability that is issued by either Competent Authority for its own State of Design civil aeronautical products is considered automatically accepted by the other Competent Authority.
- (2) The State of Design shall, upon request, assist in determining the acceptability of a specific AMOC request submitted to the Importing Party on an airworthiness directive that has been issued by the State of Design for its own civil aeronautical products.

4.0 SECTION IV — ADMINISTRATION OF DESIGN APPROVALS

4.1 General

This Section addresses the procedures for the transfer, surrender, withdrawal, revocation or suspension of certificates or approvals on civil aeronautical products that have been validated or accepted by either Competent Authority under these Technical Implementation Procedures.

4.2 Transfer of a TC or STC

4.2.1 Transfer General

- (1) The transfer of a certificate shall comply with the requirements of the applicable Competent Authority:
 - (a) For Canada, the requirements of Subpart 521 of the CARs do not permit the transfer of a certificate without the written approval of TCCA. Additionally, before accepting the State of Design responsibilities, it is TCCA's policy to review the certificate held by a non-Canadian person that is being transferred to a Canadian person, the products included in the transfer, and the eligibility and ability of the new Canadian holder to fulfill the responsibilities of a certificate holder; and
 - (b) For the European Union, EASA shall transfer a certificate only when it has been satisfied that the applicant is able to undertake the responsibilities in EASA Part 21 and that the TCCA certificate has been transferred to the same applicant.
- (2) The responsibilities of the State of Design referred to in this Section are those contained in Annex 8 to the Convention on International Civil Aviation, Airworthiness of Aircraft. Any other responsibilities on civil aeronautical products assigned to TCCA and EASA, as Competent Authorities, are derived from their respective regulations.
- (3) The transfer of the State of Design responsibilities has to be mutually agreed to by both Competent Authorities. If agreement cannot be reached, then the affected certificate may be revoked by the incumbent State of Design and the affected ICAO Contracting States notified of such an action.
- (4) Each Competent Authority shall administer the procedures for the transfer of certificates only where an applicant, who is to become the holder, agrees to fulfill responsibilities for both the TCCA and EASA certificates, and the affected operating fleet. Otherwise paragraph (3) above applies.
- (5) TCCA and EASA acknowledge that the design data are the property of the certificate holder.

4.2.2 Transfer Without a Change in State of Design Functions

The transfer of a certificate between persons located in Canada or within the European Union, which does not involve a change in the State of Design functions for TCCA or EASA, shall be administered according to the requirements of the incumbent State of Design. TCCA or EASA shall notify each other of any formally completed transfer of a certificate, so that the corresponding certificate issued by the other Competent Authority can be re-issued to reflect the change. TCCA or EASA shall provide assistance where necessary so that either Competent Authority is satisfied that the new certificate holder is able to fulfill the responsibilities of a certificate holder under the requirements of the Competent Authority.

4.2.3 Transfer With a Change in State of Design Functions

The transfer of a certificate between persons of different jurisdictions, which involves a transfer of the State of Design functions from one Competent Authority to the other Competent Authority, shall be administered according to a transfer plan agreed to between TCCA and EASA. The purpose of the transfer plan is to describe the process that will be used by TCCA and EASA to

satisfactorily complete the transfer of a certificate and its associated responsibilities to the new certificate holder and the new State of Design. The transfer plan shall be:

- (a) specific to the certificate being transferred;
- (b) initiated by the incumbent State of Design; and
- (c) terminated upon issuance of a certificate by the new State of Design.

4.2.4 Transfer Plan and Notification

- (1) The transfer plan referred to in 4.2.3 above should be drafted at the beginning of the process and should cater to the size and scope of the certificate being transferred. The plan should establish, but is not limited to:
 - (a) points of contact for the transfer;
 - (b) the transfer of design data to the new holder;
 - (c) the responsibilities of each Competent Authority during the transfer process;
 - (d) the responsibilities of the holder and applicant during the transfer process;
 - (e) the civil aeronautical products or type design being transferred;
 - (f) transfer of knowledge on continuing airworthiness issues;
 - (g) production issues;
 - (h) the needed resources and project timelines;
 - (i) the transfer schedule;
 - (j) how a request between the Competent Authorities for assistance in making additional compliance determinations on the other's behalf will be accomplished;
 - (k) how to enhance a Competent Authority's understanding of the design;
 - (l) how procedural differences will be resolved, and how those resolutions will be recorded;
 - (m) how differences between the original certification basis and the one under consideration may be minimized; and
 - (n) details about the manufacturing of parts related to the type design.
- (2) Upon transfer of a certificate, the Competent Authority of the new State of Design shall notify all affected ICAO Contracting States of the transfer, the new certificate, the new person responsible for the type design, and the mailing address for submitting reports of failures, malfunctions and defects and other service difficulties.

4.3 Surrender of a TC or STC

If a certificate holder voluntarily surrenders a TC or STC issued by either Competent Authority, that Authority shall immediately notify the other in writing. This notification must include information on the known civil aeronautical products operating in Canada or the European Union, as applicable. The Competent Authority shall continue to exercise its continuing airworthiness responsibilities as the State of Design for the surrendered certificate, and inform the other of any identified unsafe conditions until such time as they:

- (a) reissue the TC or STC to a new holder after the new holder demonstrates competence to fulfill the necessary obligations; or
- (b) revoke the TC or STC. Prior to termination, the Exporting Party shall notify the Importing Party of the pending revocation.

4.4 Revocation or Suspension of a TC or STC

- (1) If a State of Design takes action to revoke or suspend a TC or STC, it shall immediately notify the Importing Party of its action. Upon such notification, the Importing Party shall determine for itself if a corresponding action is warranted.
- (2) The State of Design in revoking or suspending a certificate shall provide the Importing Party information on the known civil aeronautical products operated or used in the State of the Importing Party.

4.5 Surrender or Withdrawal of an Approval (ETSOA, CAN-TSO Design Approval, Part Design Approval or Repair Design)

Note:

At the time of signing of the Agreement (6 May,2009), the European Union has no standalone design approval for a replacement part. EASA approves replacement parts through the issuance of an STC.

4.5.1 Surrender

If the holder of an ETSOA, CAN-TSO Design Approval, part design approval or repair design approval surrenders such an approval, the responsible Competent Authority shall immediately notify the other of the action. The Competent Authority that issued the approval shall inform the other when an unsafe condition has been identified, until such time as the issuing Competent Authority formally withdraws the surrendered approval.

4.5.2 Withdrawal

If an ETSOA, CAN-TSO Design Approval, part design approval or repair design approval is withdrawn, the responsible Competent Authority shall immediately notify the other of the action. The Competent Authority that issued the approval shall inform the other when an unsafe condition or a non-compliance situation has been identified. The issuing Competent Authority shall investigate the unsafe condition or non-compliance situation for corrective action and notify the other of the corrective action.

4.5.3 Surrender or Withdrawal

In the case of either a surrender or withdrawal of an ETSOA, CAN-TSO Design Approval, part design approval or repair design approval, the Competent Authority that granted the approval still has responsibility for the continued airworthiness of the repair design and those parts and appliances manufactured under its authority.

5.0 SECTION V — EXPORT AIRWORTHINESS APPROVAL

5.1 General

- (1) This Section addresses the procedures by which a civil aeronautical product being exported from Canada or the European Union to the other shall be accepted on the basis of an export airworthiness approval issued by the Exporting Party. The Importing Party shall recognize and accept the export airworthiness approval of the Exporting Party when issued in accordance with these Technical Implementation Procedures.
- (2) For civil aeronautical products exported from Canada or the European Union, the following export airworthiness approvals are recognized and accepted when issued by an authorized natural or legal person in a form and manner prescribed by their Competent Authority, as follows:
 - (a) for complete aircraft only, an Export Certificate of Airworthiness; and
 - (b) for aircraft engines, propellers, appliances, and parts other than Standard Parts, an Authorized Release Certificate.

5.2 Certification for Export

5.2.1 Export of New Aircraft

- (1) The Exporting Party shall certify that a new aircraft being exported to Canada or the European Union:
 - (a) conforms to the type design approved by the Importing Party, as specified in the Importing Party's type certificate data sheet and any additional STCs approved by the Importing Party;
 - (b) is in a condition for safe operation; and
 - (c) complies with the applicable airworthiness directives and additional import requirements of the Importing Party, where notified.
- (2) The Exporting Party shall provide a statement or declaration on the Export Certificate of Airworthiness of its certification in respect of (1) above, and will include the identification of any exception from the identified approved type design of the Importing Party. The exception from the identified type design shall be coordinated in accordance with 5.3 below.
- (3) The Exporting Party shall also provide information on the acoustical configuration of the new aircraft and its noise and emission characteristics necessary for the Importing Party to establish compliance with its environmental requirements and to complete the certificate of noise compliance or equivalent record.

5.2.2 Export of New Aircraft Engine, Propeller, Appliance, and Part other than a Standard Part

- (1) A new aircraft engine, propeller, appliance, and any part other than a Standard Part being exported to Canada or the European Union shall be certified that it:
 - (a) conforms to the applicable approved design data;
 - (b) is in a condition for safe operation; and
 - (c) complies with the applicable airworthiness directives and additional import requirements of the Importing Party, where notified.
- (2) The approved manufacturer of a new aircraft engine, propeller, appliance, and part other than a Standard Part being exported shall provide a statement or declaration on the Authorized Release Certificate of its certification in respect of (1) above, including the identification of any exception from the identified approved type design of the Importing Party.

5.2.3 Export of Used Aircraft

- (1) A used aircraft under the jurisdiction of Canada or the European Union is eligible for export to the other only where the used aircraft, regardless of State of Design, has a design approval granted by the Importing Party.
- (2) The Exporting Party shall certify that a used aircraft eligible under (1) above being exported to Canada or the European Union:
 - (a) conforms to the type design approved by the Importing Party, as specified in the Importing Party's type certificate data sheet and any additional STCs approved by the Importing Party;
 - (b) is in a condition for safe operation; and
 - (c) is properly maintained using approved procedures and methods (evidenced by logbooks and maintenance records); and
 - (d) complies with the applicable airworthiness directives and additional import requirements of the Importing Party, where notified.
- (3) The Exporting Party shall also provide information on the acoustical configuration of the used aircraft and its noise and emission characteristics necessary for the Importing Party to establish compliance with its environmental requirements and to complete the certificate of noise compliance or equivalent record.
- (4) The Exporting Party shall provide a statement or declaration on the Export Certificate of Airworthiness of its certification in respect of (3) above, including the identification of any or all exceptions from the identified approved type design of the Importing Party. The exception from the identified type design shall be coordinated in accordance with 5.3 below.
- (5) In the case of (2)(c) above, the Importing Party may request inspection and maintenance records, which include but are not limited to:
 - (a) the original or certified true copy of the Export Certificate of Airworthiness, or equivalent, issued by the Exporting Party;
 - (b) records, which verify that all overhauls, major changes, and major repairs were accomplished in accordance with data approved in accordance with Section II of these Technical Implementation Procedures;
 - (c) maintenance records and logbook entries which substantiate that the used aircraft is properly maintained by fulfilling the requirements of an approved maintenance program by an authorized person or organization; and
 - (d) where major design changes or STCs are embodied in a used aircraft, all necessary data for subsequent maintenance should be provided, such as the data describing the installation, the materials and parts used, wiring diagrams for installation on avionic and electrical systems, drawings or floor plans for installations in the cabin, fuel or hydraulic systems, structural changes.
- (6) In the case where Canada or the European Union is the State of Design of the used aircraft, and such aircraft is being imported from a third country, TCCA or EASA shall, upon request, assist the other in obtaining information regarding the configuration of the aircraft at the time it left the manufacturer. In addition, assistance shall also be provided in obtaining information regarding subsequent installations on the used aircraft that have been approved by the State of Design.

5.3 Coordination of Exceptions on Export Certificate of Airworthiness.

- (1) Where the Exporting Party identifies a non-compliance to the approved type design of the Importing Party and intends to identify these as exceptions to its export certification, the Exporting Party shall, prior to issuing its Export Certificate of Airworthiness, notify the Importing Party of such non-compliance. This notification by the Exporting Party should help to resolve all issues concerning the aircraft's eligibility for an airworthiness certificate. This notification should be sent to the appropriate office of TCCA or the responsible office of either EASA or the Member State of the European Union.
- (2) In all cases, the Importing Party shall provide a written confirmation of its acceptance of the non-compliance notified under (1) before the Exporting Party issues its Export Certificate of Airworthiness.

5.4 Identification and Marking Requirements

Under the Agreement, Canada and the European Union mutually recognize and accept each other's identification and marking of civil aeronautical products as being compliant with their own legal requirements, when such identification and marking are accomplished in accordance with the regulations of the Exporting Party.

5.5 Additional Requirements for Import

The Importing Party may have additional requirements, which must be complied with as a condition of acceptance of the civil aeronautical product being imported. The following are required, but not limited to those in 5.5.1 to 5.5.3 below.

5.5.1 Instructions for Continued Airworthiness (ICA)

Instructions for continued airworthiness (ICA) and maintenance manuals having airworthiness limitation sections must be provided by the TC or STC holder.

5.5.2 Aircraft Flight Manual, Operating Placards and Markings, Weight and Balance Report, and Equipment List

An approved Aircraft Flight Manual, including all applicable supplements, must accompany each aircraft. The aircraft must also have the appropriate operating placards and markings, a current weight and balance report, and a list of installed equipment.

5.5.3 Logbooks and Maintenance Records

Logbooks and maintenance records must accompany each aircraft (including the aircraft engine, propeller, rotor, or appliance).

6.0 SECTION VI — TECHNICAL ASSISTANCE

6.1 General

- (1) Pursuant to Article 6 of Annex A of the Agreement, upon request and after mutual agreement, and as resources permit, the Competent Authorities shall provide technical assistance to each other when significant activities are conducted in either Canada or the European Union.
- (2) Every effort should be made to have these certification and validation tasks performed locally on each other's behalf. Technical assistance activities will help with regulatory surveillance and oversight functions at locations outside of the requestor's territory. These supporting technical assistance activities shall in no way relieve the requestor's responsibilities for regulatory control and environmental and airworthiness certification of civil aeronautical products manufactured at facilities located outside of the requestor's territory.
- (3) The Competent Authorities shall use their own policies and procedures when providing such technical assistance to the other, unless other working arrangements are agreed upon. Types of assistance may include, but are not limited to, the following:
 - (a) Certification and Validation Support:
 - (i) approving test plans;
 - (ii) witnessing tests;
 - (iii) performing compliance inspections;
 - (iv) reviewing reports;
 - (v) obtaining data;
 - (vi) verifying/determining compliance;
 - (vii) monitoring the activities and functions of delegates or approved organizations; and
 - (viii) conducting investigations of service difficulties.
 - (b) Conformity and Monitoring Support:
 - (i) conformity inspections;
 - (ii) monitoring the controls of special processes;
 - (iii) witnessing the first article inspection of parts;
 - (iv) conducting sample inspections on production parts;
 - (v) monitoring the activities and functions of delegates or approved organizations;
 - (vi) conducting investigations of service difficulties; and
 - (vii) auditing production quality systems.
 - (c) Airworthiness Certification Support:
 - (i) assistance in the delivery of airworthiness certificates for aircraft; and
 - (ii) determining the original export configuration of a used aircraft.

6.2 Witnessing of Tests During Design Approval

- (1) A Competent Authority may request assistance from the other for the witnessing of tests that are performed in the other's jurisdiction.

- (2) Only requests between Competent Authorities are permissible and neither TCCA nor EASA shall respond to a test-witnessing request made directly from the manufacturer or supplier. Witnessing of tests shall be conducted only after consultations between TCCA and EASA on the specific work to be performed and agreement has been obtained from the other party. TCCA or EASA, as appropriate for the country in which the design approval applicant is located, makes the written request for witnessing of tests.
- (3) Unless otherwise delegated, approval of the applicant's test plans, test procedures, test specimens, and hardware configuration remains the responsibility of TCCA or EASA, as appropriate for the country in which the design approval applicant is located. Establishing the conformity of each test article prior to the conduct of the test is the responsibility of the applicant.
- (4) Generally, conformity inspections associated with prototype parts in Europe are the responsibility of the European Union Member State. However, EASA shall assure that such inspections have been conducted prior to witnessing any tests on behalf of TCCA. In addition, EASA is generally responsible for the conformity of the test set-up.
- (5) Test witnessing activities may require the development of a working arrangement based on the complexity and frequency of the requested certifications. At the discretion of TCCA or EASA in receipt of such requests, these activities may be delegated to authorized delegates or approved organizations.
- (6) Where there is no working arrangement, requests for witnessing of individual tests must be specific enough to provide for identification of the location, timing, and nature of the test to be witnessed. An approved test plan must be provided by TCCA or EASA, as appropriate, at least two weeks prior to each scheduled test.
- (7) EASA's or TCCA's requests for conformity of the test set-up and/or witnessing of tests shall be sent electronically to the appropriate office, which has geographic responsibility for the location of the test. TCCA and EASA offices are listed in Appendix A. Where prototype part conformity inspection is also involved, TCCA may send a joint notification of the activity to both EASA and the applicable European Union Member State.
- (8) Upon completion of test witnessing, TCCA or EASA shall send a report stating that the test was conducted in accordance with approved test plans, including the identification of any variations from those test plans, and confirming the test results, as well as any other documentation as notified in the request.

6.3 Compliance Determinations

- (1) A Competent Authority may request that specific compliance determinations be made, which are associated with the witnessing of tests or other activities. Such statements of compliance shall be made to the airworthiness or environmental standards of the requesting Competent Authority.
- (2) TCCA's or EASA's statement of conformity shall be sent in a formal letter, transmitted electronically, to the requesting EASA or TCCA office.

6.4 Conformity Certifications During Design Approval

- (1) TCCA or EASA, depending upon the country in which a supplier is located, may request prototype part conformity certifications from the other as appropriate.
- (2) Only TCCA-to-EASA or EASA-to-TCCA requests are permissible and neither shall respond to a conformity certification request made directly by the manufacturer or supplier. Conformity certifications shall be conducted only after consultations and agreement to perform the work. Requests for conformity certifications should be limited to test specimens or prototype parts that are of such complexity that they cannot be inspected by the manufacturer or its regulatory authority prior to installation in the final civil aeronautical product. Conformity certifications may

require the development of a working arrangement based on the complexity of the requested certifications. Conformity certifications may be delegated to authorized delegates or approved organizations.

- (3) EASA requests for conformity certifications shall be sent to the TCCA Operational Airworthiness office, which has geographic responsibility as set out in Appendix A. TCCA requests shall be sent to EASA or the appropriate national airworthiness authority. TCCA and EASA offices are listed in Appendix A.
- (4) Upon completion of each conformity certification conducted on each other's behalf, TCCA or EASA shall complete and return all documentation as notified. TCCA or EASA, depending upon the country in which the supplier is located, shall note all deviations from the requirements notified by TCCA or EASA on the conformity certification for the particular part. Any non-conformity described as a deviation should be brought to the attention of TCCA or EASA for evaluation and disposition as to its effect on safety and the validity of the test under consideration. TCCA or EASA should receive a report stating the disposition of each deviation before the appropriate TCCA or EASA form is issued.

6.5 Surveillance and Other Support

A Competent Authority may request other types of technical assistance outlined in 6.1(3) above. Each request shall be handled on a case-by-case basis, as resources permit between the PCM/PM. Each request shall include sufficient information for the task to be performed and reported back to the requestor. Where the technical assistance is repetitive or long-term, a working arrangement may be needed.

6.6 Airworthiness Determination

Neither conformity certification on prototype parts as per 6.4 above, nor inspections on production parts (per paragraph 6.5) should be construed as being an export airworthiness approval, since a conformity certification does not constitute a determination of airworthiness. Airworthiness determinations remain the responsibility of the design holder and/or manufacturer and the exporting authority.

6.7 Airworthiness Certificates

There may be certain programs and conditions that warrant technical assistance for the issuance of standard airworthiness certificates so that aircraft may be placed directly into operation from the site of manufacture. The Importing Party may seek assistance from the Exporting Party in the final processing and delivery of an airworthiness certificate when the aircraft has completed its manufacturing cycle, has been entered on the importing country's registry, and has subsequently been granted an Export Certificate of Airworthiness by the Exporting Party. This will require the development of a working arrangement between the Competent Authorities.

6.8 Handling of Requests for Proprietary Data and Access to Information/Public Access to Official Documents Information

6.8.1 Protection of Proprietary Data

Unless required by law, the Competent Authorities agree that they shall not copy, release, or show data identified as proprietary or otherwise restricted that is obtained from each other to anyone other than a TCCA or EASA employee, without written consent of the design approval holder or other data submitter. The Competent Authority should obtain this written consent from the design approval holder through its authority. To the extent that EASA shares such data with a European Union Member State or accident investigation entity, EASA shall ensure that these persons treat such restricted information in accordance with Article 11.2 of the Agreement.

6.8.2 Access To Information Requests

When TCCA receives a request for access to information related to a civil aeronautical product of a Canadian approval holder or an applicant who is located in a European Union Member State, TCCA may request EASA's assistance in contacting the approval holder or applicant. Similarly, TCCA shall advise EASA of the potential release of any information received from EASA and submitted to TCCA. If EASA, where applicable, or the approval holder or applicant consents to the release of the information, a written consent must be provided to TCCA. If release is objected to, a statement of the reasons must be furnished by EASA to TCCA. If there is objection, TCCA shall only release the information that it determines that it is required to do so under the Access To Information Request.

6.8.3 Public Access to Official Documents

When EASA receives a request for the release of information that has been submitted by a design approval holder in Canada and covered by these Technical Implementation Procedures, EASA shall advise TCCA of any information received from TCCA and submitted to the EASA that might be released. EASA may also request TCCA's assistance in determining if the person submitting the information would object to release and which portions of the information received from that person or generated by TCCA might be withheld under the secrecy exceptions, if any. EASA shall apply the relevant European Union regulations/directives in making its determination whether or not to release information.

6.9 Accident/Incident and Suspected Unapproved Parts Investigation Information Requests

- (1) When investigating in-service incidents, accidents, or suspected unapproved parts involving a civil aeronautical product imported under these Technical Implementation Procedures, the Competent Authority may request information from the appropriate EASA or TCCA focal points (see listing in Appendix A). EASA shall coordinate with the appropriate European Union Member State to obtain any necessary support.
- (2) In case of a major incident/accident, the Competent Authorities shall cooperate to address urgent information needs. Following a major accident/incident, upon receipt of a request for urgent information the appropriate Competent Authority shall provide the requested information. The Competent Authorities shall establish individual focal points to respond to each other's questions and ensure that timely communication occurs. Information may be requested directly from a manufacturer when immediate contact with the appropriate focal points cannot be made. In such cases, notification of this action shall be made as soon as possible. Either TCCA or EASA, as applicable, shall assist in ensuring that its manufacturer provides requested information expeditiously.

7.0 SECTION VII — FURTHER WORKING ARRANGEMENTS

- (1) It is anticipated that future situations will arise requiring additional procedures that are not specifically addressed in these Technical Implementation Procedures but are within the scope of the Agreement. When such a situation arises, the Competent Authorities shall review it, and a working arrangement shall be developed to address the situation. Such an arrangement shall be concluded by TCCA and EASA, when appropriate, in a separate document. If it is apparent that the situation is unique, with little possibility of repetition, then the working arrangement shall be of limited duration. However, if the situation has anticipated new technology or management developments, which could lead to further repetitions, these Technical Implementation Procedures should be revised accordingly through the Joint Sectorial Committee on Certification.
- (2) It should be noted that when a unique situation falls within the responsibility of TCCA, the Director, Standards shall be responsible for developing the necessary working arrangement with EASA, or a European Union Member State when appropriate.
- (3) Any working arrangements shall be kept and controlled by the focal points for these Technical Implementation Procedures listed in Appendix A.

8.0 SECTION VIII — AUTHORITY

The Joint Sectorial Committee on Certification approves these Technical Implementation Procedures, as indicated by the signatures of its duly authorized representatives.

TRANSPORT CANADA CIVIL AVIATION

EUROPEAN AVIATION SAFETY AGENCY

By _____

By _____

Title Director, Standards

Title Certification Director

Date _____

Date _____

APPENDIX A — FOCAL POINTS AND OFFICE ADDRESSES

A1. Focal Points for Implementation

The designated focal point offices for implementation of these Technical Implementation Procedures are:

For TCCA:

Director, Standards (AART)
Transport Canada Civil Aviation
330 Sparks Street
Place de Ville, Tower C (2nd floor)
Ottawa, ON, K1A 0N5
Canada

Tel: +1 (613) 952 4371

Fax: +1 (613) 952 3298

For EASA:

Certification Policy and Planning
Department
Certification Directorate
European Aviation Safety Agency
Postfach 10 12 53
D-50452 Köln
Germany

Tel: +49 221 89990 4005

Fax: +49 221 89990 4505

A2. Focal Points for Coordination of Amendments

The designated focal point offices for coordination of amendments to these Technical Implementation Procedures are:

For TCCA:

Director, Standards (AART)
Transport Canada Civil Aviation
330 Sparks Street
Place de Ville, Tower C (2nd floor)
Ottawa, ON, K1A 0N5
Canada

Tel: +1 613 952 4371

Fax: +1 613 952 3298

For EASA:

International Cooperation Department
Rulemaking Directorate
European Aviation Safety Agency
Postfach 10 12 53
D-50452 Köln
Germany

Tel: +49 221 89990 5007

Fax: +49 221 89990 5507

A3. EASA Offices

Mailing Address

European Aviation Safety Agency
Postfach 10 12 53
D-50452 Köln
Germany

Physical Location

European Aviation Safety Agency
Ottoplatz, 1
D-50679 Köln
Germany

A4. EASA E-mail Addresses

For Design approvals:

TCs:	tc@easa.europa.eu
STCs:	stc@easa.europa.eu
ETSOAs:	etsoa@easa.europa.eu
Major changes/repairs:	MajorChange-MajorRepair@easa.europa.eu

For Continuing Airworthiness:

AD:	ads@easa.europa.eu
Failure, Malfunction and Defect:	report@easa.europa.eu

A5. TCCA Offices

National Capital Region

Director, National Aircraft Certification(AARD)
Place de Ville, Tower C
330 Sparks Street, 2nd Floor
Ottawa, ON, K1A 0N8
Canada
Tel: +1 613 952 4338
Fax: +1 613 996 9178

Director, Standards(AART)
Place de Ville, Tower C
330 Sparks Street, 2nd Floor
Ottawa, ON, K1A 0N8
Canada
Tel: +1 613 952 4371
Fax: +1 613 952 3298

Chief, Project Management (AARDE)
Tel: +1 613 952 4339

Chief, Aircraft Certification Standards (AARTC)
Tel: +1 613 990 2738

Chief, Continuing Airworthiness (AARDG)
Tel: +1 613 952 4356

Chief, Operational Airworthiness (AARTM)
Tel: +1 613 952 4386

A6. TCCA E-mail and Web Addresses

TCCA ADs: For information on existence or applicability of any AD, e-mail may be sent to: cawwebfeedback@tc.gc.ca.

For General Inquiries, visit: www.tc.gc.ca/CAIRS/

A7. TCCA Regional Offices

Atlantic Region

Associate Director, Operations (MAP)
Moncton Regional Office
95 Foundry Street
Moncton, NB, E1C 5H7
Canada
Tel: +1 506 851 6736
Fax: +1 506 851 2527

Quebec Region

Associate Director, Operations (NAR)
Dorval Regional Office
700, Leigh Capr  ol Place,
Dorval, QC, H4Y 1G7
Canada
Tel: +1 514 633 3159
Fax: +1 514 633 3052

Ontario Region

Associate Director, Operations (PAHM)
LBPIA Transport Canada Center,
5431 Flightline,
Mississauga, ON, L5P 1A1
Canada
Tel: +1 905 405 3787
Fax: +1 905 612 5484

Associate Director, Operations (PA)
Ontario Regional Office,
Joseph Shepard Building,
North York, ON, M2N 6A5
Canada
Tel: +1 416 952 0167
Fax: +1 416 952 0050

Prairie and Northern Region

Associate Director, Operations (RAEH)
9700 Jasper Avenue,
Edmonton, AB, T5J 4E6
Canada
Tel: +1 780 495 2316
Fax: +1 780 495 4622

Associate Director, Operations (RAW)
344 Edmonton Street, 2nd Floor
Winnipeg, MB, R3B 2L4
Canada
Tel: TBD
Fax: TBD

Associate Director, Operations (RAC)
1601 Airport Corporate Centre
Calgary, AB, T2E 6Z8
Canada
Tel: +1 403 292 5226
Fax: +1 403 292 6709

Pacific Region

Associate Director, Operations (TAH-RIC)
Richmond TCC
3600 Lysander
Richmond, BC, V7B 1C3
Canada
Tel: +1 604 666 6122
Fax: +1 604 666 7318

Associate Director, Operations (TAI)
Vancouver Regional Office
800 Burrard Street
Vancouver, BC, V6Z 2J8
Canada
Tel: +1 604 666 5599
Fax: +1 604 666 3687

APPENDIX B — REGULATIONS, ADVISORY AND GUIDANCE MATERIALS

- B1.** This Appendix identifies the respective TCCA and EASA regulatory, advisory and guidance material structures that are applicable to these Technical Implementation Procedures. For the most up-to-date materials please refer to the following websites:

For TCCA: <http://www.tc.gc.ca/eng/civilaviation/opssvs/managementservices-referencecentre-menu-113.htm>

For EASA: Rulemaking: http://www.easa.eu.int/ws_prod/g/rg_regulations.php
 Certification: http://www.easa.eu.int/ws_prod/c/c_intwrkproc.php

B2. TCCA Materials

Regulatory Documents (External Documents)

The Regulatory framework is comprised of regulatory documents including various Acts, Regulations and supporting advisory or guidance documents.



Integrated Management System Documents (Internal Documents)

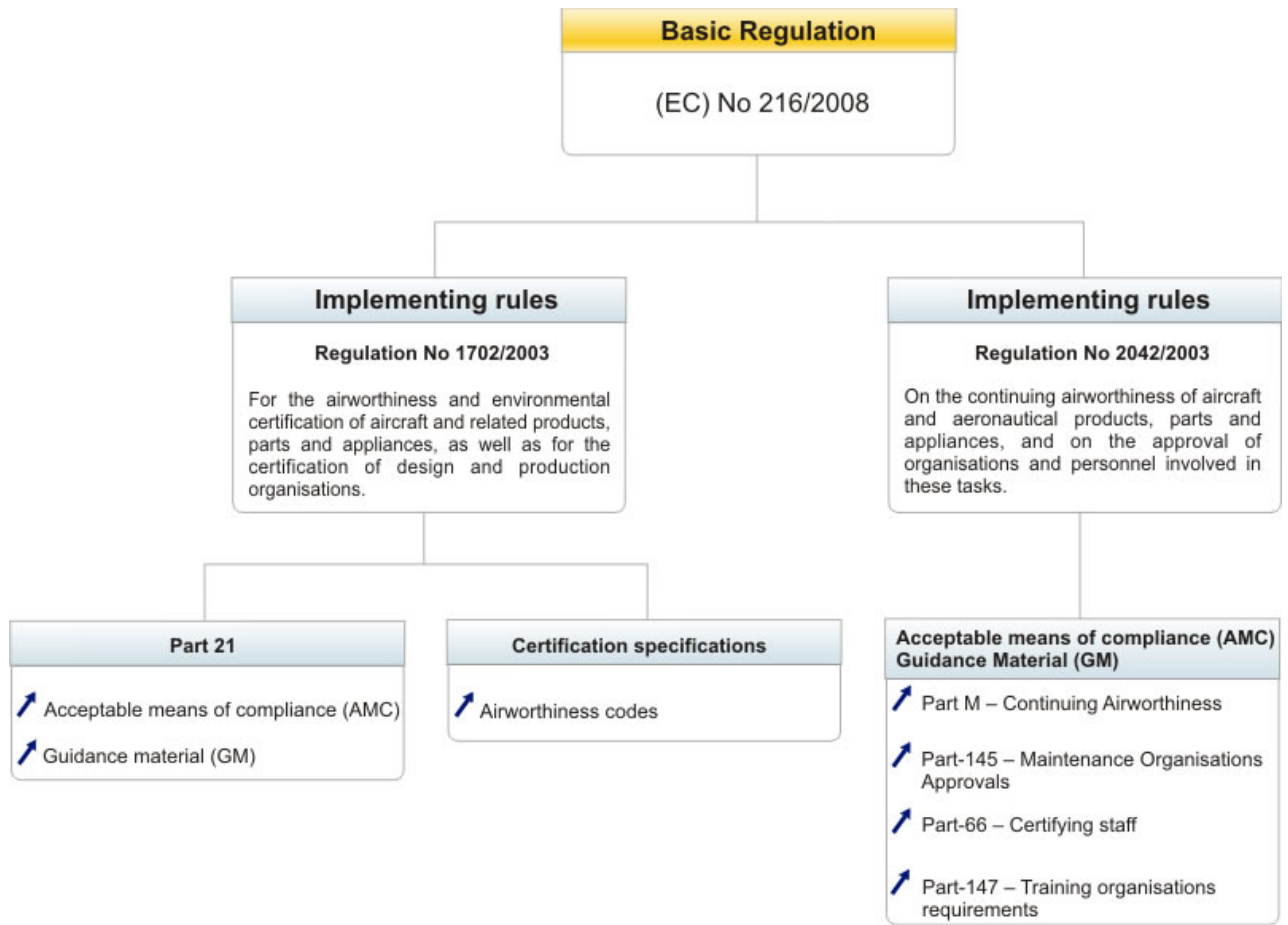
Issued on or after February 2, 2007

The Integrated Management System (IMS) framework is comprised of documents describing Transport Canada Civil Aviation's internal management processes.



- [Other Acts and Regulations](#)
- [Complete SERIES of Internal Documents](#) issued **on or after** February 2, 2007
- [Other Internal Documents](#) Issued **on or prior** to February 1, 2007.
- [Recently Issued](#) documents published in the last 60 days
- [Internal Process Bulletins](#) for a list of documents that show significant changes and/or interpretations to a Government Policy, a Directive or an Instruction.
- [TC Forms Catalogue](#)

B3. EASA Materials



APPENDIX C — PROCEDURES FOR VALIDATION AND RECIPROCAL ACCEPTANCE

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C1.0 PART I: INTRODUCTION**C1.1 General**

- (1) The technical procedures contained in this Appendix supplement the administrative procedures contained in Section I and Section II of these Technical Implementation Procedures. These combined administrative and technical procedures provide the manner by which the Competent Authorities will conduct the validation and reciprocal acceptance of civil aeronautical product approvals. PCM/PMs are expected to be thoroughly familiar with both procedures.
- (2) The Competent Authorities shall adhere to these procedures. The Competent Authorities agree that if there are overwhelming reasons to deviate from this Appendix, such reason(s) will be technically explained by the Importing Party to the other in every instance. The procedures in this Appendix are not intended in any manner to diminish the responsibilities or rights of TCCA or EASA to the type design information.

C1.2 Guiding Principles

- (1) The Agreement refers to Validation to be the Importing Party's own process for determining compliance of a design or design change, as approved or certified by the Exporting Party. Through the Agreement, it makes it possible for either Canada or the European Union to grant approval of a foreign civil aeronautical product, without conducting its own exclusive, full and in-depth examination of the design or design change. Validation, in the context of the Agreement, puts emphasis on reliance between both Parties to fulfil their own import requirements.
- (2) The Agreement also establishes the reciprocal acceptance by the Competent Authorities of each other's approvals, without further showing, on appliances, replacement parts, and repair designs. By reciprocal acceptance, the Competent Authorities are bound by the Agreement to recognize and accept an approval granted by either one as being equivalent to having granted and issued its own equivalent approval. As such, civil aeronautical product approvals that are eligible for reciprocal acceptance are automatically accepted. These accepted products do not require a formal application nor is a validation process required. The approval document issued by a Competent Authority is sufficient under the Agreement, and the other Competent Authority is not required to issue a corresponding approval document. Reciprocal acceptance, as with validation, also puts emphasis on reliance and full confidence in each other's approval system.
- (3) Designs or design changes differ in many ways, but both Competent Authorities acknowledge that certain designs and design changes are either non-complex or common, or both, in the sense of their general/widespread application or time-proven use in civil aviation. These common designs and design changes, involving their principles and technology, are well understood today and can be regarded to be standard designs or standard design changes, based on the technical knowledge and regulatory experiences accumulated over the years in the repeated application of the certification process. Furthermore, the total actual in-service experiences from these standard designs or design changes provide a good basis or reinforcement for treating the certification or approval of these standard designs or design changes as less risky than others. The primary benefit, therefore, is that such standard designs and design changes do not necessarily require as much certification resources from the State of Design, and consequently an even lesser degree of validation by the Importing Party.
- (4) As with any civil aeronautical product operating in service, any unsafe condition that manifests over time is continuously monitored by the designer, operator and maintenance provider under a service difficulty reporting system that forms part of the continuing airworthiness program. The continuing airworthiness program is a regulated requirement and an international obligation for Canada and European Union Member States under Annex 8 to the Chicago Convention, which provides another layer of safeguard for the protection of the approved design or design change in the actual operating environment. As such, ensuring overall safety is not exclusive or confined at

all to the certification or approval of a product, but rather a collective process that also includes the monitoring of the product's performance in-service, the accomplishment of both maintenance and preventive maintenance on the product, and the certificate or approval holder's responsibility for the continued safety of its own products. Either Party can immediately address any unsafe condition, potential or real, either jointly or unilaterally, through issuance of a mandatory continuing airworthiness information against the affected product.

- (5) The basic tenets of the Agreement are the high level of confidence that both Canada and the European Union have placed on each other's regulatory and technical capabilities, their abilities to fulfil their international obligations as States of Design under the Chicago Convention, and the mutual trust that TCCA and EASA can rely on each other to uphold their shared interests in the safety of civil aeronautical products. The validation and reciprocal acceptance procedures contained in this Appendix respect and implement these tenets to the fullest extent.
- (6) It follows that the main objective of this Appendix is to enable each Competent Authority, when acting as the Importing Party, to satisfy its own import requirements by placing greater reliance on the approval or findings of compliance by the other. To achieve this objective and without prejudice to their own obligations under their respective regulations and policies, the Competent Authorities shall:
 - (a) work to eliminate redundant reviews of reports, duplication of inspections, tests and test demonstrations, evaluations and approvals; and
 - (b) directly accept or give full credit to enable maximum acceptance of the compliance determinations made by the other.

C2.0 PART II: VALIDATION OF A TC AND STC**C2.1 Initiation of Validation****C2.1.1 Submission of Application**

The validation process begins with the acknowledgement by the Importing Party of a formal application submitted by the Exporting Party. Communication shall be initiated between the appropriate TCCA and EASA offices identified in Appendix A. Communication will include the identification and notification of the PCM and PM responsible for processing the application.

C2.1.2 Review of Initial Documentation

The PCM/PM of the Importing Party shall review the application package for completeness, and consult with the Exporting Party and applicant for additional information as necessary. The submission to the Importing Party should, as a minimum, include the documents specified in these Technical Implementation Procedures. Where none are specified, the required data shall be those as notified by the Importing Party. The following is a summary of the data submission requirements under these Technical Implementation Procedures:

- (a) for an initial Type Certificate, Section 2.4.1; and
- (b) for an initial Supplemental Type Certificate, Section 2.6.1.

C2.2 Technical Familiarisation

The applicant will present suitable and satisfactory information to the Importing Party in order for it to fully understand the design. This presentation may take the form of a meeting or submitted documentation. The choice is that of the Importing Party. The presentation on the civil aeronautical product shall include information on the following:

- (a) new technologies and any unique or unconventional features;
- (b) intended unconventional usage, and
- (c) unsafe conditions that may have developed in similar products in service or products having similar design features.

C2.3 Establish the Certification Basis for the Validation Project

The Importing Party shall establish a certification basis as detailed in section 2.4.2 or 2.6.2 of these procedures. The Importing Party may elect to include Special Conditions in the certification basis based on its knowledge of new technologies and any unique or unconventional features or intended unconventional usage of the civil aeronautical product as presented by the applicant. The certification basis may need to be changed during the validation process as the Importing Party's knowledge of the design increases.

C2.4 Level of the Validating Authority's Technical Involvement

- (a) The Level of the Validating Authority's Technical Involvement means the process used to manage the participation of, and the activities undertaken by, the Importing Party's technical specialists in the validation and compliance determination activities leading to the approval of a civil aeronautical product that has been approved by the other. When determining the level of technical involvement, the principles set out in section C1.2 (6) shall be respected.
- (b) The Level of the Validating Authority's Technical Involvement by technical specialists of the Importing Party in conducting the technical review is usually predicated on the sensitivity placed by the Importing Party on the demonstration of compliance with its requirements. While it is ultimately the Importing Party's decision, the Competent Authorities must exercise good judgment in defining the Level of Validating Authority's

Technical Involvement by considering a non-obtrusive approach and being respectful of the guiding principles mentioned in Section C1.2 of this Appendix.

C2.5 Completion of a TC/STC Validation

A TC/STC validation may be accomplished either on-site or off-site, and the exact nature may not be determined until additional information is gathered from the applicant and the Exporting Party. The PCM/PM of the Importing Party shall proceed with the following activities to complete its validation.

C2.5.1 Familiarization Meeting

A TC/STC validation requires that the Importing Party familiarize itself with the civil aeronautical product in detail, the applicant, and the certification activity of the Exporting Party.

(a) Purpose

A familiarization briefing is required to obtain initial detailed information regarding the characteristics of the design, the type certification conducted or proposed, and the certification basis by the Exporting Party. One of the key purposes of this additional information is to determine whether an on-site review will be required (i.e. applicant's site will be visited) or an off-site review will be sufficient. The familiarization briefing can then be used to identify the technical areas of interest to the Importing Party, and specify what the applicant shall provide to the respective specialists to allow them to conduct their review. Another purpose of the familiarization meeting is to provide an opportunity for the Importing Party's aircraft certification personnel to brief the applicant and the Exporting Party with respect to the Importing Party's airworthiness and environmental requirements applicable to the given civil aeronautical product, its type certification and validation procedures and policies. The PCM/PM of the Importing Party, in consultation with the Exporting Party, shall draw up an agenda for the familiarization meeting, and coordinate the necessary arrangements for conducting the familiarization meeting.

(b) Duration

A briefing may be conducted by either the submission of suitable descriptive material or by a physical meeting (or any other alternative acceptable to the Importing Party). Typically, a familiarization meeting may require 2 days, but can be adapted to particular situations. The first day (or part thereof) is a general presentation by the applicant. The remainder may be used for technical discussions between the specialists of the applicant and the Importing Party.

Note:

The familiarization meeting should also consider use of modern communication means (e.g. teleconference, videoconference) to achieve its purpose, especially in a case where the resources to assemble a technical audience could be economically disproportionate to the scale and complexity of the design or design change being validated.

(c) Required Attendance

The PCM/PM of the Importing and Exporting Party shall ensure that the briefing is scheduled at a date suitable to all parties involved and that sufficiently knowledgeable representatives from the applicant are participating.

(d) Involvement of the Exporting Party

The Exporting Party is expected to attend the familiarization meeting, given that they have a thorough knowledge of the certification of the design or design change. It is, therefore, appropriate that the Exporting Party assist the Importing Party in its validation of the design or design change for the purpose of establishing either a full credit or partial

credit to the findings of compliance by the Exporting Party. The Exporting Party's involvement shall be identified and coordinated through the respective PCM/PM of both Importing and Exporting Parties.

C2.5.2 Establish a Validation Plan

Following the completion of the Familiarization meeting, the PCM/PM of the Importing Party shall prepare a plan that identifies the subsequent and necessary activities of its validation. At this point, the Importing Party would have already decided if the validation will be conducted on site or off-site. The validation plan shall at least identify the validation schedule or milestones, technical areas of interest to the Importing Party, i.e. the Level of Validating Authority's Technical Involvement, the manner or method by which the Importing Party will conduct its review (e.g. document-only review, document review and engineering inspection, etc.), the accountable technical specialists of the Importing and Exporting Parties and the applicant, the required interfaces, and any necessary ground and/or flight tests. A finalized validation plan shall be provided to the PCM/PM of the Exporting Party, who in turn will coordinate with the applicant the necessary activities to accommodate the validation by the Importing Party, regardless of whether on-site or off-site. A Validation Plan should address, as a minimum, the following:

- (a) the adequacy of the proposed certification basis (airworthiness and environmental requirements);
- (b) the environmental testing and approval;
- (c) any Special Conditions, issued or proposed, and understand the means of compliance;
- (d) any Findings of Equivalent Level of Safety, issued or proposed, and determine acceptability;
- (e) any Exemptions or Deviations, issued or proposed, and determine acceptability;
- (f) compliance determinations with unique import requirements;
- (g) the acceptability of the civil aeronautical product against any applicable advisory material;
- (h) compliance determinations, when requested, with the design-related operating requirements;
- (i) the Flight Manual for acceptability;
- (j) the Instructions for Continued Airworthiness and Maintenance Review Board Report for acceptability;
- (k) any Airworthiness Limitations for acceptability;
- (l) the Master Minimum Equipment List, as applicable for acceptance;
- (m) the Airworthiness Directives and service history, as applicable;
- (n) any unique features of the product;
- (o) the identified areas of interest;
- (p) the Structural Repair Manual, as applicable; and
- (q) the applicant's Production Quality System.

C2.5.3 Environmental Testing and Approval

- (1) The Importing Party shall review compliance demonstration plans and reports necessary to make a determination of compliance with its environmental requirements, giving due consideration to any compliance determination that the Exporting Party already made, or is able to make, on its

behalf. The Importing Party may delegate to the Exporting Party any or all of its functions related to environmental testing and approval, subject to mutual agreement.

- (2) In the absence of any delegation of its functions related to environmental testing and approval to the Exporting Party, the Importing Party shall:
 - (a) review and approve environmental certification compliance demonstration plans for noise, fuel venting and exhaust emissions;
 - (b) evaluate the measurement and analysis methods and practices, and data correction procedures of the applicant for aircraft noise and emission certification;
 - (c) review and approve any equivalent procedures to be used by the applicant during testing, data processing, data reduction, and data analysis;
 - (d) verify the conformity of the test article;
 - (e) witness the compliance demonstration test; and
 - (f) review and approve compliance demonstration reports.

C2.5.4 Documentation from Applicant

- (1) The PCM/PM of the Importing Party shall request from the applicant documentation required for those areas of technical interest identified by the relevant specialists during the familiarisation meeting or in the Validation Plan.
- (2) All requests for documents from the applicant should be routed through the PCM/PM of the Importing Party, who would verify that the documentation requests are reasonable and appropriate.
- (3) The amount of document requests will vary between an off-site and on-site review. An off-site review is conducted remotely from the applicant and the Exporting Party, and will rely completely on the availability of sufficient documents to allow the technical specialists to complete the review of its identified areas of interest. However, for an on-site review, the documentation request should be kept to a level sufficient to prepare the technical specialists in advance, as the intent is to conduct the technical review while on-site. An on-site, in contrast to an off-site, review offers more opportunity for direct specialist-to-specialist interaction.

C2.5.5 Off-Site Review

- (1) If an off-site review was decided as being sufficient, the technical specialists of the Importing Party shall review from its business location(s) the technical documentation supplied by the applicant, and communicate, as necessary, with its counterpart specialists from the Exporting Party and the applicant through its PCM/PM.
- (2) Items of concern or requiring further clarification on the applicant's substantiation or the conduct of the certification activity by the Exporting Party shall be documented and notified by the Importing Party to the Exporting Party through the PCM/PM.
- (3) The PCM/PM of the Competent Authorities shall coordinate the resolution of these items to the satisfaction of the Importing Party, and document the agreement or decision reached between them. Disagreements or conflicts on technical issues should be resolved at the technical level as much as possible, but should be raised promptly to TCCA and EASA management on a progressive level to avoid potential delays in the validation schedule.
- (4) Where the PCM/PM of the Importing Party finds that significant technical or documentation concerns still persist and is proving very difficult to resolve under an off-site review, the PCM/PM may consider amending the validation plan to include an on-site review of the specific area of concern. A revision to the validation plan to include an on-site review of the specific area of

concern must be coordinated with the Exporting Party and receive approval by the management of the Importing Party.

C2.5.6 On-Site Review

- (1) An on-site review requires a visit to the applicant's facility by a team of technical specialists from the Importing Party. The intent is for the Importing Party to conduct its activities during a single comprehensive visit, if possible. In some cases, specialists may require more than one visit.
- (2) The PCM/PM of the Importing Party shall coordinate the initial visit with the applicant and the Exporting Party, and advise on the team composition, the schedule of the on-site visit, and the schedules for each of the technical specialists review sessions (on the technical areas of interest identified in the Validation Plan. The counterpart specialists from both the Exporting Party and the applicant shall be made available to the visiting validation team for the duration of the on-site review. Where it is determined by the Importing Party after the initial visit that additional visits by the technical specialists are required, these meetings should be held as early as possible in the validation schedule in order to permit timely design changes, if required. All technical meetings subsequent to the initial on-site visit must be arranged through the respective PCM/PM of the Importing and Exporting Parties.
- (3) Items of concern or requiring further clarification on the applicant's substantiation or the conduct of the certification activity by the Exporting Party shall be documented and notified by the Importing Party to the Exporting Party through the PCM/PM. The notification of findings should be provided by the end of the visit through a formal debrief, or if not possible communicated shortly following the visit. The PCM/PM of the Competent Authorities shall coordinate the resolution of these items to the satisfaction of the Importing Party, and finally documenting the agreement or decision reached between them. Disagreements or conflicts on technical issues should be resolved at the technical level as much as possible, but should be raised promptly to TCCA and EASA management on a progressive level to avoid potential delays in the validation schedule.

C2.5.7 Concluding the Validation

- (1) TCCA or EASA shall notify the other upon completion of its validation exercise, and indicate its readiness to issue a corresponding approval of the design or design change. TCCA or EASA, as the Competent Authority of the Importing Party, shall issue its corresponding approval for the TC/STC in accordance with the applicable provisions of Section II, of these Technical Implementation Procedures.
- (2) The PCM/PM of both TCCA and EASA, including the applicant, may agree to have a final meeting at the conclusion of the validation if there are areas of further discussion, or if the sharing of information would be beneficial.

C3.0 PART III: VALIDATION OR RECIPROCAL ACCEPTANCE OF CHANGES TO A TC OR STC

C3.1 Major Changes to a TC or STC by Persons Other than the Holder

The Exporting Party will issue an STC for these changes and the Importing Party will follow the validation process of Part II to complete its validation of the change.

C3.2 Major Changes to a TC or STC (Including Revisions to Approved Manuals) by the Holder

- (1) Changes to the type design covered by these procedures include those necessary for customer unique design features, product improvements and any other design changes, including revisions to approved manuals, made by the TCH/STCH, for whatever reason.
- (2) Where design changes are declared by the TCH/STCH they will be defined relative to the current definition of the approved type design as validated by the Importing Party.
- (3) Design changes will be classified by the TCH/STCH as either Major or Minor in accordance with the criteria and procedures of the Exporting Party and these classifications will be accepted by the Importing Party without further investigation.
- (4) Design changes classified as Major will be further categorized by the TCH/STCH as Level 1 Major or Level 2 Major as defined in C3.2.1 and C.3.2.2 below.
- (5) Design changes classified as Minor or Level 2 Major will be approved by the Exporting Party in accordance with its procedures, against the certification basis of both the Exporting and Importing Parties. The Importing Party will not receive notification of such changes, but all such changes will be reciprocally accepted and included in the TCH/STCH Type Design definition which defines the Importing Party's approved build standard and provided to the Importing Party on a periodic basis.
- (6) The Importing Party will receive notification of all Level 1 Major design changes. The Importing Party's acceptance of the change will be requested at the same time by the Exporting Party. The Exporting Party will determine compliance with the certification basis of the Importing Party on behalf of that Party for all Level 1 Major design changes.
- (7) The extent of any Importing Party Technical Involvement will be discussed and decided between the Exporting and Importing Parties in line with the principles stated in Part II above.
- (8) Subject to (5) above, the Exporting Party will provide the Importing Party with a Statement of Compliance with the certification basis of the Importing Party for all Major design changes approved on behalf of the Importing Party. This may be achieved through the provision of individual statements for each design change or by providing collective statements for lists of approved changes (e.g. Revisions to a Type Design definition for the type as validated by the Importing Party). For validated products, the Exporting and Importing Parties' TC data sheets should be consistent in the information they include to the degree practicable.
- (9) All major design changes approved by the Exporting Party on behalf of the Importing Party or approved by the Importing Party on the basis of compliance determinations made by the Exporting Party will be recorded in the Type Design definition specifying the Importing Party's current type design and provided to the Importing Party.

C.3.2.1 Level 1 Major design changes

Level 1 major design changes are any of the following:

- (a) Design changes that introduce a new model designation (derivative model, variant etc.);
- (b) Design changes having an effect on the certification basis that involves new interpretations of the requirements, new Special Conditions, new Findings of Equivalent Level of Safety, or novel methods of compliance;

- (c) Design changes determined to be significant in accordance with the changed product rule principles as set out in section 521.158 of the CARs or EASA Part 21A.101;
- (d) Design changes that involve the use of a method of compliance that is different from that of the Importing Party's guidance materials, and differs from that used by the TC/STC holder during the initial Type Validation programme, unless otherwise agreed by both TCCA and EASA that the design change can be considered a Level 2 Major;
- (e) Design changes that affect an area where the Importing Party had retained Technical Involvement for compliance determination during the initial Type Validation programme, unless otherwise agreed by both TCCA and EASA that the design change can be considered a Level 2 Major;
- (f) Design changes involving Approved Manual revisions covering
 - (i) Initial issues of new manuals, appendices or supplements,
 - (ii) Introduction of configurations not previously approved by the Importing Party,
 - (iii) Existing differences between Exporting and Importing Party approved manual content,
- (g) Any design change classified as an Acoustical Change or Emissions Change; or
- (h) Any other design changes categorised as Level 1 Major by the Exporting Party or the TCH/STCH.

C.3.2.2 Level 2 Major design changes

Level 2 Major design changes are all other major design changes not categorized as Level 1 Major. The Importing Party will reciprocally accept these design changes without review.

C4.0 PART IV: RECIPROCAL ACCEPTANCE OR VALIDATION OF APPLIANCE APPROVALS**C4.1 Appliance Approval**

The definition of appliance in these Technical Implementation Procedures shall be interpreted to include an auxiliary power unit (APU). The references to an approved appliance under these Technical Implementation Procedures are:

- (a) for EASA, an approval granted under EASA Part 21A, Subpart O, European Technical Standard Order Authorizations; and
- (b) for TCCA, an approval granted under Division III, Canadian Technical Standard Order (CAN-TSO) Design Approvals, of Subpart 521 of the CARs.

C4.2 Reciprocal Acceptance

The reciprocal acceptance of approvals under the Agreement shall be implemented by TCCA and EASA on appliances solely on the basis of each other's approval, without the need for submission of an application or validation by the other. An appliance approval originally granted by TCCA or EASA shall be automatically accepted by the other as being equivalent to having granted and issued its own approval, provided the appliance is:

- (a) identified in the Common Technical Standard Order listing established under paragraph 2.8.1 of these Technical Implementation Procedures;
- (b) approved under the procedures identified under C4.1; and
- (c) marked in accordance with the regulations of the Competent Authority approving the appliance.

C4.3 Marking Requirements

- (1) The identification and marking of appliances may differ between TCCA and EASA requirements. The Agreement provides that TCCA and EASA accept each other's identification and marking requirements as being compliant with their own legal requirements provided such marking is accomplished in accordance with the regulations of the Competent Authority granting the appliance approval.
- (2) Therefore, no additional identification or marking requirements shall be imposed or required by TCCA or EASA on an appliance when recognizing and accepting the approval by the other.

C4.4 Validation of Other Appliance Approvals

- (1) The Competent Authorities, where requested by an applicant, can make formal submission to the other for the validation of any appliance approval that is not automatically accepted under these Technical Implementation Procedures. The following considerations shall apply:
 - (a) in all cases, an application shall be submitted through the Exporting Party to the other Competent Authority for validation and issuance of an approval;
 - (b) where both Competent Authorities have a similar ETSO or CAN-TSO, but it is not on the list of common TSOs, an application for an appliance approval shall be made as set out in (2) below. The Competent Authorities agree to validate the differences in ETSO and CAN-TSO and give full credit to, or enable maximum acceptance of the compliance determinations made by the Exporting Party such that an approval may be issued;
 - (c) where the Importing Party does not have a similar ETSO or CAN-TSO to that of the Exporting Party, an STC application and validation shall be made. The Importing Party's STC would be based on a validation of the Exporting Party's appliance approval and would address the installation aspects. The Competent Authorities agree to give full credit to, or enable maximum acceptance of the compliance determinations made by the

Exporting Party. The application should include the material set out in (2) below in addition to that required for an STC application; and

- (d) where the Exporting Party does not have its own ETSO or CAN-TSO but they have approved the appliance through the issue of an STC that incorporated an ETSO or CAN-TSO published by the other Competent Authority, then the Importing Party may issue an ETSOA or CAN-TSO design approval. Application shall be as set out in (2) below. The Competent Authorities agree to give full credit to, or enable maximum acceptance of the compliance determinations made by the Exporting Party to the Importing Party's ETSO or CAN-TSO, provided the Exporting Party certifies that:
 - (i) the appliance meets the Importing Party's ETSO or CAN-TSO, and
 - (ii) they shall exercise continued operational safety functions for that appliance.
- (2) The Exporting Party shall ensure that the application package includes:
 - (a) The application form required by the Importing Party, a Declaration of Design and Performance (DDP) and all the required data/documentation as specified in the ETSO or CAN-TSO;
 - (b) If applicable, request to deviate from the ETSO or CAN-TSO and substantiation data, or identification of the deviation and evidence of approval;
 - (c) Statement of conformance to the ETSO or CAN-TSO;
 - (d) Certifying statement from the Exporting Party indicating that the appliance has been examined, tested, and found to meet the identified ETSO or CAN-TSO; and
 - (e) Copy of the applicable approval.

Note:

An ETSOA is not required for an APU for which no previous individual European approval has been granted if the APU was grand fathered under EC 1702/2003 as a part of the configuration of one aircraft type design or STC, and the APU is now proposed for installation on another aircraft type. Such installation can be approved under an EASA STC.

C5.0 PART V: RECIPROCAL ACCEPTANCE OF REPLACEMENT PARTS

C5.1 Reciprocal Acceptance

The reciprocal acceptance of replacement parts by each Competent Authority under this Agreement shall be based solely on the basis of each other's approval, without the need for submission of an application or the completion of a validation by the other. An approval of a replacement part originally granted by either Competent Authority shall be automatically accepted by the other as being equivalent to having granted and issued its own approval, provided the replacement part is:

- (a) not a critical part or a life-limited part as defined in 1.8;
- (b) approved under the procedures identified under 2.9; and
- (c) marked in accordance with the regulations of the Competent Authority approving the product.

C5.2 Marking Requirements

The identification and marking of replacement parts may differ between each Competent Authorities requirements. The Agreement provides that the Competent Authorities accept each other's identification and marking requirements as being compliant with its own legal requirements provided such marking is accomplished in accordance with the regulations of the Competent Authority granting the approval of the product. Therefore, no additional identification or marking requirements shall be imposed or required by either Competent Authority on a replacement part when recognizing and accepting the approval by the other.

C6.0 PART VI: RECIPROCAL ACCEPTANCE OR VALIDATION OF REPAIR DESIGN APPROVALS

C6.1 Repair Design Approval

A repair design is intended for the restoration of a civil aeronautical product to an airworthy condition. The references to an approved repair design under these Technical Implementation Procedures are:

- (a) for EASA, a repair design approval letter issued by EASA or a repair design approval granted by a holder of a Design Organization Approval; and
- (b) for TCCA, an approval issued under Division VI, Repair Design Approvals, of Subpart 521 of the CARs by either TCCA or an appropriately authorized delegate.

C6.2 Reciprocal Acceptance

Except where required in C6.4, the reciprocal acceptance of repair designs by each Competent Authority under this Agreement shall be based solely on the basis of each other's approval, without the need for submission of an application or the completion of a validation by the other. A repair design approval originally granted by one Competent Authority shall be automatically accepted by the other as being equivalent to having granted and issued its own approval, provided the repair design is:

- (a) not subject to the exclusions of C6.3;
- (b) developed, in the case of a critical part or a life-limited part, by the holder of the applicable TC, STC, or equivalent approval, of the affected civil aeronautical product;
- (c) for a civil aeronautical product for which both Competent Authorities have issued type certificates, or equivalent approvals; and
- (d) approved in the manner set out in C6.1 by one of the Competent Authorities.

C6.3 Exclusion

These Technical Implementation Procedures do not allow the automatic acceptance of the following repair designs, and shall be subject to the procedures of C6.4:

- (a) critical part or a life-limited part (see definition in Section 1.8, Terminology) if the repair design was developed by a person other than the holder of the TC, STC, or other equivalent approval for the affected civil aeronautical product; and
- (b) a repair design for the fabrication of a new part, which results in a change in type design.
- (c) an area that is the subject of an airworthiness directive by the Importing Party, unless such airworthiness directive allows for the acceptance of a repair design approved by the Exporting Party.

C6.4 Validation of Other Repair Design Approvals

Repair designs that are not eligible for automatic acceptance under these Technical Implementation Procedures shall be validated and approved by the Importing Party, as follows:

- (a) The Exporting Party shall submit an application on behalf of the applicant to the Importing Party, using the addresses listed in Appendix A. The application shall be made in the manner prescribed on the Importing Party's website.
- (b) In cases where the applicant has entered into an arrangement with the TC or STC holder, the Exporting Party shall confirm this to the Importing Party. The repair design approval may be issued based on this confirmation without further technical review.
- (c) In cases where the applicant has not entered into an arrangement with the TC or STC holder, the application shall contain:

- (i) drawings, specifications and other data necessary to define the configuration and design features of the repair;
 - (ii) a compliance summary that identifies the applicable airworthiness standards, methods of compliance, and compliance results;
 - (iii) substantiation for continued applicability of existing ICAs, or supplemental ICAs, if any;
 - (iv) in the case of applications from Canada, the applicant's justification, and TCCA's concurrence, that an arrangement is not necessary as the information on which the application is based is adequate from the applicant's own resources; and
 - (v) a copy of the repair design issued by the Exporting Party.
- (d) The Importing Party shall issue a repair design approval based on the declaration from the Exporting Party that the applicant has met the Importing Party's requirements.

APPENDIX D — ACRONYM LIST

AMOC	Alternative Means of Compliance
APU	Auxiliary Power Unit
AWM	Airworthiness Manual (For TCCA)
CAN-TSO	Canadian Technical Standard Order
CAR	Canadian Aviation Regulations
CS	Certification Specification (For EASA)
EASA	European Aviation Safety Agency
EU	European Union
ETSO	European Technical Standard Order
ETSOA	European Technical Standard Order Authorization
ICA	Instructions for Continued Airworthiness
ICAO	International Civil Aviation Organization
MRB	Maintenance Review Board
PCM	Project Certification Manager (for EASA)
PDA	Part Design Approval (for TCCA)
PM	Project Manager (for TCCA)
POA	Production Organisation Approval
RTC	Restricted Type Certificate
STC	Supplemental Type Certificate
STCH	Supplemental Type Certificate Holder
TC	Type Certificate
TCCA	Transport Canada Civil Aviation
TCH	Type Certificate Holder
TSO	Technical Standard Order (For FAA)