
IMPLEMENTATION PROCEDURES

FOR

DESIGN APPROVAL, PRODUCTION ACTIVITIES,
EXPORT AIRWORTHINESS APPROVAL,
POST DESIGN APPROVAL ACTIVITIES, AND
TECHNICAL ASSISTANCE BETWEEN AUTHORITIES

Under the Agreement between
The Government of the United States of America
and
The Government of Canada
For Promotion of Aviation Safety

TABLE OF CONTENTS

	<u>Page</u>
<u>SECTION I</u>	
<u>GENERAL</u>	
1.0 Authorization.....	1
1.1 Purpose	1
1.2 Principles.....	1
1.3 Changes in Authority Aircraft Certification Systems	2
1.4 Authority Meetings.....	3
1.5 Applicable National Requirements, Procedures and Guidance Material	3
1.6 Interpretations	4
1.7 Amendments and Points of Contact	4
1.8 Entry Into Force and Termination	5
1.9 Definitions.....	5
<u>SECTION II</u>	
<u>SCOPE OF THESE IMPLEMENTATION PROCEDURES</u>	
2.0 General.....	10
2.1 Products Manufactured in the Country of the Exporting Civil Airworthiness Authority Accepted for Import Under these BASA Implementation Procedures.....	10
2.1.0 Canadian Acceptance of FAA Export Certificates of Airworthiness	10
2.1.1 Canadian Acceptance of FAA Airworthiness Approval Tags.....	10
2.1.2 U.S. Acceptance of TCCA Export Certificates of Airworthiness.....	10
2.1.3 U.S. Acceptance of TCCA Authorized Release Certificates	11
2.1.4 Acceptance of Standard Parts	11
2.1.5 Standard Airworthiness Certification	11
2.1.6 Special Airworthiness Certification	11

TABLE OF CONTENTS (Continued)

	<u>Page</u>
2.2	Acceptance of New and Used Aircraft Manufactured in Third Countries 11
2.3	Provisions for Approval of Design Data Used in Support of Repairs 12
2.3.0	Canadian Acceptance of FAA-Approved Design Data 12
2.3.1	U.S. Acceptance of TCCA-Approved Design Data..... 12
2.4	Provisions for Environmental Testing and Approvals 12
2.4.0	Canadian Acceptance of FAA Findings for Environmental Requirements 12
2.4.1	U.S. Acceptance of TCCA Findings for Environmental Requirements..... 12
2.5	Provisions for Limitations on the Acceptance of Products Manufactured in Third Countries 13
2.6	Provisions for Technical Assistance 13
2.7	Provisions for Special Arrangements..... 13
2.8	Summary Tables 13

SECTION III ESTABLISHED WORKING PROCEDURES

3.0	Design Approval Procedures 16
3.0.0	General 16
3.0.1	Design Approval Procedures for Type Certificates and Amended Type Certificates 17
3.0.2	Design Approval Procedures for Supplemental Type Certificates 27
3.0.3	Design Approvals for Products Other Than Aircraft, Aircraft Engines, and Propellers 30
3.0.4	Joint Design Approval Procedures 32
3.0.5	Procedures for Split Design/Production Projects..... 32
3.1	Production and Surveillance Activities 33
3.1.0	Production Quality System Approval..... 33

TABLE OF CONTENTS (Continued)

	<u>Page</u>
3.1.1	Surveillance of Production Approval Holders 34
3.1.2	Extensions of Production Approvals..... 34
3.1.3	Production Approval Based on a Licensing Agreement 34
3.1.4	Supplier Surveillance - Outside the Exporting Country 34
3.1.5	Multi-National Consortia..... 35
3.2	Export Airworthiness Approval Procedures 35
3.2.0	General 35
3.2.1	FAA Acceptance of TCCA Export Certificates of Airworthiness and Authorized Release Certificates..... 36
3.2.2	TCCA Acceptance of FAA Export Certificates of Airworthiness and Airworthiness Approval Tags 39
3.2.3	Aircraft Manufactured in a Third Country 41
3.2.4	Additional Requirements for Imported Products..... 41
3.3	Post Design Approval Procedures..... 42
3.3.0	Continued Airworthiness 42
3.3.1	Design Changes..... 46
3.3.2	Approval of Design Data Used in Support of Repairs 50
3.3.3	TCCA Acceptance of Other FAA Design Changes..... 50
3.3.4	Administration of Design Approvals..... 50

SECTION IV TECHNICAL ASSISTANCE BETWEEN AUTHORITIES

4.0	General 57
4.1	Witnessing of Tests During Design Approval..... 58
4.2	Conformity Certifications During Design Approval..... 58
4.3	Airworthiness Certificates 59
4.4	Protection of Proprietary Data and Freedom of Information Act (FOIA)/Access to Information Act Requests 59
4.4.0	Protection of Proprietary Data 59
4.4.1	FOIA Requests..... 60
4.4.2	Access to Information Act Requests 60
4.5	Accident/Incident and Suspected Unapproved Parts Investigation Information Requests 61

TABLE OF CONTENTS (Continued)

	<u>Page</u>
<u>SECTION V</u> <u>SPECIAL ARRANGEMENTS</u>	61
<u>SECTION VI</u> <u>AUTHORITY</u>	62
APPENDIX A List of Addresses for FAA Headquarters Offices, FAA Mike Monroney Aeronautical Center, FAA Aircraft Certification Service Directorates, FAA Manufacturing Inspection Offices, FAA Aircraft Certification Offices, FAA Manufacturing Inspection District Offices and TCCA Offices.....	A-1
APPENDIX B List of Referenced Documents.....	B-1
APPENDIX C List of Special Arrangements	C-1

IMPLEMENTATION PROCEDURES

for

Design Approval, Production Activities, Export Airworthiness Approval, Post Design Approval Activities, and Technical Assistance Between Authorities

SECTION I GENERAL

- 1.0 Authorization. These Implementation Procedures are authorized by Article III of the Agreement between the Government of the United States of America and the Government of Canada for the Promotion of Aviation Safety, dated June 12, 2000, also known as the Bilateral Aviation Safety Agreement, or “BASA executive agreement.” The Federal Aviation Administration (FAA) and Transport Canada Civil Aviation (TCCA) have determined that the aircraft certification systems of each authority for the design approval, production approval, airworthiness certification, and continuing airworthiness of civil aeronautical products are sufficiently similar in structure and performance to support these Implementation Procedures. This document replaces the earlier Schedule of Implementation Procedures, dated May 18, 1988, with the exception of Chapter 4, Maintenance, Alteration or Modification of Aeronautical Products, which remains in effect until Maintenance Implementation Procedures are concluded.
- 1.1 Purpose. The purpose of this document is to define the civil aeronautical products eligible for import into the United States and Canada (See *Section II - Scope*), and to define the interface requirements and activities between the authorities for the import and continued support of those civil aeronautical products.
- 1.2 Principles. These Implementation Procedures address the performance of design, production, airworthiness, and related certification functions, and are based on a high degree of mutual confidence in the FAA’s and TCCA’s technical competence and regulatory capabilities to perform these functions within the scope of these Implementation Procedures. The FAA and TCCA, as importing civil airworthiness authorities, shall give the same validity to the certification made by the other, as the exporting civil airworthiness authority, as if the certification had been made by the FAA or TCCA in accordance with its own applicable laws, regulations, and requirements. Also, when a finding is made by one authority in accordance with the laws and regulations of the other authority and with these Implementation Procedures, that finding is given the same validity as if it were made by the other authority. Therefore, the fundamental principles of these Implementation Procedures are to maximize the use of the exporting civil airworthiness authority’s aircraft certification system, avoid repetition of investigations and compliance determinations, and ensure that the airworthiness standards of the importing civil airworthiness authority are satisfied.

- 1.2.0 The FAA and TCCA agree that all information, including technical documentation, exchanged under these Implementation Procedures will be in the English language.
- 1.2.1 The FAA and TCCA mutually recognize each other's delegation and designee systems as part of their overall aircraft certification systems. Findings made pursuant to these Implementation Procedures through these systems are given the same validity as those made directly by the authority. FAA and TCCA understand that there may be situations where, upon mutual consent by both authorities, either authority may communicate directly with an individual designee or delegated organization of the other authority. In advance of designees or representatives of delegated organizations traveling to the U.S. or Canada to make findings of compliance, perform conformity inspections, and/or witness tests, the FAA or TCCA office responsible for those designees or delegated organizations will coordinate these actions with the appropriate local office of the other authority. (See addresses in Appendix A.)

1.3 Changes in Authority Aircraft Certification Systems.

- 1.3.0 The FAA and TCCA shall keep each other informed of significant changes within their aircraft certification systems, such as:
- (a) statutory responsibilities;
 - (b) organizational structure (e.g., key personnel, management structure, technical training, office location);
 - (c) significant revisions to airworthiness and environmental standards and procedures;
 - (d) production quality control system oversight including oversight of newly initiated out-of-country production; or
 - (e) delegated functions or the kinds of organizations to which functions have been delegated.

These changes should be forwarded to the offices identified in paragraph 1.7.1.

- 1.3.1 The FAA and TCCA recognize that revision by either authority to its regulations, policies, procedures, statutory responsibility, organizational structure, production quality control system oversight, or delegation and designee system may affect the basis and the scope of these Implementation Procedures. Accordingly, upon notice of such changes by one authority, the

other authority may request a meeting to review the need for amendment to these Implementation Procedures.

1.4 Authority Meetings. The FAA and TCCA agree to meet as necessary to review these Implementation Procedures and their continued validity. These meetings will also be used to discuss and harmonize any major differences in standards and their interpretation that are identified during certification projects between FAA and TCCA and, when significant differences are identified, formal proposals will be raised through the applicable rulemaking committee. The frequency of these meetings will be mutually agreed by both authorities, and will depend on the number and significance of the issues to be discussed between the authorities.

1.5 Applicable National Requirements, Procedures, and Guidance Material.

1.5.0 The FAA's standards for aircraft airworthiness and environmental certification are contained in the Code of Federal Regulations (CFR), Title 14, Parts 21, 23, 25, 27, 29, 31, 33, 34, 35, and 36. The FAA also uses JAR 22 and JAR-VLA for some special classes of aircraft. Guidance material, policy, and procedures are contained in FAA Advisory Circulars, Orders, Notices and Policy Memoranda.

1.5.1 The Canadian requirements for aircraft airworthiness and environmental certification are contained in the Canadian Aviation Regulations (CAR) Part V. Related standards are contained in the Airworthiness Manual (AWM); airworthiness guidance material are in Airworthiness Manual Advisories (AMAs). Related policies and procedures are in TCCA directives, circulars, procedures and instructions. These documents are available on the TCCA website, <http://www.tc.gc.ca/aviation>.

1.5.1.0 CARs incorporate by reference, related standards and advisory material. Reference to CARs should be interpreted as follows:

(a) CAR 511 means Canadian Aviation Regulation Part V subpart 11 and includes the related standards in the Airworthiness Manual, Chapter 511 (AWM 511); and

(b) CAR 511.23 means the section 23 of CAR 511 and includes the related, section of the standards in AWM 511.23.

1.5.1.1 CAR 516 to 541 incorporate by reference AWM 516 to 541. These contain the standards for airworthiness of aeronautical products. These AWM chapters are based on 14 CFR standards and format, TSO, JAR 22, JAR-VLA, and ICAO Annex 16 standards.

1.6 Interpretations. In the case of conflicting interpretations of the laws, airworthiness or environmental regulations/standards, requirements, or acceptable means of compliance pertaining to certifications, approvals, or acceptance under these Implementation Procedures, the interpretation of the civil airworthiness authority whose law, regulation/standard, requirement, or acceptable means of compliance is being interpreted shall prevail; however, immediate action will be taken to identify differences or conflicts and subsequent remedial action will be taken to resolve the differences.

1.7 Amendments and Points of Contact.

1.7.0 These Implementation Procedures may be amended by mutual consent of the FAA and TCCA. Such amendments shall be made effective by signature of the duly authorized representatives of the FAA and TCCA.

1.7.1 The designated offices for the technical implementation of these Implementation Procedures are:

For the FAA:

Aircraft Certification Service
International Airworthiness Programs Staff
(AIR-4)
Federal Aviation Administration
800 Independence Avenue, SW
Washington, D.C. 20591
U.S.A.

Telephone: (202) 267-7008
Fax: (202) 267-5364

For TCCA:

Director, Maintenance & Manufacturing
(AARP)
Transport Canada Civil Aviation
2nd Floor, Tower C, Place de Ville
330 Sparks Street
Ottawa, Ontario, K1A 0N8
Canada

Director, Aircraft Certification (AARD)
Transport Canada Civil Aviation
2nd Floor, Tower C, Place de Ville
330 Sparks Street
Ottawa, Ontario, K1A 0N8
Canada

Telephone: (613) 952-4371
Fax: (613) 952-3298

Telephone: (613) 952-4338
Fax: (613) 996-9178

1.7.2 The designated offices for inter-agency or inter-departmental coordination of these Implementation Procedures are:

For the FAA:

Office of International Aviation (AIA-1)
Federal Aviation Administration
800 Independence Ave., SW
Washington, DC 20591
U.S.A.

Telephone: (202) 267-8112
Fax: (202) 267-5032

For TCCA:

Aircraft Certification
Transport Canada Civil Aviation
Place de Ville, Tower C (AARD)
330 Sparks Street, 2nd Floor
Ottawa, Ontario, K1A 0N8
Canada

Telephone: (613) 952-4338
Fax: (613) 996-9178

1.8 Entry Into Force and Termination. These Implementation Procedures shall enter into force upon signature and shall remain in force until terminated by either party. Either the FAA or TCCA may terminate these Implementation Procedures upon sixty days written notice to the other party. Termination will not affect the validity of activity conducted under these Implementation Procedures prior to termination.

1.9 Definitions. For the purpose of these Implementation Procedures the following definitions are provided to supplement and clarify those definitions that are found in Article II of the BASA Executive Agreement.

(a) "Additional Technical Condition" means a requirement of the importing country that is in addition to the applicable airworthiness requirements of the State of Design of the product or that may be prescribed to provide a level of safety equivalent to that provided by the applicable airworthiness requirements for the importing country.

(b) "Aircraft Flight Manual" (AFM) means an authoritative document prepared for each aircraft type by the type certificate holder and approved by the certifying Airworthiness Authority. Its required content is specified in the appropriate design standards.

(c) "Airworthiness Standards" for the FAA means regulations governing the design, manufacture, maintenance, and performance of civil aeronautical products. For TCCA, this term, in respect of the design, manufacture or maintenance of an aeronautical product, means the description, in terms of a minimum standard, of the properties and attributes of the configuration, material and performance or physical characteristics of that aeronautical product, and includes the procedures to ascertain compliance with or to maintain that minimum standard, as specified in CAR Part V. This term is equivalent to "Standards of Airworthiness" as defined in CAR Part V.

(d) "Appliance" means any instrument, mechanism, equipment, apparatus, appurtenance, or accessory, including communications equipment, that is used or intended to be used in operating or controlling an aircraft in flight, is installed in or attached to the aircraft, and is not part of an airframe, aircraft engine, or propeller.

- (e) “Canadian Product” means a product for which the TCCA is the authority of the State of Design.
- (f) “Civil Aeronautical Product” (herein also referred to as “product”) means each civil aircraft, aircraft engine, propeller, appliance and part thereof.
- (g) “Concern Paper” means a document written by TCCA against common FAA/TCCA design standards where there may be a differing opinion as to the acceptability of the FAA’s findings of compliance and where a response is requested from the FAA. Some concerns may require resolution prior to the issuance of a TCCA type certificate.
- (h) “Critical Component” means a part for which a replacement time, inspection interval, or related procedure is specified in the Airworthiness Limitations section of the product’s maintenance manual or Instructions for Continued Airworthiness.
- (i) “Environmental Approval” means an approval issued when a civil aeronautical product has been found to comply with standards concerning noise, fuel venting and/or exhaust emissions.
- (j) “Environmental Standards” means regulations governing designs with regard to (noise characteristics, fuel venting, and exhaust emissions of civil aeronautical products.
- (k) “Environmental Testing” means a process by which a civil aeronautical product is determined to comply with environmental standards.
- (l) “Equivalent Level of Safety Finding” means a finding that alternative action taken provides a level of safety equal to that provided by the requirements for which equivalency is being sought.
- (m) “Exemption” means a grant of permission to allow a noncompliance with a specific requirement when processed through the appropriate regulatory procedure by the FAA or TCCA, and found to have an acceptable level of safety and to be in the public interest.
- (n) “Exporting Civil Airworthiness Authority” means the national 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. The exporting civil airworthiness authority will be referred to herein as the “exporting authority”.
- (o) “Familiarization” means the process whereby the importing authority obtains information and experience on an aeronautical product designed in the exporting State in order to prescribe additional technical conditions for that product; gain

knowledge to provide corrective airworthiness action in the event that the product experiences service difficulties during its operation in the importing State; and develop appropriate maintenance, operating, and pilot type rating information, if applicable, for the product.

(p) “Finding” means a determination of compliance/noncompliance as the result of an airworthiness authority’s review, investigation, inspection, test, and/or analysis.

(q) “Importing Civil Airworthiness Authority” means the national 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. The importing civil airworthiness authority will be referred to herein as the “importing authority.”

(r) “Issue Paper” means a document representing an item that requires resolution prior to the issuance of the TCCA or FAA type certificate or supplemental type certificate.

(s) “Maintenance” means the performance of inspection, overhaul, repair, preservation, and the replacement of parts or appliances of a product, but excludes modifications and preventive maintenance to that product.

(t) “Manufactured in” means the production process in the country of the exporting civil airworthiness authority in which products first come together as completed end units in final assembly and are first tested as a unit for airworthiness certification purposes.

(u) “Manufacturer” means the person responsible for the final assembly of a product under a FAA or TCCA-approved quality assurance system which ensures conformity of the product to an approved type design. Final assembly includes the activities of producing or fabricating, notwithstanding that portions of the product may have been manufactured by other persons at other locations.

(v) “Multi-National Consortium” means a group of manufacturers from multiple countries who have agreed to form a single company for production of a particular product.

(w) “New Aircraft” means an aircraft that is still owned by the manufacturer, distributor, or dealer without any intervening private owner, lease or time sharing arrangement, and has not been used in any pilot school and/or commercial operation.

(x) “Person” means each individual, firm, partnership, corporation, company, association, joint stock association, or governmental entity, and includes a trustee, receiver, assignee, or other similar representative of any of them.

(y) “Priority Part” means each part or assembly in an FAA- or TCCA-approved design, that, if it were to fail, could reasonably be expected to cause an unsafe condition in an aircraft, aircraft engine, or propeller.

(z) “Product” see (e) Civil Aeronautical Product.

(aa) “Production Quality System” means a systematic process which meets the requirements of the exporting authority and ensures that civil aeronautical products will conform to the approved type design and will be in a condition for safe operation.

(ab) “Special Condition” means an additional airworthiness standard(s) prescribed by the FAA or TCCA when the airworthiness standards for the category of the product do not contain adequate or appropriate safety standards due to novel or unusual design features. Special Conditions contain such safety standards as the FAA or TCCA finds necessary to establish a level of safety equivalent to that established in the applicable airworthiness standards.

(ac) “Standard Airworthiness Certificate” means an airworthiness certificate issued for the normal, utility, acrobatic, commuter, and transport categories of aircraft, as well as for manned free balloons and special classes of aircraft which include airships, very light aircraft (VLA), and gliders.

(ad) “Supplier” means a person at any tier who contracts to provide an appliance, part, special process, or service to a product manufacturer to be incorporated into the manufacture of the civil aeronautical product.

(ae) “Suspension” means a lapse in the effectiveness of a certificate, approval or authorization as ordered by the airworthiness authority.

(af) “Type Design” means the description of all characteristics of a product, including its design, manufacturing processes limitations (e.g. approved section of the AFM), and continued airworthiness instructions which determine its airworthiness. This includes drawings and specifications necessary to define the configuration and design features (e.g., dimensions, materials, and processes) and the data substantiating that the design meets the applicable airworthiness requirements.

(ag) “Used Aircraft” means each aircraft that is not a new aircraft as defined in paragraph (w) above.

(ah) “U.S. Product” means a product for which the FAA is the authority of the State of Design.

SECTION II SCOPE

2.0 General. These Implementation Procedures cover the products identified below, their approvals, and the provisions set forth in the following paragraphs.

2.1 Products Manufactured in the Country of the Exporting Civil Airworthiness Authority Accepted for Import Under These BASA Implementation Procedures.

2.1.0 Canadian Acceptance of FAA Export Certificates of Airworthiness for the Following Products:

- (a) new and used aircraft,
- (b) new aircraft engines, and
- (c) new propellers.

See Summary Table 1 (page 14) for listing of U.S. products, and their associated approvals, eligible for import into Canada.

2.1.1 Canadian Acceptance of FAA Airworthiness Approval Tags for the Following Appliances and Parts:

- (a) new TSO appliances, and
- (b) new parts, including modification and/or replacement parts for aircraft, aircraft engines, propellers, and TSO appliances under the conditions outlined in paragraph 3.2.2.2

See Summary Table 1 (page 14) for listing of U.S. appliances, parts and associated approvals eligible for import into Canada.

2.1.2 U.S. Acceptance of TCCA Export Certificates of Airworthiness for the Following Products:

- (a) new and used aircraft,

See Summary Table 2 (page 15) for listing of Canadian products, and their associated approvals, eligible for import into the United States.

2.1.3 U.S. Acceptance of TCCA Authorized Release Certificates for the Following Products, Appliances and Parts:

- (a) new aircraft engines,
- (b) new propellers,
- (c) new appliances designed to an FAA TSO, and
- (d) new parts, including modification and/or replacement parts for aircraft, aircraft engines, propellers and appliances under the conditions outlined in paragraph 3.2.1.3

See Summary Table 2 (page 15) for listing of Canadian appliances, parts, and associated approvals eligible for import into the United States.

2.1.4 Acceptance of Standard Parts.

- (a) TCCA Acceptance of Standard Parts. TCCA shall accept Standard Parts for products covered under these Implementation Procedures when they conform to established U.S. industry or U.S. government specifications, or to an FAA parts TSO (e.g., TSO C148, C149, or C150).
- (b) U.S. Acceptance of Standard Parts. The FAA shall accept Standard Parts for products covered under these Implementation Procedures when they conform to established U.S. or Canadian industry specifications.

2.1.5 Standard Airworthiness Certification. These Implementation Procedures apply to such aircraft type designs to be type certificated by the FAA and TCCA for standard category airworthiness certification, except as described in paragraph 2.1.6.

2.1.6 Special Airworthiness Certification. The FAA and TCCA have agreed to accept certain aircraft certificated in the restricted category that are not eligible for a standard airworthiness certificate. For the FAA, these aircraft will be handled in accordance with 14 CFR §§ 21.25 (a)(1) and (b)(1-7) and 21.185. For TCCA, these aircraft will be handled in accordance with the requirements of CAR, Part V, Subpart 7. Other aircraft for which a special airworthiness certificate is to be issued will be dealt with on a case-by-case basis through the special arrangements provision in Section V of this document.

2.2 Acceptance of New and Used Aircraft Manufactured in Third Countries. These Implementation Procedures also apply to the acceptance of Export Certificates of Airworthiness for aircraft which have been manufactured and/or assembled in third countries and are subsequently exported from Canada to the U.S. or vice versa

provided that an agreement for this purpose has been formalized between each authority (i.e., independent bilateral arrangements between all three parties).

2.3 Provisions for Approval of Design Data Used in Support of Repairs.

2.3.0 Canadian Acceptance of FAA-Approved Design Data: FAA-approved repair data will be accepted by TCCA as defined in Section III.

2.3.1 U.S. Acceptance of TCCA-Approved Design Data: TCCA-approved repair data will be accepted by the FAA as defined in Section III.

2.4 Provisions for Environmental Testing and Approvals.

2.4.0 Canadian Acceptance of FAA Findings for Environmental Requirements:

- (a) noise certification requirements for subsonic transport category large airplanes and subsonic turbojet powered airplanes;
- (b) noise certification requirements for propeller-driven small airplanes and propeller-driven commuter category airplanes;
- (c) noise certification requirements for helicopters; and
- (d) fuel venting and exhaust emissions certification requirements for turbine powered airplanes.

2.4.1 U.S. Acceptance of TCCA Findings for Environmental Requirements:

- (a) noise certification requirements for subsonic transport category large airplanes and subsonic turbojet powered airplanes;
- (b) noise certification requirements for propeller-driven small airplanes and propeller-driven commuter category airplanes;
- (c) noise certification requirements for helicopters; and
- (d) fuel venting and exhaust emissions certification requirements for turbine powered airplanes.

2.5 Provisions for Limitations on the Acceptance of Products Manufactured in Third Countries

[Reserved.]

2.6 Provisions for Technical Assistance. The scope of all technical assistance activities between the FAA and TCCA are specified in Section IV.

2.7 Provisions for Special Arrangements. Section V of these Implementation Procedures provides for designated officials within the FAA and TCCA to make special arrangements -- with respect to design approval, production activities, export airworthiness approval, post design approval, or technical assistance -- in unique situations which have not been specifically addressed in these Implementation Procedures, but which are anticipated by the BASA. All special arrangements between the authorities are listed in Appendix C.

2.8 Summary Tables. The following tables summarize the new products designed and manufactured in the U.S. or Canada that are eligible for import under these Implementation Procedures. (These tables do not show third country products eligible for import.)

**Table 1: Summary of
U.S. Products, Including Appliances and Parts, and Their Associated FAA Approvals
Recognized by TCCA**

PRODUCT	FAA Type Certificate, and Amendments (14 CFR Part 21) (See Note 3)	FAA Supplemental Type Certificate (See Note 3)	FAA Technical Standard Order Authorization	FAA Parts Manufacturer Approvals
Airplanes in the following categories:				
Normal	✓	✓	N/A	N/A
Utility	✓	✓	N/A	N/A
Acrobatic	✓	✓	N/A	N/A
Commuter	✓	✓	N/A	N/A
Transport	✓	✓	N/A	N/A
Rotorcraft in the following categories:				
Normal	✓	✓	N/A	N/A
Transport	✓	✓	N/A	N/A
Manned Free Balloons	✓	✓	N/A	N/A
Engines	✓	✓	N/A	N/A
Propellers	✓	✓	N/A	N/A
Aircraft in Special Classes (see note 2):				
Airships	✓	✓	N/A	N/A
VLA	✓	✓	N/A	N/A
Gliders	✓	✓	N/A	N/A
Powered Lift	✓	✓	N/A	N/A
Aircraft type certificated in the restricted category	(See Note 1)	(See Note 1)	N/A	N/A
TSO Appliances	N/A	N/A	✓	N/A
<u>PARTS:</u>				
Replacement and Modification Parts for the above airplanes, rotorcraft, balloons, engines, propellers, special class aircraft, and appliances	✓ (Also need a production approval)	✓ (Also need a PC or PMA for production)	✓	✓

Note 1: Aircraft certified in the restricted category for the purposes of agricultural, forest and wildlife conservation, aerial surveying, patrolling, weather control and aerial advertising.

Note 2: TCCA does not recognize primary category aircraft.

Note 3: A Canadian TC, STC, or equivalent document is required.

**Table 2: Summary of
Canadian Products, Including Appliances and Parts and Their Associated TCCA Approvals
Recognized by the FAA**

PRODUCT	TCCA Type Certificates & Amendments (see Notes 2&3)	TCCA Supplemental Type Certs. (see Notes 2&3)	TCCA Appliance Type Certificates	FAA Technical Standard Order Authorization	Repair Design Certificates (RDC) (see Note 5)
Airplanes in the following categories:					
Normal	✓	✓	N/A	N/A	✓
Utility	✓	✓	N/A	N/A	✓
Acrobatic	✓	✓	N/A	N/A	✓
Commuter	✓	✓	N/A	N/A	✓
Transport	✓	✓	N/A	N/A	✓
Rotorcraft in the following categories:					
Normal	✓	✓	N/A	N/A	✓
Transport	✓	✓	N/A	N/A	✓
Manned Free Balloons	✓	✓	N/A	N/A	✓
Engines	✓	✓	N/A	N/A	✓
Propellers	✓	✓	N/A	N/A	✓
Aircraft in Special Classes:					
Airships	✓	✓	N/A	N/A	✓
VLA	✓	✓	N/A	N/A	✓
Gliders	✓	✓	N/A	N/A	✓
Powered Lift	✓	✓	N/A	N/A	✓
Aircraft type certificated in the restricted category	(See Note 1)	(See Note 1)	N/A	N/A	
TSO Appliances (See Note 4)	N/A	N/A	✓	✓	N/A
<u>PARTS (See Note 6)</u>					
Replacement and Modification Parts for the above airplanes, rotorcraft, balloons, engines, propellers, special class aircraft, and appliances	✓	✓	✓	✓	N/A

Note 1: Aircraft certified in the restricted category for the purposes of agricultural, forest and wildlife conservation, aerial surveying, patrolling, weather control and aerial advertising.

Note 2: For Canadian products, the certificate designations of Type Certificate (TC)/Type Approval (TA) and Supplemental Type Certificate (STC)/Supplemental Type Approval (STA) are interchangeable.

Note 3: An FAA TC, STC, or equivalent document is required.

Note 4: Accepted only when the FAA has issued a corresponding TSO under 14 CFR Part 21.617.

Note 5: For RDCs, refer to the special arrangement listed in Appendix C, Item 2.

Note 6: For TCs, STCs, Appliance TCs and TSOs, manufacturing is covered under CAR/AWM 561 and for RDCs manufacturing of parts is covered under CAR/AWM 571.

SECTION III ESTABLISHED WORKING PROCEDURES

3.0 DESIGN APPROVAL PROCEDURES

3.0.0 General.

(a) The underlying principle behind these Implementation Procedures is that certification projects will be based on mutual trust by both authorities, which will lead to design acceptance in compliance with the importing authority's airworthiness standards. This process requires effective communication between the FAA and TCCA. Determinations of compliance with the importing authority's certification basis are made by the exporting authority, as delegated by the importing authority. The importing authority should be able to make findings of compliance, without further showing, based upon the exporting authority's statements of compliance.

(b) The FAA will normally conduct a review process of Canadian aeronautical products in order to make a finding of compliance and issue the U.S. design approvals. This review will be conducted in accordance with the procedures in FAA Advisory Circular 21-23, *Airworthiness Certification of Civil Aircraft, Engines, Propellers, and Related Products Imported to the United States*. The type certificate or other design approval issued by the FAA is based to the maximum extent practicable on the technical evaluations, tests, inspections, and compliance certifications made by TCCA.

(c) The FAA does not normally issue a design approval for a product manufactured outside the U.S., except for an aircraft to be U.S.-registered or an engine, propeller, appliance to be incorporated into the design of a U.S.-registered aircraft or U.S. product. Therefore, Canadian applicants for U.S. design approval should provide the FAA with evidence that the product will be imported into the U.S., or will be installed on a U.S. registered aircraft or U.S. product.

(d) TCCA will conduct a review process (referred to as type design examination) to facilitate type certification and the importation of U.S. aeronautical products on the basis of a type certificate issued by the FAA. This examination is conducted in accordance with the Canadian Aviation Regulation (CAR) 511.21(3) and is outlined in Airworthiness Manual Advisory (AMA) 511/2, *Type Certification of Foreign Type Designs of Aeronautical Products Including Related Airworthiness Activities*. Detailed procedures are outlined in related TCCA advisory material. TCCA has confidence that the FAA's and TCCA's type certification process produces equivalent results. Therefore, TCCA is prepared to accept most aircraft types and their associated engines through a level 1 or level 2 type design examination, as outlined in Section 6 of AMA 511/2. For products eligible for level 1 reviews U.S.

applicants are encouraged to apply for TCCA type certification concurrent with their FAA type certification application.

(e) Since the exporting authority must understand the importing authority's position on all the items for which the exporting authority will be making determinations of compliance, each authority must include the other throughout the certification program. Each authority will normally seek the other authority's opinions before significant issues are resolved and, accordingly, may postpone a meeting with the applicant to discuss and resolve technical issues until the other authority is adequately represented. Similarly, correspondence will be answered through, coordinated with, or copied to the other authority.

(f) Close cooperation between the FAA and TCCA is necessary to provide for effective management of the certification projects and for the effective utilization of resources. It is the responsibility of the exporting authority to recommend issuance of a type certificate to the importing authority together with making statements of compliance to the importing authority certification basis. Detailed instructions and further background information for each of the following steps can be found in FAA Advisory Circular 21-23, *Airworthiness Certification of Civil Aircraft, Engines, Propellers, and Related Products Imported to the United States* for the FAA. TCCA procedural and guidance material for acceptance of FAA products and FAA STCs are contained in Airworthiness Manual Advisory (AMA) 511/2, *Type Certification of Foreign Type Designs of Aeronautical Products Including Related Airworthiness Activities* and AMA 513.20, *Approval of Foreign Designed Changes to the Type Design of Aeronautical Products*.

3.0.1 Design Approval Procedures for Type Certificates and Amended Type Certificates.

3.0.1.0 Application Process

3.0.1.1 Application for U.S. Type Certification.

(a) An application for a U.S. Type Certificate (TC), in accordance with 14 CFR § 21.15, from an applicant in Canada should be sent to TCCA. TCCA should ensure the application has the following information:

- (1) The TCCA Type Certificate and Data Sheet, if available, and a definition of the national airworthiness and environmental standards upon which the TCCA design approval was (or is to be) based, and the amendment level of the U.S. airworthiness and environmental standards TCCA believes to be satisfied by its own standards;

- (2) A description of all novel or unusual design features known to the applicant or TCCA at the time of application which might necessitate issuance of FAA special conditions under 14 CFR §21.16 or 21.101, or which might require a special review of acceptable means of compliance;
- (3) All known or expected exemptions or equivalent level of safety findings relative to TCCA's national standards for design approval that might affect compliance with the applicable U.S. airworthiness and environmental standards;
- (4) A planning date for FAA type certification; and
- (5) Available information on U.S. market potential, including specific customers and U.S. content of the product, if known.

(b) Applications for certification as restricted category aircraft should also include information on the special purpose operations for which the aircraft will be used. The FAA will accept applications for the following special purposes:

- (1) agricultural;
- (2) forest and wildlife conservation;
- (3) aerial surveying;
- (4) patrolling;
- (5) weather control; or
- (6) aerial advertising.

Applications for other special purpose operations may be considered in accordance with Chapter 6, of FAA Order 8110.4, *Type Certification Process*.

(c) TCCA should forward the application for the following products to the office indicated in the table below:

Product	FAA Office

Helicopters	Rotorcraft Standards Staff, ASW-110
Very Light Aircraft	Chicago ACO
Engines	Boston Engine Certification Office
All other products including fixed wing aircraft and appliances	New York ACO

Appendix A contains a list of addresses for these FAA offices.

(d) If the application is for a product in a category not previously certificated by TCCA, or the product is of a level of complexity that has not been previously certificated by TCCA, the FAA may increase the scope of its certification program. TCCA should notify the FAA as soon as it becomes aware of this type of pending application, so that the FAA may plan for the additional resources required.

3.0.1.2 Application for Canadian Type Certificate.

(a) An application for a Canadian Type Certificate, in accordance with CAR 511, Approval of the Type Design of an Aeronautical Product, from an applicant in the United States should be sent to the FAA certifying office. This office should ensure the application contains the following documents/information:

- (1) A general description of the product which in addition to principal design features and specifications, shall include:
 - (i) for an aircraft, a three view drawing of the aircraft and the available preliminary basic design and performance data; and
 - (ii) for an aircraft engine or propeller, operating characteristics and the proposed operating limitations.
- (2) Proposed basis of certification established under CAR 511.07, including all other standards for which voluntary compliance will be demonstrated.
- (3) All findings of equivalent safety or exemptions that are being requested.
- (4) Listing of engines, propellers, and all appliances having or requiring separate type certificates. Where one of these items is designed and/or manufactured outside Canada, the certification status in the country of the type design holder and/or of the manufacturer should be clearly stated.

- (5) Proposed type certification schedule of the product including the schedules of items listed under (4) above requiring separate certification activity.
- (6) When applicable, the following documents should accompany the application through the FAA.
 - (i) Type certificate and data sheet.
 - (ii) Approved AFM.
 - (iii) Limitations section of the instructions for continuing airworthiness.
 - (iv) Compliance program document (check list).
 - (v) Airworthiness directives.

(b) The certifying ACO should forward the application for type certificate to the Director, Aircraft Certification Branch, TCCA. Appendix A contains a list of addresses for TCCA.

3.0.1.3 Familiarization Meeting.

(a) The exporting authority will arrange a familiarization meeting with the importing authority and the applicant to discuss its certification program, the proposed domestic certification basis, and all novel or unusual features of the product.

(b) At this meeting the importing authority will work to establish the domestic type certification basis and the means of compliance for the product under application by determining the importing authority's airworthiness and environmental standards that would be applied to a similar product if it were to be produced in its own country. The extent to which these activities are accomplished at the meeting will depend on each authority's familiarity with the product and applicant, the applicant's familiarity with the each authority's process and, in general, the overall preparedness of all parties.

(c) For simple projects or less complex products, technical familiarization may be streamlined if agreed by both authorities.

3.0.1.4 Establishment of Project Certification Team. An important consideration that should be addressed at the familiarization meeting is the composition of the Project Certification Team. The composition of the team

should include specialist representation to cover the technology level of the certification project consistent with the complexity of the aeronautical product and level of involvement agreed upon. Each authority will identify a Project Manager.

3.0.1.5 Establishment of Type Certification Basis.

(a) New type certificates: The importing authority will develop the certification basis giving consideration to the applicable airworthiness standards in effect at the time the application was made to the exporting authority for a domestic TC. Applicants for a U.S. or Canadian TC must also comply with the applicable environmental standards in effect on the date of U.S. or Canadian certification, respectively.

(1) U.S. Environmental (Type) Certification Basis. The regulatory basis for compliance with 14 CFR parts 34 and 36 is the effective amendment on the date of FAA certification. An applicant for a TC or Supplemental Type Certificate (STC) must show that the aircraft meets the applicable airworthiness standards, special conditions, fuel venting and exhaust emission standards of 14 CFR Part 34 and the noise standards of 14 CFR Part 36.

(2) Canadian Environmental (Type) Certification Basis. The regulatory basis for compliance with CAR 516 is the amendment in effect on the date of TCCA certification as required by CAR 511. An applicant for a TC must show that the aircraft meets applicable airworthiness standards, special conditions, fuel venting and exhaust emission standards and noise standards specified in CAR 516. An applicant for an STC shall show that the aircraft meets the aircraft emission standards (both engine gaseous emissions and aircraft noise) recorded in the type certificate data sheet for the aircraft.

(b) Additional requirements:

(1) In general, the importing authority may require the applicant to comply with additional technical conditions in the interest of safety. These requirements may include actions deemed necessary for continued safe operation in the importing state as a result of service history and actions taken by the exporting authority to correct unsafe conditions.

(2) The importing authority will review all novel and unusual design features for development of special conditions. The importing authority will work closely with the exporting authority in the development of special conditions and exemptions providing the exporting authority and the applicant an opportunity to comment.

(c) Changes of type certificates: The FAA certification basis for a change to a product is established in accordance with 14 CFR part 21. The TCCA certification basis for a change to a product is established in accordance with CAR 511 and related standards.

3.0.1.6 Agreement on Certification Criteria. The exporting authority should review the importing authority's proposed certification basis. Both authorities agree the proposed method of compliance will be to the Federal Aviation Regulations plus environmental standards and additional technical conditions of the importing country. The authorities will coordinate the development of and finding compliance with additional technical conditions.

3.0.1.7 Data Submittal & Design Review. In order to find compliance with additional technical conditions, special conditions, equivalent levels of safety, or any other previously agreed upon areas, the importing authority may make written requests for data to the exporting authority, may review the product, and may fly the product for familiarization purposes. These requests shall, in the spirit of the BASA, be the minimum necessary to ensure that the importing authority acquires the needed familiarity. The exporting authority will verify and transmit all data from the applicant to the importing authority.

3.0.1.8 Technical Meetings.

(a) In addition to the initial familiarization meeting, other technical meetings may be necessary to assure that any additional technical conditions that have been communicated to the exporting authority are well understood, and that any outstanding technical issues are resolved. These meetings should be held as early as possible in the certification process in order to permit timely design changes, if required. All technical meetings will normally be arranged through the exporting authority and will normally have both authorities' representatives in attendance.

(b) Early in the program, based on the known design and information presented in the familiarization and technical meetings, the importing authority will identify the areas in which further importing authority activity will be required (e.g. providing required data and reports, tests and test witnessing, areas of concern or special emphasis). The anticipated level of involvement by the importing authority will be documented in writing and is consistent with the principles outlined in Section I, paragraph 1.2. This document may be revised if the initial design definition is incomplete or significant design changes are made.

(c) The exporting authority should notify the importing authority's Project Manager as soon as possible of all additional novel or unusual design features,

and all other design features that may require development of a special condition or the making of an equivalent level of safety finding.

3.0.1.9 Issue Papers and Concern Papers.

(a) The importing authority should keep issue papers to a minimum. However, the importing authority will prepare issue papers which contain the certification basis and other unique import requirements. The importing authority may also prepare issue papers to address issues such as acceptable means of compliance, equivalent safety findings, special conditions, and additional technical conditions. When the exporting and importing authority's positions are equivalent, the exporting authority's issue papers may be used directly by the importing authority in lieu of an issue paper originated by the importing authority. However, for Canadian products, the FAA must process its own issue papers addressing findings of equivalent levels of safety or special conditions. For the FAA, concurrence with the TCCA issue paper by the product accountable directorate is still required.

(b) Issue papers will be coordinated through the exporting authority. Such coordination will expedite the timely and mutually acceptable resolution of certification issues. The importing authority will incorporate the exporting authority's and the applicant's position in all issue papers originated by the importing authority.

(c) TCCA concern papers are written to highlight means of compliance to common design standards where TCCA has disagreement with, or does not understand the finding of compliance already made by the FAA. They are raised to promote discussion, understanding and agreement between authorities with resolution taking the form of explanation, clarification or the need for further action. While the applicant is informed of concern papers and may voluntarily and independently undertake further action, the activity is between the authorities and may result in the FAA taking further action with the applicant. Concern paper subject matter should be resolved at airworthiness managers' meetings between the FAA and TCCA.

3.0.1.10 U.S. Environmental Testing and Approval Procedures.

(a) The FAA is authorized to make findings of compliance to 14 CFR parts 34 and 36 based upon FAA-witnessed tests, conducted in accordance with FAA-approved test plans, and based upon FAA review and approval of all data and compliance demonstration reports submitted via TCCA. Compliance test witnessing, conformity inspections, and other functions may be delegated by the FAA in accordance with paragraph 2.4.1. FAA environmental requirements are documented in FAA Order 8110.4, *Type Certification Process*.

(b) Environmental Testing and Approval Process. In the absence of any FAA delegation to TCCA, the process for environmental testing and approvals, includes the following:

- (1) Environmental (noise, fuel venting and exhaust emissions) certification compliance demonstration plans must be submitted to the FAA for review, comment, and subsequent approval prior to undertaking certification testing.
- (2) Information and data must be supplied to the FAA in order to make a finding in accordance with the Noise Control Act of 1972 (P.L. 92-574). The FAA, before issuing an original type certificate for an aircraft of any category, must assess the extent of noise abatement technology incorporated into the type design and determine whether additional noise reduction is achievable. This examination must be initiated as soon as possible after the application for type certification in each original type certification project and reflect noise reduction potentials that become evident during the design and certification process.
- (3) Information and data must be supplied to the FAA in order to conduct an evaluation of the measurement and analysis methods and practices, and data correction procedures of the applicant for aircraft noise certification under 14 CFR Part 36, Subpart B and/or Subpart H.
- (4) Compliance demonstration aircraft noise test plans and engine exhaust emissions test plans to be used for demonstrating U.S. environmental certification compliance must be submitted to the FAA for review and comment, and subsequent approval not less than 90 days prior to commencing testing.
- (5) Proposed equivalent procedures to be used by the applicant during testing, data processing, data reduction, and data analysis must be specifically identified to the FAA and approved in advance by the FAA as part of items (1) and (4).
- (6) Compliance demonstration tests must be witnessed by FAA personnel, FAA designated engineering representatives, or TCCA when specifically requested to act on behalf of the FAA. Prior to the start of testing it is necessary to assure the conformity of the test article (aircraft or engine configuration) to that identified in the FAA approved compliance demonstration test plans.

- (7) Compliance demonstration reports must be submitted to the FAA for review and comment and subsequent approval prior to type certification approval.

3.0.1.11 Canadian Environmental Testing and Approval Procedures.

(a) TCCA is authorized to make findings of compliance to CAR 516 based on TCCA witnessed tests, conducted in accordance with TCCA-approved test plans, and based upon TCCA review and approval of all data and compliance demonstration reports submitted via the FAA. Compliance test witnessing, conformity inspections, and other functions may be delegated by TCCA to the FAA in accordance with paragraph 2.4.0.

(b) Environmental Testing and Approval Process. In the absence of any TCCA delegation to FAA, the process for environmental testing and approvals, includes the following:

- (1) Environmental (noise, fuel venting, and exhaust emissions) certification compliance demonstration plans must be submitted to TCCA for review, comments, and subsequent approval prior to undertaking certification testing.
- (2) Information and data must be supplied to TCCA in order to conduct findings in accordance with Airworthiness Manual Chapter 511 and 513. Before issuing an original type certificate TCCA will assess the extent of the noise abatement technology incorporated into the type design and determine whether additional noise reduction is achievable. This examination shall reflect noise reduction potentials that become evident during the design, testing and certification process.
- (3) Information and data must be supplied to TCCA in order to conduct an evaluation of the measurements and analysis methods and practices, and data correction procedures of the applicant for aircraft noise certification under Airworthiness Manual, Chapter 516, Subchapter A, Aircraft Noise.
- (4) Proposed equivalent procedures to be used by the applicant during testing, data processing, data reduction and data analysis shall be identified to TCCA and approved in advance by TCCA as part of paragraph 3.0.1.11 (b)(1).
- (5) Compliance demonstration tests shall be witnessed by TCCA , TCCA delegates, or the FAA when delegated to act on behalf of TCCA. Prior to the start of testing it is necessary to assure the

conformity of the test article (aircraft or engine configuration) to that identified in TCCA approved compliance demonstration test plans.

- (6) Compliance demonstration reports shall be submitted to TCCA for review and comments and subsequent approval prior to type certification.

3.0.1.12 Final Certification Meeting/Issuance of the Type Certificate.

(a) For the FAA, upon completion of the certification program and issuance of its domestic TC, TCCA will verify with the FAA that the level of involvement document, referenced in paragraph 3.0.1.8(b), has been satisfied and shall forward a certifying statement to the FAA, in accordance with 14 CFR § 21.29, along with all additional required materials. The FAA, upon receipt and review of the documents, will prepare the TC and TC Data Sheet and forward them to TCCA. A final meeting would only be necessary if there were areas of further discussion or if the sharing of information would be beneficial.

(b) For TCCA, upon completion of the certification program and issuance of its domestic TC, the FAA shall forward a certifying statement to TCCA, in accordance with CAR 511.21, along with any additional required materials. TCCA, upon receipt and review of the documents, will prepare the TC and TC Data Sheet and forward them to the FAA. A final meeting would only be necessary if there were areas of further discussion or if the sharing of information would be beneficial.

3.0.1.13 Evaluation of U.S. Operational and Maintenance Aspects.

(a) The FAA has established Aircraft Evaluation Groups (AEG) located at the product-accountable Directorates. The AEGs are responsible for the operational and maintenance aspects of the type certification process. The AEG will conduct Boards, as appropriate, to review the Maintenance Review Board (MRB) Report and associated Instructions for Continued Airworthiness (ICAW) Documentation; Operational Configuration, Pilot Training and Licensing Requirements; and the formulation and approval of a Master Minimum Equipment List (MMEL) on Canadian products prior to their entry into U. S. operations. The AEG will be invited to participate in the familiarization meeting by the FAA Project Manager and will generate issue papers as appropriate to the type design. Compliance with AEG requirements is not required at the time of FAA TC issuance, but must be demonstrated before issuance of the first U.S. standard airworthiness certificate. To avoid operational suitability problems, applicants are encouraged to complete AEG requirements early in the project.

(b) The AEG may develop operational and maintenance issue papers to address the FAA's operational requirements for a particular kind or condition of operation which would affect the design or performance of the product. These issue papers may address the provision of additional equipment required to meet the operational requirements of the FAA, supplementary advisory information in the AFM, provision of an aircraft operating manual with procedures for the dispatch of the aircraft with inoperative equipment or provision by TCCA of advisory maintenance information.

3.0.1.14 Evaluation of Canadian Maintenance Aspects. TCCA Maintenance and Manufacturing (M&M) Branch is responsible for the maintenance aspects of the type certification process. They will conduct Maintenance Review Boards, review associated instructions for continued airworthiness and participate in the elaboration of the MMEL. The M&M Branch will be invited to participate in the familiarization meeting by the TCCA Project Manager and will generate issue papers as appropriate.

3.0.2 Design Approval Procedures for Supplemental Type Certificates for Aircraft, Engines and Propellers.

3.0.2.0 Application for U.S. Supplemental Type Certificates.

(a) U.S. Supplemental Type Certificates (STCs) may be issued to an applicant in Canada under the provisions of 14 CFR § 21.117 for approval of major changes to the type design of an aircraft, aircraft engine, or propeller which has been type certificated/validated by the FAA or TCCA:

- (1) when the FAA or TCCA is the authority of the State of Design of the product and TCCA has issued its STC, or
- (2) when a country other than the U.S. or Canada is the original type certificating authority of the product, TCCA is the authority of the State of Design for the design change, and TCCA has issued its equivalent approval for the design change, or
- (3) in special cases at the request of TCCA. The FAA may accept applications from Canadian companies who do not hold an equivalent Canadian STC because the specific model of the product to be modified has no Canadian TC. These cases will only be considered from applicants who hold other Canadian approvals for similar design changes and are under TCCA oversight. The application package should be forwarded to the New York Aircraft Certification Office with a letter from TCCA confirming that the applicant meets these conditions.

(b) The FAA will not process applications for STCs from applicants who hold a Canadian STC for parts which do not constitute a major change to type design.

(c) Canadian applicants shall submit STC applications to TCCA with a request that the application and related information be forwarded to the New York Aircraft Certification Office. Each application shall provide the following information:

- (1) Description of the change, together with the make and model of the product;
- (2) Copy of the TCCA approval document and certification basis; and
- (3) Information on all equivalent safety findings or exemptions granted by TCCA for the Canadian STC.

3.0.2.1 Application for Canadian Supplemental Type Certificates

(a) Canadian STCs may be issued to applicants in the U.S. under the provisions of TCCA CAR 513, Approval of Modification and Repair Designs, to signify the approval of a change to an aeronautical product type design. The STC can be issued against an aeronautical product which has either a Canadian Type Certificate/Approval, an FAA Type Certificate, or an equivalent approval document which is recognized by TCCA.

(b) A U.S applicant shall submit an application to TCCA through the FAA Aircraft Certification Office (ACO) that has cognizance over the existing STC. If the first affected aircraft is or will be registered in Canada, the ACO should send the STC application directly to the TCCA geographical regional office where the aircraft is located. Alternatively if an eligible aircraft is not yet registered in Canada, the application should be forwarded to TCCA headquarters for processing action by the Projects Division.

(c) Each application should contain the following information as applicable:

- (1) Description of the change, together with the make and model of the product;
- (2) Copy of the FAA STC and certification basis;
- (3) Documentation on equivalent safety findings or exemptions granted by FAA for the U.S. STC;

- (4) Unusual design features; and
- (5) AFM and Maintenance Manual Supplements.

3.0.2.2 Establishment of Airworthiness and Environmental Criteria, Documentation, and Approval Procedures for STCs.

(a) The approval basis for an STC shall normally be the airworthiness and environmental standards originally established by the importing authority for approval of the basic product (found in the type certificate data sheet). Additional technical conditions may be prescribed by the importing authority when the circumstances of the design change make them necessary. For Canada, in such cases a corresponding Canadian STC will be required and a Level 2 type design examination may be undertaken in accordance with AMA 513.20, including the requirement for testing and provision of additional data. Findings of compliance against additional technical conditions may be made by the FAA upon request by TCCA. STCs other than those described above will normally be accepted by TCCA on the basis of the FAA STC under a Level 1 type design examination, in accordance with AMA 513.20, and added to an Index of Familiarized and Accepted STCs published on the Transport Canada web site, http://www.tc.gc.ca/aviation/stc/intro_e.html, without issuance of a corresponding Canadian STC.

(b) The following documentation will be required, as applicable, for review by the importing airworthiness authority:

- (1) Compliance Checklist.
- (2) AFM Supplement.
- (3) Master Documentation List/Master Drawing List.
- (4) Manufacturing and Installation Instruction Drawings.
- (5) Maintenance/Repair Manual Supplements, etc.
- (6) Weight and Balance data.
- (7) Instructions for Continued Airworthiness

(c) When the technical complexity of the design change warrants additional technical conditions, it may be necessary to provide additional data such as engineering reports and flight test data. If no additional technical conditions

are required by the FAA for Parts 23, 27, U.S. Civil Aviation Regulations (CAR) 3 and CAR 6 projects, an FAA STC may be issued without further showing.

(d) The importing authority will review the STC application, together with the exporting authority's basis for certification and documentation. The importing authority will either concur with the exporting authority's basis of certification or propose additional technical conditions. Findings of compliance against these technical conditions will normally be made by the exporting authority upon request from the importing authority. This will not preclude the possibility that the importing authority, for familiarization on complex STCs, will need to perform additional evaluations, such as flight tests, etc.

3.0.3 Design Approvals for Products Other Than Aircraft, Aircraft Engines, and Propellers.

3.0.3.0 Application for FAA Letter of Technical Standard Order (TSO) Design Approval.

(a) The FAA only issues a Letter of TSO Design Approval for appliances of a kind for which a minimum performance standard has been published in an FAA TSO. A Canadian applicant for an FAA letter of TSO design approval shall make application through TCCA with a request that the application and required information be forwarded to the FAA New York ACO. TCCA should contact the FAA for the latest FAA technical policy and procedures related to the TSO performance standard.

(b) The FAA will consider recognition of other performance standards as the basis for a new TSO design standard, after the standard is evaluated by the FAA, and published for public comment. A Canadian applicant with a TCCA Appliance Type Certificate that is based on a performance standard other than an FAA TSO, should make a request for approval of this performance standard through TCCA to the Technical Programs and Continued Airworthiness Branch (AIR-120), Engineering Division, FAA headquarters. Once the alternative performance standard has been approved and published by the FAA, the application process for the approval of the appliance itself follows paragraph (a) above.

3.0.3.1 Application for TCCA Appliance Type Certificate.

(a) Design standards for TCCA aeronautical appliances are contained in AWM 537. Most appliances currently in use are qualified to the performance standards of U.S. TSOs. TCCA has adopted these TSO performance standards that were found to be acceptable for use in Canada and they are referenced in AWM 537. The applicant should, therefore, determine in the first

instance, if the proposed design has a suitable standard listed in AWM 537 and quote the appropriate standard in the application.

(b) A U.S. applicant for a TCCA Appliance Type Certificate who holds a TSO approval shall make application through the New York ACO with a request that the application and required information be forwarded to TCCA Headquarters for processing action by the Projects Division.

(c) If the applicant does not hold an FAA TSO approval for the article or appliance, the application should include:

- (1) complete information on the equipment for TCCA to make necessary findings of compliance to TCCA equipment requirements, including, but not limited to the following:
 - all applicant's qualification testing information and results;
 - information regarding any FAA witnessing or participation in the applicant's qualification tests; and
 - sufficient information (description, drawings, etc.) for TCCA to make a decision as to whether to impose any additional requirements,
- (2) flight manuals, maintenance manuals, and all other documentation required for safe operation and continued airworthiness of the equipment.
- (3) engineering data containing the appliance's characteristics including levels of environmental effects with a reference to all corresponding FAA approved reports, and
- (4) a table containing the data on level of environmental effects (as per DO-160, *Environmental Conditions and Test Procedures for Airborne Equipment*) for which the equipment has been tested and the levels of software criticality (per DO-178, *Software Considerations in Airborne Systems and Equipment Certification*).

3.0.3.2 Issuance of an FAA Letter of TSO Design Approval/TCCA Appliance Type Certificate. The appropriate form of design approval, within the scope of these Implementation Procedures, may be issued to the applicant by the responsible authority after:

(a) Receipt of all the required data/documentation pertaining to the proper installation, performance, operation, and maintenance of the appliance;

- (b) Receipt of other specific technical data, as jointly agreed between TCCA and the FAA, needed to demonstrate compliance with applicable standards;
- (c) Receipt and approval of all proposed deviations; and
- (d) Receipt of a certifying statement from the applicant through the exporting authority, with certification by the exporting authority, that the performance of the appliance complies with the applicable FAA TSO or other accepted standards which provide an equivalent level of safety.

3.0.3.3 Installation Approval. An FAA Letter of TSO Design Approval or a TCCA Appliance TC does not constitute an installation approval for the TSO appliance on an aircraft. The installer must obtain installation approval from their civil airworthiness authority for use on an aircraft registered under that authority.

3.0.4 Joint Design Approval Procedures. The FAA and TCCA may undertake concurrent type certification projects and other design approval projects with respect to products covered by the scope of these Implementation Procedures when it is in the interest of both authorities. The procedures for such projects will be mutually agreed by the FAA and TCCA.

3.0.5 Procedures for Split Design/Production Projects. The FAA and TCCA recognize that some joint venture projects of their aviation industries may involve products designed under one authority's jurisdiction and manufactured under the other authority's jurisdiction. In such cases, the FAA and TCCA will work together to develop an arrangement defining their regulatory responsibilities to ensure accountability under ICAO Annex 8. Such special arrangements will address the continued airworthiness responsibilities of the State of Design and the State of Manufacture and will be documented in accordance with Section V of these Implementation Procedures.

3.1 PRODUCTION AND SURVEILLANCE ACTIVITIES

3.1.0 Production Quality System Approval. All products exported under the provisions of these Implementation Procedures shall be produced in accordance with a production system which assures conformity to the approved design of the importing authority and ensures that completed products are in a condition for safe operation. The authority's production quality system approval covers the fabrication of parts within and outside of the country of export.

3.1.1 Surveillance of Production Approval Holders.

3.1.1.0 The FAA and TCCA, as exporting authorities, shall conduct regulatory surveillance of production approval holders and their suppliers in accordance with their specific policies, practices, and/or procedures. Both ongoing and scheduled evaluations should be conducted to verify that the production approval holder is in continual compliance with their approved production system, manufacturing products and parts which fully conform to the approved design, and are in a condition for safe operation.

3.1.1.1 Production surveillance includes the surveillance of production approval holders and their suppliers who may be fabricating prototype or pre-production parts for products that are still undergoing type certification. These parts must be produced by the manufacturer, or its supplier, with the concurrence of the exporting authority, using an existing approved production quality system for similar type certificated products. The approved production quality system must ensure the prototype or pre-production parts are properly controlled so that a final determination of airworthiness can be undertaken prior to their export.

3.1.1.2 FAA production approval and supplier surveillance programs are described in FAA Order 8120.2, *Production Approval and Surveillance Procedures*, Advisory Circular 21-20, *Supplier Surveillance Procedures*, and FAA Order 8100.7, *Aircraft Certification Systems Evaluation Program*.

3.1.1.3 TCCA production approval and supplier surveillance programs are described in CAR 561 (AWM 561 to be used pending promulgation of CAR 561).

3.1.2 Extensions of Production Approvals.

3.1.2.0 When a production approval has been granted or extended by the FAA or TCCA, as exporting authorities, to include manufacturing sites and facilities for parts, components, and subassemblies, in each other's countries or in a third country, the exporting authority remains responsible for the surveillance and oversight of these manufacturing sites and facilities.

3.1.2.1 Each authority is responsible for surveillance and oversight of its manufacturers located in the other country. Routine surveillance and oversight may be performed by the FAA and TCCA on each other's behalf through the provisions of Section IV.

3.1.2.2 The FAA or TCCA may seek assistance from the civil airworthiness authority of a third country in the undertaking of FAA or TCCA regulatory surveillance and oversight functions when a production approval has been granted or extended by formal agreement/arrangement to that third country. This should be done only when a bilateral arrangement for technical

assistance has been formalized between the airworthiness authorities of the country seeking assistance and the third country.

3.1.3 Production Approval Based on a Licensing Agreement. Either the FAA or TCCA can grant a production approval in their respective country based on design data obtained through a licensing agreement with a type design holder in the other country (i.e., licensing the rights to use the design data). In this case, the authority granting that production approval shall ensure the establishment of adequate manufacturing processes and quality control procedures to assure that each product conforms to the approved licensed design data. There must also be procedures to ensure that all changes to be introduced into the design by the licensee are approved. These design changes shall be submitted to the TC holder who shall obtain approval from its authority using normal procedures. These production approvals based on a licensing agreement will be addressed on a case-by-case basis under the Special Arrangements provision of Section V.

3.1.4 Supplier Surveillance - Outside the Exporting Country.

3.1.4.0 The exporting authority shall include in its regulatory surveillance and oversight programs a means of surveilling persons/suppliers, located outside the exporting country. This surveillance and oversight shall be at least equal to the degree provided to domestic suppliers. This surveillance activity will assist the authorities in determining conformity to approved design and whether parts are safe for installation on type certificated products.

3.1.4.1 Each authority is responsible for surveillance and oversight of its production approval holders' suppliers located in the other country. Routine surveillance and oversight may be performed for the other country in accordance with the provisions of Section IV.

3.1.4.2 Either authority may seek assistance with regulatory surveillance and oversight functions from the civil airworthiness authority, of a third country in which the supplier is located. This should only be done when an agreement/arrangement for this purpose has been formalized between the FAA or TCCA and the civil airworthiness authority of the third country.

3.1.4.3 The manufacturer may not use a supplier in a country where the authority of the manufacturer is denied unimpeded access, by either the supplier or the supplier's civil aviation authority, to the supplier's facility to perform surveillance activities.

3.1.5 Multi-National Consortia.

3.1.5.0 Multi-national consortia may be issued approvals for the design and production of products in either the U.S. or Canada. These consortia clearly define one responsible design and production approval holder, for the purposes of regulatory accountability, located in the exporting country. There may be, however, suppliers to those approval holder(s), which are located both domestically and in other countries, producing priority parts for use in the final product which is to be exported.

3.1.5.1 The FAA and TCCA, as exporting authorities, shall continue to conduct regulatory surveillance and oversight of the domestic design and production approval holder and should emphasize surveillance and oversight of priority parts suppliers. The exporting authority shall use its regulatory surveillance and oversight programs to enable it to determine that consortia suppliers are producing parts that conform to the requirements of the approved design and are in a condition for safe operation.

3.2 EXPORT AIRWORTHINESS APPROVAL PROCEDURES

3.2.0 General. Export Certificates of Airworthiness are issued by the FAA, as an exporting authority, for completed aircraft, aircraft engines, and propellers. Airworthiness Approval Tags are issued by the FAA for TSO appliances, and parts. Export Certificates of Airworthiness are issued by TCCA, as an exporting authority, for completed aircraft. Authorized Release Certificates are issued by TCCA for aircraft engines, propellers, TSO appliances, and parts.

3.2.1 FAA Acceptance of TCCA Export Certificates of Airworthiness and Authorized Release Certificates.

- (a) The FAA's requirements are contained in 14 CFR, Part 21, Subpart H and N. The procedures are described in FAA Order 8130.2, *Airworthiness Certification of Aircraft and Related Products*, and Advisory Circular 21-23, *Airworthiness Certification of Civil Aircraft, Engines, Propellers, and Related Products Imported to the United States*.
- (b) For TCCA, the process of issuing Export Certificates of Airworthiness is described in CAR 509.

3.2.1.0 Complete Aircraft.

- (a) Except as provided in paragraph 3.2.1.4, the FAA shall accept TCCA Export Certificates of Airworthiness on aircraft, as identified in Section II, when TCCA certifies that each aircraft:
 - (1) Conforms to a type design approved by the FAA, as specified in the FAA's type certificate data sheet (including all applicable STCs);

- (2) Is in a condition for safe operation, including compliance with applicable FAA Airworthiness Directives;
 - (3) Has been properly maintained using approved procedures and methods during its service life; and
 - (4) Meets all additional requirements prescribed by the FAA, as notified.
- (b) Each aircraft exported to the U.S. with TCCA airworthiness approval will have a TCCA Form 24-0049, *Export Certificate of Airworthiness*.
- (c) For aircraft, TCCA Form 24-0049 should contain information equivalent to the following statement: “The [INSERT AIRCRAFT MODEL] covered by this certificate conforms to the type design approved under U.S. Type Certificate Number [INSERT TYPE CERTIFICATE NUMBER, REVISION LEVEL, AND DATE], and is found to be in a condition for safe operation,” and any other clarifying language as specified in the U.S. Type Certificate Data Sheet.

3.2.1.1 Engines and Propellers for Aircraft.

- (a) The FAA shall accept TCCA Authorized Release Certificates on engines and propellers when TCCA certifies that each engine and propeller:
- (1) Conforms to a type design approved by the FAA, as specified in the FAA’s type certificate data sheet;
 - (2) Has undergone a final operational check by the manufacturer;
 - (3) Is in a condition for safe operation, including compliance with applicable FAA Airworthiness Directives; and
 - (4) Meets all additional requirements prescribed by the FAA, as notified.
- (b) Each engine or propeller exported to the U.S. with TCCA airworthiness approval will have a TCCA Form 24-0078, *Authorized Release Certificate*. TCCA Form 24-0078 should identify the FAA’s approved design data (TC number).
- (c) For engines and propellers, TCCA Form 24-0078 should contain information equivalent to the following statement: “The [INSERT ENGINE OR PROPELLER] covered by this certificate conforms to the type design approved under U.S. Type Certificate Number [INSERT TYPE CERTIFICATE NUMBER, REVISION LEVEL, AND DATE], is found to be

in a condition for safe operation and has undergone a final operational check,” and any other clarifying language as specified in the U.S. Type Certificate Data Sheet.

3.2.1.2 TSO Appliances.

- (a) The FAA shall accept TCCA Authorized Release Certificates on appliances when TCCA certifies that each TSO appliance:
 - (1) Conforms to the design approved by the FAA, as specified in the FAA Letter of TSO Design Approval;
 - (2) Complies with applicable FAA Airworthiness Directives;
 - (3) Is marked in accordance with paragraph 3.2.3.0(a) of these Implementation Procedures; and
 - (4) Meets all additional requirements prescribed by the FAA, as notified.
- (b) Each appliance exported to the U.S. with TCCA airworthiness approval will have a TCCA Form 24-0078, *Authorized Release Certificate*. TCCA Form 24-0078 should identify the FAA’s approved design data (TSO Letter of Approval).

3.2.1.3 New Parts, Including Modification and Replacement Parts.

- (a) The FAA shall accept TCCA Authorized Release Certificates on parts that have been produced by a Canadian manufacturer whose Manufacturing Approval is based on FAA approved data (a U.S. TC or STC issued in accordance with 14 CFR §21.29; an agreement/arrangement with the holder of a U.S. TC/ STC; or a Canadian replacement parts approval when the parts are eligible for installation on a U.S. type certificated product.)
- (b) TCCA shall certify that each part:
 - (1) Conforms to FAA-approved design data and is safe for installation;
 - (2) Is marked in accordance with paragraph 3.2.4.0(a) of these Implementation Procedures; and
 - (3) Meets all additional requirements prescribed by the FAA, as notified.
- (c) TCCA does not allow direct shipments except in extenuating circumstances. In those cases, the FAA must be provided evidence of

direct shipment authorizations to the United States extended to approved suppliers. If a part is shipped under direct ship authorization, TCCA's Authorized Release Certificate must indicate that the TCCA Manufacturing Approval holder has authorized direct shipment. This indication may be a supplemental "remark" entry on the authorized release certificate indicating the authorization to the supplier for direct shipment of parts from the supplier's location.

- (d) Each part exported to the U.S. with TCCA airworthiness approval will have a TCCA Form 24-0078. TCCA Form 24-0078 should identify the FAA's approved design data (e.g. TC/STC/TSO Number, etc.)

3.2.1.4 Export Certificate of Airworthiness Exceptions. TCCA should notify the FAA prior to issuing an Export Certificate of Airworthiness when a non-compliance to an FAA-approved type design is to be noted on the exporting approval document. This notification should be made to the FAA's Manufacturing Inspection Office (MIO) that has geographic responsibility for accepting delivery of the product (see Appendix A). A written acceptance from the FAA is required before the issuance of the TCCA Export Certificate of Airworthiness.

3.2.2 TCCA Acceptance of FAA Export Certificates of Airworthiness and Airworthiness Approval Tags.

- (a) TCCA's requirements for import are described in CAR 507.
- (b) The FAA's requirements for issuing export airworthiness approvals are contained in 14 CFR, part 21, Subpart L, and the procedures for issuing export approvals are described in FAA Order 8130.2, *Airworthiness Certification of Aircraft and Related Parts*, FAA Order 8130.21, *Procedures for Completion and Use of FAA Form 8130-3, Airworthiness Approval Tag*, and FAA Advisory Circular 21-2, *Export Airworthiness Approval Procedures*.

3.2.2.0 Complete Aircraft, Aircraft Engines, and Propellers.

- (a) Except as provided in paragraph 3.2.2.3. TCCA shall accept FAA Export Certificates of Airworthiness when the FAA certifies that each aircraft, aircraft engine, or propeller:
 - (1) Conforms to a type design approved by TCCA, as specified in TCCA's type certificate data sheet (including all applicable STCs);
 - (2) For engines and propellers, has undergone a final operational check by the manufacturer;

- (3) Is in a condition for safe operation, including compliance with applicable TCCA mandatory airworthiness modifications and special inspections; and
- (4) Meets all additional requirements of TCCA, as notified.
- (b) Each aircraft, aircraft engine, and propeller exported to Canada will be issued an FAA Form 8130-4, *Export Certificate of Airworthiness*. FAA Form 8130-4 should identify the TCCA's approved design data (TC Number, if issued).

3.2.2.1 TSO Appliances.

- (a) TCCA shall accept FAA Airworthiness Approval Tags on appliances when the FAA certifies that each TSO appliance:
 - (1) Conforms to the design approved by the FAA;
 - (2) Complies with applicable TCCA mandatory airworthiness modifications and special inspections; and
 - (3) Meets all additional requirements of TCCA, as notified.
- (b) Each appliance exported to Canada with FAA airworthiness approval will have an FAA Form 8130-3, *Airworthiness Approval Tag*.

3.2.2.2 New Parts, Including Replacement and Modification Parts.

- (a) TCCA shall accept FAA Airworthiness Approval Tags on parts that have been produced by a U.S. production approval holder (i.e., the production under U.S. Type Certificate/Production Certificate holder, TSOA holder, or a Parts Manufacturer Approval (PMA) holder) as eligible for installation on a product type that has been approved or accepted by TCCA.
- (b) FAA shall certify that each part:
 - (1) Conforms to the applicable TCCA or FAA approved design data;
 - (2) Is marked in accordance with paragraph 3.2.4.1 of these Implementation Procedures; and
 - (3) Meets all additional requirements of TCCA, as notified.

- (c) TCCA must be provided evidence of all direct shipment authorizations extended to approved suppliers. If a part is shipped under direct ship authorization, the FAA's Airworthiness Approval Tag must indicate that the production approval holder has authorized direct shipment. This indication may be a supplemental "remark" entry on the Airworthiness Approval Tag indicating the authorization for direct shipment of parts from the supplier's location.
- (d) Each part exported to Canada with FAA airworthiness approval will have an FAA Form 8130-3, *Airworthiness Approval Tag*, and shall refer to the eligibility or the applicable Type Certificate for that product.

3.2.2.3 Export Certificate of Airworthiness Exceptions. The FAA should notify TCCA prior to issuing an Export Certificate of Airworthiness when there is a non-compliance to the TCCA approved type design. This non-compliance is to be noted under the "Exceptions" section of the Export Certificate of Airworthiness. This notification should be made to the Maintenance and Manufacturing Branch, TCCA Headquarters (see Appendix A).

3.2.3 Aircraft Manufactured in a Third Country.

- (a) In making its finding of eligibility for an airworthiness certificate or approval for an aircraft manufactured in a third country, the importing authority shall accept the certification of the exporting authority as to the airworthiness of that aircraft providing the exporting authority makes a certification to the importing authority similar to those required in paragraphs 3.2.1.0 and 3.2.2.0, as appropriate, and further providing that:
 - (1) Both the FAA and TCCA have approved the basic type design of the aircraft; and
 - (2) The aircraft has been registered and certificated in the exporting authority's country, or has been in the exporting country solely for the purpose of completion; e.g. interior installation.
- (b) Additional information may be requested which includes, but is not limited to, the original or certified true copy of the Export Certificate of Airworthiness; records which verify that all overhauls, modifications/alterations, and repairs were accomplished in accordance with approved data.

3.2.4 Additional Requirements for Imported Products. The following identifies those additional requirements which must be complied with as a condition of

acceptance for products imported into the U.S. or Canada, or for use on either a U.S. or Canadian-registered aircraft.

3.2.4.0 U.S. Requirements.

(a) Identification and Marking.

- (1) Aircraft, aircraft engines, and propellers must be identified in a manner outlined in 14 CFR § 45.11.
- (2) Each critical component of a product must be identified in a manner outlined in 14 CFR § 45.14.
- (3) Each appliance of a design approved by an FAA letter of TSO design approval must be marked in accordance with the requirements outlined in 14 CFR part 21, Subpart O, and any marking requirements specified in the particular TSO.
- (4) Each part to be used as a replacement or modification part must be marked with a part number, serial number if applicable, and the manufacturer's name or trade mark. In addition, information concerning the model designation and the type certificated product for which the part is eligible for installation must be furnished. If size does not permit, information should accompany each part. This information can be included on the appropriate airworthiness release document.
- (5) Each part produced to U.S. STC design data should be marked with the U.S. STC number, as size permits, in addition to the requirements of paragraph 3.2.4.0(a)(4). If size does not permit, information should accompany each part that identifies the applicable U.S. STC. This information can be included on the appropriate airworthiness release document.

- (b) Instructions for Continued Airworthiness. Instructions for continued airworthiness and maintenance manuals having airworthiness limitation sections must be provided as prescribed in 14 CFR § 21.50.

3.2.4.1 Canadian Requirements.

- (a) Product Identification. To be eligible for a Canadian flight authority, aeronautical products must be identified in accordance with requirements contained in CAR 201.

- (b) Provision of Aircraft Manuals. Further to CAR 511.31, acceptance of the first of a type or model of aircraft into Canada is conditional upon the aircraft type certificate holder providing to TCCA at no charge six copies of the AFM, Maintenance Manual, Structural Repair Manual, Illustrated Parts Catalogue, and Service Bulletins, together with all subsequent amendments to these documents. In the case of transport category aircraft, the required number of manuals may be reduced as a result of negotiations between the aircraft type certificate holder and TCCA.

3.3 POST DESIGN APPROVAL PROCEDURES

3.3.0 CONTINUED AIRWORTHINESS

3.3.0.0 General.

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

3.3.0.1 Malfunctions, Failures, and Defects (MF&D)/Service Difficulty Reports (SDR).

- (a) The FAA and TCCA agree to perform the following functions for the products, for which it is the State of Design:
 - (1) Tracking of MF&D reports/SDR and accident/incidents.
 - (2) Evaluating MF&D/SDR and accident/incidents.
 - (3) Investigating and resolving all suspected unsafe conditions.
 - (4) Advising the importing authority of all known unsafe conditions and the necessary corrective actions (see paragraph 3.3.0.2).
 - (5) Upon request, providing the importing authority with the following:
 - (i) Reports of MF&D/SDR and accidents/incidents;
 - (ii) Status of investigations into MF&D/SDR and accidents/incidents;

- (iii) Copies of final reports reached in its investigation into MF&D/SDR; and
 - (iv) Copies of final reports reached in its investigation into accidents/incidents in accordance with ICAO Annex 13.
 - (6) Making a reasonable effort to resolve issues raised by the importing authority concerning matters of safety for products registered in the importing country.
- (b) The FAA and TCCA, as importing authorities, agree to perform the following functions:
 - (1) Advising the other authority of MF&D/SDR and accidents/incidents which are believed to be potentially unsafe conditions occurring on the products which are imported from that country.
 - (2) Supporting the exporting authority in investigations of unsafe conditions and their occurrences on the imported aircraft.
 - (3) Advising the exporting authority, if as a result of investigations made by the importing authority into MF&D/SDR and accidents/incidents, it has determined that it will make corrective actions mandatory.
- (c) Copies of U.S. MF&D reports are available from the FAA Mike Monroney Aeronautical Center, Flight Standards Service Regulatory Support Division, Airworthiness Programs Branch. Copies of U.S. MF&D reports are also available on the Mike Monroney Aeronautical Center web site at www.mmac.jccbi.gov/afs/afs600. Copies of Canada's SDR's are available from the Aircraft Certification Branch, Transport Canada Safety and Security. (See Appendix A).

3.3.0.2 Unsafe Condition and Mandatory Continuing Airworthiness Actions.

- (a) The FAA (subject to 14 CFR Part 39) and TCCA (subject to CAR 593) agree to perform the following functions for the products, appliances, and parts for which it is the State of Design:
 - (1) Issuing a mandatory continuing airworthiness action (Airworthiness Directive) whenever the authority determines that an unsafe condition exists in a product, or is likely to exist or develop on a product of the same type design. This may include a product that has another product installed on it and the installation causes the unsafe condition. The contents of such a mandatory continuing airworthiness action should include, but are not limited to, the following:

- (i) Make, model, and serial numbers of affected aircraft, aircraft engines, propellers, appliances, and parts;
 - (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;
 - (v) Corrective actions and corresponding compliance times, with a list of the relevant manufacturer's service information including reference number, revision number and date;
 - (vi) The number of aircraft world-wide needing corrective action;
 - (vii) A statement on the availability of parts; and
 - (viii) An estimate of the number of labor hours and the cost of parts required for the corrective actions. (For Canada this data is included in the applicable service bulletin.)
- (2) Issuing a revised or superseding mandatory continuing airworthiness action whenever the exporting authority finds any previously issued mandatory continuing airworthiness action was incomplete or inadequate to fully correct the unsafe condition.
 - (3) Notifying the importing authority of the unsafe condition and the necessary corrective actions by submitting a copy of the mandatory continuing airworthiness action at the time of publication to the address referenced in 3.3.0.1(c) above. Additionally for Canadian products, a copy of all relevant service bulletins referenced in the mandatory action, as well as other supporting documentation, should be forwarded to the FAA product-responsible Directorate.
 - (4) In the case of emergency airworthiness information, the exporting authority should notify the importing authority immediately. TCCA will ensure that the information is transmitted by fax to AFS-610 in Oklahoma City and the New York ACO for a Canadian product..

The FAA will ensure that information is faxed to TCCA Headquarters Aircraft Certification from the responsible directorate and/or AFS-610 in Oklahoma City when emergency airworthiness information is issued on U.S. products.

- (5) Advising and assisting the importing authority in defining the appropriate actions for the importing authority to take in the issuance of its own mandatory continuing airworthiness action.
 - (6) Providing sufficient information to the importing authority for its use in making determinations as to the acceptability of alternative means of compliance to mandatory continuing airworthiness actions.
 - (7) On a quarterly basis, providing the importing authority a summary index list of mandatory continuing airworthiness actions issued by the exporting authority for products exported to the country of import.
- (b) The FAA and TCCA recognize that they may disagree as to the finding of an unsafe condition. In that case, it is expected that the importing authority will normally consult with the authority of the State of Design (exporting authority) prior to issuing its own airworthiness directive. The exporting authority will facilitate the type certificate holder's providing sufficient information, e.g. service bulletins, to the importing authority in a timely manner for its use in issuing this unilateral airworthiness directive.
- (c) The FAA and TCCA, as importing authorities, agree to respond quickly to the issuance of a mandatory continuing airworthiness action by the exporting authority in making its own determination of the need for issuing its own similar mandatory continuing airworthiness action that addresses all unsafe conditions on affected products certified, approved or otherwise accepted by the importing authority.

3.3.1 DESIGN CHANGES

3.3.1.0 General. The FAA and TCCA agree that changes to approved type designs will be achieved in an efficient and practical manner, while at the same time ensuring that such design changes continue to comply with the certification basis of the importing authority.

3.3.1.1 Procedures for Changes to a U.S. Type Certificate by the Canadian Type Certificate Holder.

- (a) Major changes (e.g., model changes, product improvements, etc.) to a type design sought by the type certificate holder may be issued as amendments to the type certificate issued under the provisions of 14 CFR

§ 21.29 or otherwise approved by the FAA. A certification procedure similar to that described in paragraph 3.0.1 shall be applied, but adjusted as appropriate for the magnitude and complexity of the design change. The FAA retains the right to determine if the proposed change is so substantial so as to require a new type certificate for the changed type design.

- (b) Where design changes are declared by the type certificate holder they will be defined relative to the current definition of the approved U.S. type design.
- (c) To assist the FAA in determining its level of activity for approval of a specific design change, TCCA should notify the FAA of proposed type design changes in the following areas:
 - (1) Design changes affecting the certification basis or involving new interpretations of the requirements, new special conditions, new equivalent safety findings or novel methods of compliance.

Note: A method of compliance would be considered to be 'novel' if it had not been applied previously in a similar context by both the FAA and TCCA.

- (2) Design changes involving areas where the FAA was involved in the initial certification. This initial involvement may have resulted from the following:
 - (i) New technology.
 - (ii) Novel applications of existing technology.
 - (iii) Unconventional product use (i.e. a purpose for which it was previously not defined)
 - (iv) Unsafe condition (i.e. where experience with other products in service has shown an unsafe condition might occur in that product)
 - (v) New rule interpretations or acceptable method of compliance to existing rules that are different from those already agreed to between TCCA and the FAA.
 - (vi) Exemptions (FAA or TCCA)
 - (vii) Special Conditions (FAA or TCCA)
 - (viii) Equivalent Safety Findings (FAA or TCCA)
- (3) Design changes involving items for which the FAA retained compliance determination during the initial certification program.
- (4) 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 FAA.
 - (iii) Existing differences between the TCCA and the FAA approved manual content.
 - (iv) Changes to any limitations that are more restrictive than those previously approved.
- (5) Any other design changes expressly identified by TCCA or the FAA.
- (d) As specified in 14 CFR § 21.93, for the purpose of complying with 14 CFR part 34, each voluntary change in the type design of an airplane or engine that may increase fuel venting or exhaust emissions is an “emissions change,” requiring further demonstration of compliance. Likewise, for the purpose of complying with 14 CFR part 36, each voluntary change in the type design of an aircraft that may increase the noise levels of that aircraft is an “acoustical change”, requiring further demonstration of compliance.
- (e) All design changes, with the exception of those identified in 3.3.1.1(c), will be approved by TCCA in accordance with TCCA’s normal procedures, against the certification bases of TCCA and the FAA. The FAA will not receive notification of such changes, but all such changes will be included in the type certificate holder’s type design definition which defines the FAA approved build standard.

3.3.1.2 Procedures for Changes to a Canadian Type Certificate by the U.S. Type Certificate Holder.

- (a) Changes to a type design by the holder of a type certificate may be approved in accordance with CAR 511. A certification procedure similar to that described in paragraph 3.0.1 shall be applied, but adjusted as appropriate for the magnitude and complexity of the design change. TCCA retains the right to determine if the proposed change is so substantial so as to require a new type certificate for the changed type design.
- (b) The changes to the type design indicated in CAR 511.22 (known as non-routine) are subject to a type design examination by TCCA. All other design changes are considered to be approved by TCCA when approved by the FAA using their normal procedures. Certification procedures similar to those described in paragraph 3.0.1 shall be applied, but adjusted as appropriate for the magnitude and complexity of the design change.

- (c) Where a Canadian Type Certificate has been issued for a U.S. aircraft based on the Level 1 criteria identified in AMA 511/2, or at the discretion of TCCA for other products, TCCA may waive the need for a type design examination of the design change provided that the FAA provides statements of compliance against the TCCA basis of certification, including TCCA additional technical conditions.
- (d) Changes to a type certificated design by the FAA may also be approved through the issuance of a TCCA STC or Limited STC or acceptance of an FAA STC.

3.3.1.3 Procedures for Changes to a Supplemental Type Certificate. The FAA and TCCA agree to follow the procedures in paragraphs 3.3.1.1 and 3.3.1.2 to the extent applicable. Where unique situations may occur, the FAA and TCCA will consult with each other on the specific process to be applied.

3.3.1.4 Procedures for Changes to an AFM. The FAA and TCCA may delegate the review and signature of revisions AFMs, supplements and appendices, on behalf of each other, in order to facilitate their timely approval. Minor revisions will be reviewed by the exporting authority on behalf of the importing authority and the exporting authority will ensure that the data meets the importing authority's requirements. Significant revisions must be submitted to the importing authority for review and acceptance before any signature on behalf of the importing authority. For specific aircraft types and models, the importing authority will consult with the exporting authority in defining which revisions are minor/routine.

3.3.1.5 Procedures for Changes to an FAA Letter of TSO Design Approval/TCCA Appliance Type Certificates. Major changes to a TSO design require resubstantiation of the new design and reissuance of the Letter of TSO Design Approval/Canadian Appliance Type Certificate, and shall be done in accordance with the procedures in paragraph 3.0.3. For minor changes, each authority will forward a list of changes semi-annually to the other authority's responsible office.

3.3.2 APPROVAL OF DESIGN DATA USED IN SUPPORT OF REPAIRS

3.3.2.0 General. FAA and TCCA have concluded a Special Arrangement on design approval of aeronautical product repairs (see Appendix C). Repair data must be approved or accepted, as appropriate, by the exporting authority (State of Design) in the following manner

3.3.2.1 FAA as Exporting Authority. Major repair data will be approved in accordance with FAA Order 8110.4, *Type Certification Process*. Minor repairs

are made in accordance with “acceptable” data, in accordance with 14 CFR Part 43.

3.3.2.1 TCCA as Exporting Authority. Major repairs are made in accordance with either “approved” data or “specified” data, in accordance with CAR 571.06. Procedural requirements are in CAR 511 and 513. Minor repairs will be made in accordance with “acceptable” data, in accordance with CAR 571.06.

3.3.3 TCCA ACCEPTANCE OF OTHER FAA DESIGN CHANGES

TCCA does not automatically accept SFAR 36 generated approvals on non-U.S. products without additional TCCA review. FAA field approvals (Form 337) are reviewed on a case-by-case basis.

3.3.4 ADMINISTRATION OF DESIGN APPROVALS

3.3.4.0 Certificate Transfers General:

- (a) The regulatory requirements for certificate transfers differ in the U.S. and Canada. The U.S. regulations allow the transfer of an FAA type certificate followed by notification to the FAA. The Canadian regulations do not permit the transfer of a TCCA type certificate without the agreement of TCCA. Moreover, Canadian policy requires TCCA’s review and acceptance of State of Design responsibilities for any type certificate held by a non-Canadian person that is transferred to a Canadian person. Early coordination with both authorities is, therefore, necessary for TC and STC transfers.
- (b) Notwithstanding the regulatory differences as outlined above, in both countries the design data are the property of the type certificate holder.
- (c) The transfer of the State of Design responsibilities per ICAO Annex 8 has to be agreed by both authorities. If agreement cannot be reached between the two authorities, then the certificate may be revoked by the certifying authority and the concerned ICAO States will be notified that there is no longer a type certificate holder. The following paragraphs outline the procedures to be followed for effective type certificate transfers.

3.3.4.1 Transfer of U.S. Type Certificate to a Person in Canada.

- (a) Upon notification of a change in ownership from a U.S. type certificate holder to a person in Canada, the geographic-responsible FAA office will

notify the New York ACO, which will contact TCCA. A special arrangement will be developed to identify each authority's responsibilities.

- (b) If a corresponding TCCA type certificate exists for the product, the transfer will apply to all models listed on the TCCA type certificate. The FAA will, if requested, provide support to establish acceptance of the additional model as showing compliance to the applicable TCCA certification requirements. This support would include the FAA's statement of compliance that the model meets TCCA's certification requirements. Upon acceptance, TCCA will place the additional model on the TCCA type certificate.
- (c) If no corresponding TCCA type certificate exists and the transferee applies for a TCCA type certificate, the FAA will provide support to establish acceptance of the FAA type certificate as showing compliance to the applicable certification requirements of TCCA. This would include the FAA's statement of compliance that the product meets TCCA's certification requirements. Upon acceptance, TCCA will issue the TCCA type certificate.
- (d) The transfer of the type certificate to the Canadian holder will be considered complete by TCCA when TCCA confirms that all necessary data have been transferred to the new holder, and the new holder is able to perform the responsibilities required of a type certificate holder.
- (e) The FAA will reissue a type certificate in the name of the Canadian person after TCCA's type certificate issuance, unless the Canadian person does not wish to maintain FAA approval.
- (f) If the Canadian person does not hold and does not apply for a TCCA type certificate, or if the Canadian person's TCCA type certificate covers only some models covered by the FAA type certificate and the Canadian person does not apply for an additional approval, the FAA will continue to fulfill its responsibilities for those models only as long as the burden to do so does not become undue.

3.3.4.2 Transfer of Canadian Type Certificate to a Person in the U.S.

- (a) Upon transfer or an agreed-upon date, the FAA product-accountable Directorate will become responsible for complying with the requirements of ICAO Annex 8 to the Chicago Convention, *Airworthiness of Aircraft*, for affected product, and will notify all member countries of the change in airworthiness responsibility. Responsibilities pursuant to the Chicago Convention will not extend to products that have not been found to meet the U.S. type design.

- (b) Upon notification of a transfer request from a Canadian type certificate holder to a U.S. applicant, TCCA will notify the New York ACO and establish transfer procedures. Each transfer will be accomplished on a case-by-case basis through a special arrangement which identifies each authority's responsibilities in the transfer process. Type certificates are only eligible for transfer to the U.S. for those products within the scope of these Implementation Procedures. TCCA will provide support to establish acceptance of the type certificate as showing compliance to the applicable requirements of U.S. airworthiness regulations.
- (c) If a corresponding U.S. type certificate already exists for the product, the transfer will be applicable for all models listed on that U.S. type certificate. All other models not previously listed must be accompanied by TCCA's statement of compliance, in accordance with 14 CFR § 21.29, to the U.S. airworthiness requirements. This will allow the FAA to place the unlisted models on the type certificate and assume their airworthiness responsibility. Transfer of the type certificate and State of Design responsibilities will be considered complete when the FAA is satisfied that all necessary data have been transferred to the new holder and the new holder is able to perform the responsibilities of the type certificate holder.
- (d) TCCA will reissue their type certificate after FAA type certificate issuance, unless the new holder does not wish to establish TCCA approval. The FAA will provide support to TCCA to establish compliance for newly produced products of a transferred type certificate to be eligible for import into Canada.

3.3.4.3 Transfer of U.S. Supplemental Type Certificate to a Person in Canada.

- (a) TCCA will become responsible for complying with the requirements of ICAO Annex 8 to the Chicago Convention, *Airworthiness of Aircraft*, for affected products, upon completion of the procedures described below.
- (b) The FAA will transfer to TCCA the ICAO State of Design responsibilities for STCs only for products within the scope of these Implementation Procedures. TCCA will not assume ICAO State of Design responsibilities for models that have not been found to meet TCCA's certification requirements.
- (c) Upon notification of a change in ownership from a U.S. STC holder to a person in Canada, the geographic-responsible FAA Aircraft Certification Office will notify the New York ACO which will notify TCCA and establish procedures to transfer the ICAO State of Design responsibilities for the

STC to TCCA. Each transfer will be accomplished on a case-by-case basis through a special arrangement which identifies each authority's responsibilities in the transfer process. The FAA will also provide support to establish acceptance of the STC as showing compliance to the applicable requirements of the Canadian airworthiness regulations.

- (d) If a corresponding TCCA STC already exists for the changed product, the transfer will apply to the model listed on that TCCA STC.
- (e) If the new holder of the STC applies for a TCCA STC, the FAA will provide support to establish acceptance of the FAA STC as showing compliance to the applicable certification requirements of TCCA. This would include the FAA's statement of compliance that the changed product meets TCCA's certification requirements. Upon acceptance, TCCA will issue the TCCA STC.
- (f) The transfer of the STC to a Canadian holder will be considered complete by TCCA when TCCA confirms that all necessary data have been transferred to the new holder and the new holder is able to perform the responsibilities required of an STC holder.
- (g) The FAA will reissue an STC in the name of the new holder after TCCA STC issuance, unless the new holder does not wish to maintain FAA approval. TCCA will provide support to the FAA to establish compliance for newly modified products incorporating a transferred STC to be eligible for import to the U.S.
- (h) If TCCA has not issued the corresponding type certificate for the product being changed, or if the new holder does not hold and does not apply for a TCCA STC for the same design change, the FAA will not be able to transfer ICAO State of Design responsibilities for the applicable models to TCCA. The FAA will continue to fulfill ICAO State of Design responsibilities for the STC only as long as the burden to do so does not become undue.

3.3.4.4 Transfer of TCCA Supplemental Type Certificate to a Person in the U.S.

- (a) Upon notification of a transfer request to a U.S. applicant by the Canadian STC holder, TCCA will notify the New York ACO who will notify the FAA Aircraft Certification Office responsible for the new STC holder to establish procedures for the efficient transfer of the Canadian STC to the United States. Each transfer will be accomplished on a case-by-case basis through a special arrangement which identifies each authority's responsibilities in the transfer process. STCs are only eligible for transfer

to the U.S. for those products within the scope of these Implementation Procedures. TCCA will also provide support to establish acceptance of the STC as showing compliance to the applicable requirements of the U.S. airworthiness regulations.

- (b) If a corresponding U.S. STC already exists for the modification to the product, the transfer will be applicable for all models listed on the FAA approval. Transfer of the STC will be considered complete when the FAA is satisfied that all necessary data have been transferred to the new holder and the new holder is able to perform the responsibilities required of the STC holder.
- (c) Upon transfer or an agreed-upon date, the FAA product-accountable Directorate will become responsible for complying with the requirements of ICAO Annex 8 to the Chicago Convention, *Airworthiness of Aircraft*, for affected products. Responsibilities pursuant to the Chicago Convention will not extend to products that have not been found to meet the FAA type design.
- (d) TCCA will reissue their STC after FAA STC issuance, unless the new holder does not wish to establish TCCA approval. The FAA will provide support to TCCA to establish compliance for newly produced products of a transferred STC to be eligible for import into Canada.

3.3.4.5 Surrender of Type Certificate or Supplemental Type Certificate. If a type certificate or supplemental type certificate issued by either the FAA or TCCA as the exporting authority is surrendered, the FAA or TCCA shall immediately notify the other in writing of the action. The FAA and TCCA, shall accomplish all actions necessary to ensure continued airworthiness of the product until such time as:

- (a) The type certificate or supplemental type certificate is reissued to a new holder when that new holder demonstrates competence to fulfill the necessary obligations; or
- (b) The FAA or TCCA, as the exporting authority, cancels the type certificate or STC. Prior to cancellation, the exporting authority shall notify the importing authority of the pending cancellation.

3.3.4.6 Revocation or Suspension of Type Certificate or Supplemental Type Certificate.

- (a) In the event that the State of Design (exporting authority) revokes or suspends a TC or STC of a product manufactured in its country, that authority shall immediately inform the importing authority. The importing

authority, upon notification, will conduct an investigation to determine if action is required in the importing state. If the revocation or suspension was “for cause” and the importing authority concurs with the exporting authority’s certificate action, the importing authority will initiate revocation or suspension of its TC or STC. Otherwise, the importing authority may decide to assume continued airworthiness responsibilities if there is sufficient information for it to support the continued operational safety of the fleet in the importing country. In this case the exporting country should obtain and provide type design data as requested to the importing country. Final certificate action is at the sole discretion of the importing authority.

- (b) Either authority may revoke its type certificate or supplemental type certificate if the continued airworthiness responsibilities would cause an undue burden for that authority. The FAA will also keep TCCA informed of all legal appeals related to the revocation of a TC or STC.

3.3.4.7 Surrender or Withdrawal of Letter of TSO Authorization/Appliance Type Certificate.

- (a) Surrenders. If a TSO Authorization/Appliance Type Certificate holder elects to surrender the appliance approval, the responsible authority will immediately notify the importing authority in writing, of the action. The FAA/TCCA shall accomplish all actions necessary to ensure continued airworthiness of the product, until such time as the TSO authorization/Appliance Type Certificate is formally withdrawn.
- (b) Withdrawals. If an appliance approval is withdrawn, the FAA or TCCA, as State of Design (exporting authorities), will immediately notify the other in writing of the action. The exporting authority shall, if possible, accomplish all actions necessary to ensure continued airworthiness of the article produced under its appliance approval. In the event of withdrawal of an appliance approval for noncompliance, the exporting authority will investigate all nonconformities for corrective action and notify the importing authority of the corrective action. The exporting authority will continue to oversee those appliances manufactured under its authority that are in service.

SECTION IV TECHNICAL ASSISTANCE BETWEEN AUTHORITIES

4.0 General. Upon request and after mutual agreement, and as resources permit, the FAA and TCCA may provide technical assistance to each other when significant activities are conducted in either the U.S. or Canada. These technical assistance activities will help to avoid the undue burden imposed on the exporting authority in the undertaking of its regulatory surveillance and oversight functions out-of-country. These supporting technical assistance activities shall in no way relieve the exporting authority of the responsibilities for regulatory control and airworthiness certification of products manufactured at facilities located outside the exporting country. Each authority will use its own policies and procedures when providing technical assistance to the other authority, unless other special arrangements are agreed upon. Types of assistance may include, but are not limited to, the following:

(a) Determination of Compliance.

- (1) Witnessing tests;
- (2) Performing compliance and conformity inspections;
- (3) Reviewing reports; and
- (4) Obtaining data.

(b) Surveillance and Oversight.

- (1) Witnessing of first article inspection of parts;
- (2) Monitoring the controls on special processes;
- (3) Conducting sample inspections on production parts;
- (4) Monitoring the activities and functions of designees or approved organizations;
- (5) Conducting investigations of service difficulties; and
- (6) Evaluating/surveilling production quality systems.

4.1 Witnessing of Tests During Design Approval.

- (a) FAA and TCCA may request assistance in the witnessing of tests from the other airworthiness authority. A written request for witnessing of tests will be provided.
- (b) Witnessing of tests will be conducted only after consultations and agreement between FAA/TCCA on the specific work to be performed.
- (c) Approval of the design approval applicant's test plans, test procedures, test specimens, and hardware configuration remains the responsibility of the airworthiness authority of the country in which the design approval applicant is located. The design approval applicant must establish the conformity of each test article prior to the conduct of the test.
- (d) Requests for witnessing of 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 the requesting authority at least two weeks prior to each scheduled test.
- (e) TCCA requests for witnessing of tests will be sent in writing to the responsible FAA Office, as listed in paragraph 3.0.1.0 (c). TCCA's requests will include information equivalent to that included on FAA Form 8120-10, *Request for Conformity*. The FAA requests for test witnessing will be sent on a completed FAA Form 8120-10 (and described in the Special Instructions section of the form) or equivalent to TCCA Headquarters, Aircraft Certification, as listed in Appendix A.
- (f) Upon completion of test witnessing on behalf of the requesting authority, the FAA or TCCA will send a report stating that the test was conducted in accordance with approved test plans and confirming the test results, as well as any other documentation as notified by the requesting authority.

4.2 Conformity Certifications During Design Approval.

- (a) The airworthiness authority of the country in which a design approval applicant is located may request conformity certifications from the airworthiness authority in the country in which the design approval applicant's supplier is located for specified prototype/pre-production parts produced by that supplier.
- (b) Only authority-to-authority requests are permissible and no authority is obliged to respond to a conformity certification request from a manufacturer, supplier or designee. Certifications will be conducted only after consultations between the two airworthiness authorities on the specific work to be performed. Requests for conformity certifications should be limited to prototype/pre-production parts that are of such complexity that they are not inspectable by the product manufacturer

or its airworthiness authority prior to installation in the product. Conformity certifications may require the development of a working procedure based on the complexity of the requested certifications. At the discretion of the authority in receipt of such requests, conformity certifications may be delegated to authorized designees or approved organizations.

- (c) TCCA requests for conformity certifications will be sent to the appropriate FAA geographic-accountable Directorate Manufacturing Inspection Office, as listed in Appendix A. FAA requests for conformity certifications will be sent directly to TCCA's Maintenance and Manufacturing Branch as listed in Appendix A.
- (d) The airworthiness authority of the country in which the supplier is located will note all deviations from the requirements notified by the design approval applicant's airworthiness authority on the conformity certification for the particular part.
- (e) Neither conformity certification on prototype/pre-production parts, nor inspections on production parts should be construed as being an export airworthiness approval, since a conformity certification does not constitute an airworthiness determination. Airworthiness determinations remain the responsibility of the design/production approval holder and its airworthiness authority.

4.3 Airworthiness Certificates. There may be certain programs and conditions that warrant technical assistance from each authority for the issuance of standard airworthiness certificates so that aircraft may be placed directly into operation from the site of manufacture. The importing authority may seek assistance from the exporting authority in the final processing and delivery of an airworthiness certificate when the aircraft has completed its manufacturing cycle, and has subsequently been granted an Export Certificate of Airworthiness by the exporting authority. These situations can be addressed through a Special Arrangement as provided in Section V.

4.4 Protection of Proprietary Data and Freedom of Information Act (FOIA)/Access to Information Act Requests.

4.4.0 Protection of Proprietary Data. Both authorities recognize that data submitted by a design approval holder is the property of that holder, and release of that data by the FAA or TCCA is restricted. The FAA and TCCA agree that they will not copy, release, or show proprietary data obtained from either authority to anyone other than an FAA or TCCA employee without written consent of the design approval holder or other data submitter. This written consent should be obtained by the FAA or TCCA from the design approval holder through the authority of the country in which the holder is located and will be provided to the other authority.

4.4.1 FOIA Requests. The FAA often receives requests from the public under the United States Freedom of Information Act (FOIA) to release information which the FAA may have in its possession. Each record the FAA has in its possession must be disclosed under the FOIA unless a FOIA exemption applies to that record. One exemption is for trade secrets, and financial or commercial information that is confidential or privileged. Design approval holders' data may include trade secrets or other information that is confidential because release of the information would damage the competitive position of the holder or other person. When the FAA receives a FOIA request related to a product of an FAA approval holder or applicant who is located in Canada, the FAA will copy TCCA when contacting the FAA approval holder or applicant to solicit their position on what portions of that information should be excluded under the criteria above.

4.4.2 Access to Information Act Requests. The Access to Information and Privacy (ATIP) office in Transport Canada often receives requests from the public under the *Access to Information Act* to release information which TCCA may have in its possession. Each record TCCA has in its possession must be disclosed under the *Access to Information Act* unless an exemption applied to that record. Subject to Subsection 20(1) of the Act which pertains to third party information, the ATIP Office shall refuse to disclose any records requested under this Act that contains (a) trade secrets of a third party; (b) financial, commercial, scientific or technical information that is confidential information supplied to TCCA by a third party and is treated consistently in a confidential manner by the third party; (c) information the disclosure of which could be reasonably expected to prejudice the competitive position of a third party; (d) information the disclosure of which could reasonably be expected to interfere with contractual or other negotiations of a third party. If the ATIP Office intends to disclose any record requested under this Act, or any part thereof, that contains or that TCCA has reason to believe might contain information related to (a), (b), or (c), a notice must be given to the third party under Subsection 27(1) with a statement that they have twenty days after the notice is given to make representations to the ATIP Office that has control of the record as to why the record or part thereof should not be disclosed. When the ATIP Office receives a request related to a product of a TCCA approval holder or applicant who is located in the U.S, the ATIP Office will contact the TCCA approval holder or applicant to solicit their position on what portions of that information should be excluded under the criteria above.

4.5 Accident/Incident and Suspected Unapproved Parts Investigation Information Requests. When either the FAA or TCCA needs information for the investigation of service incidents, accidents, or suspected unapproved parts involving a product imported under these Implementation Procedures, the request for the information should be directed to the appropriate office of the exporting authority. In turn, upon receipt of the request for information, the exporting authority should immediately do everything necessary to make

sure the requested information is provided in a timely manner. If urgency requires that either the FAA or TCCA requests the information directly from the manufacturer because immediate contacts cannot be made with the exporting authority, the importing authority shall inform its counterpart authority of this action as soon as possible.

SECTION V SPECIAL ARRANGEMENTS

5.0 It is anticipated that urgent or unique situations will develop which have not been specifically addressed in these Implementation Procedures, but which are within the scope of the BASA. When such a situation arises, it shall be reviewed by the respective FAA Aircraft Certification Service Director and TCCA, Director of Aircraft Certification or Director, Maintenance and Manufacturing, and a procedure shall be developed to address the situation. The procedure shall be mutually agreed upon by the FAA and TCCA in a separate working procedure. If it is apparent that the situation is unique, with little possibility of repetition, then the working procedure shall be of limited duration. However, if the situation involves new technology or management developments which could lead to further repetitions, then these Implementation Procedures shall be revised accordingly by the FAA and TCCA.

5.1 It should be noted that, when the unique or urgent situation falls within the responsibility of an FAA Aircraft Certification Service Directorate Manager, that Manager will be responsible for developing the necessary procedures with TCCA. The special arrangements co-developed between the authorities are listed in Appendix C.

SECTION VI AUTHORITY

These Implementation Procedures replace the earlier Schedule of Implementation Procedures dated May 18, 1988, with the exception of Chapter 4, "Maintenance, Alteration or Modification of Aeronautical Products," which remains in effect until Maintenance Implementation Procedures are concluded.

The FAA and TCCA agree to the provisions of these Implementation Procedures as indicated by the signature of their duly authorized representatives.

TRANSPORT CANADA CIVIL AVIATION
TRANSPORT CANADA
CANADA

By Ken Mansfield

Title Director, Aircraft Certification

Date 18 October 2000

By Don Sherritt

Title Director, Maintenance & Manufacturing

Date 18 October 2000

FEDERAL AVIATION ADMINISTRATION
DEPARTMENT OF TRANSPORTATION
UNITED STATES OF AMERICA

By Elizabeth Erickson

Title Director, Aircraft Certification

Date 18 October 2000

APPENDIX A

List of Addresses for

FAA Headquarters Offices, FAA Mike Monroney Aeronautical Center,
FAA Aircraft Certification Service Directorates, FAA Manufacturing Inspection Offices,
FAA Aircraft Certification Offices, FAA Manufacturing Inspection District Offices,
and
TCCA Offices

FAA Headquarters - Aircraft Certification Service

International Policy Office

AIR-40
Room 600W
c/o Wilbur Wright Building
800 Independence Avenue, SW
Washington, DC 20591

Telephone: 1-202-385-8940

Fax: 1-202-493-5144

Aircraft Certification International Policy Branch

AEU-100
15 Rue de la Loi (1st Floor)
B-1040 Brussels
Belgium

Telephone: 011-32-2-508-2710

Fax: 011-32-2-230-6899

Aircraft Engineering Division

AIR-100
800 Independence Avenue, SW
Washington, DC 20591

Telephone: 1-202-267-9580

Fax: 1-202-267-5340

Production & Airworthiness Division

AIR-200
800 Independence Avenue, SW
Washington, DC 20591

Telephone: 1-202-267-8361

Fax: 1-202-267-5580

FAA Headquarters - Environmental Policy and Regulations

Office of Environment and Energy

AEE-1

800 Independence Avenue, SW
Washington, DC 20591

Telephone: 1-202-267-3576

Fax: 1-202-267-5594

FAA Headquarters – Administrative Coordination

Office of International Aviation

AIA-1

6th Floor, East

c/o Wilbur Wright Building

800 Independence Avenue, SW
Washington, DC 20591

Telephone: 1-202-385-8857

Fax: 1-202-267-5032

FAA Mike Monroney Aeronautical Center - Contact Point for FAA Airworthiness Directives

Mailing Address

Delegation and Airworthiness
Programs Branch
AIR-140
P.O. Box 26460
Oklahoma City, OK 73125

Telephone: 1-405-954-4103

Fax: 1-405-954-4104

Office Address

Delegation and Airworthiness
Programs Branch
AIR-140
ARB, Room 304
6500 S. MacArthur Blvd.
Oklahoma City, OK 73169

FAA Aircraft Certification Service Directorates

Engine and Propeller Directorate

ANE-100

Regulatory and policy responsibility for all aircraft engines, propellers, and auxiliary power units.

12 New England Executive Park
Burlington, MA 01803

Telephone: 1-781-238-7100

Fax: 1-781-238-7199

Rotorcraft Directorate

ASW-100

Regulatory and policy responsibility for normal and transport category rotorcraft.

2601 Meacham Blvd.
Fort Worth, TX 76137-4298

Telephone: 1-817-222-5100

Fax: 1-817-222-5959

Small Airplane Directorate

ACE-100

Regulatory and policy responsibility for:

1. Airplanes weighing less than 12,500 pounds and having passenger configurations of 9 seats or less,
2. Commuter airplanes weighing 19,000 pounds or less, with passenger configurations of 19 seats or less, and
3. Gliders, airships, manned free balloons, and VLA.

901 Locust
Room 301
Kansas City, MO 64106-2641

Telephone: 1-816-329-4100

Fax: 1-816-329-4106

Transport Airplane Directorate

ANM-100

Regulatory and policy responsibility for all transport category airplanes.

1601 Lind Avenue, SW
Renton, WA 98055-4056

Telephone: 1-425-227-2104

Fax: 1-425-227-1100

FAA Manufacturing Inspection Offices

Engine and Propeller Directorate Manufacturing Inspection Office

For the States of: Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia.

ANE-180
12 New England Executive Park
Burlington, MA 01803

Telephone: 1-781-238-7180
Fax: 1-781-238-7199

Rotorcraft Directorate Manufacturing Inspection Office

For the States of: Arkansas, Louisiana, New Mexico, Oklahoma, and Texas.

ASW-180
2601 Meacham Blvd.
Fort Worth, TX 76137-4298

Telephone: 1-817-222-5180
Fax: 1-817-222-5136

Small Airplane Directorate Manufacturing Inspection Office

For the States of: Alabama, Alaska, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Carolina, North Dakota, Ohio, South Carolina, South Dakota, Tennessee, and Wisconsin.

ACE-180
Room 301
Kansas City, MO 64106-2641

Telephone: 1-816-329-4180
Fax: 1-816-329-4157

Transport Airplane Directorate Manufacturing Inspection Office

For the States of: Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming.

ANM-108
1601 Lind Avenue, SW
Renton, WA 98055-4056

Telephone: 1-425-227-2108
Fax: 1-425-227-1320

FAA Aircraft Certification Offices

Boston Aircraft Certification Office

ANE-150
12 New England Executive Park
Burlington, MA 01803

Telephone: 1-781-238-7150
Fax: 1-781-238-7199

Boston Engine Certification Office

ANE-140
12 New England Executive Park
Burlington, MA 01803

Telephone: 1-781-238-7140
Fax: 1-781-238-7199

New York Aircraft Certification Office

ANE-170
1600 Stewart Avenue
Suite 410
Westbury, NY 11590

Telephone: 1-516-228-7300
Fax: 1-516-794-5531

Atlanta Aircraft Certification Office

ACE-115A
One Crown Center
1895 Phoenix Boulevard, Suite 450
Atlanta, GA 30349

Telephone: 1-770-703-6035
Fax: 1-770-703-6097

Chicago Aircraft Certification Office

ACE-115C
2300 East Devon Avenue
Room 323
Des Plaines, IL 60018

Telephone: 1-847-294-7357
Fax: 1-847-294-7834

Wichita Aircraft Certification Office

ACE-115W
1801 Airport Road
Room 100, Mid-Continent Airport
Wichita, KS 67209

Telephone: 1-316-946-4106
Fax: 1-316-946-4107

Anchorage Aircraft Certification Office

ACE-115N
222 West 8th Avenue,
Anchorage, AK 99513

Telephone: 1-907-271-2669
Fax: 1-907-271-6365

Seattle Aircraft Certification Office

ANM-100S
1801 Lind Avenue, SW
Renton, WA 98055-4056

Telephone: 1-425-917-6400
Fax: 1-425-917-6590

Denver Aircraft Certification Office
ANM-100D
Technical Operations Center (TOC)
26805 E. 68th Avenue, Room 214
Denver, CO 80249
Telephone: 1-303-342-1080
Fax: 1-303-342-1088

Los Angeles Aircraft Certification Office
ANM-100L
3960 Paramount Blvd.
Lakewood, CA 90712
Telephone: 1-562-627-5200
Fax: 1-562-627-5210

Fort Worth Airplane Certification Office
ASW-150
2601 Meacham Blvd.
Fort Worth, TX 76137-4298
Telephone: 1-817-222-5150
Fax: 1-817-222-5960

Fort Worth Rotorcraft Certification Office
ASW-170
2601 Meacham Blvd.
Fort Worth, TX 76137-4298
Telephone: 1-817-222-5170
Fax: 1-817-222-5960

Fort Worth Special Certification Office
ASW-190
2601 Meacham Blvd.
Fort Worth, TX 76137-4298
Telephone: 1-817-222-5189
Fax: 1-817-222-5136

TCCA Offices

Headquarters

Director
Aircraft Certification
Place de Ville, Tower C (AARD)
330 Sparks Street, 2nd Floor
Ottawa, Ontario, K1A 0N8
Telephone: (613) 952-4338
Fax: (613) 996-9178

Director
Aircraft Maintenance and Manufacturing
Place de Ville, Tower C (AARP)
330 Sparks Street, 2nd Floor
Ottawa, Ontario K1A0N8
Telephone: (613) 952-4371
Fax: (613) 952-3298

TCCA Regions

Atlantic Region

Regional Manager
Aircraft Certification
6th Floor, Heritage Court (MAI)
95 Foundry Street
Moncton, N.B.,
E1C 5H7

Telephone: (506) 851-7411
Fax: (506) 851-2563

Mailing Address:

P.O. Box 42
Moncton, N.B.
E1C 8K6

Quebec Region

Regional Manager
Aircraft Certification
700 Leigh Capreol (NAI)
Dorval, Quebec
H4Y 1G7
Canada

Telephone: (514) 633-3593
Fax: (514) 633-2703

Ontario Region

Regional Manager
Aircraft Certification
Ontario Region
4900 Yonge Street (PAI)
Suite 300
North York, Ontario
N2N 6A5

Telephone: (416) 952-6033
Fax: (416) 952-0370

Prairie and Northern Region

Regional Manager
Aircraft Certification
Edmonton Transport Canada Centre
(RAED)
1100-9700 Jasper Avenue
Edmonton, Alberta
T5J 4E6
Telephone: (403) 495-3856
Fax: (403) 495-6659

Aircraft Certification Division (RAWD)
Winnipeg Transport Canada Centre
2-344, Edmonton Street
P.O. Box 8550
Winnipeg, Manitoba
R3C 0P6
Telephone: (204) 983-8810
Fax: (204) 984-6021

Aircraft Certification Division
Calgary Transport Canada Centre
200-680 Palmer Road, N.E.
Calgary, Alberta
T2E 7G4
Telephone: (403) 292-6709
(403) 292-4992
Fax: (403) 292-4145

Pacific Region

Regional Manager
Aircraft Certification
620-800 Burrard Street (TAI)
Vancouver, BC
V6Z 2J8
Telephone: (604) 666-5599
Fax: (604) 666-3687

APPENDIX B

List of Referenced Documents

FAA Referenced Documents

1. Code of Federal Regulations, Title 14, Parts 21-35, 36, 39, 43, 45, and 91.
2. FAA Advisory Circular 21-23, *Airworthiness Certification of Civil Aircraft, Engines, Propellers, and Related Products Imported into the United States.*
3. FAA Order 8110.4, *Type Certification Process*
4. FAA Order 8130.2, *Airworthiness Certification of Aircraft and Related Products*
5. FAA Order 8130.21, *Procedures for Completion and Use of FAA Form 8130-3, Airworthiness Approval Tag*
6. FAA Advisory Circular 21-2, *Export Airworthiness Approval Procedures*
7. ICAO Annex 8, *Airworthiness of Aircraft*

TCCA Referenced Documents

1. Canadian Aviation Regulations (CAR) 201, 507, 509, 511, 513, 516 to 541, 561, 571, and 593.
2. Airworthiness Manual Advisory 511/2 *Type Certification of Foreign Type Designs of Aeronautical Products Including Related Airworthiness Activities*
3. Airworthiness Manual Advisory 513.20, *Approval of Foreign Designed Changes to the Type Design of Aeronautical Products.*

APPENDIX C

List of Special Arrangements

1. Name of Special Arrangement: Procedural Guidelines Between the U.S. Federal Aviation Administration (FAA) and Transport Canada Aviation for Bell Civil Model Helicopters

Date of Issue: June 20, 1994

2. Name of Special Arrangement: Memorandum of Understanding for Design Approval of Aeronautical Product Repairs

Date of Issue: May 6, 1998

3. Name of Special Arrangement: FAA-TCCA Management Plan for the Type Certificate Transfer, Including the Transition of Continued Airworthiness Responsibilities, for Convair Products Including Associated STCs.

Date of Issue: August 2000

4. Name of Special Arrangement: FAA -TCCA Management Plan for the Manufacturing Rights and Continued Airworthiness Responsibilities for Zenair Aircraft

Date of Issue: July 2000