

Working Arrangement
between
the European Aviation Safety Agency (EASA)
and
Transport Canada Civil Aviation
on collection and exchange of information on the
safety of aircraft using EU¹ airports, airports of
non-EU States that participate in the EU SAFA²
Programme and airports of Canada

¹ European Union

² Safety Assessment of Foreign Aircraft

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The European Aviation Safety Agency (EASA) and Transport Canada Civil Aviation, hereinafter referred to as "the Participants",

Considering the common interest of the Participants to achieve a high uniform level of civil aviation safety,

Having regard to the Agreement on civil aviation safety between the European Union and Canada signed in Prague, on 6 May 2009 and entered into force on July 26, 2011,

Noting that, in accordance with Commission Regulation (EC) No 768/2006 of 19 May 2006, EASA may liaise with other third countries' authorities to facilitate, through working arrangements under Article 27(2) of Regulation (EC) 216/2008, the improvement of civil aviation safety through the collection and exchange of aviation safety data,

Considering that it is desirable to ensure close cooperation between the Participants with a view to strengthening the EU SAFA programme and enlarging its scope whilst maintaining a harmonised approach to the effective enforcement of international safety standards,

Considering that it is in the interest of the Participants to have the largest possible amount of information with the view of ensuring the effective enforcement of international safety standards with regard to third-country aircraft landing at any of their airports open to international air traffic,

Considering the agreement on air transport between Canada and the European Union signed on 30 November 2008 in London and the necessity for the EU and EASA to have a global and consistent approach towards Canada.

Have agreed as follows:

1. Definitions

1.1 For the purpose of this Working Arrangement the following definitions will apply:

"EU SAFA system" means the system set up in Directive 2004/36/EC³ and in Commission Regulation (EC) No 768/2006⁴ for the collection, exchange and analysis of information on the air safety of aircraft and of air operators"

"Third country aircraft" means for EASA, an aircraft which is not used or operated under the control of a competent authority of an EU member State or of a State participating in EASA in accordance with article 66 of Regulation (EC) 216/2008⁵ and, for Canada, an aircraft which is not used or operated under the control of the competent authority of Canada.

³ Directive 2004/36/CE of the European Parliament and of the Council of 21 April 2004 on the safety of third-country aircraft using Community airports (*OJ L 143, 30.4.2004, p. 76-86*)

⁴ Commission Regulation (EC) 768/2006 of 19 May 2006 implementing Directive 2004/36/EC of the European Parliament and of the Council as regards the collection and exchange of information on the safety of aircraft using Community airports and the management of the information system (published in the *OJ L 143, 20.5.2006, p. 16-18*)

⁵ Regulation (EC) 216/2008 of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency and repealing Council Directive 91/670, Regulation (EC) No 1592/2002 and Directive 2004/36/EC (published in the *OJ L 79/1 dated 19.3.2008, p. 1-49*)

"International Safety Standards" means the safety standards contained in the Chicago Convention and its Annexes, as well as, where applicable at the time of the inspection, those in ICAO Regional Supplementary Procedures.

2. Scope and Objectives

2.1 With a view to establishing and maintaining a high uniform level of civil aviation safety within those states that participate in the EU SAFA programme⁶ and in the territory of Canada, this Working Arrangement introduces a harmonised approach to the enforcement of international safety standards within those states that participate in the SAFA programme and within the territory of Canada. In particular, this Working Arrangement establishes working procedures for carrying out ramp inspections of third country aircraft landing at airports in the territory of Canada as well as for the collection and for the exchange of information on the safety of aircraft using airports located in the territories of the states that participate in the SAFA programme and in the territory of Canada.

2.2 With the view of ensuring the involvement of Canada in the EU SAFA programme in a progressive manner, this Working Arrangement introduces a seamless transition procedure in two phases. Transport Canada Civil Aviation will be granted the status of "SAFA participating State" as provided for in this Working Arrangement, following compliance with the rules and procedures laid down in this Working Arrangement, as assessed by EASA pursuant to the standardisation procedure foreseen in paragraph 8 of this Agreement,.

2.3 Pending compliance with the rules and procedures of this Working Arrangement, and notwithstanding the provisions of paragraph 2.2, Transport Canada Civil Aviation will be granted a provisional "SAFA candidate" status during a "preliminary phase", allowing partial access to the information contained in the EU SAFA programme as provided for in paragraph 9 of this Working Arrangement.

3. Harmonised Rules and Procedures for ramp inspections

3.1 For the purpose of achieving the scope and objectives of this Working Arrangement, Transport Canada Civil Aviation will implement the EU SAFA Technical Requirements as laid down in Annex 1 and in other relevant paragraphs of this Working Arrangement. For the purpose of assessing compliance with these Requirements, Transport Canada Civil Aviation will be subject to standardisation inspections as referred to in paragraph 8 of this Working Arrangement.

3.2 In particular, Transport Canada Civil Aviation will put in place the appropriate means to perform ramp inspections on third-country aircraft suspected of non-compliance with international safety standards landing at a Canadian airport, in accordance with EU SAFA technical requirements as specified in Annex 1 to this Working Arrangement.

⁶ On the date of the signature of this Working Arrangement: Albania, Armenia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Moldova, Monaco, Montenegro, Morocco, Netherlands, Norway, Poland, Portugal, Republic of Georgia, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Turkey, the United Arab Emirates, United Kingdom, Ukraine.

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4. Collection of information by Transport Canada Civil Aviation

4.1. Transport Canada Civil Aviation will put in place a mechanism to collect any information considered by Transport Canada Civil Aviation to be useful for the fulfilment of the objectives stated in Paragraph 2.1 of this Working Arrangement, including the collection of:

- (a) Ramp inspection reports conducted in accordance with the EU SAFA Technical Requirements, as specified in Paragraph 3 and in Annex 1 to this Working Arrangement;
- (b) Other relevant safety information, such as:
 - i. important safety information accessible, in particular, through:
 - pilot reports,
 - maintenance organisation reports,
 - incident reports,
 - other organisations,
 - complaints;
 - ii. information on action taken subsequent to a ramp inspection, such as:
 - aircraft grounded,
 - aircraft or operator banned,
 - corrective action required,
 - contacts with the operator's competent authority; and
 - iii. follow-up information concerning the operator, such as:
 - corrective action implemented,
 - recurrence of discrepancy;

4.2 Transport Canada Civil Aviation will actively participate in the EU SAFA programme by means of its commitment to carry out a minimum annual number of ramp inspections, to be agreed with EASA. In identifying such minimum annual number of ramp inspections, particular attention will be given to the need to encourage the overall efficiency of the EU SAFA programme.

4.3. Whenever information concerning aircraft deficiencies is given voluntarily, the reports will be de-identified regarding the source of such information.

5. Exchange of information and cooperation between the Participants to this Working Arrangement

5.1 Transport Canada Civil Aviation will:

- enter the information referred to in paragraph 4.1 of this Working Arrangement into a EASA SAFA centralised database through a direct secure access or, where applicable during the preparatory phase referred to in paragraph 2.3 of this Working Arrangement, into a provisional database that will be accessible

only to the European Commission, EASA and Transport Canada Civil Aviation. The provisional database will be fully functional and based on the same software as the EASA SAFA centralised database;

- enter the above referred information without delay within a maximum of 15 working days from the date of its collection;
- when the full membership phase has been reached, permit that EASA analyses the information received from Transport Canada Civil Aviation for the purposes of conducting regular or ad hoc analyses or when preparing the EU SAFA programme yearly report as provided for in the EU SAFA Technical Requirements in Annex 1 of this Working Arrangement;
- accept to undergo SAFA standardisation visits under the conditions specified in paragraphs 8 and 9 of this Working Arrangement;

5.2 EASA will:

- store the safety information received from Transport Canada Civil Aviation and store such information in the EASA SAFA centralised database (and where applicable into the provisional database defined in paragraph 2.3 of this Working Arrangement);
- provide Transport Canada Civil Aviation with direct access to the EASA SAFA centralised database for third country aircraft when full SAFA Membership is granted;
- provide Transport Canada Civil Aviation with the necessary instructions for accessing the EASA SAFA centralised database and, where applicable, the provisional database referred to in paragraph 5.1;
- make available to Transport Canada Civil Aviation the results of EASA's analyses of the data on third country aircraft stored in the EASA SAFA centralised database, including Canadian aircraft on the basis of SAFA inspections conducted by all other SAFA members;
- provide Transport Canada Civil Aviation with the manual of EU SAFA ramp inspection procedures, including updates thereof, as set out in the EU SAFA Technical Requirements;
- grant Transport Canada Civil Aviation personnel responsible for the collection, processing and exchange of SAFA-related information, with access to EASA's training programmes, courses and other workshops developed to improve the understanding of the EU SAFA system with the aim of reaching a common standard in the performance of ramp inspections;
- facilitate the actual involvement of Transport Canada Civil Aviation in the SAFA inspectors' exchange programme aimed at allowing inspectors of Transport Canada Civil Aviation to obtain practical experience and contributing to the harmonisation of procedures;

- provide to identified Transport Canada Civil Aviation staff, access to the SAFA electronic community in SINAPSE (in accordance with the technical specifications of Annex 2);
- take all necessary measures to guarantee the security and confidentiality of the information/data stored in the EASA SAFA centralised database in accordance with paragraph 6 of this Working Agreement.

6. Confidentiality and Conflict of Interest

6.1 Transport Canada Civil Aviation will, in accordance with its national legislation, take all necessary measures to provide appropriate confidentiality of the information received under the present Working Arrangement. Transport Canada Civil Aviation will use this information solely for the exercise of its responsibilities related to the improvement of civil aviation safety.

6.2 The national legislation referred to in paragraph 6.1, as well as the relevant internal rules and other procedures of Transport Canada Civil Aviation used to implement such legislation, will be communicated to EASA upon signature of this Working Arrangement. Transport Canada Civil Aviation will promptly inform EASA of any changes to such legislation, rules or procedures.

6.3 Where Transport Canada Civil Aviation receives a request, from a third party, for information in its possession that originates from EASA, especially information contained in the SAFA centralised database, Transport Canada Civil Aviation will consult with EASA in accordance with the *Canadian Access to Information Act*. If EASA advises against disclosure of the requested information, Transport Canada Civil Aviation will, within its powers and in accordance with the applicable law, take measures to protect the information from disclosure.

6.4 The Participants will take the necessary measures, in accordance with their applicable legislation and policies on conflict of interest, to prevent any conflict of interest that may arise from the implementation of this Working Arrangement.

6.5 Each Participant will inform the other, in writing, without delay and in accordance with the applicable legislation, of any conflict of interest that the Participant has identified in the framework of the implementation of this Working Arrangement.

7. Regulatory co-operation

7.1. The Participants agree to take any appropriate measures to cooperate with each other as regards any proposed significant changes to the applicable laws, regulations and administrative provisions regarding the collection and the exchange of information on the safety of aircraft using airports located in the territories of the EU Member States, in the territories of SAFA non-EU States who participate in the EU SAFA Programme and in the territory of Canada.

7.2. In particular the Participants agree to;

- (a) inform and consult each other, as practicable and with sufficient notice, of any intended regulatory changes that may affect the implementation of this Working Arrangement;

- (b) offer each other an opportunity to comment on the intended regulatory changes; and
- (c) respond to every comment made by the other Participant on the intended regulatory changes.

8. Initial and recurrent standardisation inspections

8.1. Transport Canada Civil Aviation agrees to undergo standardisation inspections carried out by EASA in order to examine in particular compliance of Transport Canada Civil Aviation with the rules and procedures in this Working Arrangement and in particular with the relevant EU SAFA Technical Requirements as set out in Annex 1. Standardisation inspections will be conducted by the Agency in full compliance with the principles and rules referred to in Annex 2 and in line with EU relevant legislation. Standardisation inspections may include a review of the national legislation relevant to this Working Arrangement and, notably, of the national provisions referred to in Paragraph 6 of this Working Arrangement.

8.2. Transport Canada Civil Aviation agrees to duly take into account the findings resulting from the standardisation reports of the visits carried out in accordance with the procedures set out in Annex 2 and agrees to act upon them in order to redress the identified findings.

8.3. If the clarifications provided by Transport Canada Civil Aviation satisfy EASA or if satisfactory remedial action is proposed or is duly implemented, in a timely manner, by the Transport Canada Civil Aviation, EASA will issue to Transport Canada Civil Aviation a statement of closure of findings. EASA will inform thereof the Aviation Authorities of the States that participate in the SAFA programme as well as the European Commission. Transport Canada Civil Aviation will become full member of the SAFA Programme in accordance with paragraph 2.2. of this Working Arrangement, upon formal notification from EASA of this statement.

8.4. If the clarifications provided Transport Canada Civil Aviation do not satisfy EASA or where no satisfactory remedial action is proposed or is not duly implemented, in a timely manner, by Transport Canada Civil Aviation, EASA will address a supplementary report to Transport Canada Civil Aviation as well as to the Aviation Authorities of the States that participate in the SAFA programme and to the European Commission.

8.5. Should the actions taken by Transport Canada Civil Aviation not satisfy EASA, consultations would be held between the Participants. If, within 30 days after the notification by EASA of the supplementary report to Transport Canada Civil Aviation, no agreement has been found through such consultations, the granting of the full membership status to Transport Canada Civil Aviation will be suspended by EASA.

8.6. Standardisation inspections may include participation by the standardisation team, as observers, in actual ramp inspections performed by inspectors from Transport Canada Civil Aviation.

8.7. During the standardisation inspections, Transport Canada Civil Aviation will make reasonable efforts to provide EASA inspectors with unimpeded access to the relevant

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premises, lands or means of transport and will facilitate obtaining consent for EASA inspectors to participate in inspections relating to Canadian aircraft, aerodromes and aviation facilities.

8.8. If Transport Canada Civil Aviation is granted the status of "SAFA Participating State", as provided for in this Working Arrangement, standardisation inspections will be conducted by EASA on a regular basis and, where appropriate, on an *ad-hoc* basis under similar conditions as those applicable to other SAFA participating States.

9. Preparatory phase towards full membership to the SAFA Programme

9.1. During the "preliminary phase" referred to in paragraph 2.3 of this Working Arrangement, Transport Canada Civil Aviation will have access to:

- the technical documentation related to the SAFA programme,
- some technical cooperation activities on SAFA,
- the provisional database referred to in paragraph 5.1;
- the SAFA digital community on SINAPSE⁷, and
- the general coordination meetings of the EU SAFA Programme, as observer.

10. Expenses

10.1. Notwithstanding the provisions of paragraph 10.2, each Participant agrees to bear the cost incurred for its application of this Working Arrangement, such as participation of Transport Canada Civil Aviation to meetings related to the implementation of this Working Arrangement.

10.2. Travel and subsistence costs incurred by all members of standardisation teams when performing standardisation inspections in Canada under this Working Arrangement will be borne by Transport Canada Civil Aviation, as per EASA travel rules.

11. Communication and liaison activities

11.1. Transport Canada Civil Aviation will appoint a National Coordinator who will act as the focal point for the implementation of this Working Arrangement.

11.2. Upon entry into effect of this Working Arrangement, Transport Canada Civil Aviation will be invited to take part to the coordination meetings of the SAFA programme involving all the stakeholders participating in the programme.

⁷ SINAPSE is a web-based software application hosted by the European Commission. It features tools to facilitate the effective communication amongst closed communities of experts. Nominated experts become group members.

12. Entry into effect, transitional measures, amendment, suspension and termination

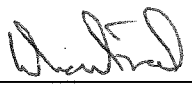
12.1. This Working Arrangement will enter into effect at the date of signature by the Participants' duly authorised representatives. When the signature process is performed by exchange of letters, the Working Arrangement will enter into effect at the date of notification of the last signature of the Participants' duly authorised representatives.

12.2. Upon entry into effect of this Working Arrangements, EASA and Transport Canada Civil Aviation will liaise in order to determine transitional measures that may be required for the implementation of the provisions of this Working Arrangement related to the qualification of existing Canadian inspectors who perform ramp inspections.

12.3. This Working Arrangement may be amended in writing by mutual consent of the Participants.

12.4. This Working Arrangement may be suspended in case of persistent failure to comply with the clauses thereof. Each Participant may notify the other Participant of its intention to suspend the Working Arrangement and the grounds for this suspension. Such suspension will take effect 30 days after the date of notification, unless, prior to the end of this period, the Participant that initiated this suspension, notifies the other Participant, in writing, that it withdraws its notification.

12.5. This Working Arrangement will continue to apply until terminated by either Participant by written notice. Such termination will be effected after a sixty (60) calendar day period following the date of receipt of the written notification, unless the notice of termination has been withdrawn by mutual agreement before the expiry of the 60-day period.

Signed in duplicate in English language in  on 24 Sept 2013.

European Aviation Safety Agency

By


Mr. Patrick Ky
Executive Director

Transport Canada Civil Aviation

By


Mr. Martin J. Eley
Director General

**Annex 1
(issue 1)
EU SAFA Technical Requirements**

For the purposes of this Working Arrangement, "EU SAFA Technical Requirements" means the following EU legislation and other relevant material:

Until 27 October 2014

- Directive of the European Parliament and of the Council No 2004/36 as regards the collection and exchange of information on the safety of aircraft using Community airports and the management of the information system.
- Commission Regulation (EC) No 768/2006 of 19 May 2006 implementing Directive 2004/36/EC of the European Parliament and of the Council as regards the collection and exchange of information on the safety of aircraft using Community airports and the management of the information system.
- Commission Directive 2008/49/EC of 16 April 2008.
- Commission Regulation (EC) No 351/2008 as regards the prioritisation of ramp inspections.
- Commission Regulation (EC) No 736/2006 of 16 May 2006 on working methods of the European Aviation Safety Agency for conducting standardisation inspections, as amended by Commission Implementing Regulation (EU) No 90/2012.
- Commission Implementing Regulation (EU) No 628/2013 of 28 June 2013 on working methods of the European Aviation Safety Agency for conducting standardisation inspections and for monitoring the application of the rules of Regulation (EC) No 216/2008 of the European Parliament and of the Council and repealing Commission Regulation (EC) No 736/2006 (as of 01/01/2014).
- EASA Guidance Material for the qualification of SAFA inspectors approved by EASA Executive Director Decision 2008/001/S.
- EASA Guidance Material for ramp inspections procedures, approved by EASA Executive Director Decision 2012/001/S.

As of 28 October 2014

- Annex II to the Commission Regulation (EU) 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council, Subpart ARO.RAMP.
- Acceptable Means of Compliance and Guidance Material to Part-ARO, approved by EASA Executive Director Decision 2012/016/R
- Acceptable Means of Compliance and Guidance Material to subpart ARO.RAMP, as last amended, as approved by EASA Executive Director Decision.

Annex 2

Standardisation principles and procedures

1. EASA will inform all EU and non-EU Aviation Authorities that participate in the SAFA programme as well as the European Commission of the results of the standardisation visits carried out under this Working Arrangement.
2. CAA's agree that the EASA shall carry standardisation visits as set out in the applicable EU legislation and in accordance with the SAFA standardisation inspection procedure established by EASA.

Reference procedures used for standardisation visits

SAFA Standardisation Inspection Procedure including all related relevant Work Instructions and Standardisation Bulletins, as last amended and published on the SAFA electronic community of EASA in SINAPSE.

