

TECHNICAL IMPLEMENTATION PROCEDURES

FOR

AIRWORTHINESS AND ENVIRONMENTAL

CERTIFICATION

Between

The Civil Aviation Administration of China

And

The European Union Aviation Safety Agency

September 2020

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1. GENERAL

These Technical Implementation Procedures (hereinafter referred to as the TIP) are developed pursuant to Paragraph 4.2 of Annex 1 of the Agreement on Civil Aviation Safety between the European Union and the Government of the People's Republic of China.

1.1. Purpose and scope

The TIP detail the implementation of the Annex on airworthiness and environmental certification to the Agreement on Civil Aviation Safety between the European Union and the Government of the People's Republic of China signed on 20.05.2019, hereafter referred to as 'the Agreement'.

In particular, the TIP address:

- a) the interface requirements and activities between the Technical Agents for matters covered within the scope of Annex 1 on Airworthiness and Environmental Certification(hereafter referred to as "the Annex") related to design approval, continuing airworthiness, production and export of civil aeronautical products;
- b) the differences between the airworthiness and environmental systems of the Parties to the Agreement.

The combined administrative and technical procedures presented in the TIP provide the manner by which the Technical Agents will conduct the validation and reciprocal acceptance of civil aeronautical product approvals.

1.2. Governance

The Certification Oversight Board (COB) established under the joint leadership of the Technical Agents is responsible to develop, approve and revise the TIP. The COB will establish its own Rules of Procedure as a stand-alone document.

1.3. Entry into force, revisions and termination

- 1) The TIP will enter into force on the date of the latest signature of the official representatives of the Technical Agents (COB co-chairs) and will govern new applications made thereafter. The TIP will remain in force until terminated by either Technical Agent upon receipt of sixty days written notice by the other.
- 2) Termination of the TIP will not affect the validity of the certificates granted by the Technical Agents or the activities conducted under the TIP prior its termination.
- 3) The TIP may be revised by a decision of the COB. Such revisions will be made effective by the signature of the duly authorised representatives of Technical Agents (COB co-chairs).

- 4) Upon entry into force of the TIP, the Technical Agents will take necessary measures to amend or terminate, as appropriate, prior arrangements between them. Termination of these arrangements will not affect the validity of the certificates granted by the Authorities or the activities conducted under the terms of these former arrangements. For on-going validation activities of civil aeronautical products initiated under the terms of arrangements to be terminated, which have not yet been completed, the Authorities will finalise the validation in the framework of the TIP and the work done will be appropriately credited.
- 5) The stand-alone Certificates issued by the Technical Agent of one Party to organisations located in the territory of the other Party, still in force at the time of entry into force of the Agreement and the TIP, will be reviewed on a case-by-case basis by the Technical Agents, in consultation with the affected Certificate holder. In consultation with the Certificate holders, some Certificates may be terminated within a reasonable timeframe. As provided for by the Annex, the Technical Agent of one Party shall not issue a stand-alone certificate for organisations located in the other Party's territory after the entry into force of the TIP.

1.4. Publication of the TIP

The Technical Agents will publish the TIP and its revisions on their respective Official Publications.

1.5. Terminology and definitions

For the purposes of the TIP the definitions included in the Agreement and the Annex will apply:

- 1) 'Approved organisations' means any legal person certified by the Competent Authority of either Party to exercise privileges related to a subject matter within the scope of the Agreement.
- 2) 'Certificate' means any approval, licence or other document issued as a form of recognition of compliance that a civil aeronautical product, organisation or person complies with the applicable requirements stemming from the respective Parties' relevant legislation.
- 3) 'Certificating Authority (CA)' means the Authority that issued a Design Certificate in its capacity as Authority discharging the State of Design responsibilities for a Product.
- 4) 'Civil Aeronautical Product' means any civil aircraft, aircraft engine, or aircraft propeller or sub-assembly, appliance, or part, installed or to be installed thereon.
- 5) 'Competent Authority' means a government agency or entity that is designated by a Party for the purposes of the Agreement to exercise a legal right to assess the conformity and to monitor the use of Civil Aeronautical Products, services, operations or certificates within a Party's jurisdiction, and that may take enforcement action to ensure they comply with

applicable legal requirements within that Party's jurisdiction. Competent authorities as regards Design Certification are:

- a) for the Government of the People's Republic of China: the Civil Aviation Administration of China (CAAC); and
- b) for the European Union: the European Union Aviation Safety Agency (EASA).

Competent authorities as regards Production Certification and Export Certificate of Airworthiness are:

- a) for the Government of the People's Republic of China: the Civil Aviation Administration of China (CAAC); and
 - b) for the European Union: the European Union Aviation Safety Agency (EASA) and the Competent Authorities of the Member States of the European Union.
- 6) 'Designated representatives' means any legal or natural person mandated by law or by contract to carry out conformity assessment and raise findings on behalf of the Technical Agents, within the terms and conditions set out in the mandate.
 - 7) 'Export Certificate of Airworthiness' means an export declaration by the Exporting Party Authority – or, for used aircraft, by the Competent Authority of the State of Registry from which the product is exported – that a complete aircraft conforms to the airworthiness and environmental requirements notified by the Importing Party.
 - 8) 'Export' means the process by which a Civil Aeronautical Product is released from one regulatory system to another.
 - 9) 'Minor change' to the Type Certificate or Supplemental Type Certificate means a change that has no appreciable effect on the mass, balance, structural strength, reliability, operational characteristics, noise, fuel venting, exhaust emission, or other characteristics affecting the airworthiness of the product. For Parts and Appliances, a minor change is one which is not extensive enough to require a substantially complete investigation to determine compliance with the appropriate standard.
 - 10) 'Modification Design Approval' means an approval issued by the CAAC for design changes. Before July 01, 2017, applies to major or minor design changes to imported products only. On or after July 01, 2017, applies only to third party minor design changes approvals, for both domestic and imported products.
 - 11) 'Parts and Appliances' means any instrument, equipment, mechanism, part, apparatus, appurtenance or accessory, including communications equipment that is used, or intended to be used, in operating or controlling an aircraft in flight and is installed in or attached to the aircraft.

- 12) 'State of Design (SoD)' means the State or territory having jurisdiction over the organisation responsible for the type design and continued airworthiness of the civil aeronautical product.
- 13) 'State of Manufacture (SoM)' means the State or territory having regulatory authority over the organisation responsible for the production and airworthiness of a civil aeronautical product.
- 14) 'State of Registry (SoR)' means the State on whose register the aircraft is entered.
- 15) 'Technical Agent' means, for the Government of the People's Republic of China, the Civil Aviation Administration of China – CAAC, and for the European Union, the European Union Aviation Safety Agency – EASA.
- 16) 'Type Design Approval' means an approval issued by the CAAC before July 01, 2017 for type design of primary category and restricted category aircraft.
- 17) 'Validating Authority (VA)' means the Technical Agent that automatically accepts or validates, as specified in the Annex, a Certificate issued by the Certifying Authority.

1.6. Compatibility of safety oversight systems

As provided for in Paragraphs 5.2.1.1 and, 5.2.1.2 of the Annex, the safety oversight systems of both Parties are sufficiently compatible to allow the conclusion of the TIP.

1.7. Continued qualification of the Competent Authorities

1.7.1. General principles

In accordance with the provisions of Paragraph 5.2.2 of the Annex, and in order to maintain mutual confidence in each other's system, the Technical Agents will regularly assess the other Party's Competent Authorities' compliance with the qualification requirements set forth in paragraph 5.1 of the Annex; this means ensuring that each Party maintains a structured and effective certification and oversight system for the various activities within the scope of the Annex, including:

- a) A legal and regulatory structure, ensuring in particular regulatory powers over regulated entities;
- b) An organisational structure, including a clear description of responsibilities;
- c) Sufficient resources, including appropriately qualified staff with sufficient knowledge, experience and training;
- d) Adequate processes documented in policies and procedures;
- e) Documentation and records;

- f) An established inspection programme ensuring uniform level of implementation of the regulatory framework among the various components of the oversight system.

For that purpose, the Technical Agents will rely on information obtained from:

- a) Sharing relevant information, within the limits of the applicable regulatory framework, on standardisation and quality management activities performed by the Technical Agent on its own system;
- b) Participation by the Technical Agent of one Party, as observer, in standardisation or internal quality assurance activities performed by the other Party on its own system;
- c) Results of direct recurrent assessments by the Technical Agent of one Party, of the other Party's certification and oversight system, where appropriate;
- d) Feedback about one Technical Agent's technical and operational performance gathered during validation activities conducted by the other Technical Agent;
- e) Other sources of information

In addition, the following activities contribute to continued confidence between the Parties:

- f) information shared between the Technical Agents as part of COB meetings and other exchanges;
- g) communication of any change in the Parties' system, as per the provisions of Article 7 of the Agreement and as specified in paragraph 1.8.2;
- h) sharing information on major safety concerns affecting organisations or products within their oversight systems, as per the provisions of Article 3.2.1 (c) of the Annex.

As a general principle, both Parties have put in place systems to ensure a uniform level of implementation of their regulatory framework. Relying on these systems is the most efficient way to maintain confidence between both Parties. In particular, this approach reduces the direct involvement of the other Party by taking full advantage, to the extent possible, of existing mechanisms and information.

Each Technical Agent will provide internal training and the oversight needed to support a thorough understanding and consistent application of the principles and procedures described in the Annex and these Implementation Procedures.

1.7.2. *Sharing relevant information on standardisation and quality management activities performed by the Technical Agent on its own system*

Both Technical Agents will share and exchange information on standardisation and quality management activities as part of the process to maintain continued confidence between both Parties to the Agreement.

The elements to be exchanged as a minimum are the following:

- a) A sub-set of the indicators used in each Technical Agent's standardisation process pertaining to the Annex, where applicable;
- b) Annual summary of the results of internal audits performed by each Party's Technical Agent pertaining to this Annex;
- c) Major safety concerns identified during standardisation and quality management activities;

1.7.3. *Participation by the Technical Agent of one Party, as observer, in standardisation or internal quality assurance activities performed by the other Party on its own system*

Where applicable, Technical Agents will provide to each other, every year in November, the annual plan containing the Regions / Member States to be inspected during the following year and the inspection dates

Each Technical Agent may select a reasonable number of audits in which it intends to participate as observer and will inform the other Technical Agent accordingly, at least 3 months before the date of the inspection. This notice may be reduced upon mutual agreement between the Technical Agents.

The selection of inspections to be observed will be based on risks and justified by the Technical Agent requesting to participate as an observer to the audits and will be mutually agreed between the Technical Agents. The number of audits and the selection of inspections may depend on the number of issues identified during validating activities and in the operation of the products.

In case of disagreement between the Technical Agents on the number of observations to be conducted or on the choice or conduct of such observations, the matter will be referred to the COB.

At least 30 days before the inspection, the detailed personal information of the observer will be communicated to the Technical Agent conducting the inspection.

1.7.4. *Direct recurrent assessments by the Technical Agent of one Party, of the other Party's certification and oversight system, where appropriate*

Both Technical Agents will establish, as necessary, an annual schedule of sampling visits to design or production organisations approved by the Competent Authorities of the Parties in their territory. In addition, these visits may include the Agents' Head Quarters, Regional Offices or Regional Administrations, Technical Centres, Member States Civil Aviation Authorities, when applicable.

The programme of each sampling visit will be established by the Technical Agent conducting the visit, in coordination with the other Technical Agent. It should be finalised at least 30 days prior to the visit.

The programme of each visit will specify:

- a) An itinerary of the visit;
- b) The organisation(s) to be visited;
- c) Objectives of the visit and the domains covered;
- d) Visit agenda(s);
- e) Team composition.

In case of a disagreement between the Technical Agents on the annual schedule or visit programmes, the matter will be referred to the COB.

Moreover, either Technical Agent may request ad-hoc visits to design or production organisations in the event of potential safety issues affecting civil aeronautical products that it automatically accepts, has validated or is currently validating. In such events the 30 days period for finalization of the program prior to the visit does not apply.

During a given visit, the Technical Agent conducting the visit may not raise findings against a sampled organisation but only observations on the other Technical Agent. Sample visits will lead to reports addressed to the other Technical Agent. The content of such reports will be discussed between the Technical Agents in order to agree on resulting follow-up of the observations and other activities.

If after due diligence the sampling Technical Agent considers that a sampled organisation is not appropriately overseen in the system of the other Technical Agent, and that consequently the acceptance of a related certificate needs to be reconsidered, both Technical Agents will cooperate to identify remedial actions. Notwithstanding continuous efforts by both Technical Agents to resolve the matter, such events will be reported to the COB.

If no solution is found at COB level and in particular if mutual confidence between the Technical Agents in each other's oversight system is at risk, either Party may refer the matter to the Joint Committee in accordance with paragraph 3.2.2 of the Annex.

1.7.5. *Feedback about one Technical Agent's technical and operational performance gathered during validation activities conducted by the other Technical Agent*

If, on the occasion of a validation exercise, the Validating Authority (VA) observes a deficiency in the certification or oversight system of the Certifying Authority (CA), this deficiency will be captured in a report that will be brought to the attention of the COB.

Furthermore, the VA and the CA will share their experience and observations made during the most important validation exercises (typically Type Certificate validations). They will also, where necessary, identify potential areas for improvement in their cooperation to enhance mutual understanding and confidence in each other's certification system.

This feedback may contribute to the plan of standardisation audits and sampling visit defined in paragraph 1.7.3 and 1.7.4.

1.7.6. *Other sources of information*

When one Technical Agent receives information suggesting that a deficiency may exist in the other Technical Agent's certification and oversight system, it may raise this directly to the other Technical Agent or refer the matter to the COB.

1.8. Communications

1.8.1. *Communication principles*

The Technical Agents recognise that direct and routine interaction between their staff within the framework of these Implementation Procedures will serve to enhance the trust and reliance that provides its foundation.

The Management of the Technical Agents will therefore promote an environment of regular and open communication between technical and project management staff.

1.8.2. *Changes in certification and oversight systems*

The Technical Agents will keep each other informed of significant changes affecting one of the fundamental components of their civil aviation certification and oversight systems as defined in the Annex (paragraph 5.1).

A revision by any of the Technical Agents of its civil aviation certification and oversight system may affect the basis, the content or the scope of the TIP. In this case, upon notice of such a revision, the Technical Agents may hold a meeting to review the need to amend the TIP. In such case, the amendment proposed to the TIP will be endorsed by the COB.

1.8.3. *Language of communications*

Data and documents exchanged under the TIP between the Competent Authorities or between an Applicant and a Competent Authority will be in the English language.

Some certification compliance data may not be required by the Validating Authority during a validation process; related documents may therefore not need to be available in the English language.

The Technical Agents may agree to additional exceptions on a case-by-case basis.

1.8.4. *Technical Consultations*

The Technical Agents should, on a regular basis, consult on new or proposed changes to the civil aviation standards or specifications, guidance material, practices and procedures for civil aeronautical products.

The Technical Agents agree to consult as necessary to provide input when requested on technical issues. The frequency of these exchanges will depend on the number and significance of the issues to be discussed as well as on resource considerations.

As provided for in the Annex (paragraph 7.1), the Technical Agents agree to consult as necessary to address issues associated with implementation of the Annex.

These technical consultations will not be charged by the Technical Agents as the Authority being consulted.

1.8.5. *Communications Regarding Approved Organisations*

The Technical Agents understand that there may be occasional situations where either Technical Agent may interact directly with an accredited person or organisation or an approved organisation or certificate holder within the safety oversight system of the other Technical Agent.

In such cases, it is the responsibility of the initiator of the contact to notify the other Technical Agent as soon as possible. The Technical Agents should always consult one another on significant decisions affecting validation activities.

1.9. Interpretations and Resolution of Conflicts

The Technical Agents recognise that in case of conflict between the provisions of the Agreement, including its implementation procedures, and domestic laws, regulations, standards or procedures of one Party, the provisions of the Agreement will prevail.

In the case of conflicting interpretations by the Technical Agents of the laws, airworthiness or environmental regulations/standards, requirements, or acceptable means of compliance pertaining to approval activities under these TIP, the interpretation of the civil aviation authority whose law, regulation, standard, requirement, or acceptable means of compliance is being interpreted will prevail.

Every effort should be made to resolve issues at the lowest possible level through consultation. Issues that cannot be satisfactorily resolved at the operational level should be expeditiously raised to the respective Managements of the Technical Agents, on a progressive level, until an agreement or compromise is reached.

Issues that cannot be satisfactorily resolved between the Technical Agents under the escalation mechanism described above may be raised to the COB.

Issues that cannot be resolved by the COB will be referred to the Joint Committee of the Parties.

1.10. Points of contact

The Appendix A of the TIP identifies the:

- a) focal points for implementation of the TIP;
- b) focal points for coordination of revision of the TIP; and
- c) office/electronic addresses for the Technical Agents.

2. SCOPE OF THESE TECHNICAL IMPLEMENTATION PROCEDURES

2.1. General

2.1.1. The civil aeronautical products eligible for import and export between P.R.C. and EU are defined in Annex 1 to the Agreement. The TIP lay down further detailed procedures concerning validation and acceptance procedures related to design certificates, production oversight and export certification of the eligible civil aeronautical products. A specific Appendix C to the TIP address the Operational documents and data related to the Type as referred to Paragraph 4.4.8 of Annex 1 to the Agreement. In case of conflict related to the scope of the TIP, the Agreement and its Annex 1 prevail.

2.1.2. Restricted type certificates issued by EASA and type certificates for the restricted category aircraft issued by CAAC will be dealt on a case by case basis through the Special Arrangements provision in paragraph 9 of the TIP.

2.1.3. Other category of aircraft, if the provisions in the TIP are not sufficient, upon agreement by EASA and CAAC, could also be dealt on a case by case basis through the Special Arrangements provision in paragraph 9 of the TIP and in accordance with Annex 1 to the Agreement.

2.2. Design Certificates issued by EASA as CA, and validated or automatically accepted by CAAC under the Agreement.

- 2.2.1. Type Certificates (TCs) for all civil aeronautical products;
- 2.2.2. ETSOA for articles;
- 2.2.3. All changes to TC's, for civil aeronautical products that have been issued a TC by EASA as CA and validated by CAAC;
- 2.2.4. All Supplemental Type Certificates (STC) and subsequent changes to those STCs, for civil aeronautical products that have been issued TCs or validated TCs by both EASA and by CAAC, regardless of SOD;
- 2.2.5. Any other EASA-approved design changes for civil aeronautical products that have been issued type design certificates or validated type design certificates by both EASA and by CAAC, regardless of SOD;
- 2.2.6. EASA-approved design data used in the support of repairs for civil aeronautical products that have been issued TCs or validated TCs by both EASA and by CAAC, regardless of SOD.

2.3. Export certificates and forms issued by EASA or EU member states under EU law, and recognised by the P.R.C. under the Agreement

2.3.1. *The Export Certificates of Airworthiness for aircraft that conform to a Type Design approved under a CAAC Type Certificate, including:*

- 2.3.1.1. New and used aircraft for which EASA is the CA;
- 2.3.1.2. New and used aircraft for which the CAAC is the CA; and
- 2.3.1.3. New and used aircraft for which a third country is the SoD, when that third country has a bilateral agreement/arrangement with both the P.R.C. and the EU covering the same class of civil aeronautical product.

2.3.2. *The Authorised Release Certificates for the following civil aeronautical products and articles:*

- 2.3.2.1. Engines and propellers that conform to a Type Design approved under a TC issued by CAAC, including:
 - a) New aircraft engines and propellers for which EASA is the CA;
 - b) New aircraft engines and propellers for which CAAC is the CA;
 - c) New aircraft engines and propellers manufactured in the EU for which a third country is the SoD, when that third country has a bilateral agreement/arrangement with both the P.R.C. and the EU covering those engines or propellers.
- 2.3.2.2. New articles that conform to an ETSOA issued by EASA.
- 2.3.2.3. New replacement and modification parts manufactured by a production approval holder (PAH), that conform to a CAAC approved or accepted design data and that are eligible for installation in a civil aeronautical product which has been issued with a CAAC design certificate, regardless of the SoD.

2.4. Design Certificates issued by CAAC as CA and validated or automatically accepted by EASA under the Agreement.

- 2.4.1. TCs for all civil aeronautical products;
- 2.4.2. CTSOA for articles;
- 2.4.3. All changes to TC's, for civil aeronautical products that have been issued a TC by CAAC as CA and validated by EASA;
- 2.4.4. All Supplemental Type Certificates (STC) and subsequent changes to those STCs, for civil aeronautical products that have been issued TCs or validated TCs by both CAAC and by EASA, regardless of SoD;
- 2.4.5. Any other CAAC-approved design changes for civil aeronautical products that have been issued type design certificates or validated type design certificates by both CAAC and by EASA, regardless of SoD;
- 2.4.6. CAAC-approved design data used in the support of repairs for civil aeronautical products that have been issued TCs or validated TCs by both CAAC and by EASA, regardless of SoD.

Note:

- where TC issued by CAAC is referenced in the TIP, it includes TDA issued by CAAC;
- where STC issued by CAAC is referenced in the TIP, it includes the MDA issued by CAAC for major change before July 01, 2017.

2.5. Export certificates and forms issued by CAAC and recognised by the EU member states under the Agreement

2.5.1. *The Export Certificates of Airworthiness for aircraft that conform to a Type Design approved under an EASA Type Certificate, including:*

- 2.5.1.1. New and used aircraft for which the CAAC is the CA;
- 2.5.1.2. New and used aircraft for which EASA is the CA; and
- 2.5.1.3. New and used aircraft for which a third country is the SoD, when that third country has a bilateral agreement/arrangement with both the P.R.C. and the EU covering the same class of civil aeronautical product.

2.5.2. *The Authorised Release Certificates for the following civil aeronautical products and articles:*

2.5.2.1. Engines and propellers that conform to a Type Design approved under a TC issued by EASA;

- a) New aircraft engines and propellers for which CAAC is the CA;
- b) New aircraft engines and propellers for which EASA is the CA;
- c) New aircraft engines and propellers manufactured in the P.R.C. for which a third country is the SoD, when that third country has a bilateral agreement/arrangement with both the P.R.C. and the EU covering those engines or propellers.

2.5.2.2. New articles that conform to a CTSOA issued by CAAC.

2.5.2.3. New replacement and modification parts manufactured by a production approval holder (PAH), that conform to an EASA approved or accepted design data and that are eligible for installation in a civil aeronautical product which has been issued with an EASA design certificate, regardless of the SoD.

2.6. The approval procedures for design certificates are detailed in paragraph 3

2.7. The continuing airworthiness is detailed in paragraph 4

2.8. The administration of design approvals is detailed in paragraph 5

2.9. The production approval is detailed in paragraph 6

2.10. The export airworthiness approval procedures are detailed in paragraph 7

2.11. The technical support and information for certification activities is detailed in paragraph 8

3. APPROVAL PROCEDURES FOR DESIGN CERTIFICATES

3.1. Guiding principles on validation and automatic acceptance processes

The following guiding principles apply to design certificates that have been, or are in the process of being, issued by either Technical Agent as CA.

3.1.1. *Under the Agreement, certain certificates are subject to automatic acceptance while others are subject to validation, as provided for in paragraph 4.4.5 and 9 of the Annex:*

- a) For validated certificates, the validating Authority grants a certificate for a foreign civil aeronautical product, through a process implying a reduced level of involvement compared with an exclusive, full and in-depth examination of the design or design change. The validation process shall be based to the maximum extent practicable on the technical evaluations, tests, inspections, and compliance certifications made by the Certifying Authority.
- b) For automatically accepted certificates, the Validating Authority recognises and accepts the Certifying Authority's certificates without any technical investigation or validation exercise. The certificate issued by the certifying Authority is recognised by the validating Authority as equivalent to its own certificate issued in accordance with its legislation and procedures. The Validating Authority is therefore not required to issue its own corresponding certificate.

3.1.2. In both cases (validation and automatic acceptance), emphasis is put on reliance and confidence in each other's approval system.

3.1.3. Achieving such mutual reliance on each other's system requires a strong initial and continuous mutual confidence.

3.1.4. In accordance with paragraph 4.4.1.3 of the Annex, the Technical Agents agree that each other's systems of design organisation approval (EASA) or design assurance system and delegation system and direct controls performed by the Technical Agent (CAAC) are part of their overall certification and approval systems. The Technical Agents recognise as sufficient and acceptable each other's certification and oversight different systems. As a consequence, compliance determinations and approvals made

within the certification and oversight systems of either Technical Agent are given the same validity as those made directly by CAAC and EASA.

3.1.5. *Involvement of the VA during validation exercises*

The level of involvement of the VA during validation processes defined in paragraph 4.4.2 of the Annex and detailed in these Technical Implementation Procedures, shall take due consideration of:

- a) The experience and records of the Competent Authority of the other Party as Certifying Authority. The more the Exporting Party has successful experience as CA, the more the VA shall rely on it;
- b) The experience already gained by this VA during previous validation exercises with the Competent Authority of the other Party. The more the VA has gained successful experience with the Technical Agent of the other Party, the more it shall rely on it;
- c) The nature of the validated design, the performance and experience of the applicant with the VA. The simpler the design of the validated product, the greater the expected reliance on the Certifying Authority. The more the VA is used to dealing with a given applicant and has a satisfying experience, the more the VA shall rely on the Certifying Authority and reduce its level of involvement; and
- d) The outcome of initial and continued qualification requirements assessments, defined in paragraph 1.7. The more the initial and continued assessment of the other Party is satisfying, the more the VA shall rely on the Certifying Authority of the other Party and reduce its level of involvement.

3.1.6. *Parts and Appliances*

3.1.6.1. Installation of a validated or automatically accepted Part or Appliance

Both validated and automatically accepted Parts and Appliances CTSOA/ETSOA certificates do not constitute an installation approval. An installation approval is required for the installation of these Parts and Appliances.

3.1.6.2. Acceptance of non-ETSO or non-CTSO function

The VA shall accept, without further validation, data related to non-ETSO or non-CTSO functions that are integrated into a Part or Appliance and accepted in accordance with the procedures of the Exporting Party for Parts and Appliances. The following conditions must be met:

- a) The non-ETSO or non-CTSO functions included in the Part or Appliance do not interfere with the Part or Appliance's functionality and/or ability to comply with the ETSO or CTSO standard;
- b) The data provided with the Part or Appliance relative to non-ETSO or non-CTSO functions is valid data as processed by the VA system in accordance with the applicable importing authority policy; and
- c) The non-ETSO or non-CTSO functions must be covered under the applicant's quality system.

The acceptance of this additional data does not constitute an installation approval.

3.2. Automatic Acceptance of approvals

For certificates subject to automatic acceptance, the VA recognises and accepts the CA's certificates without any technical investigation or validation exercise. In this case, the certificate issued by the CA is recognised by the VA as equivalent to its own certificate issued in accordance with its legislation and procedures. The VA does not issue its own corresponding certificate. The scope of automatic acceptance is as follows:

- 3.2.1. Non-significant major changes to a type certificate approved within the European Union regulatory system (see paragraph 3.3.1);
- 3.2.2. All design changes classified as minor in accordance with CCAR-21 or EASA Part 21.A.91 (see paragraph 3.3.2);
- 3.2.3. Design data for a major repair approved within the European Union regulatory system (see paragraph 3.3.3.2);
- 3.2.4. Design data for a minor repair (approved in accordance with paragraph 3.3.3.2 and 3.3.3.3);
- 3.2.5. For parts and appliances, all design changes classified as minor in accordance with CCAR21 and EASA Part 21. (see paragraph 3.3.2)

In case an automatically accepted design change requires the update of the CAAC Validation of Type Certificate (VTC) or its Data Sheet (VTCDS), a further application for administrative update of the VTC or VTCDS shall be made by the VTC holder and the necessary data shall be provided to CAAC.

3.3. Procedures for Accepted Design Approvals

3.3.1. *Non-significant major design changes by the TC holder approved within the European Union regulatory system*

Where a TC Holder approved within the European Union regulatory system introduces a design change that would be classified as non-significant major change, it shall be accepted by the CAAC without further review. These design changes are considered approved by the CAAC, and are included in the TC Holder type design data.

3.3.2. *Minor Design Changes*

Where a Design Approval Holder introduces a design change that would be classified as minor in accordance with CCAR21.93 or Part 21.A.91, for type certificates and supplemental type certificates or in accordance with CCAR 21.369 or Part 21.A.611 for Parts and Appliances, it shall be accepted by the VA without further review. These design changes are considered approved by the VA, and are included in the Design Approval Holder type design data where applicable. In case a minor change to a Part or Appliance requires the update of the VA certificate (for instance to add a part-number), a further application for administrative update of the validated CTSOA or validated ETSOA shall be made by the approval holder and the necessary data shall be provided to the VA.

3.3.3. *Design Data for Repairs*

3.3.3.1. Acceptance of Design Data Used in Support of Repairs

- a) Design data used in support of repairs must be approved or accepted, as appropriate, by the exporting Authority/SoD. The following describes the process that shall be followed by CAAC and EASA so that repair design data can be approved or accepted. Repair designs requiring the production of new parts that would constitute a design change, are not eligible for Acceptance under the TIP paragraph. However, it is permissible to fabricate parts that will be used in the repair of the individual aircraft, engine, propeller, part or appliance.
- b) CAAC will approve design data in support of repairs in accordance with CCAR-21 Chapter 13-Repairs. A design approval will be issued for all repair design data. If the repair design significantly impacts the weight and balance,

structure strength, performance, power plant operation, flight characteristics of the aircraft or impacts other features related to the airworthy, an application for major design change approval shall be followed.

- c) EASA will approve design data in support of repairs in accordance with EASA Part 21 Subpart M-Repairs and EASA's procedure Airworthiness of Type Design. A design approval will be issued for all repair design data.

3.3.3.2. CAAC acceptance of EASA Repair Design Data

- a) CAAC will accept EASA approved design data produced under EASA Part 21 Subpart M used in support of major or minor repairs regardless of the SoD of the product, part or appliance, if:
 - 1) The CAAC has certificated/validated the product or article;
 - 2) EASA is Certifying Authority for the repair design data;
 - 3) EASA repair design data approval is substantiated via a repair design approval letter or a repair design approval issued under a DOA.

In these circumstances, repair design data approved by EASA are accepted as approved by the CAAC without further review. This process does not require application to the CAAC.

3.3.3.3. EASA acceptance of CAAC Repair Design Data

- a) EASA will accept CAAC approved design data produced in support of minor repairs regardless of the SoD of the product, part, or appliance, if:
 - 1) EASA has certificated/validated the product or article;
 - 2) CAAC is Certifying Authority for the repair design data;
 - 3) the CAAC repair design data approval is documented via applicable repair design approval letter, form or other official document based on the applicable repair design approval procedure.
- b) In these circumstances, design data approved by CAAC in support of minor repairs are accepted as approved by the EASA without further review. This process does not require application to the EASA.
- c) Design data approved by CAAC in support of major repairs will undergo the validation process as described in paragraph 3.5.

3.4. Validation of Certificates and Approvals

For CA approvals that are not eligible to Acceptance criteria established in paragraph 3.2, the Technical Agents have established a risk-based approach influenced by the extent of past certification and operational experience with similar CA products, as well as the specific design features and operational characteristics of the project presented for validation. This risk-based approach establishes three paths for validation:

3.4.1. *Technical validation in accordance with Level of Involvement principles*

This validation path is conducted in accordance with paragraph 3.5.5 and is applicable to:

- a) Type certificates issued by the European Union Competent Authority or by the Chinese Technical Agent (CAAC);
- b) Significant Supplemental Type Certificates and significant major changes issued by the European Union Competent Authority.
 - i. The significant/non-significant classification is made by the Certifying Authority in accordance with the criteria and definitions defined in below subparagraph ii. and interpreted in accordance with the applicable rules and procedures of the Certifying Authority.
 - ii. In determining whether a specific Supplemental Type Certificate or major change is significant or non-significant, the change in context with all previous relevant design changes and all related revisions to the applicable certification specifications incorporated in the type certificate for the product shall be considered. Changes that meet one of the following criteria are automatically considered significant:
 - the general configuration or the principles of construction are not retained;
 - the assumptions used for certification of the product to be changed do not remain valid.

Note: Notwithstanding dispositions of above subparagraph b), some significant Supplemental Type Certificates or significant major changes issued by the European Union Competent Authority, as detailed in paragraph 3.4.2, will be validated under a streamlined validation process limited to technical familiarisation without involvement of the VA in the showing of compliance activities.

- c) Certificates issued within the Chinese regulatory system within the scope of the Agreement and that are not eligible to Acceptance criteria established in 3.2.

Note: Notwithstanding dispositions of above subparagraph c), some Technical Standard Order Authorisations issued by the Chinese Competent Authority, as detailed in paragraph 3.4.2, will be validated under a streamlined validation process limited to technical familiarisation without involvement of the VA in the showing of compliance activities.

The level of involvement of the VA during the Technical Validation processes shall be determined according to paragraph 3.1.5.

3.4.2. Streamlined validation limited to technical familiarisation without involvement of the VA in the showing of compliance

- a) Some significant Supplemental type certificates or significant major changes issued by the European Union Competent Authority as defined in Appendix B, will be validated under a streamlined validation process limited to technical familiarisation without involvement of the Validating Authority in the showing of compliance activities;
- b) The applications for validation of Technical Standard Order Authorisation issued by the Chinese Competent Authority may be subject to Streamlined Validation or Technical Validation process. The type of validation will be defined and regularly updated by both Technical Agents on the basis of the criteria defined in paragraph 3.1;
- c) This validation path is conducted in accordance with paragraph 3.5.4.

3.4.3. Validation through an administrative process only

This validation path is conducted in accordance with paragraph 3.5.3 and is applicable to:

- a) Non-Significant Supplemental Type Certificates issued by the EU Competent Authority
- b) Technical Standard Order Authorisation issued by the EU Competent Authority

3.5. Procedures for Administrative Validation, Streamlined Validation and Technical Validation of approvals and certificates

All three validation processes (Administrative Validation, Streamlined Validation, and Technical Validation) require an application to the VA, a CA's statement that the design complies with the VA certification basis, and issuance of a VA design approval or certificate.

However, the intermediate steps between application and VA approval vary depending on which process is applied.

3.5.1. Application process

3.5.1.1. CA Application Responsibilities

Upon receipt of an application for validation from an applicant, the CA will:

- a) Assure that the product or design change is within the scope of the Agreement;
- b) Assure that the product or design change has been issued a design certificate by the CA, or an application has been made to the CA;
- c) Verify the applicant's classification for validation in accordance with paragraph 3.4.1, 3.4.2 or 3.4.3;
- d) Prepare the application package for transmittal to the VA according to paragraphs 3.5.1.3 or 3.5.5.14, as applicable.

3.5.1.2. Validation Application Eligibility

The VA will consent to receive an application for validation when the product or design change is within the scope of the Agreement.

3.5.1.3. Application data package

All applications must be submitted by the CA, who will ensure that the package contains the adequate information and will forward this information to the appropriate VA office as listed in Appendix A.

NOTE: For certain projects, some elements of the application package will not be known at the time of application; the data package for such projects must include all known data at time of application. This does not prevent the validation process to be started and missing information will be provided to the VA as it becomes available during the course of the validation project.

Validation application package contents:

a) A description of the product in accordance with the following:

- 1) For a TC, descriptive data defined in CCAR 21.15 for applications to the CAAC, or Part 21.A.15 for applications to EASA, plus:
 - i. A listing of any applicable CA ADs and a statement that changes to correct the unsafe condition identified in the AD have been incorporated into the type design presented for validation; and
 - ii. A copy of approved manuals and approved instructions for continued airworthiness (ICA).
- 2) For a design change, including an STC, a high-level description of the change, together with the make and model of the product being changed, including, if affected, a copy of:
 - i. Changes to the Airworthiness Limitations Section of the Instructions for Continued Airworthiness; and
 - ii. Changes to other Operating Limitations (e.g. Flight Manual);

The VA must be aware of any such changes to ensure they are able to release updated information, or to perform any necessary mandatory airworthiness activity as required by their system. Any additional information the VA needs to fulfil such responsibilities will be requested by the VA within the time frame specified in paragraph 3.5.2.

- 3) For Parts and Appliances, the Declaration of Design and Performance (DDP) as well as:
 - i. The applicable Parts and Appliances standard and classes, types;
 - ii. The part-number structure;
 - iii. The list of anticipated minor changes and criteria to classify minor changes;
 - iv. The list and description of deviations;
 - v. The list and description of Non-ETSO or non-CTSO function;
 - vi. A description of any novel or unique design features;
 - vii. A description of the implemented new technologies or new technology applications;
 - viii. The classification of the main failure condition, and resulting Development Assurance Levels for Software and Electronic Hardware;

- ix. A Statement of conformance to the applicable Parts and Appliances performance standard from the applicant.
- b) The date of application to the CA;
- c) A statement that the CA has made a determination of the classification for validation in accordance with paragraph 3.4.1, 3.4.2 or 3.4.3;
- d) A copy of the CA's TC and TCDS, TCDSN, STC or CA's Parts and Appliances approval that identifies the certification basis upon which the CA's design approval was issued. In the absence of a TCDS, the CA should submit the document that defines the CA certification basis. If not directly identified in the documentation described in this paragraph, the CA should also provide the reference date used to establish the CA certification basis;
- e) A statement that the CA certifies that the product has been examined, tested and has been found to meet either:
 - 1) The applicable airworthiness, noise, fuel venting, and emissions requirements of the VA; or
 - 2) the CA airworthiness requirements and the VA Significant Standard Differences, special conditions, equivalent level of safety findings/equivalent safety findings and exemptions/deviations the VA has prescribed to provide an equivalent level of safety as the VA airworthiness requirements, and the CA noise, fuel venting and emissions requirements, plus any other requirements prescribed by the VA to provide noise, fuel venting, and exhaust emissions requirements equivalent to those provided in the applicable VA standards; or
 - 3) in the case of Parts and Appliances, the applicable VA Parts and Appliance standard with the applicable limitations and deviations compensated for by factors or design features providing an equivalent level of safety. The statement should also confirm the non-interference of any non-ETSO or non-CTSO functions when present.

Note 1: Except for Parts and Appliances, when providing the statement required by this paragraph, the CA may choose to either list the pertinent VA standards, or may reference existing VA documentation that lists those applicable standards.

Note 2: For Parts and Appliances, while the CA verifies compliance to the VA standards, the CA certificate may use a different revision of the standard than the one used for the validation upon agreement by the VA.

Note 3: The statement of compliance will not address OSD constituents.

f) In cases where the applicant chooses to voluntarily adopt into the VA certification basis later amendments to airworthiness or environmental standards than those required as described in paragraph 3.5.5.7, those later amendments for those standards will be identified in the application.

3.5.2. VA acknowledgement and Review of Application

The VA will review the application package within twenty (20) working days of its receipt and request the applicant any missing information in accordance with paragraph 3.5.1.3 and advise the applicant of any applicable fees.

The application data package can be considered as complete only upon receipt of any missing information referred to in here above, and the payment of any applicable fees, when applicable.

Once the application package is complete, the VA will begin working on the administrative, streamlined or technical validation project.

3.5.3. VA issuance of Design Certificate for Validation through Administrative process only

The VA will issue the corresponding design certificate within fifteen (15) working days after beginning working on the administrative validation project, with concurrent notification to the CA.

3.5.4. Streamlined Validation Process

3.5.4.1. The streamlined validation process is limited to the technical familiarisation of the VA with the Design Certificate to be validated. There is no involvement of the VA in the showing of compliance activities. Once the technical familiarisation is completed, the process is limited to the administrative actions required for the VA to issue its design approval based on the corresponding CA approval and a certification statement from the CA to the VA, as described in 3.5.4.7.

3.5.4.2. The streamlined validation process projects are only managed as sequential projects, in which the CA submits the application to the VA after the CA has completed its certification program, when it is ready to provide a certification statement to the VA as described in 3.5.4.7.

3.5.4.3. In order to provide the VA with an adequate technical familiarisation:

- a) The application package referred to in paragraph 3.5.1.3 shall be complemented with a technical familiarisation package with dedicated presentations or reports.
- b) Alternatively, the description of the change provided in the application package must be sufficiently thorough to ensure that the purpose of the technical familiarisation is fulfilled.
- c) Description of the exceptions induced by the application of part 21.101, if applicable.

3.5.4.4. The technical familiarisation of the streamlined validation process is only for the purpose of gaining an understanding of the approval to be validated. The VA will focus its attention during technical familiarisation on understanding the general compliance methodologies used by the applicant to show compliance with the applicable VA requirements for the change.

The format of the technical familiarisation will be agreed by both authorities. It may include meetings, desk reviews, and teleconference, as necessary. Both authorities will endeavour to be most efficient.

Each design area of the change should be presented to the VA's team, highlighting the architectures, the main critical, new and novel technologies, etc. Therefore the presentation should include detailed information on:

- a) Any novel design features, novel applications of existing technology, or unconventional uses of the product;
- b) Any design features where experience has shown that an unsafe condition might occur;
- c) Proposed applicable VA requirements with which compliance has been established;
- d) Any newly proposed interpretations or Means of Compliance (MoCs) for existing standards.

In the specific case of technical familiarisation for the purpose of validating a Part or Appliance, the presentation material shall include, where applicable:

- a) The applicable VA Part and Appliance standard, classes and types;
- b) The part-number structure;
- c) The list of anticipated minor changes and criteria to classify minor changes;
- d) The list and description of deviations;
- e) The list and description of Non-ETSO/non-CTSO function;
- f) A description of any novel or unique design features;
- g) A description of the implemented new technologies or new technology applications;
- h) The list and description of limitations, including Open Problem Reports as per the applicable VA guidance material;
- i) The classification of the main failure condition, and resulting Development Assurance Levels for Software and Electronic Hardware;
- j) A description of the architecture, of the software, electronic hardware and mechanical design;
- k) Declaration Design and Performance (DDP) and installation manual; and
- l) Marking.

3.5.4.5. Confirmation of the applicable VA certification basis

During the technical familiarisation, the VA will check the completeness and adequacy of the proposed applicable requirements for the change.

The VA shall inform the CA of any missing requirement in the proposed VA certification basis.

In this case, when applicable, the CA will update the statement of compliance with the VA's certification basis.

3.5.4.6. Technical Familiarisation timing

The VA shall complete its technical familiarisation within twenty (20) working days after beginning working on the streamlined validation project and - when applicable – following the completion of any necessary specific meeting, with concurrent notification to the CA.

3.5.4.7. Once the technical familiarisation has been completed, the VA will issue its design certificate based on the CA's statement of compliance with the VA's certification basis and rely on the data provided by the CA, including acceptance of any CA approved manuals provided as part of the application package.

The VA shall issue the corresponding design certificate with concurrent notification to the CA within fifteen (15) working days of completion of the technical familiarisation.

3.5.5. Technical validation process in accordance with Level of Involvement principles

For projects within the classification of paragraph 3.4.1, a Technical Validation may be performed by the VA to support issuance of the VA design approval.

For Parts and Appliances, the technical validation, when applicable, is conducted in accordance with paragraph 3.5.5.14.

3.5.5.1. The objective of the Technical Validation process is to provide the VA with sufficient information for it to establish its certification basis and perform a review of the approval according to the level of involvement principles.

3.5.5.2. The VA may choose to limit the Technical Validation process to a review of the application, proceeding from there directly to issuance of its design approval. Intermediate steps such as indicated in paragraph 3.5.5.4 are not required in this case.

3.5.5.3. Technical Validation can be performed as a sequential or as a concurrent validation.

- 1) In a sequential validation, the CA has completed its certification, or is well advanced in the certification process, before the applicant requests validation by the VA. In this case, the CA certification basis and acceptable methods of compliance (MOCs) have been established and approved by the CA.

Type design changes, revised operating limitations, or new or revised certification testing or analysis may be required in a sequential program to meet the requirements of the VA, since these requirements may not have been considered during the original CA certification.

- 2) In a concurrent validation, the applicant requests validation of the product by the VA at the same time as certification by the CA, with the objective to get the CA and the VA approval at the same, or nearly the same time.

- a) This approach allows unique VA requirements to be addressed during the design development and initial compliance demonstration.

- b) A concurrent validation provides an opportunity for CA and VA collaborative use of the latest airworthiness standards, special conditions, exemptions, deviations, equivalent level of safety findings and acceptable MOCs. Additionally, it provides for early identification of areas where jointly agreed solutions are not readily available.
- c) A concurrent validation may use any or all of the following optional provisions:

- i. Work Sharing

A work sharing program may be used in areas where the VA may make compliance determinations on behalf of both the VA and CA. Work sharing may be advantageous when certification activity is occurring within the geographical area of the VA, or when limited CA resources make it advantageous to advance the project by using VA resources. Work sharing can be limited to a single issue or may be utilised extensively throughout the project, and, if agreed, may persist through the life of a program into post-type certification activities. Such work sharing arrangements are a form of technical assistance, as described in the TIP paragraph 8 (Technical support and information).

- ii. Common Issue Papers (IP) and Certification Review Items (CRI)

The CA and the VA may jointly develop and approve IPs or CRIs that are common or identical, as applicable, depending on which authority is the CA, to establish the combined requirements for both EASA and CAAC certification programs. Common IP/CRI can be limited to a single issue, or may be used extensively throughout the project.

- iii. Single Certification Basis

The CA and VA may elect to jointly develop a single agreed certification basis that satisfies both China and EU regulatory requirements.

3.5.5.4. Description of the Technical validation procedure phases

- 1) The Validating Authority shall use the following phases for the validation of a certificate under the technical validation with level of involvement

principles. The below phases are tailored for technical validation of a type certificate and may be simplified or combined depending on the level of complexity of the product to be validated, when agreed between the CA and the VA.

Project Phase	Objective	Beginning	Ending
Phase 1 (Paragraph 3.5.5.5)	General Familiarisation	Acknowledgement of application by VA	Establishment of VA team
Phase 2 (Paragraph 3.5.5.6 & 3.5.5.7)	Technical Familiarisation and establishment of VA Certification Basis	First technical Familiarisation meeting	Establishment of VA Certification Basis
Phase 3 (Paragraph 3.5.5.8, 3.5.5.9 & 3.5.5.10)	Determining VA Involvement	Completion of Phase 2	Initial VIs closed and decisions made regarding initial VI compliance determinations
Phase 4 (Paragraph 3.5.5.11, 3.5.5.12 & 3.5.5.13)	Compliance Verification	First Compliance determination activities	Issuance of VA TC

- 2) It is the applicant's responsibility to propose a realistic time-scale throughout the course of the validation phases, to seek the CA and VA concurrence and to take appropriate action with the CA and VA to stay as close as possible to the agreed schedule.
- 3) Certain technical disciplines on a VA team may be at different phases of the validation project, depending on the progress of their efforts. There is no need for any technical discipline to hold up its validation efforts to wait for those that are not as far along.
- 4) The initiation of the technical validation process follows the steps for application and acknowledgement of the application as described in paragraphs 3.5.1 and 3.5.2.

3.5.5.5. General familiarisation (Phase 1)

The objective of the general familiarisation is to give an overview of the product, the main technologies utilised and any unusual characteristics, also including a high-level project schedule to enable the VA to acknowledge the main milestones of the project and establish the project team.

A key element of Phase 1 is the general familiarisation meeting. At this meeting, the applicant will present an overview of the project to the VA and familiarise the VA with the design, as currently known.

The briefing should provide sufficient information for the VA to establish the appropriate technical disciplines, size of the VA team, and guidance for the team. This should maximise the effectiveness of any follow-on meetings. The meeting is usually expected to last no more than two days.

A general familiarisation meeting may not be required if the VA agrees that changes from previously validated designs do not warrant the briefing.

Phase 1 ends with the establishment of the VA team.

3.5.5.6. Technical familiarisation (Phase 2)

- 1) The objective of this phase is to provide detailed technical information about the project to the VA's team to enable the definition of, and agreement on, the VA's initial type certification basis.

These objectives can only be fully satisfied when the applicant has provided a sufficiently detailed description of the design to the VA and when the CA certification basis has been sufficiently presented to the VA. This is done, in particular, during one or several technical familiarisation meeting(s).

- 2) The applicant, in coordination with the PCM of the VA and in consultation with the CA, shall draw up an agenda for this/these meeting(s), and coordinate the necessary arrangements, including the details related to the provision of suitable descriptive material and other documentation necessary for the good conduct of the meeting(s).
- 3) The technical familiarisation meeting(s) may be organised using modern communication means (e.g. teleconference, videoconference), especially in a case where the resources to assemble a technical audience could be economically disproportionate to the scale and complexity of the design being validated.
- 4) The PCMs of the CA and VA shall ensure that the technical familiarisation meeting is scheduled at a date suitable to all parties involved and that sufficiently knowledgeable representatives from all parties are participating.

The CA is expected to attend the familiarisation meeting, given that they have a thorough knowledge of the certification of the design.

- 5) The applicant, with support from the CA as applicable, will present to the VA:
- a) An overview of the proposed design, intended operational use and, if applicable, relation to previously approved products;
 - b) The CA certification basis and proposed VA certification basis, including analysis of their differences;
 - c) Any novel design features, novel applications of existing technology, or unconventional uses of the product;
 - d) Any design features where experience has shown an unsafe condition might occur;
 - e) All deviations/exemptions, special conditions, and equivalent level of safety findings issued by the CA, and;
 - f) New standard interpretations or Means of Compliance (MOCs) for existing standards.
- 6) For concurrent validation projects, in addition to the above elements, the CA may identify the domains, if any, where delegation may be given to the VA for the compliance determinations to both CA and VA requirements. For example, where the VA may have particular expertise or specific resources not available within the CA's system, the VA may be asked to make the compliance determinations. Another possible example is when a supplier is an entity regulated under the VA's certification oversight.
- 7) VA familiarisation flights are a unique aspect of technical familiarisation, since, in a concurrent programme, they cannot be conducted until late in the project when a flying article is available.

Familiarisation flights are typically conducted for all new TC programmes. Familiarisation flights may also be conducted for other design change programmes having a significant impact on the operational capabilities or limitations, or pilot/aircraft interface.

Familiarisation flights are not to be used to repeat compliance determination evaluations performed by the CA. Rather, they have the following purposes:

- a) Identify to the CA for resolution any potential compliance issues not previously identified by the validation team in the course of technical familiarisation;
- b) Familiarise the VA with the type design as necessary to support continued operational safety of the VA registered fleet.

Familiarisation flights should be supported by the CA flight test team to facilitate completion of the objectives described above.

- 8) The VA should identify operational standards with design impacts early in the programme – typically during the technical familiarisation phase – so they may be included in the validation activities.

3.5.5.7. Establishment of the VA certification basis (Phase 2)

The VA shall establish a certification basis when a technical validation process is applied. This certification basis shall be recorded in a dedicated VA Type Certification Basis document (e.g. CRI A-01 for EASA, IP G-1 for CAAC) to be produced by the VA in cooperation with the CA and the applicant. This document will be updated during the life of the product as required.

The initial VA's certification basis needs to be notified to the applicant and to the CA by the VA.

The VA's certification basis should consist of the following items:

- Applicable airworthiness codes;
- Applicable Environmental Protection requirements;
- Equivalent Safety Finding, Deviations (for EASA), Exemption (for CAAC), Special Conditions.

For that purpose, the VA shall use the applicable standards for a similar product of its own that were in effect on the effective certification application date established by the CA.

The environmental protection requirements used during the validation process shall be the applicable requirements in effect for the VA on the date of application for validation to the VA.

Taking into account the information provided during the technical familiarisation, the Validating Authority shall specify, when applicable, any:

- a) exemption to the applicable standards;
- b) deviation from the applicable standards;
- c) compensating factors that provide an equivalent level of safety when applicable standards are not complied with.

Furthermore, the VA shall specify any special condition applied or intended to be applied if the related airworthiness code does not contain adequate or appropriate safety standards for the product, because:

- d) the product has novel or unusual design features relative to the design practices on which the applicable airworthiness code is based; or
- e) the intended use of the product is unconventional; or
- f) experience from other similar products in service or products having similar design features, has shown that unsafe conditions may develop.

When specifying exemptions, deviations, equivalent level of safety or special conditions, the VA shall give due consideration to those of the CA and shall not be more demanding for the products to be validated than it would be for similar products of its own. The VA shall notify the CA of any such exemptions, deviations, equivalent level of safety or special conditions.

The certification basis may need to be adapted during the validation process as the VA's knowledge of the design increases.

Notwithstanding the above principles, during the validation process, the applicant, in agreement with the CA and the VA, may elect to comply with later amendments than the ones specified in the VA's initial certification basis.

As detailed in paragraph 3.5.5.3 subparagraph 2), the CA and VA may opt for a joint certification / validation process. In this case, they may jointly develop all or part of their applicable certification bases.

For instance, when the CA position is equivalent to what the VA would specify if it were to release its own issue paper/CRI, the CA's issue papers/CRI may be used directly by the VA in lieu of a VA issue paper/CRI.

In a concurrent certification programme, the CA position regarding a particular CA issue paper/CRI will likely not be fully established at the time of phase 2. In such cases collaboration between the CA and the VA specialists should be encouraged to promote a harmonised evolution of the CA issue paper/CRI during the programme, with the objective of full adoption into the VA certification programme at the time of closure of Phase 2.

3.5.5.8. Establishment of Validation Items (Phase 3)

One of the outcomes of the technical familiarisation phase is to enable the identification of the technical areas of interest to the VA which are translated into Validation Items (VIs) during phase 3. The list of VIs is discussed between the VA and the CA and is registered in the validation work plan.

The VA's evaluation or review conducted in Phase 2 is confined to the general, overall methodology used by the applicant, including assumptions, Means of Compliance (MoC), in order to determine if a VI is necessary and to support development of the VA issue paper/CRI used to document that VI.

Further details, including review of test plans, test witnessing, or other details of the compliance demonstration are discussed at a later stage, in the context of established and retained VIs.

Validation Items (VIs) identify aspects of the certification basis, design or proposed MoC that warrant VA involvement beyond technical familiarisation.

The basic principle for the validation process is that the VA will not review compliance determinations by the CA, or be involved in an in-depth review of the MoC, except in areas which fall within the scope of identified VIs.

The automatic acceptance of manuals and other documents defined in paragraph 9.1 of Appendix 1 of Annex 1 to the Agreement does not prevent the VA from establishing VIs in accordance with this section in order to investigate the compliance with the airworthiness standards or environmental protection requirements of the design data on the basis of which those manuals and other documents are subsequently created or revised.

The VA will establish the scope of its technical review by identifying VIs, on the basis of the principles set forth in paragraph 3.1.5 of these Technical Implementation Procedures.

Generic Validation Items:

- 1) **Significant Standard Differences (SSD)** – Airworthiness standards differences where the standards are substantively different and may result in type design changes (including approved manuals) to meet the airworthiness standards of the VA. SSDs will be identified by the VA based on a comparison of applicable VA and CA standards. If no specific SSD listing is provided, this criterion may not be applied.
- 2) **New VA Standards** – When VA airworthiness standards are specified and any of the following apply:
 - a) limited past experience by the VA with their application to a CA product;
or
 - b) new VA standard with an important impact on the whole product or a product's critical feature; or
 - c) new VA standard requiring engineering judgment to establish compliance.

Project Validation Items:

In complement to Generic Validation Items, project level validation items (PVI) are also established. Indeed, a validation project may contain unique elements due to the product's design, use, or proposed MoC. The VA may identify these elements for special review and consideration. These project-specific VIs are developed by the VA team solely to address unique project elements and are defined in respect of the level of involvement principles as per paragraph 3.1.5. In addition, Project VI must meet one of the following criteria:

- 3) **New Technology** – This is technology that is new to the VA as a whole, not just new to the VA team members. For instance, if technology used by the applicant were new to the VA team but not the VA itself, it would not be considered a Project VI. It is the VA management's responsibility to make sure the VA team members are properly informed of the earlier use of the technology, VA standards and MoC.

- 4) **Novel Applications of Existing Technology** – This is where a particular technology is being used in a manner that causes the precepts of the technology to be questioned. This known technology is being used in a manner different from previous experience of the CA or VA. Besides, it does not mean that existing technology being applied for the first time to a particular product line is automatically novel. Additionally, novel applies to the VA as a whole, not just the VA team members.
- 5) **The Product Use is Unconventional** – This is where a product is being used for a purpose for which it was previously not designed.
- 6) **Unsafe Condition** – The product contains design features where demonstrated experience with other products in service has shown an unsafe condition might occur in that product, even though compliance with the standards in the VA certification basis can be demonstrated. Unsafe is measured with respect to the overall level of safety intended by the product VA certification basis.

Note: This principle of ‘unsafe condition’ should only be used to upgrade the level of safety of the product if the VA has mandated, or is in the process of mandating, this upgraded level of safety to all other products with similar design features.

- 7) **New Standard Interpretations or MoC for the Existing Airworthiness Standards** – These are interpretations/MoC applied by the CA that are different from those already agreed to between the CA and the VA. An MoC or standards interpretation would not be considered ‘novel’ or ‘new’ if it had been applied previously in a similar context by both the CAAC and EASA.
- 8) **Deviations/Exemptions** – These are subjects identified by the VA or CA as potentially requiring a deviation/exemption from the VA standards.
- 9) **Equivalent Level of Safety Findings** – These are subjects identified by the VA or CA as potentially requiring an equivalent level of safety finding to the VA standards.

3.5.5.9. Level of the Validating Authority’s Technical Involvement (Phase 3)

1) Principles

During the verification of compliance, the VA should rely on the CA as much as technically justifiable. For this purpose, the CA should eventually verify

compliance with VA's certification basis and confirm to the VA that the applicant has demonstrated full compliance.

The level of the VA's technical involvement means the process used to manage the participation of, and the activities undertaken by, the VA's technical specialists in the validation and compliance determination activities.

In order to define the appropriate level of technical involvement, the VA should take into account its experience gained during previous validation programmes. Support may be provided by the applicant to identify details of previous validation activities with the VA in the same product category. To facilitate this exercise the CA may, in agreement with the applicant, propose to the VA those areas where an in-depth technical involvement of the VA should take place.

While it is ultimately the VA's decision, the CA and the VA must exercise good judgment in defining the level of VA's technical involvement by considering a non-obtrusive approach and being respectful of the principles set out in paragraph 3.1.5 of the TIP.

2) Retained VIs

An important step of the definition of the VA's technical involvement is the identification of retained VIs. A retained VI is a validation item for which part of the compliance determination is exercised by the VA. In this case, the VA directly verifies test reports or other compliance reports that directly support a determination of compliance.

Retained VIs are detailed in the validation work plan (cf. paragraph 3.5.5.10).

3) Metrics

The below indicators will be used to measure, monitor and review the VA's effective implementation of principles for level of technical involvement described in here above subparagraph 1):

- a) Number of meetings and visits to the CA and the applicant;
- b) Consolidated number of hours spent by the VA during the validation exercise;
- c) Overall timing of the project;

- d) Size of the validation team;
- e) Number of flight hours performed / witnessed by the VA during the validation exercise;
- f) Number of VIs and retained VIs (RVIs).

4) First validation of a given product category

A product category is intended to reflect the categories of products requiring technical exposure as described in the “Arrangement between the Civil Aviation Administration of China (CAAC) and the European Aviation Safety Agency (EASA) on the implementation of a Technical Roadmap” signed on 21st April 2015.

Categories of products requiring technical exposure:

- a) CS/CCAR 25 (Large transport aircraft);
- b) Small aircraft:
 - CS/CCAR 23: Normal/Utility/Acrobat/Commuter;
 - “Light products” (e.g. VLA/LSA/Balloons).
- c) Rotorcraft CS/CCAR 29 or CS/CCAR 27 with sufficient degree of complexity;
- d) Propulsion:
 - CS-E/CCAR 33: engines;
 - CS-P/CCAR 35: propellers.
- e) Technical Standards Orders (TSO):
 - Complex (e.g. APU, Integrated Modular Avionics, TCAS);
 - Non-Complex (e.g. life jackets, pallets).

In accordance with the provisions of Annex paragraph 4.4.2.2, when the VA never validated a product in one of the above defined categories of products, special procedures and scrutiny will apply during the first validation of a product of that given category.

In this case, the VA will pay special attention to the CA’s processes and methods. The objective is to verify how the primary certification authority implements operationally its own procedures during a real certification exercise and makes findings to the certification basis.

This will lead the VA to exercise a higher level of involvement than described in above paragraphs 3.5.5.8 and 3.5.5.9.

3.5.5.10. Validating Authority's Work Plan (Phase 3)

A validation work plan establishes the scope and depth of the VA involvement. Scope identifies what to review. Depth identifies how much to review, and to what level of detail. It should clearly identify the retained VIs and detail which certification documents are retained, which tests will be witnessed, which audits will be performed, etc.

Based on the review of the application package and the elements provided during the technical familiarisation the VA will develop an initial work plan. The VA will provide its validation work plan to the CA and the applicant following approval by the VA management.

The validation work plan is scalable to suit the scope and complexity of the project and shall include:

- a) a brief description of the product or change, as provided in the application package;
- b) identification of the responsible VA project certification manager and any VA team members involved in the validation project;
- c) a description of the CA certification basis;
- d) a description of the VA certification basis, including identification of the applicable VA airworthiness and environmental standards;
- e) a list of proposed areas of VA level of involvement, registering the validation items discussed between the VA and the CA as per paragraph 3.5.5.8;
- f) a description of the retained validation items as per paragraph 3.5.5.9 and the associated activities (certification documentation approved, test witnessing, audits).

The Work Plan will be revised by the VA if, during the course of the validation project, it determines a need to revise the scope or depth of its validation review. Any such changes expanding the VA's involvement will be approved by the VA management and communicated to both the CA and the applicant.

The VA may choose to have no further level of involvement beyond review of the application package, in which case no work plan is required and the VA will

request a certification statement, as described in paragraph 3.5.5.12 from the CA to support issuance of the VA design approval.

3.5.5.11. Compliance verification (Phase 4)

The compliance verification can start upon agreement between the CA, VA and Applicant on a given VI and associated MoC.

The CA will make all determinations of compliance on behalf of the VA, except for defined subjects that fall within the scope of retained VIs.

For the otherwise retained VIs, the VA shall review compliance demonstration (e.g. plans and reports), giving due consideration to any compliance verification that the CA already made, or is able to make, on its behalf.

Note: Once the VA has accepted a MoC for a given standard on any programme with the CA, the expectation is that the VA will accept that MoC in the future as long as the assumptions made in the MoC are applicable. An exception is where a past MoC has been determined not to be sufficient. This determination must be discussed between the VA and the CA.

The applicant shall provide documentation requested by the VA for the compliance verification for retained VIs. The documentation requests should be reasonable and appropriate.

For certain retained VIs, compliance verification can be made through an off-site review. In this case, the technical specialists of the VA shall review the technical documentation supplied by the applicant, and communicate, as necessary, with the CA and the applicant.

When the PCM of the VA finds that significant technical or documentation concerns still persist and is proving very difficult to resolve under an off-site review, the PCM may consider requesting an on-site review of the specific area of concern.

The VA shall coordinate on-site visits with the applicant and the CA and advise on the team composition and the schedules for each of the technical specialists review sessions (on the technical areas of interest).

The intent of an on-site review is to enable the technical specialists from the VA to conduct compliance verification activities during a single comprehensive visit, if possible. In some cases, specialists may require more than one visit.

Where it is determined by the VA after the initial visit that additional visits by the technical specialists are required, these meetings should be held as early as possible in the validation schedule in order to permit timely design changes, if required.

Items of concern or requiring further clarification on the applicant's substantiation or the conduct of the certification activity by the CA shall be documented and resolved between the CA and VA. Disagreements or conflicts on technical issues should be resolved at the lowest possible technical level, but should be raised promptly to CA and VA management on a progressive level to avoid potential delays in the validation schedule.

The automatic acceptance of the data defined in paragraph 9.1 of Annex 1 to the Agreement does not preclude the VA's investigation of the compliance to airworthiness standards or environmental protection requirements which produce inputs to the technical data. If there is a need to revise any of the following technical data to comply with the CAAC requirements as a result of the compliance verification, the relevant technical data shall be revised accordingly. The CAAC, when satisfied with the revised data, will request the EASA to approve the data which will be accepted by the CAAC then. The technical data includes:

- 1) Aircraft flight manual;
- 2) Engine installation manual (for engine type certificate);
- 3) Airworthiness limitation requirements: this includes airworthiness limitation instructions (ALIs) and certification maintenance requirements (CMRs);
- 4) Structural repair manual;
- 5) Instruction for continued airworthiness of electrical wiring interconnection systems;
- 6) Weight and balance manual.

3.5.5.12. Conclusion of the Validation and issuance of a Design Certificate (Phase 4)

The VA shall notify the CA upon completion of its validation exercise, and indicate its readiness to issue a corresponding approval of the design.

The CA, the VA and the applicant, may agree to have a final meeting at the conclusion of the validation.

At the end of the validation activities, the following statements are to be given:

- 1) For compliance verifications made by the VA at the request of the CA (concurrent validation) or for VA retained VIs, the VA will notify the CA that compliance to the VA and/or CA (as applicable) requirements has been demonstrated.
- 2) Upon issuance of the CA's TC and completing all verifications not made by the VA, the CA will provide to the VA a statement of compliance with the VA certification basis so that the VA may issue its TC. The following is an example of such statement of compliance:

'With the verification of compliance made by the {VA} and summarised in {Letter or document} dated {Date}, the {CA} certifies that the {Specific product type and model} complies with the {VA's} Certification Basis as identified in {Certification Review Item A-1 or Issue Paper G-1} dated {Date}.'

3.5.5.13. Issuance of a Type Certificate (Phase 4)

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

- 1) the CA has issued its own TC for the aircraft, aircraft engine or propeller;
- 2) the applicant has demonstrated and declared compliance to the VA's certification basis;
- 3) the CA has issued a statement of compliance to the VA's certification basis;
- 4) all issues raised during the validation process conducted by the VA have been resolved; and
- 5) Administrative fees have been paid by the applicant in accordance with the applicable VA's Fees and Charges regulation.

Note: The EASA TC includes certain data, called 'operational suitability data (OSD)', that the Type Certificate Holders are required to produce. CAAC type certificates do not directly cover these data, which are assessed under an Aircraft Evaluation Group (AEG) Report mechanism in the Chinese system. By

derogation, an EASA Validated TC may be issued with a delayed OSD approval. However, in this case, the VTC would not allow the product to be operated by an EU operator. In that case, the OSD data would be approved independently of the type certificate issuance before entry into service with a European operator; this may require the re-opening of the VA Type Certification Basis Paper (e.g. CRI A-01) to record late OSD certification basis changes. The TCDS will then be updated to record OSD references.

3.5.5.14. Technical validation for Parts and Appliances

Application

In addition to the responsibilities detailed in paragraph 3.5.1.1, the CA should assure that the applicant has used the VA applicable technical performance standards and procedures. The CA shall not forward applications that have not used the applicable standards.

For Parts and Appliances subject to technical validation, the application data package will contain in addition to the list in paragraph 3.5.1.3:

- 1) The certification programme;
- 2) The article outline and nameplate drawings;
- 3) The qualifications plans, procedures and reports;
- 4) The software and airborne electronic hardware documents, including at least:
 - a) Plan for Software Aspects of Certification, Software Accomplishment Summary, Software Configuration Index;
 - b) Plan for Hardware Aspects of Certification, Hardware Verification Plan, Hardware Accomplishment Summary, Hardware Configuration Index (also known as Top-Level drawing);
- 5) The compliance report to the Parts and Appliance Standard;
- 6) The installation, operation and maintenance manual as applicable.

Issuance of the Parts and Appliances Approval

The VA may issue a Parts and Appliances approval after:

- a) Receipt of all the items identified in paragraphs 3.5.1.3 and 3.5.5.14 a) above;
- b) Conducting a review of the data/documentation specified in the Parts and Appliances performance standard;
- c) Receipt of other specific technical data, as jointly agreed between the CA and the VA needed to demonstrate compliance with the Parts and Appliances standard;
- d) VA approval of all proposed deviations.

4. CONTINUING AIRWORTHINESS

4.1. General

The Competent Authorities respectively agree to fulfil the applicable continuing airworthiness obligations assigned to ICAO Contracting States under Annex 8 to the Chicago Convention. The functions of the authority of SoD, and where appropriate, SoM or SoR are to be carried out by the appropriate Competent Authority. These procedures are intended to facilitate the fulfilment of those obligations and for the timely resolution of in-service safety issues arising on civil aeronautical products under their respective jurisdictions.

Under Annex 8 to the Chicago Convention, the SoD is responsible for resolving in-service safety issues related to a civil aeronautical product's design or production. The Certifying Authority, as the Authority discharging the State of Design responsibilities will provide applicable information, which it has found to be necessary for mandatory modifications, required limitations and/or inspections to the other authority to ensure continued operational safety of the civil aeronautical product. Each authority will review and normally accept the corrective actions taken by the Certifying Authority (CA) in the issuance of, or as part of, its own mandatory corrective actions.

The CA will, upon request, assist in determining any actions considered necessary by the VA for the continued safety of civil aeronautical products operating under its jurisdiction. The VA decides the final action to be taken with respect to these civil aeronautical products.

The above principles and procedures should be sufficient for the VA to fulfil its SoR continuing airworthiness responsibilities. Furthermore, when such requests are needed to support resolution of its continuing airworthiness concerns, the VA may seek information from the CA, including but not limited to, design data and findings of compliance.

4.2. Malfunctions, Failures and Defects and Service Difficulty Reports

4.2.1. The Technical Agents agree to perform the following functions for the Civil Aeronautical Product for which they function as Authority discharging the State of Design responsibilities:

- 1) Tracking of reports on failures, malfunctions and defects, other service difficulty reports (SDR), and accident/incidents;
- 2) Evaluating failures, malfunctions and defects, SDR and the results and/or conclusions drawn from accidents or incidents investigations;
- 3) Investigating and resolving all suspected unsafe conditions;

- 4) Advising the VA of known unsafe conditions and the necessary corrective actions;
 - a) In the case of CAAC, this information is provided through <http://www.caacaa.org.cn>
 - b) In the case of EASA, this information is provided through the Airworthiness Directive publishing tool, which can be accessed at <http://ad.easa.europa.eu/>
- 5) Upon justified request, providing the VA with the following:
 - a) Reports of failures, malfunctions and defects, SDR and accidents/incidents;
 - b) Status of investigations into failures, malfunctions and defects, SDR and accidents/incidents; and
 - c) Copies of final reports reached in its investigation into failures, malfunctions and defects, SDR;
- 6) Making a reasonable effort to resolve issues raised by the VA concerning matters of safety for civil aeronautical products operated or used in its Jurisdiction.

4.2.2. *The Technical Agents, as the VA, agree to perform the following functions:*

- 1) Advise the CA of failures, malfunctions and defects and accidents/incidents which are believed to be potentially unsafe conditions occurring on the civil aeronautical products which are under their registry;
- 2) Support the CA in investigations of unsafe conditions and their occurrences; and;
- 3) Advise the CA, if as a result of investigations made by the VA into failures, malfunctions and defects and accidents/incidents, the VA has determined that it will implement its own mandatory corrective action(s).

For emergency continuing airworthiness situations, like issues related to investigations of accidents or incidents of the imported Civil Aeronautical Products, which may include the analysis of Safety Recommendations or Service Difficulty Reports, the VA can directly request information from the design approval holder after informing the CA of the investigation.

Both authorities can receive copies of Malfunctions, Failures and Defects and Service Difficulty Reports from each other in a manner agreed between them.

4.3. Unsafe Condition and Mandatory Continuing Airworthiness Information

The Technical Agents agree to perform the following activities for the civil aeronautical products for which they function as the Authority discharging the State of Design responsibilities:

- 1) Issue a mandatory continuing airworthiness information (such as Airworthiness Directive) whenever the Technical Agent determines that an unsafe condition exists in a civil aeronautical product and is likely to exist or develop on type certified product of the same type design. This may include a civil aeronautical product that has another product installed on it and the installation causes the unsafe condition. The content of such a mandatory continuing airworthiness information should include, but are not limited, to the following:
 - a) Make, model, and serial numbers of affected civil aeronautical products;
 - b) Description of the unsafe condition, reasons for the mandatory action, and its impact on the overall aircraft and continued operation;
 - c) Description of the cause of the unsafe condition (e.g., stress corrosion, fatigue, design problems, quality control, suspected unapproved part);
 - d) The means by which the unsafe condition was detected and, if resulting from in-service experience, the number of occurrences may be provided; and
 - e) Corrective actions and corresponding compliance times, with a list of the relevant manufacturer's service information including reference number, revision number and date.
- 2) Issue a revised or superseding mandatory continuing airworthiness information whenever it is found that any previously issued mandatory continuing airworthiness information was incomplete or inadequate to fully correct the unsafe condition;
- 3) Timely notify the VA, of the unsafe condition and the necessary corrective actions by transmitting by e-mail or other mutually accepted means a copy of the mandatory continuing airworthiness information at the time of publication. Additionally, upon request by the VA, the CA will arrange for copies of all relevant service bulletins referenced in the Mandatory Continuing Airworthiness Information, as well as, when justified, other related supporting documentation, to be forwarded to the appropriate focal point in the VA, as appropriate;
- 4) In the case of emergency airworthiness information ensure that the other Technical Agent is notified prior to publication, and provide the other Technical Agent civil aeronautical

product-responsible office with an advance electronic notice of anticipated emergency ADs (including security-sensitive ADs) or other significant safety events;

- 5) Advise and assist the VA in defining the appropriate actions to take in the issuance of its own mandatory continuing airworthiness information;
- 6) Maintain a web-based database of mandatory airworthiness information that can be accessed by the VA;
- 7) The Technical Agents agree that when applicable and possible they will provide each other advance copy of the mandatory continuing airworthiness information.

The Technical Agent, as the CA will share information on any changes that affect operating limitations, life limits, or any other airworthiness limitation, to include manual changes and changes to certification maintenance requirements. These changes should be promptly sent to the VA in order to ensure the continued operational safety of the aircraft. The Technical Agents may treat a reduced life limit as an unsafe condition and may accordingly issue an AD. The Technical Agents may also issue an AD for other limitation changes if they are considered an unsafe condition.

The Technical Agents recognise that they may disagree as to the finding of an unsafe condition. If such disagreement arises, the VA will normally consult with the CA prior to issuing its own Airworthiness Directive. The CA will work with the design approval holder to provide sufficient information (e.g. service bulletins) to the VA in a timely manner for its use in issuing this unilateral Airworthiness Directive.

The VA may issue its own mandatory continuing airworthiness information, or adopt the mandatory continuing airworthiness information of the other Authority, to address all unsafe conditions on affected civil aeronautical products that have been certified, approved or otherwise accepted by the VA. The Technical Agents agree to respond quickly when the other Authority issues mandatory continuing airworthiness information.

For certain cases of unsafe condition related to production or maintenance, EASA may issue an Emergency Conformity Information (ECI) instead of an Airworthiness Directive. Both Emergency Conformity Information and Airworthiness Directives are EASA-issued Mandatory Continuing Airworthiness Information under Annex 8 to the Chicago Convention.

4.4. Alternative Methods of Compliance (AMOC) to an Airworthiness Directive

If an AMOC of general applicability to an existing Airworthiness Directive is issued by the Technical Agent for its own SoD civil aeronautical products, the Technical Agent will electronically notify the other Technical Agent of the decision.

An AMOC, proposing a variation in the prescribed method of compliance that is issued by either Technical Agent for its own State of Design civil aeronautical products, is considered automatically accepted by the other Technical Agent provided the following conditions apply:

- 1) The AD has been adopted by the other Technical Agent, or the other Technical Agent issued an AD with no deviations from the related AD; and
- 2) The AMOC approval holder is the design approval holder of the product, or of the design change, or of the article or part, as applicable, to which that AD applies.

5. ADMINISTRATION OF DESIGN APPROVALS

5.1. General

This section addresses procedures for the transfer, surrender, revocation, suspension, or withdrawal of a design certificate.

The Technical Agents will administer the transfer of TCs/STCs only where an applicant agrees to assume responsibility for both a CAAC and EASA TC/STC and the affected operating fleet. Early coordination with both Authorities is necessary for the timely transfer of TCs and STCs.

In all cases, the type design data are the property of the design approval holder.

The transfer of the SoD responsibilities in accordance with Annex 8 of the Chicago Convention must be agreed to by both Authorities. If agreement cannot be reached between the two Authorities, then the CA may revoke the certificate and notify the concerned ICAO States that there is no longer a design approval holder. The following paragraphs outline the procedures to be followed for effective TC and STC transfers.

5.2. Transfer of TCs and STCs

5.2.1. *Transfer of a CAAC or EASA TC/STC to a Person in the Other Party's Territory (with a change of Certifying Authority)*

- 1) Early coordination between the current TC/STC holder and its Certifying Authority, together with the proposed new TC/STC holder and its Competent Authority is essential. The transferring Certifying Authority will notify the receiving Competent Authority of the proposed transfer and include information about current production status. All information related to the transfer of a TC/STC including technical documentation, will be in the English language.
- 2) Upon notification of a change in ownership of a TC/STC to a new holder in the other Party's territory, the transferring Certifying Authority's responsible office will notify the receiving Competent Authority's responsible office as listed in Appendix A.
- 3) The transferring Certifying Authority will transfer to the receiving Authority the ICAO SoD responsibilities with the transfer of the TC/STC. For this purpose a special arrangement may be developed to identify each Authority's responsibilities. The receiving Competent Authority will not assume ICAO SoD functions for models or design changes that have not been found to meet its certification requirements.
- 4) If the receiving Competent Authority has not previously validated the TC/STC which is being transferred, the receiving holder will have to apply to the receiving Certifying Authority for a new TC/STC. In this case, the transferring Certifying Authority will provide support to the receiving Competent Authority in finding compliance with the applicable certification requirements of the receiving Competent Authority. This would include the transferring Authority's statement of compliance that the product meets the receiving Competent Authority's certification requirements. Upon acceptance, the receiving Competent Authority will issue its TC/STC.
- 5) If the receiving Competent Authority has previously validated some models on the TC which is being transferred, for any additional model which is being transferred with the TC and has not been previously validated by the receiving Competent Authority, the transferring Certifying Authority will, if requested, provide support to the receiving Competent Authority in finding

compliance of that additional model with the applicable certification requirements of the receiving Competent Authority. This support would include the transferring Certifying Authority's statement of compliance that the model meets the receiving Competent Authority's certification requirements. Upon acceptance, the receiving Competent Authority will place the additional model on its TC.

- 6) The transfer of the ICAO SoD responsibilities for the TC/STC to the receiving Authority will be considered complete when the receiving Competent Authority confirms that all necessary data have been transferred to the new holder, and that the new holder is able to perform the responsibilities required of a design approval holder, and that the receiving Competent Authority has issued its new TC/STC in the name of the new holder.
- 7) The transferring Authority will reissue a TC/STC in the name of the new holder after the receiving Competent Authority issues its TC/STC.
- 8) If the receiving Competent Authority's TC covers only some of the models in the transferring Certifying Authority's original TC and the new holder does not apply for approval of those additional models, the current holder will continue to hold the data for those additional models and the transferring Certifying Authority will continue to fulfil its SoD responsibilities for those additional models.
- 9) Upon transfer, or a mutually agreed-upon date, the receiving Competent Authority will start carrying out the SoD functions and will comply with the requirements of Annex 8 to the Chicago Convention, Airworthiness of Aircraft, for affected products. Afterwards, the new Certifying Authority will notify the previous Certifying Authority and all affected ICAO Contracting States (i.e. States of Registry), of the change in SoD responsibility and identify the new TC/STC holder.

5.2.2. *Transfer of TCs and STCs within China or the EU (with no change of Certifying Authority)*

- 1) In case of TC/STC transfers within China or the EU when there is no change in the Certifying Authority, the CA will notify the VA that a TC/STC validated by the VA has been transferred to a new design approval holder.

- 2) The CA shall provide the VA with a copy of the new TC/STC issued in the name of the new design approval holder and shall assist the VA in the reissuance of the validated TC/STC to the new holder.
- 3) The VA, upon completion of any appropriate review, will issue a TC/STC in the name of the new design approval holder after the CA's TC/STC has been issued.

5.2.3. *Transfer of TCs and STCs to a Third State*

When a TC or STC is to be transferred to a third State, the CA will notify the VA prior to the transfer. The transfer procedure to a third State is outside the scope of the TIP and the Agreement.

5.3. Surrender of TC or STC

The CAAC does not allow a certificate holder to surrender a TC or STC for which CAAC is the Certifying Authority.

If a certificate holder surrenders a TC or STC issued by EASA, the EASA will immediately notify the CAAC in writing of the action at the address listed in Appendix A.

The EASA, as Certifying Authority, will accomplish all actions necessary to ensure continuing airworthiness of the product until such time as:

- 1) The TC or STC is reissued to a new holder when that new holder demonstrates competence to fulfil the necessary obligations; or
- 2) The CAAC or EASA revokes the TC or STC. Prior to revocation, the CAAC or EASA will notify the other of the pending action.

5.4. Revocation or Suspension of TC or STC

In the event that either Authority revokes or suspends a TC or STC for a civil aeronautical product for which they act as Certifying Authority, that Authority will immediately inform the other. The VA, upon notification, will conduct an investigation to determine if action is required. If the revocation or suspension was justified, and the VA concurs with the CA's certificate action, the VA will initiate revocation or suspension of its TC or STC.

Alternatively, the VA may decide to assume continuing airworthiness responsibility for it to support the continued operational safety of the fleet within its jurisdiction. In this case, the

CA should obtain and provide type design data as requested to the VA. Final certificate action is at the sole discretion of the VA.

Either Authority may revoke its TC or STC if the continued airworthiness responsibilities would cause an undue burden for that Authority.

5.5. Surrender or Withdrawal of a CTSOA/ETSOA

5.5.1. *Surrenders*

If a CTSOA holder or an ETSOA holder elects to surrender the CTSOA, or ETSOA issued by the CAAC or EASA, the applicable Technical Agent that issued the approval being surrendered will immediately notify the other Technical Agent in writing of the action. The CA will inform the VA when an unsafe condition has been identified until such time as the approval is formally withdrawn by the CA.

5.5.2. *Withdrawals*

If a CTSOA or ETSOA is withdrawn, the applicable Technical Agent that issued the approval being withdrawn will immediately notify the other in writing of the action. The CA will inform the VA when an unsafe condition has been identified. In the event of a withdrawal of a CTSOA or ETSOA for non-compliance, the CA will investigate all non-compliances for corrective action and will notify the VA of the corrective action. The CA still has responsibility for the continuing airworthiness of those CTSOA or ETSOA articles manufactured under its Authority.

6. PRODUCTION APPROVAL

According to paragraph 4.5.9 of Annex I, a list of Chinese Production Certificate holders, including holders of Chinese Technical Standard Order Approvals, whose production is accepted by the European Union, will be published and regularly updated in the Official Publication of the Technical Agent of the European Union. When a CAAC design approval is validated or accepted by the EASA, EASA will incorporate the relevant CAAC Production Certificate holder, including holders of Chinese Technical Standard Order Approvals into the list accordingly without any form of assessment and the products will be eligible for export to the European Union in accordance with paragraph 4.6 of Annex I. Any form of assessment shall not be performed on Chinese Production Certificate holders, whose production is accepted or to be accepted by the European Union regarding this paragraph 4.5.9 of Annex I.

7. EXPORT CERTIFICATES AND FORMS

7.1. General

7.1.1. This section addresses the procedures by which a civil aeronautical product being exported from China or the European Union will be accepted on the basis of an export airworthiness approval. The Importing Party will recognise and accept the export airworthiness approval when issued in accordance with the TIP.

7.1.2. For civil aeronautical products exported from China or the European Union, the following export airworthiness approvals are recognised and accepted when issued in a form and manner prescribed by the Exporting Party through its Competent Authority, as follows:

- 1) for complete aircraft only, an Export Certificate of Airworthiness (CAAC Form AAC-157 and EASA Form 27) issued by the Exporting Party for new aircraft or the Competent Authority of the SoR for used aircraft; and
- 2) for a new civil aeronautical product other than a complete aircraft, an Authorised Release Certificate (Airworthiness Approval Tag) (CAAC Form AAC-038 and EASA Form 1) issued by the Competent Authority or the accepted production certificate holder.

7.2. Certification for Export

7.2.1. *Export of New Aircraft*

7.2.1.1. The Exporting Party will certify that a new aircraft being exported to China or the European Union:

- 1) conforms to a type design approved by the Importing Party in accordance with TIP paragraph 3;
- 2) is in a condition for safe operation, including compliance with the applicable airworthiness directives of the Importing Party, as notified by that Party; and
- 3) has been subjected to a final operational check by the manufacturer;
- 4) meets all additional requirements prescribed by the Importing Party, as notified by that Party.

7.2.1.2. Each new aircraft imported to China or the EU will have an Export Certificate of Airworthiness. The Export Certificate of Airworthiness should contain the

following statement: “The [insert aircraft MODEL] covered by this certificate conforms to the type design approved under [insert CAAC or EASA] Type Certificate Number [INSERT TYPE CERTIFICATE NUMBER, REVISION LEVEL and DATE], and is found to be in a condition for safe operation,” and/or any other “import requirements” text as specified in the [insert CAAC or EASA] TCDS.

7.2.1.3. Any exception as defined in paragraph 7.3 shall be identified on the Export Certificate of Airworthiness.

7.2.2. *Export of New Civil Aeronautical Product other than a complete aircraft*

7.2.2.1. The Competent Authority of the Exporting Party, or the approved production organisation, as applicable, shall issue an Airworthiness Approval Tag (CAAC Form AAC-038 or EASA Form 1), certifying that a new Civil Aeronautical Product (excluding complete aircraft):

- 1) conforms to design data approved by the Importing Party;
- 2) is in a condition for safe operation including compliance with the applicable airworthiness directives of the Importing Party, as notified by that Party; and
- 3) meets all additional requirements prescribed by the Importing Party, as notified by that Party.

7.2.2.2. The approved manufacturer of a New Civil Aeronautical Product other than a complete aircraft being exported will provide a statement or declaration on the Authorised Release Certificate (Airworthiness Approval Tag) of its certification in respect of subparagraph 7.2.2.1 of the TIP, including the identification of any exception from the identified approved type design or notified directives and requirements of the Importing Party.

7.2.3. *Export of Used Aircraft*

7.2.3.1. Refer to Annex 1, Paragraph 4.6.3.

7.2.3.2. The Importing Party may request inspection and maintenance records, which include:

- 1) records which verify that all overhauls, major changes, and major repairs were accomplished in accordance with data approved in accordance with paragraph 3 of the TIP;

- 2) maintenance records and logbook entries which substantiate that the used aircraft is properly maintained to the requirements of a maintenance program approved by the Competent Authority for EU and approved or accepted by CAAC for China, and that all known defects have been rectified; and
- 3) where major design changes or STCs are embodied in a used aircraft, the necessary data for subsequent maintenance should be provided, such as the data describing the installation, the materials and parts used, wiring diagrams for installation on avionic and electrical systems, drawings or floor plans for installations in the cabin, fuel or hydraulic systems, structural changes.

7.3. Coordination of Exceptions on Export Certificate of Airworthiness

7.3.1. Where the Exporting Party identifies a non-compliance to the approved type design, the TIP provisions or the notified directives and requirements of the Importing Party and intends to identify these as exceptions on its export certification, the Exporting Party will, prior to issuing its Export Certificate of Airworthiness, notify the Importing Party of such non-compliances. This notification by the Exporting Party should help to resolve all issues concerning the aircraft's eligibility for an airworthiness certificate. This notification should be sent to the appropriate office of the Importing Party as followed:

- 1) EU: Competent authority of importing State of Registry and EASA (for design related exception only). Contact: <https://www.easa.europa.eu/contact-us>
- 2) CAAC: Airworthiness Certification Division of CAAC-AAD, and E-mail: foreign_application@caac.gov.cn

7.3.2. In all cases, the Importing Party shall provide a written confirmation of its acceptance of the non-compliance notified under subparagraph 7.3.1 of the TIP before the Exporting Party issues its Export Certificate of Airworthiness.

7.4. Additional Requirements for Import

7.4.1. Additional requirements for China

The following documentation must be provided as a condition of acceptance of the civil aeronautical product being imported:

- 7.4.1.1. Instructions for Continued Airworthiness and maintenance manuals having airworthiness limitation sections for aircraft;
- 7.4.1.2. Each aircraft must be accompanied by an approved Aircraft Flight Manual, including all applicable supplements. The aircraft must also have the appropriate operating placards and marking, a current weight and balance report, and a list of installed equipment;
- 7.4.1.3. Logbooks or maintenance records will be supplied for each aircraft and aircraft engine, propeller, rotor, or critical component;
- 7.4.1.4. Noise certification information specified in CCAR-36 must be provided upon export aircraft to China;
- 7.4.1.5. Identification and Marking.

Aircraft, engine, propeller and article must be identified as specified in CCAR21.

7.4.2. Additional requirements for the EU

The following documentation must be provided as a condition of acceptance of the civil aeronautical product being imported:

- 7.4.2.1. Instructions for Continued Airworthiness and maintenance manuals having airworthiness limitation sections for aircraft;
- 7.4.2.2. Aircraft Flight Manual including all applicable supplements, Weight and Balance Report, and Equipment List for aircraft;
- 7.4.2.3. Logbooks or maintenance records will be supplied for each aircraft and aircraft engine, propeller, rotor, or critical component;
- 7.4.2.4. Identification and Marking:

- 1) The manuals, placards, listings, and instrument markings and other necessary information required by applicable certification specifications shall be presented in English or other official language of the European Union acceptable to the competent authority of the Member State of registry.
- 2) Aircraft, engine, propeller, parts and appliances must be identified as specified in Part 21 Subpart Q.

7.4.2.5. The information necessary to complete an EASA Form 45 (noise certificate) shall be provided upon export of a new or used aircraft to the European Union including any additional information needed to uniquely identify the aircraft acoustic configuration for the purpose of compliance with EASA noise certification requirements.

8. TECHNICAL SUPPORT AND INFORMATION FOR CERTIFICATION ACTIVITIES

8.1. General

8.1.1. Pursuant to Paragraph 8 of the Annex, upon request and after mutual agreement, and as resources permit, the Competent Authorities can provide technical support and information, hereafter referred to as technical assistance, to each other when significant activities are conducted in either China or the European Union.

8.1.2. Every effort should be made to have these certification and validation tasks performed locally on each other's behalf. Technical assistance activities will help with regulatory surveillance and oversight functions at locations outside of the requestor's territory. These activities will in no way relieve the requestor's responsibilities for regulatory control and environmental and airworthiness certification of civil aeronautical products manufactured at facilities located outside of the requestor's territory. The Competent Authorities may agree to provide Technical Assistance to each other under the conditions that all related costs (working hours, travel expenses) are covered by appropriate service contracts with the organisation benefitting from this arrangement.

8.1.3. The Competent Authorities will use their own policies and procedures when providing such technical assistance to the other, unless other working arrangements are agreed upon. Types of support may include, but are not limited to, the following:

- 1) Certification and Validation Support:
 - a) approving test plans;
 - b) witnessing tests;
 - c) performing compliance inspections;
 - d) reviewing reports;
 - e) obtaining data;
 - f) verifying/determining compliance;
 - g) monitoring the activities and functions of delegates or approved organisations; and
 - h) conducting investigations of service difficulties.

- 2) Conformity and Monitoring Support:
 - a) witnessing conformity inspections;
 - b) monitoring the controls of special processes;
 - c) witnessing the first article inspection of parts;
 - d) conducting sample inspections on production parts;
 - e) monitoring the activities and functions of delegates or approved organisations;
 - f) conducting investigations of service difficulties; and
 - g) auditing production quality systems.
- 3) Airworthiness Certification Support:
 - a) assistance in the delivery of airworthiness certificates for aircraft; and
 - b) determining the original export configuration of a used aircraft.

8.2. Witnessing of Tests during Design Approval

- 8.2.1. CAAC and EASA may request assistance from the other for the witnessing of tests that are performed in the other's jurisdiction.
- 8.2.2. Only requests between CAAC and EASA are permissible and neither CAAC nor EASA will respond to a test-witnessing request made directly from the manufacturer or supplier. Witnessing of tests will be conducted only after consultations between CAAC and EASA on the specific work to be performed and agreement has been obtained from the other party. CAAC or EASA, as appropriate for the country in which the design approval applicant is located, makes the written request for witnessing of tests.
- 8.2.3. Unless otherwise delegated, approval of the applicant's test plans, test procedures, test specimens, and hardware configuration remains the responsibility of CAAC or EASA, as appropriate for the country in which the design approval applicant is located. Establishing the conformity of each test article prior to the conduct of the test is the responsibility of the applicant.
- 8.2.4. For the purpose of conformity inspections related to prototype parts, both authorities will assist each other upon request and availability of resources so that such inspections are conducted prior to the witnessing of tests.
- 8.2.5. Test witnessing activities may require the development of a working arrangement based on the complexity and frequency of the requested

certifications. At the discretion of CAAC or EASA in receipt of such requests, these activities may be performed by accredited persons or organisations or approved organisations.

8.2.6. Where there is no working arrangement, requests for witnessing of individual tests must be specific enough to provide for identification of the location, timing, and nature of the test to be witnessed. An approved test plan must be provided by CAAC or EASA, as appropriate, at least 2 (two) weeks prior to each scheduled test.

8.2.7. EASA's or CAAC's requests for conformity of the test set-up and/or witnessing of tests will be sent electronically to the appropriate office, which has geographic responsibility for the location of the test. CAAC and EASA offices are listed in Appendix A of the TIP. Where prototype part conformity inspection is also involved, CAAC may send a joint notification of the activity to both EASA and the applicable Competent Authority of the European Union Member State.

8.2.8. Upon completion of test witnessing, CAAC or EASA will send a report stating that the test was conducted in accordance with approved test plans, including the identification of any variations from those test plans, and confirming the test results, as well as any other documentation as notified in the request.

8.3. Compliance Determinations

8.3.1. CAAC or EASA may request that specific compliance determinations be made, which are associated with the witnessing of tests or other activities. Such statements of compliance will be made to the airworthiness or environmental standards of the requesting Authority.

8.3.2. CAAC's or EASA's statement of compliance will be sent in a formal letter, transmitted electronically, to the requesting EASA or CAAC office.

8.4. Conformity Inspection during Design Approval

- 8.4.1. CAAC or EASA, depending upon the country in which the design approval applicant's part supplier is located, may request prototype part conformity inspection from the other, as appropriate.
- 8.4.2. Only CAAC-to-EASA or EASA-to-CAAC requests are permissible and neither will respond to a conformity inspection request made directly by the manufacturer or supplier. Conformity inspection shall be conducted only after consultations and agreement to perform the work. Requests for conformity inspection should be limited to test specimens or prototype parts that are of such complexity that they cannot be inspected by the manufacturer or its regulatory authority prior to installation in the final civil aeronautical product.
- 8.4.3. Conformity inspection may require the development of a working arrangement based on the complexity and frequency of the requested certifications. At the discretion of CAAC or EASA in receipt of such requests, these activities may be performed by accredited persons or organisations or approved organisations.
- 8.4.4. EASA requests for conformity inspection will be sent to the appropriate CAAC offices. CAAC requests for conformity inspection will be sent to EASA or the appropriate Competent Authority. CAAC and EASA offices are listed in Appendix A of the TIP.
- 8.4.5. Upon completion of each conformity inspection conducted on each other's behalf, CAAC or EASA will complete and return all documentation as notified. CAAC or EASA, depending upon the country in which the supplier is located, will note all deviations from the requirements notified by CAAC or EASA on the conformity inspection for the particular part. Any non-conformity described as a deviation should be brought to the attention of CAAC or EASA for evaluation and disposition as to its effect on safety and the validity of the test under consideration. CAAC or EASA should receive a report stating the disposition of each deviation before the appropriate CAAC or EASA form is issued.
- 8.4.6. Neither conformity inspection on prototype/pre-production parts, nor inspections on prototype/pre-production parts, should be construed as being

an export airworthiness approval, since a conformity inspection does not constitute an airworthiness determination. Airworthiness determinations remain the responsibility of the Design or Production Approval Holder and the Civil Aviation Authority of the State in which the holder is located.

8.5. Other request for assistance and support

The CAAC or EASA may request other types of technical assistance outlined in paragraph 8.1.3. Each request will be handled on a case-by-case basis, as resources permit. Each written request will include sufficient information for the task to be performed and reported back to the requestor. Where the technical assistance is repetitive or long-term, a working arrangement may be needed.

8.6. Airworthiness Certificates

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

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

8.7.1. Protection of Proprietary Data

Subject to their respective legislation, the competent authorities will not copy, release, or show data identified as proprietary or otherwise restricted that is obtained from each other to anyone other than a CAAC or EASA employee, without written consent of the design approval holder or other data submitter. The Technical Agents should obtain this written consent from the design approval holder through its Authority. To the extent that either EASA or CAAC shares such data with relevant accident investigation bodies, the Technical Agents will ensure in all cases that these persons treat such restricted information in accordance with Article 10 of the Agreement.

8.7.2. Public Access to Documents and Information

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

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

8.8. Accident/Incident and Suspected Unapproved Parts Investigation Information Requests

8.8.1. When investigating in-service incidents, accidents, or suspected unapproved parts involving a civil aeronautical product imported under the TIP, CAAC or EASA may request information from the appropriate focal points (see listing in Appendix A of the TIP). EASA will coordinate with the appropriate European Union Member State to obtain any necessary support.

8.8.2. In case of a major incident/accident, CAAC and EASA will cooperate to address urgent information needs. Following a major accident/incident, upon receipt of a request for urgent information, the Competent Authority of the other Party will provide the requested information. CAAC and EASA will

establish individual focal points to respond to each other's questions and ensure that timely communication occurs. Information may be requested directly from a manufacturer when immediate contact with the appropriate focal points cannot be made. In such cases, notification of this action will be made as soon as possible. Either CAAC or EASA, as applicable, will assist in ensuring that its manufacturer provides requested information expeditiously.

9. FURTHER WORKING ARRANGEMENTS

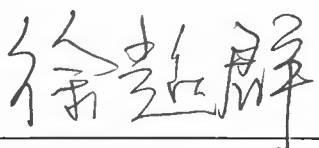
To be developed

10. AUTHORITY

CAAC and EASA agree to the provisions of the TIP as indicated by the signature of their duly authorised representatives. This version was adopted during the Certification Oversight Board held by the European Union Aviation Safety Agency and the Civil Aviation Administration of China on September 3rd, 2020.

CAAC

By Mr. Xu Chaoqun



Title Director General of Aircraft
Airworthiness Certification
Department

Date September 3rd, 2020

EASA

By Ms Rachel Daeschler



Title Certification Director

Date September 3rd, 2020

11. APPENDICES

Appendix A – Points of Contact

EASA

Mailing Address

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

Physical Location

European Union Aviation Safety Agency
Konrad-Adenauer-Ufer 3;
D-50668 Köln
Germany

EASA Point of Contact for Implementation of the TIP

Certification Strategy & International Validation Section (CT5)
European Union Aviation Safety Agency
Postfach 10 12 53
D-50452 Köln, Germany

EASA Point of Contact for Applications

E-mail addresses:

- TCs: tc@easa.europa.eu
- STCs: stc@easa.europa.eu
- ETSO: etsoa@easa.europa.eu
- Major changes/repair designs: MajorChange-MajorRepair@easa.europa.eu

EASA Point of Contact for Airworthiness Directives (AD)

- ads@easa.europa.eu

CAAC

Mailing Address

Civil Aviation Administration of China
No.155 Dongsixidajie Street, Dongcheng District

Beijing, China
Post Code 100710

Physical Location

Civil Aviation Administration of China
No.155 Dongsixidajie Street, Dongcheng District

Beijing, China

CAAC Point of Contact for Implementation of the TIP

Airworthiness Regulations and Standards Division

Aircraft Airworthiness Certification Department

Civil Aviation Administration of China

No.155 Dongsixidajie Street, Dongcheng District

Beijing, China

Post Code 100710

CAAC Point of Contact for Applications

E-mail addresses:

- VTCs/VSTCs/VDAs foreign_application@caac.gov.cn

CAAC Point of Contact for Airworthiness Directives (AD)

- shs_ad@caac.gov.cn

Appendix B

Significant Supplemental type certificates or significant major changes issued by the European Union Competent Authority validated under a streamlined validation process limited to technical familiarisation without involvement of the CAAC in the showing of compliance activities

Significant Supplemental type certificates or significant major changes issued by the European Union Competent Authority will be validated under a streamlined validation process whenever they are not affected by one of the following conditions:

1. The EASA certification basis includes a new or amended Special Condition, Equivalent Safety Finding or Deviation;

Note: New or amended is considered in the context of the project, relative to the baseline certification basis of the product or STC being changed

or

2. The significant change introduces new technologies to critical systems or critical components;

Note: New technology is technology that is new to the CAAC as a whole, not just new to the CAAC team members allocated to the validation project. For example, if technology used by the applicant were new to the CAAC validation team but not the CAAC itself, it would not be considered new. It is the VA management's responsibility to make sure the VA team members are properly informed of the earlier use of the technology, VA standards and MOC.

or

3. The significant change introduces novel application of existing technology within critical systems or critical components;

Note: Novel application of technology is where a particular technology is being used in a manner that causes the precepts of the technology to be questioned. However, it does not mean that existing technology being applied for the first time to a particular product line is automatically novel. Additionally, novel applies to the VA as a whole, not just to a project being assessed by the specific VA team members.

or

4. The certification basis of the significant change involves airworthiness standards with significant differences where the standards are substantively different and result in type design changes (including parts of approved manuals specific to the VA) to meet the airworthiness standards of the VA; or

5. The significant change involves areas where acceptable methods of compliance, at an industry level, continue to evolve, there is subjectivity in their application, and upon agreement between the VA and the CA, further VA involvement is necessary.

Appendix C (signed and published separately)

IMPLEMENTATION PROCEDURES

on

OPERATIONAL/MAINTENANCE ELEMENTS

For Civil Aeronautical Products

Between

THE CIVIL AVIATION ADMINISTRATION OF CHINA

And

THE EUROPEAN UNION AVIATION SAFETY AGENCY

September 2020