



**WORKING ARRANGEMENT**

**BETWEEN**

**THE NATIONAL CIVIL AVIATION AGENCY OF BRAZIL**

**AND**

**THE EUROPEAN UNION AVIATION SAFETY AGENCY**

**on the collection and exchange of information on the safety of  
aircraft under the EU Ramp Inspection Programme**

The European Union Aviation Safety Agency ('the Agency'), and the National Civil Aviation Agency of Brazil ('ANAC'), hereinafter referred to individually as a 'Party' and collectively as 'the Parties',

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

Noting that, in accordance with ARO.RAMP.150(b)(5) of Annex II to Commission Regulation (EU) 965/2012 of 5 October 2012<sup>1</sup>, the Agency shall liaise with other third countries' authorities to facilitate, through working arrangements under Article 90(2) of Regulation (EU) 2018/1139<sup>2</sup>, the improvement of civil aviation safety in Europe through the collection and exchange of aviation safety data,

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

Considering that it is in the interest of the Parties to have the largest possible amount of information with the view of ensuring the effective enforcement of international safety standards with regard to third-country aircraft landing at any of the airports open to international air traffic located in the territories to which the EU Treaties apply or under the oversight of ANAC,

Have agreed as follows:

## **1. Definitions**

For the purpose of this Working Arrangement the following definitions shall apply:

"Candidate member", means the national aviation authority of a state that is in the process of becoming a Full participating member referred to in paragraph 2.2(b).

"Contributing party", means the participating member that has contributed the information referred to in paragraph 4.1 & 6.1.

"EU Ramp Inspection Programme", hereinafter also referred to as "Programme", means the programme established in accordance with Annex II, to Commission Regulation (EU) 965/2012 of 5 October 2012 for the ramp inspections of aircraft of operators under the

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<sup>1</sup> Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council, published in the OJUE L 296 of 25.10.2012, p. 1-148

<sup>2</sup> Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) no 3922/91, published in OJ L 212, 22.08.2018, pp. 1-122

regulatory oversight of another state (Subpart RAMP) when landed at aerodromes located in the territories subject to the provisions of the treaty, and subsequent exchange and analysis of the resulting information.

“Full participating member” means the national aviation authority of a state that has full access to the Ramp inspection tool and of which the ramp inspection data will be included in any data analysis.

“International Safety Standards”, means the safety standards contained in the Convention on International Civil Aviation (‘Chicago Convention’) and its Annexes, as well as, where applicable at the time of the inspection, those in ICAO Regional Supplementary Procedures.

“Ramp inspection manual”, means the manual to describe best practices and give guidance to participating members performing ramp inspections. It covers the delivery, management and administration of ramp inspections as well as the ramp inspector qualification process.

“Ramp inspection Technical Requirements”, hereinafter referred to as “Technical Requirements”, means the EU legislation and other relevant material limited to the domain of ramp inspections specified in Annex 1 to this arrangement.

“Ramp inspection tool”, means the centralised database developed and maintained in accordance with ARO.RAMP.150(b)(2) of Annex II to Commission Regulation (EU) 965/2012 of 5 October 2012.

“SINAPSE” means the RAMP electronic community within the web-based software application hosted by the European Commission. The tool facilitates the effective communication amongst the experts within this closed community. Nominated experts become group members.

“System Wide Coordination (SWC)”, means the common risk-based system where the Agency calculates target number of inspections on certain operators meeting a pre-defined traffic threshold criterion.

“Third country aircraft”, means:

- a) for the Agency, an aircraft that is not under the regulatory oversight of a competent authority of an EU Member State or of a State participating in the Agency in accordance with Article 129 of Regulation (EU) 2018/1139.
- b) for ANAC, an aircraft that is not under the regulatory oversight of ANAC.

## **2. Scope and Objectives**

2.1 With a view to establishing and maintaining a high uniform level of civil aviation safety through the EU Ramp Inspection Programme, this Working Arrangement introduces a harmonised approach to facilitate the enforcement of International Safety Standards by the Parties. In particular, this Working Arrangement establishes working procedures for carrying out ramp inspections of Third country aircraft landing at airports located in the territory of Brazil, as well as for the collection and for the exchange of information on the safety of aircraft using airports located in the territories of the states that participate in the Programme<sup>3</sup> and in the territory of Brazil.

2.2 With the view of progressively ensuring the full involvement of ANAC in the Programme, this Working Arrangement introduces a two-phased transition process:

- (a) With the signature of this Working Arrangement, a provisional Candidate member status is granted to ANAC allowing full access to the Ramp inspection tool.
- (b) ANAC shall obtain the status of Full participating member as provided for in this Working Arrangement, following compliance with the rules and procedures laid down in this Working Arrangement, as assessed by the Agency pursuant to the standardisation procedure foreseen in paragraph 8 of this arrangement.

2.3 Should the Full participating member status referred to in 2.2(b) not be obtained within 24 months after the entry into force of this Working Arrangement, this arrangement will be suspended in accordance with paragraph 12.3, unless both parties agree by writing on an extension of the initial 24 months' period.

## **3. Harmonised rules and procedures for ramp inspections**

3.1 For the purpose of achieving the scope and objectives of this Working Arrangement, ANAC shall ensure effective implementation of the Technical Requirements specified in Annex 1. For the purpose of assessing compliance with these requirements, ANAC shall be subject to RAMP standardisation inspections by the Agency as referred to in paragraph 8 of this Working Arrangement.

3.2 In particular, ANAC shall put in place the appropriate means to ensure that Third country aircraft suspected of non-compliance with International safety standards landing at any of Brazil's airports open to international air traffic shall be subject to ramp inspections conducted in accordance with the Technical Requirements specified in

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<sup>3</sup> On the date of the signature of this Working Arrangement: Albania, Armenia, Australia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Lithuania, Luxembourg, Malta, Republic of Moldova, Monaco, Montenegro, Morocco, the Netherlands, North-Macedonia, Norway, Poland, Portugal, Qatar, Romania, Serbia, Singapore, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, the United Arab Emirates, and the United Kingdom.

Annex 1 to this Working Arrangement.

3.3 The list of Technical Requirements in Annex 1 to this Working Arrangement also contains optional technical requirements. The Parties may agree to apply one or more of these optional technical requirements. If, after entry into force of this Working Arrangement, ANAC wishes to apply additional optional technical requirements, it shall notify the Agency of the provisions it intends to apply, as well as the proposed implementation date(s). Should the Parties agree on the application of these optional technical requirements, this will be specified in the list of Technical Requirements in Annex 1 in accordance with paragraph 12.2 of this Working Arrangement. The applicability of optional provisions may be withdrawn at any time by ANAC, following the same process agreed for the applicability.

#### **4. Collection of information by ANAC**

4.1 ANAC shall, subject to all applicable Brazilian laws, put in place a mechanism to collect any information deemed useful for the fulfilment of the objectives stated in Paragraph 2 of this Working Arrangement, including:

- (a) Results of ramp inspections conducted by ANAC in accordance with the Technical Requirements, as specified in Annex 1 to this Working Arrangement;
- (b) Other relevant safety information, such as:
  - i. important safety information accessible, in particular, through:
    - pilot reports,
    - maintenance organisation reports,
    - incident reports,
    - other organisations, independent from the inspection authorities
    - complaints,
    - information received from whistle-blowers (such as, but not limited to, ground handling or maintenance personnel) regarding poor maintenance, obvious damage or defects, incorrect loading, etc.;
  - ii. information on action taken subsequent to a ramp inspection, such as:
    - aircraft grounded,
    - aircraft or operator banned,
    - corrective action required,
    - contacts with the operator's competent authority;
    - restrictions on flight operations;
  - iii. follow-up information concerning the operator, such as:
    - corrective action implemented,
    - recurrence of non-compliance.

4.2 ANAC shall ensure an active participation in the Programme by committing to carry out a minimum annual number of ramp inspections. ANAC shall consult with and propose to the Agency, by 1<sup>st</sup> October of each year, such number taking into account the guidance provided in the Ramp Inspections Manual. In identifying the number, particular attention shall be given to risk-based priorities, while avoiding the over-inspection and under-inspection of operators, in accordance with the recommendations provided by the Agency.

4.3 In case the Parties have agreed, in accordance with paragraph 3.3, to apply the optional technical requirement on the annual programme criteria as calculated by the Agency's "System Wide Coordination" (SWC) of ramp inspections, paragraph 4.2 will not apply. In this case ANAC shall ensure an active participation in the Programme by committing to carry out the number of ramp inspections as established by the Agency.

## **5. Exchange of information and cooperation between the Parties to this Working Arrangement**

5.1 ANAC shall, subject to all applicable Brazilian laws:

- enter the information referred to in paragraph 4.1 of this Working Arrangement into the Ramp inspection tool through a direct secure access;
- enter the above referred information into the Ramp inspection tool within a maximum of 21 calendar days as from the date of its collection;
- when the Full participating member status is achieved, permit that the Agency analyses the information received from ANAC for the purposes of conducting regular or *ad hoc* analyses or when preparing the Programme annual report as provided for in the Technical Requirements in Annex 1 of this Working Arrangement;
- accept to undergo RAMP standardisation inspections under the conditions specified under paragraph 8 and 10 of this Working Arrangement;

5.2 The Agency shall:

- store the safety information received from ANAC in the Ramp inspection tool;
- provide ANAC with direct access to the Ramp inspection tool.
- provide ANAC with the necessary instructions for accessing the Ramp inspection tool;
- make available to ANAC the results of the Agency's analyses of the data on Third country aircraft stored in the Ramp inspection tool;

- provide ANAC with the Ramp Inspection manual, including updates thereof, as set out in Annex 1 to this Working Arrangement;
- grant ANAC personnel responsible for the collection, processing and exchange of ramp inspection-related information, access to the Agency's training programmes, courses and other workshops developed to improve the understanding of the Programme with the aim of reaching a common standard in the performance of ramp inspections;
- facilitate the actual involvement of ANAC in the ramp inspectors' exchange programme aimed at allowing inspectors of ANAC to obtain practical experience and contributing to the harmonisation of procedures;
- provide to identified ANAC staff, access to the RAMP electronic community in SINAPSE (as referred to in Paragraph 9);
- take all necessary measures to guarantee the security and confidentiality of the information/data stored in the Ramp inspection tool in accordance with the provisions of paragraph 6 of this Working Arrangement.

## **6. Ownership of data, confidentiality, and conflict of interest**

6.1 Ownership of the data, information and material exchanged under this Working Arrangement, including the data, information and material in the Ramp inspection tool, will remain with the Contributing party. Under no circumstances will the access to the data and information or its extraction from the Ramp inspection tool, SINAPSE or any other source be interpreted as ownership or entitlement to intellectual property rights.

6.2 All records, documents, source code, data, designs and other materials produced, written, developed, created or delivered by the Agency to establish and maintain the Ramp inspection tool, including the database itself, shall remain the exclusive intellectual property of the Agency.

6.3 Without prejudice to 6.1, all data contributed by ANAC shall be stored and used by the Agency in the context of the management of the Ramp inspection tool. The Parties further agree that the Agency shall have the right to extract, copy and reproduce, in full or in part, such data, for statistical, safety assessment and oversight purposes. This right shall continue in case of termination of this Working Arrangement.

6.4 ANAC shall, in accordance with the applicable national legislation, take all necessary measures to ensure appropriate confidentiality of the data and information to which it has access under this Working Arrangement. ANAC shall use this information solely for the exercise of its responsibilities related to the maintenance and improvement of civil aviation safety.

6.5 Where ANAC receives a request, from a third party, for data or information for which ANAC is not the Contributing party, ANAC shall consult with the Agency in order to take a decision that does not jeopardise the fulfilment of the safety objectives of this Working Arrangement, as laid down in paragraph 2.1. If the Agency provides a reasoned advice against disclosure of the requested information, ANAC shall, within its powers, reject the request and if necessary, take legal action to enforce such rejection.

6.6 The national legislation referred to in paragraph 6.4, as well as the internal rules and other procedures of ANAC implementing such legislation shall be notified to the Agency ultimately upon signature of this Working Arrangement. ANAC will promptly inform the Agency of any changes to such legislation, rules or procedures.

6.7 The Agency shall, in accordance with European Union legislation, take the necessary measures to ensure appropriate confidentiality of the information received under this Working Arrangement. The Agency shall use this information according to relevant European Union legislation.

6.8 ANAC agrees to take all necessary measures either to prevent or to effectively address (as soon as it becomes aware of such situation) any situation of conflict of interest that could compromise the impartial and objective performance of the personnel involved in ramp inspections or in the collection, processing or exchange of information. Such situation could arise in particular as a result of economic interest, political or national affinity, family or emotional ties, or any other relevant connection or shared interest. Furthermore, ANAC agrees to inform the Agency of any such conflict of interests in writing without delay. In particular, ANAC undertakes to ensure to the extent practicable that, if inspectors are engaged in activities with undertakings or associations of undertakings, such situations shall not compromise the inspector's independence in a way that threatens the integrity of the Programme or the confidentiality of associated data.

## **7. Regulatory co-operation**

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

7.2. In particular the Parties agree to;

- (a) inform and consult each other, as practicable and with sufficient notice, of any intended regulatory changes;
- (b) offer each other, as practicable, an opportunity to comment on the intended regulatory changes; and
- (c) respond to questions raised by the other party in relation to the intended regulatory changes.

7.3 The implementation of this Working Arrangement by the Parties does not affect or prejudice compliance with:

- the obligations pursuant to the Chicago Convention and its Annexes;



- the relevant provisions of Regulation (EU) 376/2014<sup>4</sup> or any other EU legislation applicable to occurrence reporting;
- prior contractual commitments between both Parties.

## **8. RAMP standardisation inspections**

8.1 ANAC agrees to undergo RAMP standardisation inspections carried out by the Agency in order to verify compliance of ANAC with the rules and procedures set out in this Working Arrangement and in particular with the Technical Requirements as set out in Annex 1. RAMP standardisation inspections shall be conducted by the Agency in full compliance with the principles and rules referred to in Annex 2. RAMP standardisation inspections may include a review of the national legislation of Brazil in force relevant to this Working Arrangement and notably of the national provisions referred to in Paragraph 6 of this Working Arrangement.

8.2 ANAC agrees to duly take into account the findings resulting from the standardisation reports of the visits carried out in accordance with the procedures set out in Annex 2 and agrees to act upon them accordingly.

8.3 If, according to the information provided by ANAC, a timely proposed remedial action plan has been fully or partially implemented such that it satisfies the Agency, ANAC shall become (for the first standardisation inspection, in accordance with paragraph 2.2 of this Working Arrangement) or remain (for subsequent standardisation inspections) a Full participating member of the Programme. The Agency shall inform thereof the Aviation Authorities of the States that participate in the Programme as well as the European Commission.

8.4 If the information referred to in Paragraph 8.3 does not satisfy the Agency or where no satisfactory remedial action is timely proposed or is not duly implemented by ANAC, the Agency shall address a supplementary report to ANAC.

8.5 If the Agency has issued a supplementary report in accordance with paragraph 8.4, consultations shall be held between the Parties. If no consultations are held, or if no agreement has been found through such consultations, the Working Arrangement shall be suspended in accordance with paragraph 12.3.

8.6 RAMP standardisation inspections will include participation of the standardisation team, as observers, in actual ramp inspections performed by ANAC's inspectors.

8.7 While performing its tasks during the RAMP standardisation inspections, the Agency shall be assisted by ANAC in gaining unimpeded access to its relevant premises, lands or

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<sup>4</sup> REGULATION (EU) No 376/2014 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 3 April 2014 on the reporting, analysis and follow-up of occurrences in civil aviation, amending Regulation (EU) No 996/2010 of the European Parliament and of the Council and repealing Directive 2003/42/EC of the European Parliament and of the Council and Commission Regulations (EC) No 1321/2007 and (EC) No 1330/2007

means of transport.

8.8 The Agency may request ANAC to add observers to the standardisation team when performing the RAMP standardisation inspections to Brazil; similarly, ANAC may request for ANAC inspectors to observe RAMP standardisation inspections to other participating members. However, the observers are not considered as standardisation team members.

## **9. Access to data and information**

9.1 ANAC shall have access to:

- The Ramp inspection tool;
- The technical documentation related to the Programme;
- Technical cooperation activities on Ramp inspections as mutually agreed;
- EASA Ramp Inspection Prioritisation List;
- EASA Ramp Inspection Regular Analysis;
- The Ramp Inspection digital community on SINAPSE;
- The general coordination meetings of the Programme

## **10. Expenses**

10.1 Notwithstanding the provisions of paragraph 10.2, each Party agrees to bear the cost incurred for its application of this Working Arrangement, such as participation of ANAC to the general coordination meetings referred to in paragraph 9 of this Working Arrangement.

10.2 Travel and subsistence costs incurred by standardisation team members when performing RAMP standardisation inspections in Brazil under this Working Arrangement shall be borne by ANAC in accordance with Annex 3 of this Working Arrangement.

10.3 Without prejudice to paragraph 10.2, ANAC shall bear all travel and subsistence costs incurred by ANAC inspectors when participating as observers in RAMP standardisation inspections to other participating members as allowed for in Paragraph 8.8. In case of other members' inspectors participating as observers to RAMP standardisation inspections in Brazil, EASA and the other participating authority will agree on a case-by-case basis on who shall bear the subsistence and travel costs incurred by those inspectors. ANAC will not bear these costs.

## **11. Liaison activities**

11.1 ANAC shall appoint a RAMP National Coordinator who will act as the focal point for the implementation of this Working Arrangement.

11.2 ANAC will be invited to take part in the general coordination meetings referred to in paragraph 9 involving all the stakeholders participating in the Programme.

**12. Entry into force, transitional measures, amendment and suspension and termination**

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

12.2. This Working Arrangement may be amended in writing by mutual consent of the Parties.

12.3. This Working Arrangement may be suspended in case of persistent or significant failure to comply with the clauses thereof. Each Party may notify the other Party of its intention to suspend the Working Arrangement and the grounds for this suspension. Such suspension shall take immediate effect at the date of the written notification. The Party that initiated the suspension may withdraw such suspension by notifying the other Party, in writing, of such withdrawal or initiate the termination of the Working Arrangement in accordance with paragraph 12.4.

12.4 This Working Arrangement will continue to apply until terminated by either Party by written notice. Such termination will come into effect 60 calendar days after the date of receipt of the written notification, unless the notice of termination has been withdrawn by mutual agreement before the expiry of the aforesaid period.

IN WITNESS WHEREOF, the undersigned being duly authorised thereto, have signed this Working Arrangement, in duplicate in the English language,

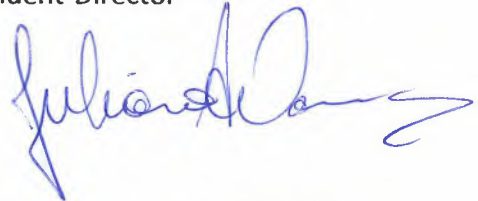
**For The European Union Aviation Safety Agency**  
Patrick Ky  
Executive Director



Date: 17/05/22

Place: Singapore

**For The National Civil Aviation Agency of Brazil**  
Juliano Alcântara Noman  
President-Director



Date: 17-05-2022

Place: SINGAPORE

## Annex 1

### Ramp inspection Technical Requirements

For the purposes of this Working Arrangement, "Technical Requirements" means the following EU legislation and other relevant material limited to the domain of ramp inspections:

- Commission Regulation (EU) 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council, as amended, limited to:
  - **Annex I: Definitions for terms used in Annexes II to VIII**
  - **Annex II: Authority Requirements for Air Operations (Part-ARO):**
    - **Subpart GEN:**
      - ARO.GEN.115 – Oversight documentation;
      - ARO.GEN.120 – Means of compliance, paragraphs (b) (c) and (e);
      - ARO.GEN.125 – Information to the Agency, paragraph (a) only;
      - ARO.GEN.200 – Management system, paragraph (a) items (1), (2) and paragraphs (b) and (d);
      - ARO.GEN.210 – Changes in the management system;
      - ARO.GEN.220 – Record-keeping, paragraph (a) items (1), (2), (9), (10), (11) and (12) and paragraph (c) ;
      - ARO.GEN.300 – Oversight, paragraphs (d) and (f);
      - ARO.GEN.305 – Oversight programme, paragraphs (a) and (f);
    - **Subpart GEN, in case of approval of ramp inspection training organisations;**
      - ARO.GEN.220 – Record-keeping, paragraph (a) items (4) and (6);
      - ARO.GEN.300 – Oversight, paragraph (a) items (1) and (2), as well as paragraphs (b) and (c);
      - ARO.GEN.305 – Oversight programme, as paragraphs (b) and (c);
      - ARO.GEN.350 – Findings and corrective actions – organisations;

- **Subpart RAMP**, entirely, however the provision of ARO.RAMP.106 – Alcohol testing is optional, unless explicitly opted in by both Parties.
- **Acceptable Means of Compliance and Guidance Material (AMC/GM)** for the requirements referenced above, however, the annual programme criteria related to the Agency’s “System Wide Coordination” of ramp inspections are optional, unless explicitly opted in by both Parties.
- **The Ramp inspection manual** developed and published by the Agency.

## Annex 2

### Standardisation principles and procedures

1. The Agency will perform the standardisation inspections referred to in this working arrangement in accordance with Commission Implementing Regulation (EU) No 628/2013.<sup>5</sup>
2. Notwithstanding the above, the following provisions of Regulation (EU) No 628/2013 do not apply:
  - a. Article 6 – National Standardisation Coordinator
  - b. Article 17 paragraph (6) - Findings follow-up and closure
  - c. Article 22 paragraphs (3)(b) and (4) - Supplementary actions

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<sup>5</sup> Commission Implementing Regulation (EU) No 628/2013 of 28 June 2013 on working methods of the European Aviation Safety Agency for conducting standardisation inspections and for monitoring the application of the rules of Regulation (EC) No 216/2008 of the European Parliament and of the Council and repealing Commission Regulation (EC) No 736/2006.

**Annex 3  
(issue 1)**

**Modalities for the financing of the Agency's standardisation activities**

1. ANAC will contribute to the financing of EASA standardisation activities according to the Brazilian policy, as established by Decreto nº 5.992, de 19 de dezembro de 2006 and Portaria nº 279, de 11 de fevereiro de 2016 (ANAC), which are annexed to this Working Arrangement respectively as Appendix A and Appendix B.
2. ANAC will notify the Agency in writing in the English language if any changes to the Brazilian policy are adopted.

