IMPLEMENTATION PROCEDURES

FOR

AIRWORTHINESS

Covering

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

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

Revision 3
April 26, 2021

TABLE OF CONTENTS

SECTION I GENERAL 1

1.1 Authorization 1
1.2 Purpose 1
1.3 Principles 1
1.4 Changes in the Authority Certification Systems 2
1.5 Governance 2
1.6 Maintenance of Confidence 3
1.7 Applicable National Requirements, Procedures, and Guidance Material 3
1.8 Interpretations and Resolution of Conflicts 4
1.9 Cooperation on Investigation or Enforcement Action 4
1.10 Revisions, Amendments, and Points of Contact 4
1.11 Entry Into Force, Termination and Cancellations 4
1.12 Definitions 5

SECTION II SCOPE OF THESE IMPLEMENTATION PROCEDURES 12

2.1 General 12
2.2 Design Approvals and Airworthiness Certifications 12
2.3 Special Airworthiness Certification 14
2.4 Provisions for Technical Assistance 15
2.5 Provisions for Special Arrangements 15
2.6 Summary Tables 15

SECTION III DESIGN APPROVAL PROCEDURES 18

3.1 General 18
3.2 Acceptance Principle 18
3.3 Acceptance Procedures for Specific Design Approvals and Articles 19
3.4 Validation Principles 24
3.5 Design Approval Validation Procedures 26
3.6 Environmental Compliance Demonstration and Approval Procedures 37
3.7 Submission of Electronic Data 39

SECTION IV CONTINUING AIRWORTHINESS 40

4.1 General 40

4.2 Failures, Malfunctions and Defects (FM&D) and Service Difficulty Reports (SDR) 40
4.3 Alternative Methods/Means of Compliance (AMOC) to an AD 42
SECTION V ADMINISTRATION OF DESIGN APPROVALS 44
5.1 General 44
5.2 Transfer of TCs and STCs 44
5.3 Surrender of TCs or STCs 46
5.4 Revocation or Suspension of TCs or STCs 46
5.5 Surrender, Withdrawal, or Change of Holder of a TSO/CAN-TSO Design Approval 46
SECTION VI PRODUCTION AND SURVEILLANCE ACTIVITIES 48
6.1 Production Quality System 48
6.2 Surveillance of Production Approval Holders 48
6.3 Extensions of Production Approvals 48
6.4 Production Approvals Based on Licensing Agreement 48
6.5 Supplier Surveillance – Outside the SoM 49
6.6 Multi-National Consortium 50
SECTION VII EXPORT AIRWORTHINESS APPROVAL PROCEDURES 51
7.1 General 51
7.2 New or Used Aircraft Exported for which a Design Approval has Been Granted 51
7.3 New Aircraft Engines and Propellers Exported to the U.S. or Canada 52
7.4 New TSO Articles 53
7.5 New Modification and Replacement Parts 53
7.6 Coordination of Exceptions on an Export Certificate of Airworthiness 54
7.7 Coordination of Exceptions on an Authorized Release Certificate 54
7.8 Additional Requirements for Imported Products 54
SECTION VIII TECHNICAL ASSISTANCE BETWEEN AUTHORITIES 56
8.1 General 56
8.2 Witnessing of Tests During Design Approval 57
8.3 Compliance Determinations 58
8.4 Flammability Testing Procedures 58
8.5 Conformity Certifications during Design Approvals 59
8.6 Other Requests for Assistance or Support 59
8.7 Airworthiness Certificates 60

8.8 VA Requirements for Foreign Design Approval Holders 60
8.9 Protection of Proprietary Data 60
8.10 Freedom of Information Act (FOIA) Requests 60
8.11 Access to Information and Privacy (ATIP) Act Requests 61
8.12 Accident/Incident and Suspected Unapproved Parts Investigation Information Requests 61
SECTION IX SPECIAL ARRANGEMENTS 62
9.1 General 62
SECTION X AUTHORITY 63
10.1 General 63
APPENDIX A ADDRESSES 64
APPENDIX B LIST OF REFERENCE DOCUMENTS 73
APPENDIX C LIST OF SPECIAL ARRANGEMENTS 75
APPENDIX D CROSS-REFERENCE OF STANDARDS 76
APPENDIX E DOCUMENTS SUPERSEDED OR CANCELLED BY REVISION 3 ... 77
APPENDIX F LIST OF ACRONYMS 78

IMPLEMENTATION PROCEDURES

for

AIRWORTHINESS

Covering

Design Approval, Production Activities, Export Airworthiness Approval, Post Design Approval Activities, and Technical Assistance between Canada and the United States

SECTION I GENERAL

1.1 Authorization

These Implementation Procedures for Airworthiness are authorized by Article III of the Agreement between the Government of the United States of America (U.S.) and the Government of Canada for Promotion of Aviation Safety, dated June 12, 2000, also known as the Bilateral Aviation Safety Agreement (BASA), or "BASA Executive Agreement." In accordance with Article III of the BASA Executive Agreement, the Federal Aviation Administration (FAA) and Transport Canada Civil Aviation (TCCA) (individually, the "Authority", and collectively, the "Authorities") have determined that the aircraft certification systems of each Authority for the design approval, production approval, airworthiness approval, and continuing airworthiness of the civil aeronautical products and articles identified in this document, are sufficiently similar in structure and performance to support these Implementation Procedures.

1.2 Purpose

The purpose of these Implementation Procedures for Airworthiness, referred to hereafter as these Implementation Procedures, is for the FAA and TCCA to define the civil aeronautical products and articles eligible for import into the U.S. and Canada as Importing States (see Section II, *Scope of These Implementation Procedures*), the process for obtaining eligibility for import, and the means for providing continued support of those civil aeronautical products and articles after import.

1.3 Principles

1.3.1 These Implementation Procedures are based on the high degree of mutual confidence and trust between the FAA and TCCA on their technical competence, regulatory capabilities and similarities of each other's certification and approval systems. When a finding is made by one Authority in accordance with the laws and regulations of the other Authority and with these Implementation Procedures, that finding is given the same validity as if it were made by the other Authority. Therefore, the fundamental principle of these Implementation Procedures is to maximize the use of the Certificating Authority's (CA's) aircraft certification system to ensure that the airworthiness and environmental requirements of the Validating Authority (VA) are satisfied.

1.3.2 The FAA and TCCA are committed to the elimination of duplication of work and avoidance of exclusive retention of findings of compliance when acting as the VA or Authority for the Importing State.

1.3.3 The FAA and TCCA mutually recognize and accept each other's delegation or designee systems as part of their respective aircraft certification systems. To the maximum extent permitted by these Implementation Procedures and each Authority's regulations, the findings, compliance determinations and approvals made through these systems are given the same validity as those made directly by either the FAA or TCCA.

1.3.4 The FAA and TCCA will not routinely notify the other of their designee's, delegate's or delegated organization's activities in advance of any of those persons traveling to the U.S. or Canada to witness tests, to perform conformity inspections, and/or to make determinations of compliance. However, there may be situations where one Authority may interact directly with an individual designee or delegate of the other Authority. In this case, prior notification to the other Authority would be required.

1.3.5 Data and documents exchanged between the FAA and TCCA under these Implementation Procedures shall be in the English language.

1.4 Changes in the Authority Certification Systems

1.4.1 These Implementation Procedures are based upon sufficiently similar Authority certification systems being in place at the time of signing. Therefore, the FAA and TCCA will keep each other informed of significant changes within those systems, such as changes in:

1.4.1.1 Statutory responsibilities;

1.4.1.2 Significant revisions to airworthiness, certification, and environmental standards and procedures;

1.4.1.3 Production quality system oversight, including oversight of out-of-country production of products and articles; or

1.4.1.4 Delegated functions, or the kinds of individuals and organizations to which functions have been delegated.

1.4.2 The FAA and TCCA recognize that revision by either Authority to its regulations, policies, procedures, statutory responsibility, organizational structure, production quality system oversight, or delegation system may affect the basis and scope of these Implementation Procedures. Accordingly, upon notice of such changes by one Authority, the other Authority may request a meeting to review the need for amendment to these Implementation Procedures.

1.4.3 The FAA and TCCA will notify each other of relevant draft policy and guidance material and will consult on new or proposed changes to airworthiness and environmental standards.

1.5 Governance

1.5.1 The governance of these Implementation Procedures shall be undertaken by a Bilateral Airworthiness Management Team (BAMT) consisting of management representatives from both the FAA and TCCA. The BAMT shall be responsible

for the effective functioning, implementation, and continued validity of these Implementation Procedures, including revisions and amendments thereto.

1.5.2 The BAMT shall be headed jointly by the Executive Director of the FAA Aircraft Certification Service and the TCCA Director of Standards. The BAMT shall establish its own rules of procedures respecting applicable laws and regulations, its membership, and meeting schedules.

1.6 Maintenance of Confidence

1.6.1 Article III.C of the BASA Executive Agreement states that these Implementation Procedures shall be subject to periodic evaluations. As executive agents under the BASA, the FAA and TCCA are to ensure that both Authorities remain capable of carrying out the obligations contained in these Implementation Procedures beyond the period of initial assessment that resulted in the original version of these Implementation Procedures. The periodic evaluations will focus on the equivalency or compatibility of the respective standards, rules, practices, procedures, and systems as prescribed by the BASA Executive Agreement, and maintaining the high degree of mutual confidence in the FAA's and TCCA's technical competence and ability to perform regulatory functions within the scope of these Implementation Procedures.

1.6.2 The BAMT shall define the activities required to promote continued understanding and compatibility in each other's systems and to preserve the high degree of mutual confidence between FAA and TCCA. The BAMT shall agree on the procedures and processes constituting such activities, and require the conduct of such activities on a regular basis.

1.7 Applicable National Requirements, Procedures, and Guidance Material

1.7.1 The FAA's standards for airworthiness and environmental certification of civil aeronautical products and articles include, but are not limited to: Title 14 of the Code of Federal Regulations (14 CFR), parts 21, 23, 25, 26, 27, 29, 31, 33, 34, 35, and 36. The FAA also uses European Union Aviation Safety Agency (EASA) Certification Specifications (CS)-22, CS-VLA (Very Light Airplanes), Joint Aviation Requirements (JAR)-22, and JAR-VLA for some special class aircraft. Guidance material, policy, and procedures are contained in FAA Advisory Circulars, Airworthiness Directives (ADs), Orders, Notices, and Policy Memoranda.

NOTE: 14 CFR parts 34 and 36 make direct references to ICAO Annex 16, Volumes I and II, and the associated ICAO Environmental Technical Manual.

1.7.2 TCCA requirements for airworthiness and environmental certification of civil aeronautical products are identified in Part V, Subpart 21 of the Canadian Aviation Regulations (CAR 521). CAR 521 is the enabling regulation for incorporating by reference the comprehensive and detailed standards contained in a separate publication referred to as the Airworthiness Manual (AWM). The AWM provides separate chapters corresponding to each civil aeronautical product, including appliances that are subject to TCCA airworthiness and environmental approvals. Guidance material, policy, and

procedures are contained in, but not limited to, TCCA Civil Aviation Directives, Advisory Circulars, Staff Instructions, and Supplementary Staff Instructions.

1.8 Interpretations and Resolution of Conflicts

1.8.1 In the case of conflicting interpretations between the FAA and TCCA regarding the laws, airworthiness or environmental regulations/standards, requirements, or acceptable means of compliance pertaining to certifications, approvals, or acceptance under these Implementation Procedures, the interpretation of the Authority whose laws, regulations, standards, requirements, or acceptable means of compliance are being interpreted shall prevail.

1.8.2 The FAA and TCCA agree to resolve issues through consultation or any other mutually agreed-upon means. Issues that cannot be satisfactorily resolved at the working level should be expeditiously raised to the respective managements of the FAA and TCCA, on a progressive level, until a resolution is reached. If input from the BAMT is necessary to achieve resolution, the points of contact identified in Appendix A shall be responsible for the preparation and presentation of the unresolved issue to the BAMT.

1.8.3 Where an issue relates to noise or emissions certification, the FAA and TCCA will consult their respective noise or emissions certification specialists for input on any proposal or resolution relating to interpretation, means of compliance, or issues in the application of environmental requirements. For the FAA, the Office of Environment & Energy (AEE) will be consulted.

1.9 Cooperation on Investigation or Enforcement Action

Both the FAA and TCCA agree to mutual cooperation and mutual assistance in the investigation of any alleged or suspected violations of the FAA or TCCA laws or regulations. Both Authorities will cooperate in sharing information needed for any investigation or enforcement action, including its closure. The sharing of information shall be subject to the laws and regulations of the U.S. and Canada that govern the disclosure or sharing of the requested information.

1.10 Revisions, Amendments, and Points of Contact

1.10.1 The designated focal points for revisions or amendments to these Implementation Procedures are:

1.10.1.1 For the FAA: Aircraft Certification Service International Office (AIR-040); and

1.10.1.2 For TCCA: Aircraft Certification Standards (AARTC).

1.10.2 Contact information for the identified offices is listed in Appendix A.

1.11 Entry Into Force, Termination and Cancellations

1.11.1 Entry Into Force

These Implementation Procedures enter into force 90 days after signature by the duly authorized representatives, and will remain in force, contingent upon the BASA Executive Agreement remaining in force, unless terminated by either Authority in accordance with 1.11.2 below.

1.11.2 Termination

Either the FAA or TCCA may terminate these Implementation Procedures upon receipt of 60 days written notice by the other Authority. Termination will take effect at the end of the sixty days and will not affect the validity of activities conducted under these Implementation Procedures prior to termination.

1.11.3 Cancellations

In accordance with Article V of the BASA Executive Agreement dated June 12, 2000, the documents identified in Appendix E are superseded and canceled without prejudice to approvals granted or obtained during the periods those documents were in effect. The applicable provisions contained in the Appendix E documents have been incorporated in this revision of these Implementation Procedures.

1.12 Definitions

Notwithstanding the definitions set forth in each Authority's applicable laws and regulations, and for the purpose of these Implementation Procedures, the following definitions are provided. Additional definitions can be found in Article II of the BASA Executive Agreement.

1.12.1 "Acceptance" means the CA has granted an approval, issued a certificate, or made a finding of compliance and the VA will accept that approval, certificate, or finding as satisfactory evidence that a product and/or design complies with the VA's applicable standards and will not issue its own equivalent approval.

1.12.2 "Acoustical Change", for the FAA, means any voluntary change in the type design of an aircraft that may increase the noise levels of that aircraft. There is no equivalent regulatory definition for TCCA.

1.12.3 "Additional Technical Condition", for the purpose of design approval, means any requirement in the VA's certification basis that is in addition to, or any variation of, the airworthiness and environmental standards defined in the CA's certification basis to ensure that the CA's:

1.12.3.1 Airworthiness standards provide a level of safety equivalent to that provided by the applicable airworthiness requirements of the VA; and

1.12.3.2 Environmental standards provide noise, fuel venting, and exhaust emission levels that are no higher than those provided by the applicable environmental requirements of the VA.

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

1.12.5 "Airworthiness Approval" means a finding that the design, or change to a design, of a civil aeronautical product meets standards agreed to by the Authorities or that a product conforms to a design that has been found to meet those standards, and is in a condition for safe operation.

1.12.6 "Airworthiness Directive (AD)" means legally enforceable rules issued by the FAA in accordance with 14 CFR part 39, or mandatory airworthiness action

either issued by TCCA in accordance with CAR 521 Division X – Airworthiness Directives, or as required by CAR 605.84 where an equivalent notice has been issued by a foreign authority.

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

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

1.12.8.1 For TCCA, Appliance means either an Appliance Type Certificate approved in accordance with predecessor regulations CAR Part V, Subpart 11, or a Canadian Technical Standard Order (CAN-TSO) design approval issued in accordance with CAR Part V, Subpart 21, and produced under a CAR Part V, Subpart 61 Manufacturer Certificate. Canadian Technical Standards for appliances are listed in Airworthiness Manual Chapter 537.

1.12.9 "Approved Manuals" means manuals, or sections of manuals, requiring approval by the FAA or TCCA as part of a certification program. These include the AFM, the airworthiness limitation section of the Instructions for Continued Airworthiness (ICA), the engine and propeller installation and operating instructions manuals, and the certification maintenance requirements.

1.12.10 "Article" means a material, part, component, process, or appliance.

1.12.11 "Certificating Authority (CA)" means the FAA when fulfilling State of Design (SoD) functions for design approvals in the U.S.; and TCCA when fulfilling State of Design (SoD) functions for design approvals in Canada.

1.12.12 "Certification Basis" consists of the applicable airworthiness and environmental standards established by a CA or VA as the basis by which the type design of a civil aeronautical product, or a change to that type design was approved or accepted. The certification basis may include additional technical conditions, special conditions, equivalent level of safety findings, and exemptions or deviations, when determined to apply to the type design.

1.12.13 "Civil Aeronautical Product" or "product" means any civil aircraft, aircraft engine, or propeller or subassembly, appliance, material, part, or component to be installed thereon. (Ref. BASA Executive Agreement dated 2000)

(a) For the FAA, "Civil Aeronautical Product" or "product" means each civil aircraft, aircraft engine, or propeller.

1.12.14 "Compliance Determination" means the determination by either the FAA's system or TCCA's system that the applicant has demonstrated compliance with identified individual airworthiness and environmental standards.

1.12.15 "Critical Part" means a part identified as critical by the design approval holder, the CA, or by the VA during the product type validation process. Typically, these include parts for which a replacement time, inspection interval, or related procedure is specified in the airworthiness limitations section or certification maintenance requirements of the manufacturer's maintenance manual or ICA.

1.12.16 "Design Approval" means a type certificate, supplemental type certificate (including amendments thereto), repair design approval, the approved article or article design under a PMA, PDA, TSOA, CAN-TSO, Letter of TSO Design Approval (LODA), and any other design approval document.

1.12.17 "Deviation" when used with respect to a TSO Article means a difference from any performance standard of a TSO/CAN-TSO and requires factors or design features providing an equivalent level of safety to compensate for the standards from which a deviation is requested.

1.12.18 "Emissions Change", for the FAA, means any voluntary change in the type design of an aircraft or aircraft engine which may increase fuel venting or exhaust emissions of a turbine engine beyond the criteria defined for a no-emissions change. There is no equivalent regulatory definition for TCCA.

1.12.19 "Environmental Approval" means finding that a civil aeronautical product complies with standards agreed between the Authorities concerning noise and/or exhaust emissions.

1.12.20 "Environmental Standards" means regulations or certification specifications governing designs with regard to noise characteristics, fuel venting, and exhaust emissions of civil aeronautical products and articles.

1.12.21 "Environmental Compliance Demonstration" means a process by which a civil aeronautical product is evaluated for compliance with those standards, using procedures agreed upon between the Authorities.

1.12.22 "Equivalent Level of Safety (ELOS) Finding" means a finding that alternative action taken provides a level of safety equal to that provided by the requirements for which equivalency is being sought.

1.12.23 "Exemption" means a grant of relief from requirements of a current regulation when processed through the appropriate regulatory procedure by the FAA or TCCA, as applicable.

1.12.24 "Export" means the process by which a product or article is released from the FAA's or TCCA's regulatory system for subsequent use in the other's regulatory system.

1.12.25 "Exporting Authority (EA)" means the FAA for the U.S., or TCCA for Canada, as charged or authorized by their respective laws as the exporting State to regulate the airworthiness and environmental certification, approval, or acceptance of civil aeronautical products, parts, and articles.

1.12.26 "Export Certificate" means the document issued by the Authority at the time that a product is being exported from one country to the other.

1.12.26.1 For the FAA, an Export Certificate of Airworthiness is issued by the office responsible for the export of the product; and

1.12.26.2 For TCCA, an Export Airworthiness Certificate is issued by the office responsible for the export of the product;

1.12.27 "Import" means the process by which a product or article is accepted into the FAA's or TCCA's regulatory system for subsequent use in that regulatory system.

1.12.28 "Importing Authority (IA)" means the FAA for the U.S., or TCCA for Canada, as charged or authorized by their respective laws as the importing State, to regulate the airworthiness and environmental certification, approval, or acceptance of civil aeronautical products, parts, and articles.

1.12.29 "Issue Paper (IP)" means a document describing an item that requires disposition prior to the issuance of a Type Certificate (TC), Change to TC approval, or Supplemental Type Certificate (STC) by the CA or VA, as applicable.

1.12.30 "Licensing Agreement" means a commercial agreement between a design approval holder and a production approval holder (or applicant) formalizing the rights and duties of both parties to use the design data for the purpose of manufacturing the product or article.

1.12.31 "Letter of Design Approval (LODA)" means an FAA design approval for an article that has been found to meet a specific TSO in accordance with the procedures of 14 CFR 21.621.

1.12.32 "Maintenance" means the performance of inspection, overhaul, repair, preservation, and the replacement of parts, materials, appliances, or components of a product to assure the continued airworthiness of that product, but excludes alterations or modifications to that product. (Ref. BASA Executive Agreement dated 2000.)

1.12.33 "Manufacturer" means the person who, by FAA or TCCA regulation, is responsible for determining that all products or parts thereof produced within the quality system conform to an FAA- or TCCA-approved design, or established government or industry standard, and are in a condition for safe operation.

1.12.34 "Multi-National Consortium" means a group of manufacturers from multiple countries who have agreed to form a single company for the design and/or production of a particular product.

1.12.35 "New Aircraft" means an aircraft that is still owned by the manufacturer, distributor, or dealer, if there is no intervening private owner, lease, or time-sharing arrangement, and the aircraft has not been used in any pilot school and/or other commercial operation.

1.12.36 "Non-TSO Function" means one that is not covered by a TSO-approved minimum performance standard, does not support or affect the hosting article's TSO function(s), and could technically be implemented outside the TSO article.

1.12.37 "Overhauled Engine" means an engine that has been disassembled, cleaned, inspected, repaired as necessary, reassembled, and tested in accordance with approved or acceptable standards and technical data.

1.12.38 "Part Design Approval (PDA)", for TCCA, means an approval of the type design of a replacement part for an aeronautical product, and that references the documents and data defining the type design, the limitations, and the conditions applicable.

1.12.39 "Parts Manufacturer Approval (PMA)", for FAA, means a combined design and production approval, or a production approval for a design previously approved by the FAA (TC, STC, or TSO), issued for modification or replacement articles. It allows a manufacturer to produce and sell these articles for installation on type certificated/validated products.

1.12.40 "Person" means an individual, firm, partnership, corporation, company, association, joint stock association, or government entity, and includes a trustee, receiver, assignee, or other similar representative of any of them.

1.12.41 "Production Approval" means a document issued by the FAA to a person that allows the production of a product or article in accordance with its approved design and approved quality system, and can take a form of a Production Certificate, a PMA, or a TSO Authorization.

1.12.42 "Production Quality System" means a systematic process that meets the requirements of the Authority for the State of Manufacture (SoM) and ensures that products and articles will conform to the approved design and will be in a condition for safe operation. For TCCA, this is known as a Production Control System.

1.12.43 "Rebuilt Engine" means an engine that has been disassembled, cleaned, inspected, repaired as necessary, reassembled, and tested to the same tolerances and limits as a new item by the production approval holder, in accordance with 14 CFR part 43.

1.12.44 "Restricted Category Aircraft" means an aircraft intended for a special purpose operation that:

1.12.44.1 Meets applicable airworthiness requirements of an aircraft category, except those that are determined to be inappropriate for the special purpose operation; shows compliance with applicable emissions and noise requirements; and shows no feature or characteristic that makes it unsafe when it is operated under the limitations prescribed for its intended use; or

1.12.44.2 For the FAA, is of a type that has been manufactured in accordance with the requirements of and accepted for use by an Armed Force of the United States and has been later modified for a special purpose; or

1.12.44.3 For TCCA, an aircraft whose applicable standards of airworthiness are the design and performance requirements established by the Department of National Defence in respect of the aircraft on the date that the aircraft was accepted for use by that Department.

1.12.45 "Special Conditions" means additional airworthiness standard(s) prescribed by the FAA or TCCA when the airworthiness standards for the category of product do not contain adequate or appropriate safety standards due to novel or unusual design features. Special conditions contain such safety standards as the FAA or TCCA find necessary to establish a level of safety equivalent to that intended by the applicable regulations.

1.12.46 "Standard Airworthiness Certificate" means an airworthiness certificate that meets the requirements for its issuance under ICAO Annex 8, Airworthiness of Aircraft, and is issued to a civil aircraft in accordance with Article 31 of the Convention on International Civil Aviation.

1.12.47 "Standard Part" means a part that may be acceptable for use on aircraft and is manufactured in conformance with an established government or industry-accepted specification, which contains design, manufacturing, and uniform identification requirements. The specification must include all information necessary to produce and conform the part, and must be published so that any person or organization may manufacture the part.

1.12.48 "Supplier" means a person at any tier in the supply chain who provides a product, article, or service that is used or consumed in the design or manufacture of, or installed on, a product or article.

1.12.49 "Suspension" means a temporary action to withhold the effectiveness or validity of a certificate, approval, or authorization, as ordered by the FAA or TCCA.

1.12.50 "Technical Standard Order (TSO)" means a minimum performance standard used to evaluate an article. Each Technical Standard Order/Canadian Technical Standard Order (TSO/CAN-TSO) covers a certain type of article. When authorized to manufacture an article to a TSO/CAN-TSO standard, this is referred to as a TSO Authorization (TSOA).

1.12.51 "Type Design", for the FAA, is defined in 14 CFR 21.31, and for TCCA, is defined in CAR 101.

1.12.52 "Used Aircraft" means each aircraft that is not a new aircraft.

1.12.53 "Validating Authority (VA)" means the FAA, when fulfilling State of Registry (SoR) functions for design approvals in the U.S., or TCCA, when fulfilling State of Registry (SoR) functions for design approvals in Canada.

1.12.54 "Validation" means the VA's compliance determination of a design, or a design change, of an aeronautical product as approved or certified by the CA.

1.12.55 "Validation Program" means the entire scope of activities that the VA employs to complete either the Streamlined Validation process or the Technical Validation process, including receipt and initial review of the validation application, technical familiarization leading to the development and approval of the work plan, technical validation activities through execution of the work

plan, culminating in the VA's issuance of a new or amended design approval document, or VA acceptance, when deemed appropriate by the VA.

1.12.56 "Work Plan" defines the scope of the VA's level of involvement in a validation program that leads to a VA design approval being issued. The work plan is scalable and developed using the risk-based validation principles, is approved by the VA management, and shared with the applicant and the CA.

SECTION II SCOPE OF THESE IMPLEMENTATION PROCEDURES

2.1 General

2.1.1 These Implementation Procedures apply to such aircraft type designs to be type certificated by the FAA and TCCA for standard category airworthiness certification.

2.1.2 The FAA and TCCA issue standard airworthiness certificates for aircraft in the normal, utility, aerobatic, commuter, and transport categories, as well as for manned free balloons and special classes of aircraft which include airships, very light airplanes (VLA), gliders, and other non-conventional aircraft.

2.1.3 Aircraft for which a special airworthiness certificate is issued by the FAA or TCCA may be dealt with on a case-by-case basis either through 2.3 or the special arrangements provision of Section IX.

2.2 Design Approvals and Airworthiness Certifications

These Implementation Procedures cover the products and articles identified below, their approvals, and their respective provisions, set forth as follows.

2.2.1 Design Approvals

2.2.1.1 Type Certificates (TCs) and amended TCs for the classes and categories listed in Table 1 for which the U.S. is the SoD, and Table 2 for which Canada is the SoD;

2.2.1.2 All Supplemental Type Certificates (STCs) and amended STCs for products that have been issued both an FAA and TCCA type design approval, regardless of SoD;

2.2.1.3 Any other design changes or data approvals as identified in 3.3, for products and articles; and

2.2.1.4 All TSO/CAN-TSO, PDA/PMA, Repair Design Approvals (RDAs), as listed in Tables 1 and 2.

2.2.1.5 In special cases, at the request of TCCA, the FAA may accept applications from Canadian organizations that do not hold an equivalent TCCA STC, because the specific model of the product to be modified has no TCCA TC. These cases will only be considered from applicants that hold other Canadian approvals for similar design changes and are under TCCA's oversight. The application should be forwarded to the responsible FAA Aircraft Certification Office (ACO) as detailed in Appendix A, with a letter from TCCA confirming that the applicant meets these conditions.

NOTE: The term "amended" TC, or STC, refers to an approved design that has undergone a level of change by the holder that was subsequently approved by the CA and reissued at the next revision or issue number.

2.2.2 Repair Design Data

CA approved design data used in the support of repairs as identified in 3.3.5 for products and articles where both the FAA and TCCA have issued a type design approval for the product.

2.2.3 Export Certificates of Airworthiness

Aircraft that conform to a Type Design approved under a VA TC including:

2.2.3.1 New and used aircraft of the classes and categories listed in Table 1 for which the U.S. is the SoD, and Table 2 for which Canada is the SoD;

2.2.3.2 New and used aircraft for which a third state is the SoD and SoM, when the conditions detailed in 7.2 are satisfied; and

2.2.3.3 New and used aircraft for which a third state is the SoD and a fourth state is the SoM, will require either a:

(a) Special arrangement under Section IX of these Implementation Procedures; or

(b) VA review and acceptance of an existing arrangement established between the SoD and SoM that can be used to establish compliance.

2.2.4 Authorized Release Certificates

2.2.4.1 New Aircraft Engines and Propellers that conform to a Type Design approved under a VA TC including:

(a) New aircraft engines and propellers for which the U.S. or Canada is the SoD;

(b) New aircraft engines and propellers, for which another State is the SoD, where:

(1) For import into the U.S., that State has a bilateral agreement/arrangement with the U.S. covering the same class of product; or

(2) For import of new aircraft engines and propellers into Canada, Canada has issued a TC for the product.

(c) Rebuilt aircraft engines for which the U.S. is the SoD are accepted by TCCA for import into Canada, in accordance with requirements of 7.3.

(d) Acceptance of products manufactured in a State or territory other than its SoD requires either the development of a special arrangement per Section IX of these Implementation Procedures, or TCCA review and acceptance of an existing arrangement established between the SoD and SoM. For the FAA, the SoM must have a bilateral agreement with the U.S. covering the same class of product.

2.2.4.2 Used and overhauled aircraft engines, used propellers, TSO articles, and replacement parts are accepted for import by the FAA and TCCA and are subject to the provisions of the FAA-TCCA Maintenance Implementation Procedures (MIP).

2.2.4.3 Articles that conform to a VA Design Approval, including:

(a) TSO articles are accepted pursuant to these Implementation Procedures. Each Authority recognizes the other's article design approval as equivalent to its own, and as detailed in 3.3.4, will accept TSO articles solely on the basis of the other's approval and will not issue its own.

(b) New replacement and modification parts that conform to VA approved design data are accepted pursuant to these Implementation Procedures, and are eligible for installation in a product or article that has been granted a VA design approval, as follows:

(1) Replacement parts manufactured by the original production approval holder for all products and articles, regardless of the SoD; and

(2) Modification parts manufactured by the original production approval holder for all products and articles, regardless of the SoD.

(c) New Parts Manufacturer Approval (PMA) or Part Design Approval (PDA) parts.

2.2.5 Standard Parts

The FAA and TCCA will accept Standard Parts for all products and articles covered under these Implementation Procedures when the parts conform to established U.S. or Canadian industry or government specifications.

2.2.6 Environmental Approval

The VA will accept environmental approvals based upon findings made against 14 CFR parts 34 and 36 by the FAA as CA or AWM Chapter 516 by TCCA as CA, as the basis for establishing compliance with VA environmental requirements.

2.3 Special Airworthiness Certification

2.3.1 The FAA and TCCA have agreed that those aircraft type-certificated in the restricted category that are not eligible for a standard airworthiness certificate will be reviewed in accordance with Section III design approval procedures and eligible for a special airworthiness certificate.

2.3.2 Both the FAA and TCCA utilize special airworthiness certificates for amateur-built aircraft.

2.3.3 Other aircraft for which a special airworthiness certificate is to be issued will be dealt with on a case-by-case basis through the special arrangements provision in Section IX of this document.

2.4 Provisions for Technical Assistance

The types of technical assistance activities within the scope of these Implementation Procedures between the FAA and TCCA are specified in Section VIII.

2.5 Provisions for Special Arrangements

These Implementation Procedures provide for designated officials within the FAA and TCCA to make special arrangements -- with respect to design approval, production activities, export airworthiness approval, post design approval, or technical assistance -- in situations that have not been specifically addressed in these Implementation Procedures, but which are anticipated by the BASA Executive Agreement.

2.6 Summary Tables

The following tables summarize the design approvals, products, and articles designed and manufactured in the U.S. or Canada that are eligible for import under these Implementation Procedures.

Table 1

Summary of U.S. (SoD) Products, Articles, and their Associated FAA Approvals Recognized by TCCA

PRODUCT	FAA Type Certificates & Amendments **(see Note 3)**	FAA Supplemental Type Certificates **(see Note 3)**	FAA Technical Standard Order Authorizations **(see Note 4)**	FAA Parts Manufacturer Approvals
Airplanes in the following categories:				
Normal	✓	✓	N/A	N/A
Utility	✓	✓	N/A	N/A
Aerobatic	✓	✓	N/A	N/A
Commuter	✓	✓	N/A	N/A
Transport	✓	✓	N/A	N/A
Rotorcraft in the following categories:				
Normal	✓	✓	N/A	N/A
Transport	✓	✓	N/A	N/A
Manned Free Balloons	✓	✓	N/A	N/A
Aircraft Engines	✓	✓	N/A	N/A
Propellers	✓	✓	N/A	N/A
Aircraft in Special Classes: **(see Note 2)**				
Airships	✓	✓	N/A	N/A
VLA	✓	✓	N/A	N/A
Gliders	✓	✓	N/A	N/A
Powered Lift	✓	✓	N/A	N/A
Aircraft type certificated in the restricted category	✓ **(see Note 1)**	✓ **(see Note 1)**	N/A	N/A
TSO Articles **(see Note 4)**	N/A	N/A	✓	N/A
ARTICLES:				
Replacement or Modification Articles for the above airplanes, rotorcraft, balloons, aircraft engines, propellers, special class aircraft, and articles.	✓ (Also need a production approval)	✓ (Also need a PC or PMA for production)	✓	✓

Note 1: Aircraft certified in the restricted category for purposes of agricultural, forest and wildlife conservation (including aerial dispensing of liquids), aerial surveying, patrolling, weather control, aerial advertising, and other special purpose operations as determined by the Authorities.
Note 2: TCCA does not recognize primary category aircraft.
Note 3: A Canadian TC, STC, or equivalent document is required. An equivalent document refers to those FAA type certificates for U.S. SoD products that were accepted by TCCA for the purpose of issuing standard certificate of airworthiness. No equivalent TCCA type certificates were issued. The FAA type certificates corresponding to these eligible products are considered grandfathered approvals by TCCA for purposes of these Implementation Procedures.
Note 4: A TSO article approval originally granted by FAA shall be automatically accepted by the TCCA as being equivalent to having granted and issued its own approval.

Table 2

Summary of Canadian SoD Products, Articles, and their Associated TCCA Approvals Recognized by the FAA

PRODUCT	TCCA Type Certificates & Amendments **(see Notes 2 & 3)**	TCCA Supplemental Type Certificates **(see Notes 2 & 3)**	TCCA Technical Standard Order Appliances **(see Note 4)**	Repair Design Approvals **(see Note 5)**	Part Design Approvals (PDA)
Airplanes in the following categories:					
Normal	✓	✓	N/A	✓	N/A
Utility	✓	✓	N/A	✓	N/A
Aerobatic	✓	✓	N/A	✓	N/A
Commuter	✓	✓	N/A	✓	N/A
Transport	✓	✓	N/A	✓	N/A
Rotorcraft in the following categories:					
Normal	✓	✓	N/A	✓	N/A
Transport	✓	✓	N/A	✓	N/A
Manned Free Balloons	✓	✓	N/A	✓	N/A
Aircraft Engines	✓	✓	N/A	✓	N/A
Propellers	✓	✓	N/A	✓	N/A
Aircraft in Special Classes:				✓	
Airships	✓	✓	N/A	✓	N/A
VLA	✓	✓	N/A	✓	N/A
Gliders	✓	✓	N/A	✓	N/A
Powered Lift	✓	✓	N/A	✓	N/A
Aircraft type certificated in the restricted category	✓ **(see Note 1)**	✓ **(see Note 1)**	N/A	✓	N/A
TSO Articles **(see Note 7)**	N/A	N/A	✓	N/A	N/A
PARTS: **(see Note 6)**					
Replacement or Modification Parts for the above airplanes, rotorcraft, balloons, aircraft engines, propellers, special class aircraft, and articles.	✓	✓	✓	N/A	✓

Note 1: Aircraft certified in the restricted category for the purposes of agricultural, forest and wildlife conservation (including aerial dispensing of liquids), aerial surveying, patrolling, weather control, aerial advertising, and other special purpose operations, as determined by the Authorities.
Note 2: For Canadian products, the certificate designations of Type Certificate (TC)/Type Approval (TA) and Supplemental Type Certificate (STC)/Supplemental Type Approval (STA) are interchangeable.
Note 3: An FAA TC, STC, or equivalent document is required.
Note 4: For TCCA includes Appliance TCs issued under CAR Part V, Subpart 11, and where the FAA has issued a corresponding TSO under 14 CFR part 21 subpart O.
Note 5: For repair design approvals, refer to 3.3.5. The certificate designation Repair Design Approval (RDA) and Repair Design Certificate (RDC) are interchangeable.
Note 6: For TCs, STCs, TSOs, and PDAs, manufacturing is covered under CAR 561.06 and, for repairs, manufacturing of parts is covered under CAR 571.06(5).
Note 7: TCCA TSO Appliances include CAN-TSO Design Approvals or Appliance TCs together with their associated Production Approval.

SECTION III DESIGN APPROVAL PROCEDURES

3.1 General

3.1.1 The principles and procedures of this Section apply to the acceptance or validation of the initial design approval of each other's civil aeronautical products and articles, of subsequent design changes to those products and articles, and approval of design data used in support of repairs.

3.1.2 These procedures rely on the high degree of mutual confidence and trust between the FAA and TCCA and establish the process for implementing the acceptance of each other's compliance determinations and approvals on civil aeronautical products and articles. The procedures in this section are not intended to diminish the responsibilities of either Authority or their right to type design information.

3.1.3 There are three ways in which products and articles can be accepted or approved by the VA for use within their system:

3.1.3.1 Acceptance (see 3.2 and 3.3);

3.1.3.2 Streamlined Validation (see 3.4, 3.5 and 3.5.5); and

3.1.3.3 Technical Validation (see 3.4, 3.5 and 3.5.6).

3.2 Acceptance Principle

3.2.1 Where specific design approvals and articles present relatively low risks compared to the certification of aircraft, aircraft engine, and propellers, the FAA and TCCA concluded that those approvals could benefit from a full and automatic acceptance by each other. Subject to any exception described in 3.3 or exclusion under 3.2.2, the following CA approvals will be accepted by the VA without issuance of its own approval, and no application for validation will be required for:

3.2.1.1 Design Changes by the design approval holder that do not require the VA to issue an amended TC or Type Certificate Data Sheet (TCDS), STC or amended STC. Minor changes are automatically accepted;

3.2.1.2 FAA STCs for eligible U.S. SoD Parts 23 and 27 Aircraft (refer to 3.3.3);

3.2.1.3 TSO/CAN-TSO Design Approvals (refer to 3.3.4);

3.2.1.4 PMA/PDA (refer to 7.5); and

3.2.1.5 Design Data for Repairs and Alterations (refer to 3.3.5).

3.2.2 The FAA or TCCA, as the VA, may suspend the acceptance of design approval(s) in 3.2.1 where following consultation with the CA there is no mutually acceptable resolution of airworthiness concern(s) identified by the VA on a specific design approval. In this case, the VA can either take action in accordance with Section IV, Continuing Airworthiness, or require validation of the design approval in question.

3.3 Acceptance Procedures for Specific Design Approvals and Articles

The acceptance of CA design approvals identified below shall be implemented by the FAA and TCCA solely on the basis of each other's approval, without the need for submission of an application for validation by the other. An approval originally granted by either the FAA or TCCA as the CA shall be automatically accepted by the other as being equivalent to having granted and issued its own approval.

3.3.1 Design Changes by the Design Approval Holder

For a validation project where a design approval holder introduces a major design change to an approved design, the Basic/Non-Basic application classification criteria detailed in 3.5.2.2 will be applied by the CA, as follows:

3.3.1.1 If the application classification is determined to be Basic and does not require the VA to reissue the TC or TCDS, or reissue the STC, then the design change is accepted and no application is required. In these cases, the CA will approve these design changes in accordance with its own procedures against the certification bases of both the CA and the VA.

3.3.1.2 If the application classification is Basic but requires the VA to reissue the TC or TCDS, or reissue the STC, then an application for validation to the VA is required for the design change, and it will be processed by the VA using the Streamlined Validation process detailed in 3.5.5; or

3.3.1.3 If the application classification is determined to be Non-Basic, then an application for validation to the VA is required for the design change. Where technical review by the VA is deemed necessary, the procedures of 3.5.6 shall be followed.

3.3.1.4 The design changes described in 3.3.1.1 through 3.3.1.3 are to be included in the design approval holder's type design definition, which defines the VA's approved build standard.

3.3.2 Changes to Canadian SoD STCs with a Configuration Definition Record (CDR)

3.3.2.1 A CDR is defined as a top-level document containing the configuration definition of the Canadian SoD STC. Each Canadian aircraft completion STC will establish a certification basis at the initial issue of the STC, which will remain unchanged throughout the life of the STC. TCCA will undertake the review and granting of approvals of revisions to the CDR on behalf of both the FAA and TCCA.

NOTE: Only applications from Canadian applicants holding a Design Approval Organization (DAO), who have established a history of aircraft completion approvals with the FAA and TCCA, are eligible for processing through these Implementation Procedures.

3.3.2.2 For revisions to a CDR referenced in the TCCA STC, no application to the FAA is required and the following steps apply:

(a) For subsequent addition of a unique aircraft completion, the CDR referenced on the STC will be revised to add approved

data, which defines a unique configuration. Each CDR revision will apply to only one unique configuration. The revised CDR will be associated with a compliance package consisting of a Master Drawing List, Compliance Checklist that takes into account both the FAA and TCCA requirements, and a completed Statement of Compliance Form or equivalent for the unique configuration;

(b) TCCA will retain the documentation associated with the revisions and make it available to the FAA upon request;

(c) Upon completion and satisfactory review of the proposed CDR revision, TCCA will approve the revised CDR (and associated data). Under these Implementation Procedures, the approval granted by TCCA will also constitute an approval by the FAA; and

(d) The TCCA office that granted the initial STC approval will provide the FAA with reporting on a quarterly basis (every three months) as to CDR activities. The reporting will include: the STC number, the aircraft model, serial number affected, CDR revision including description, and document revision numbers.

3.3.3 FAA STCs for Eligible U.S. SoD Parts 23 and 27 Aircraft

3.3.3.1 Prior to 1996, TCCA had a policy of accepting several FAA type certificates for U.S. SoD Parts 23 and 27 aircraft for the purpose of issuing Canadian standard certificates of airworthiness. No equivalent TCCA type certificates were required or issued and, the FAA type certificates corresponding to these design approvals were adopted and considered grandfathered design approvals by TCCA. Consequently, FAA-approved design changes on these grandfathered approvals were also automatically accepted without issuance of equivalent TCCA design change approvals. These U.S. SoD Parts 23 and 27 aircraft considered “grandfathered approvals” by TCCA can be found in Appendix B.2.3, U.S. Eligible Aircraft List.

3.3.3.2 For the grandfathered U.S. SoD Parts 23 and 27 design approvals, the TCCA long-standing policy of automatically accepting subsequent FAA-approved design changes shall continue to apply under these Implementation Procedures. FAA STCs for the following grandfathered products, as identified in 3.3.3.1, will continue to be accepted by TCCA without requiring validation or submission of an application:

(a) All Normal, Utility and Acrobatic category airplanes, including VLA, with a maximum take-off weight of 12,500 lb. or less, and certified on the basis of 14 CFR part 23 or to earlier equivalent regulations; and

(b) All Normal category rotorcraft certified on the basis of 14 CFR part 27 or to earlier equivalent regulations.

3.3.3.3 An FAA STC that is not eligible under 3.3.3.2 is subject to validation by TCCA and will require submission of an application in accordance with 3.5.

3.3.4 TSO Articles

3.3.4.1 The FAA and TCCA share similar certification requirements and procedures leading to the approval of the design and manufacturing of TSO articles. Through the practice of acceptance, a TSO article approval issued by the FAA or TCCA is considered equivalent to the other having issued its own approval.

3.3.4.2 The FAA and TCCA recognize and agree that an FAA LODA, FAA TSOA, a TCCA Appliance TC, or CAN-TSO is an approval of the article's design and production only and does not constitute an approval for installation of the article on any product. The installer must obtain installation approval for use on a product registered under that Authority.

3.3.4.3 Where the TSO standards are at the same revision levels, the FAA or TCCA shall not accept an application from the other Authority for approval of a TSO article if such article has been issued an approval, or is eligible for approval by the applicant's Authority.

3.3.4.4 In the U.S., the FAA may issue an approval of an article that is not based on a U.S. technical standard in accordance with 14 CFR 21.8 (d). Such approval will be eligible for acceptance under these Implementation Procedures, provided the FAA makes a finding of compliance to that technical standard, and the article is produced and marked in accordance with the FAA's applicable requirements.

3.3.4.5 The acceptance of TSO articles is based on the following conditions and provisions as noted:

(a) The article meets the applicable TSO or CAN-TSO as evidenced by a statement or declaration of conformity by the approval holder; and

(b) Any deviations from the applicable TSO or CAN-TSO accepted by the FAA or TCCA are substantiated and have been approved by the Exporting Authority (EA).

3.3.4.6 Marking Requirement

Through acceptance of TSO articles, the FAA and TCCA also accept each other's identification and marking requirements as being acceptable to their own regulatory requirements, provided such marking is accomplished in accordance with the regulations of the Authority granting the approval.

3.3.4.7 Provision of TSO Data for Installation Approval

The FAA or TCCA may find it necessary to obtain additional data on a TSO article, including those on non-TSO functions, in order to complete their compliance findings for installation on a product. Upon request, the FAA or TCCA, as the approving Authority for the subject

TSO article, shall support the data request, subject to permission or authorization from the TSO approval holder to release such data. Any such request from the Importing Authority will be limited only to the data that is necessary to establish compliance with the subject installation.

3.3.4.8 Acceptance of Non-TSO Functions

(a) The FAA and TCCA will accept, without further validation, data on non-TSO functions where those functions are integrated into an article when:

(1) The non-TSO functions included in the article have been shown not to interfere with the TSO functions and/or ability to comply with the TSO standard;

(2) The data provided with the article relative to non-TSO functions is valid data as processed by the CA; and

(3) The non-TSO functions are covered under the FAA TSO or CAN-TSO approval holder's quality system.

(b) The acceptance of data on non-TSO functions does not constitute installation approval.

(c) The CA and VA may agree to mutual cooperation and technical assistance for the evaluation of non-TSO functions at the product level before granting TSO approval.

3.3.4.9 Eligibility for, and Validity of, LODA

(a) A LODA issued prior to this revision of these Implementation Procedures remains valid until surrendered, withdrawn or otherwise terminated by the FAA. Unless otherwise directed by the FAA, the Canadian holder of the LODA may continue to produce the articles in accordance with the FAA-approved design, and export those articles to the U.S. under Section VII.

(b) Design changes to an article approved by a LODA are subject to the provision of 14 CFR 21.619. However, for a major design change requiring a new design approval, an application to TCCA for a new CAN-TSO design approval shall be made under CAR 521, and the provision of 3.3.4.3 applies. The new CAN-TSO design approval is then governed by the acceptance procedures of this Section.

(c) Notwithstanding the provision of 3.3.4.3, there may be exceptional cases where an applicant requests the FAA for consideration for eligibility to apply for a LODA under these Implementation Procedures. The eligibility will be determined by the FAA, in consultation with TCCA, on the basis that such request will not place undue burden on the FAA in administering the applicable airworthiness requirements of 14 CFR 21, Subpart O. The request must be forwarded to TCCA, and subsequently submitted to the responsible FAA ACO, as detailed in Appendix A.

3.3.5 Acceptance of Design Data and Recognition of Data Approvals by Designees

3.3.5.1 Acceptance of Design Data in Support of Repairs

The FAA and TCCA agree that data generated in the design approval of repairs shall be considered approved by both the FAA and TCCA, regardless of the SoD of the aeronautical product, without further showing, provided that the approval was granted in accordance with their respective repair design approval procedures. This includes approvals of repair design data approved under the FAA and TCCA delegation systems. In addition, TCCA will accept at the time of import those repairs installed under SFAR 36 Authorization.

3.3.5.2 TCCA Acceptance of Design Data in Support of FAA Alterations

(a) With the exception of (b) below, the FAA approved or accepted alterations in accordance with 14 CFR part 43, *Maintenance, Preventive Maintenance, Rebuilding, and Alteration*, installed on a product exported from the U.S., regardless of the SoD of the product, are considered approved by TCCA at the time of import to Canada. TCCA will accept such FAA alteration data when substantiated via an appropriately executed FAA Form 8110-3, 8100-9, FAA Form 337 (block 3) or logbook entry, including FAA Form 8100-11, Organization Designation Authorization (ODA) Statement of Completion when attesting to the completion of all FAA approvals required for the major alteration.

(b) Certain aircraft operating within the State of Alaska that had alterations incorporated via FAA field approval between October 1, 2003 and May 21, 2005 that resulted in the aircraft airworthiness certificate having an operating limitation that specifically limited future operations of the aircraft within the boundaries of the State of Alaska. The eligibility for import into Canada of such aircraft will be determined by TCCA on a case-by-case basis, in coordination with the FAA as necessary.

3.3.5.3 Recognition of Data Approvals by Designees under 14 CFR part 183, FAA DER and ODA

(a) TCCA recognizes that there may be occasions when a Canadian owner or operator of an aeronautical product may need to avail the services of FAA Designated Engineering Representatives (DER) or ODA to meet data approval requirements. When TCCA deems the use of such service is warranted, TCCA will request FAA assistance in authorizing an FAA DER or ODA for this purpose.

(b) The use of any FAA DER or ODA services for data approval must have prior and mutual agreement by the FAA and TCCA. The nature and scope of the requested approval activity shall be defined by TCCA, in consultation with the Canadian person making the request. The FAA may accommodate the request, subject to their policy on

providing such services to foreign-registered aircraft (or related products).

(c) This provision for recognition of data approvals by a FAA DER or ODA does not apply to certification activities under CAR 521 wherein TCCA as the Certificating Authority is required to make its own findings of compliance prior to issuing a design approval document.

3.4 Validation Principles

For all other CA design approvals that require the VA to issue a TC, an amended TC or TCDS, STC, or amended STC, the Authorities have established a risk-based threshold influenced by the complexity of the design that will dictate the level of review by the VA. These design approval applications will be classified as Basic or Non-Basic by the CA. Accordingly, the application will be subject to either a Streamlined Validation or Technical Validation by the VA prior to an approval being issued.

3.4.1 In applying these validation principles, the VA makes maximum use of the BASA, demonstrates confidence and trust in the capabilities of the CA, and leverages the procedures detailed below to reduce the resource requirements associated with the validation of CA approved products. The VA's validation program, including development of a work plan where required, will be guided by the following principles:

3.4.1.1 The VA will rely on the work done by the CA while still meeting the overall objectives of validation, which includes the CA making a finding of compliance, and on that basis, providing a statement certifying compliance with the VA's certification basis;

3.4.1.2 The scope of the VA's technical review is commensurate with the mutually agreed upon risk-based criteria identified in 3.5.2, including the option of accepting the CA approval without any technical involvement;

3.4.1.3 The scope of the VA's work plan is intended to be scalable, focused, and approved by its management (see 3.5.6.3); and

3.4.1.4 Confidence in the CA's capabilities enables the reduction of VA involvement in validation activities, and is maintained through post-validation monitoring and feedback.

3.4.2 Validation Processes

3.4.2.1 Streamlined Validation requires application to the VA and will result in the issuance of an approval by the VA without any technical involvement.

3.4.2.2 Technical Validation requires application to the VA and the activities within a validation program will typically require both technical familiarization and a level of technical involvement that will result in the issuance of an approval by the VA. Where the technical familiarization aspect of the validation program leads to the development and use of a work plan, active management oversight will ensure these common principles and

procedures are applied to maximize reliance on the CA's findings/compliance determinations.

3.4.2.3 The process of design approval validation is intended to allow the VA to:

(a) Familiarize itself with the type design, with emphasis on, but not limited to, unique or novel features;

(b) Identify any Additional Technical Conditions required within the VA's certification basis;

(c) Develop and execute a management approved work plan that will define the VA's level of involvement;

(d) Rely on the CA to conduct compliance determinations on its behalf, with its certification basis, which will be comprised of the CA's certification basis plus any Additional Technical Conditions applied by the VA; and

(e) Issue its own design approval based on the CA making a finding of compliance and, on that basis, providing a statement certifying the type design complies with the VA's certification basis.

3.4.3 The satisfactory completion of the validation program is contingent upon the CA providing support to the VA, including its involvement in completion of the work plan, which will facilitate the VA's issuance of a corresponding design approval.

3.4.4 The Authorities recognize that there may be situations when direct communications between the VA and the applicant are necessary. In such cases, it is the responsibility of the initiator of the contact to notify the other Authority as soon as possible. Direct communications will be limited to technical questions regarding the product (familiarization) and will be conducted with the awareness and consent of the CA. The CA will be informed of the outcome of these discussions.

3.4.5 Applications for FAA or TCCA approval are intended for civil aeronautical products and articles. Products and articles that are intended only for military use are not eligible for FAA or TCCA validation under these Implementation Procedures unless the CA has accepted to certify the product or article and there is a civilian and/or public/State use application within the jurisdiction of the importing State. In these cases, the FAA and TCCA will consult to determine whether validation is within the scope of these Implementation Procedures or requires a special arrangement under Section IX.

3.4.6 U.S. and Canadian design approval holders are required to hold relevant type design information (e.g. type design data, drawings, processes, materials specifications, operating limitations, test plans, test analysis reports, approved manuals, accepted manuals, and service bulletins) and to make it available to their respective Authority upon request. Data and/or other information to support VA familiarization, as described in 3.4.2.3(a), are to be made available from the design approval holder upon written request from the VA to the CA.

3.5 Design Approval Validation Procedures

3.5.1 General

3.5.1.1 U.S. TCs or STCs may be issued under the provisions of 14 CFR 21.29 or 21.117 respectively, for Canadian SoD products that are to be imported into the U.S.

3.5.1.2 Canadian TCs and STCs may be issued under the provisions of CAR 521 for U.S. SoD products that are to be imported into Canada.

3.5.1.3 An application for a design approval from an applicant must be submitted to the VA by the CA if:

(a) The product or design change is within the scope of these Implementation Procedures as provided in 2.2;

(b) For TCs: The product has been issued a U.S. or Canadian TC, or an application for type certification has been made to the CA; and

(c) For STCs: When the FAA or TCCA as the CA for the design change has issued the STC, or an application for an STC has been received from the applicant.

3.5.2 Classification of Applications for Validation

The classification of an application by the CA will determine the process and nature of review to be completed by the VA. The CA will classify all applications for validation of a design approval as follows:

3.5.2.1 Classification Criteria for Validation of TCs

All applications for validation of an initial design approval will be classified using the Basic/Non-Basic criteria detailed immediately below. Initial design approval applications classified as Basic by the CA will benefit from streamlined processing by the VA.

(a) Basic: For the FAA, all initial TC applications are classified as Non-Basic in accordance with (b) below. For TCCA only, the following products are eligible for application for initial TC as Basic and processed using Streamline Validation detailed in 3.5.5, except where the FAA's certification basis includes new or amended (i.e. not previously applied) Exemptions, Special Conditions, or Equivalent Levels of Safety Findings:

(1) U.S. SoD Reciprocating Engines; and

(2) U.S. SoD Propellers.

(b) Non-Basic: All other initial applications for TC validation, including restricted category aircraft, will be classified as Non-Basic and processed by the VA using the Technical Validation process detailed in 3.5.6.

3.5.2.2 Classification Criteria for Design Changes

(a) For TCCA only, design changes made to U.S. SoD reciprocating engines and propellers, either through an amended TC or changes through an FAA STC, will be classified as Basic and processed by TCCA using the Streamlined Validation process of 3.5.5, except where such design changes required issuance by the FAA of new or amended (i.e. not previously applied) Exemptions, Special Conditions, or Equivalent Level of Safety Findings. In such a case, the application will be classified as Non-Basic.

(b) Design changes made by a TC holder, or changes an STC holder makes on its own STC, will be classified as either major or minor in accordance with the applicable CA regulations, 14 CFR 21.93, CAR 521.152, or CAR 521.154 as appropriate, and these design change classifications are accepted by the VA without further review.

NOTE: Minor changes are automatically accepted under 3.2.

(c) For major design changes by the design approval holder, review the procedures in 3.3.1 to determine whether the change is eligible to be accepted without review.

(d) To facilitate the VA's processing and review of an application for major design changes that will require issuance of an amended TC or TCDS, STC, or amended STC, the CA will classify the application as either Basic or Non-Basic using the design change specific criteria detailed here:

(1) Basic: When the features of a design change are not described or captured by the Non-Basic design change approval classification criteria below, the application will be classified as Basic and processed by the VA using the Streamlined Validation process noted in 3.5.5.

(2) Non-Basic: Applications for validation of design changes that meet one or more of the following criteria will be classified as Non-Basic and processed by the VA using the validation process detailed in 3.5.6:

(i) Changes requiring new or amended Special Conditions, Equivalent Level of Safety Findings, or Exemptions to the CA's or VA's existing certification basis;

NOTE: "new or amended" is considered relative to the baseline certification basis of the product or STC being changed.

(ii) Changes expanding the certificated flight envelope, operating limitations, or operating conditions, such as but not limited to: airspeed; maximum takeoff weight (MTOW); operating ceiling; number of passengers; steep approach takeoff and landing; high altitude airfield operations; or are required for conducting special purpose operations when certificated in the restricted category;

(iii) Changes affecting compliance with any existing Additional Technical Conditions (reference 1.12.3 in Definitions section) on the VA's certification basis;

(iv) Changes affecting an AD that has been issued by the VA as the Authority for the SoD for the original TC or issued unilaterally by the VA;

(v) Changes requiring new or revised compliance determination(s) for the environmental aspects identified in 3.6.2; and

(vi) Any other design change application for validation classified as Non-Basic by the CA.

NOTE: An application for design change approval that seeks to add an aircraft make and model to an STC will be classified by the CA based on the scope of the change, using the design change criteria above.

3.5.3 Application Process

3.5.3.1 All applications must be submitted by the CA to the VA. An application for purposes of these Implementation Procedures consists of the following three items: a cover letter from the CA to the appropriate VA office (see Appendix A); the specified VA application form duly completed by the applicant DAH; and the DAH's data package. The CA office submitting an application shall identify in the letter its project manager/officer responsible for processing the application and communicating and coordinating with its VA counterpart until the validation is concluded. The assigned CA project manager/officer will ensure that the submitted application contains the following:

(a) The classification of the application should be clearly identified by the CA (on the title page or in the cover letter) as Basic or Non-Basic using either the TC approval classification criteria as defined in 3.5.2.1, or the design change approval classification criteria as defined in 3.5.2.2 as applicable for the particular project. For design change applications classified as Non-Basic, the CA should clearly identify the specific design change criteria that resulted in their decision;

(b) A copy of the CA's design approval document, if available, that identifies the certification basis upon which the CA's design approval was based. In the absence of a TCDS, the CA should submit the document that defines the certification basis;

NOTE: The CA should confirm that design approval holder information, including legal name and address, is accurate, up to date, and matches the information detailed on issued documents prior to sending the application through to the VA.

(c) For applications classified as Basic, a statement in the CA's cover letter certifying that the design complies with the VA's certification basis for the product;

(d) Date of application, when required, to the CA and the applicant's requested date for VA approval; and

NOTE: For TC or Amended TC validations, the date of application to the CA will be used to determine the applicable amendment level of the associated design standards. This date of application to the CA is not relevant for STC validations, unless the design change impacts Environmental Standards.

(e) Technical data to enable the VA to complete the applicable review including but not limited to the following:

(1) Certification plan or equivalent, and to include a compliance checklist to the VA's certification basis;

(2) Approved Manuals or changes to Approved Manuals as applicable;

(3) Master Documentation List/Master Drawing List;

(4) Maintenance/Repair Manual Supplements;

(5) Weight and Balance data; and

(6) Instructions for Continued Airworthiness (ICA).

3.5.3.2 If known at the time of application, the application must also contain the following:

(a) A description of all novel or unusual design features known to the applicant or the CA;

(b) All known or expected exemptions, special conditions, or equivalent level of safety findings;

(c) All Issue Papers raised during the CA's certification activities;

(d) Information on any VA customer(s) and associated delivery schedules; and

(e) Any additional data/information for known in-service issues to understand continuing airworthiness implications and how they have been addressed.

3.5.3.3 Restricted Category applications will be accepted for the following special purposes:

(a) Agriculture;

(b) Forest and wildlife conservation (including aerial dispensing of liquids);

(c) Aerial surveying;

(d) Patrolling;

(e) Weather control;

(f) Aerial advertising; or

(g) Other special purpose operations as determined by the Authorities.

3.5.4 Acknowledgement of Application

3.5.4.1 The VA will notify the CA within ten (10) working days of receipt of application. The validation process begins with the acknowledgement by the VA of the formal application submitted by the CA.

(a) The VA office receiving the application shall identify their project manager/officer responsible for processing the application and coordinating the validation with their counterpart. The assigned VA project manager/officer will review the application and request any missing information within thirty (30) working days of receipt of application.

(b) Communication shall be initiated and maintained between the assigned project managers/officers of the CA and VA for the submitted application until the validation is concluded.

3.5.4.2 The VA will accept the CA's application classification as provided and initiate processing of the application through the Streamlined Validation or Technical Validation process as described below. However, if the VA has concerns over the classification of the application, the VA and CA shall engage in a technical consultation per 3.5.4.3 below.

3.5.4.3 Where the VA has concern over the classification of an application, the project managers/officers of the CA and VA should initiate technical consultation in accordance with the procedures below. The technical consultation is intended to achieve a mutual understanding of the CA's rationale for its classification and the cause of concern by the VA. The project managers/officers shall formally document the technical consultation and the resulting conclusion, as such documentation is required to be submitted under (d) below for review under the Maintenance of Confidence provisions of 1.6.

(a) The CA and VA project managers/officers shall provide each other with the information relevant to the technical consultation. At a minimum, the technical consultation documentation should contain the following:

(1) Validation project information (description);

(2) VA rationale or cause of concern;

(3) CA rationale/justification for the classification; and

(4) CA final position.

(b) Where the CA determines that their classification is consistent with the Implementation Procedures criteria, the VA shall proceed with processing the application as originally classified by the CA.

(c) Where the CA determines that reclassification of the application is appropriate, the CA application shall be subsequently amended to indicate the revised classification.

(d) The project manager/officer of the CA shall provide the explanation of their final position in the technical consultation document and forward a copy to the VA project manager/officer.

(e) The project managers/officers of the CA and VA shall forward the concluded technical consultation document to their respective focal points for these Implementation Procedures as identified in Appendix A.

3.5.5 Streamlined Validation Process

3.5.5.1 Design approval applications classified as Basic will use a Streamlined Validation process where the VA accepts the certification and design data provided by the CA as the basis upon which the VA's design approval will be issued.

NOTE: If the VA identifies a concern with the classification of the application, or clarification is necessary under the VA's regulatory system (e.g., items associated with 14 CFR parts 26, 34 and/or 36, or an Additional Technical Condition), the technical consultation process detailed in 3.5.4.3 is available for use.

3.5.5.2 The VA will accept the CA's design approval, including acceptance of any CA approved manuals, after the CA makes a finding of compliance and, on that basis, provides a certifying statement that the design complies with the VA's certification basis for the product.

3.5.5.3 Once the data requirements for the Streamlined Validation process have been met, the administrative review of the application file has been completed, and the applicable design approval documentation has been prepared, the VA shall issue the corresponding design approval or letter of acceptance, as appropriate.

3.5.6 Technical Validation Process

Guided by the validation principles detailed in 3.4, the VA will process Non-Basic applications in accordance with the applicable steps of this section to establish compliance with their own certification basis, leading to issuance of the corresponding VA design approval. It is envisioned that in certain cases, a

CA's design approval and supporting data provided at the time of submission may already be sufficient for the VA to establish compliance with its certification basis. Where such compliance can be established during the VA's initial review of the application package, and the VA deems no further action is required, the VA may at this point conclude the technical validation process, and proceed directly to the issuance of its validation design approval. In such cases, a work plan in accordance with 3.5.6.3 is not required. However, where the VA determines that further validation activities are required, the following sequence of events will culminate in the issuance of the VA's design approval.

3.5.6.1 Technical Familiarization

(a) The VA may establish a project team as required to complete its validation program. The VA and CA will promptly notify each other of their respective Project Managers, who will be responsible to coordinate the technical familiarization integral to developing the work plan.

(b) The VA will notify the CA of the technical familiarization activity necessary to gain sufficient familiarity and knowledge of the type design and, where appropriate, data and processes in support of continued operational safety. The CA will arrange any technical familiarization meetings between the VA, the DAH, and the CA.

(c) A technical familiarization activity should not prevent the VA from proceeding with their approval when there are no aspects of the affected Non-Basic criteria identified by the CA that require a discussion and resolution.

(d) The VA will use the technical familiarization activities to develop and propose the certification bases for both airworthiness and environmental standards, and the intended VA's level of involvement, for purposes of a work plan.

(e) The objectives of technical familiarization can only be fully satisfied when the applicant or CA has presented to the VA the following information:

(1) An overview of the proposed design, intended operational use and, if applicable, relation to previously approved products;

(2) Identification and review of certification issues raised by the CA that the applicant was required to address as part of the compliance showing to the specific aspects of the CA's certification basis (see 3.5.3.2 (c));

(3) A proposed certification basis, including analysis of potential differences; and

(4) Any design features that have met the Non-Basic classification criteria of 3.5.2.

(f) The VA will focus its attention during technical familiarization on understanding the general compliance methodologies used or to be

used by the applicant, including assumptions, boundary conditions, and critical parameters of that methodology.

(g) Further details, including review of test plans or other compliance documents, test witnessing, or other details of the compliance demonstration, are deferred until the review items are identified in the work plan and approved by VA management.

(h) Another aspect of technical familiarization is determining if the product needs to be flown by the VA as part of the validation program. Any elements of the VA's certification basis that require the VA to fly the product will be identified in the work plan. VA flight tests are typically conducted for all new TC validations and may also be conducted for design changes that meet the Non-Basic criteria.

3.5.6.2 Establishing Certification Basis

For the purpose of establishing the VA's certification basis, the application date that determined the applicable standards applied by the CA for the issuance of a CA design approval will be applied.

(a) The applicable airworthiness standards may be supplemented with the following requirements:

(1) Either Authority may require the applicant to comply with additional requirements in the interest of safety. These requirements may include actions deemed necessary for continued safe operation as a result of service history and actions taken by either Authority to correct unsafe conditions;

(2) The VA may develop ELOS findings, Special Conditions, and/or Exemptions based on a review of the CA's certification basis. The VA will work closely with the CA in the development of its certification basis by providing the CA and the applicant with an opportunity to comment on the proposal; or

(3) TCCA may adopt as part of its certification basis any FAA Special Conditions, Exemptions or ELOS findings that it finds appropriate in order to minimize duplication of certification basis documentation already specified by the FAA as the CA.

(b) For FAA: Applicants for a U.S. TC or STC must also comply with the applicable fuel venting and exhaust emission standards of 14 CFR part 34 and the noise standards of 14 CFR part 36 in effect on the date of application for type certification to the FAA.

(c) For TCCA: Applicants for a Canadian TC or STC must also comply with the applicable noise, fuel venting, and exhaust standards as specified in Part V of the CARS.

3.5.6.3 Development and Approval of the Work Plan

(a) Guided by the validation principles in 3.4, the Non-Basic criteria detailed in 3.5.2 and knowledge of the product gained through

technical familiarization, the VA will develop its work plan to define the scope and depth of VA level of involvement.

(b) The work plan is intended to be scalable, i.e. commensurate with the scope and/or complexity of the initial design or design change approval being validated. However, as stated in 3.5.6, there may be situations wherein the VA deems the validation of certain design changes does not warrant developing a work plan for reasons of either its familiarity based on previous validation experiences of the same or similar nature, or where sufficient information is available from the data submitted. Where this is the case, the VA may, at its discretion, conclude the technical validation process without a work plan and proceed directly to issuance of its validation design approval. Accordingly, the VA will notify the CA of this decision.

(c) The VA will identify in the work plan its level of involvement based only on those design features that resulted in the Non-Basic classification of the application. The identification will include any requirement to conduct flight-testing as determined during the technical familiarization phase (see 3.5.6.1(h)). The work plan should also state the VA's expectations. These expectations should be limited to the level of effort the VA would exert if it were finding compliance itself.

(d) VA flight test requirements in the work plan are to be supported by the CA flight test team as follows, including, but not limited to:

(1) Providing the VA flight test representatives with sufficient familiarity with the product whenever needed and justified by the risk-based level of involvement, so as to facilitate VA operational approvals and/or develop any special flight characteristics training requirements;

(2) Providing the VA with necessary exposure to the type design, so as to support continued operational safety of the VA registered fleet; and

(3) Identifying to the CA for resolution any potential compliance issues not previously identified by the validation team.

NOTE: The CA will coordinate with the applicant to determine availability of the product and schedule flights identified in the VA work plan.

(e) The work plan will be approved by the VA's management and communicated to the CA for the purpose of seeking assistance during the validation activities. The VA will rely on the CA to make findings of compliance on its behalf to the maximum extent practicable.

3.5.6.4 Implementation of the Work Plan

(a) Work Plan Data Requests

The VA will make written requests to the CA for technical data in support of, and related to, the areas of VA level of involvement identified in the work plan.

(b) Design Review

(1) In addition to the initial familiarization meeting and technical data review, the VA will determine whether any other technical meetings are necessary to ensure effective implementation of the work plan. All technical meetings will normally be arranged through the CA and will have representatives from both Authorities in attendance.

(2) The work plan may be revised if during the design review, the VA identifies a need to change their level of involvement. Any changes to the VA's work plan will be approved by management and should be appropriately communicated to both the CA and applicant.

(3) The VA shall not generate a new issue paper on a subject already addressed by the CA with which the VA concurs.

(4) VA issue papers will be coordinated through the CA. Such coordination will expedite the timely and mutually acceptable resolution of certification issues. The VA will incorporate the CA's and the applicant's position in all of the VA originated issue papers.

(c) Flight Testing

(1) As the VA gains more knowledge from the validation activity, it can be envisaged in certain cases that the flight test requirement, earlier identified in the work plan, may have no aspects or issues that need or require resolution with the CA or applicant before issuing the validation approval. This could be the case, for example, if the nature of the flight testing shifts from a validation purpose to that of familiarization flights for purposes of, but not limited to, continued airworthiness, to facilitate operational approval, and/or develop special flight characteristics training requirements. When this is the case, the VA may, at its discretion, request familiarization flights in lieu, and notify the CA and applicant accordingly of this decision.

(2) Familiarization flights should not prevent the VA from issuing the validation approval when there are no other conditions requiring flight tests. The validation program can be concluded by the VA without completing the familiarization flights, provided there is agreement with the CA on a definitive schedule to complete the familiarization flights.

(3) The CA will remain responsible for coordinating with both the VA and applicant on the availability of the product, and for scheduling the familiarization flights, respecting the timelines of the agreement established above.

(d) Approved Manuals

(1) The approval of the Approved Manuals is the responsibility of the CA. For any design approval application classified as Non-Basic, the CA will submit the Approved Manuals, or changes to approved manuals, to the VA for review and acceptance.

(2) Any stand-alone changes to Approved Manuals will be assessed by the CA using the classification criteria for design changes identified in 3.5.2.2, and processed accordingly by the VA.

NOTE: For design approval applications classified as Basic, the VA will accept the CA's approved manuals provided in the application package.

3.5.6.5 Completion of Technical Validation

Once the VA is satisfied that the Technical Validation is completed, the work plan activities are concluded and compliance with the VA's certification basis has been found, the VA can proceed with either the issuance of the corresponding design approval, or notify the CA of its acceptance, as applicable.

3.5.7 Concurrent Design Approval Procedures

3.5.7.1 The FAA and TCCA may agree to undertake concurrent design approval projects covered by the scope of these Implementation Procedures. A common certification basis should be an objective of a concurrent approval process.

3.5.7.2 The Authorities will utilize the Validation Principles and Work Plan Elements, described in 3.4 and 3.5.6.3(a) respectively, to identify their levels of involvement leading to the issuance of design approvals. This process will ensure that the responsibilities for a single SoD Authority are retained.

3.5.8 Procedures for Split Design/Production Projects

The FAA and TCCA recognize that some joint venture projects of their aviation industries may involve products designed under one Authority's jurisdiction and manufactured under the other Authority's jurisdiction. In such cases, the FAA and TCCA will work together to develop an arrangement defining their regulatory responsibilities to ensure accountability under Annex 8 to the Chicago Convention. Such special arrangements will address the continued airworthiness responsibilities of SoD and the SoM and will be documented in accordance with Section IX of these Implementation Procedures.

3.5.9 Evaluation of Operational and/or Maintenance Aspects

3.5.9.1 Evaluation of U.S. Operational and Maintenance Aspects

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

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

3.5.9.2 Evaluation of Canadian Maintenance Aspects

(a) TCCA Aircraft Evaluation Group (AEG) in the National Aircraft Certification Branch is responsible for the maintenance aspects of the type certification process. They will conduct MRBs, review associated ICA, and participate in the creation of the MMEL. The AEG will participate in familiarization meetings as requested by the TCCA Project Manager and will generate issue papers as appropriate.

3.5.9.3 Joint Evaluation of Maintenance Aspects

(a) The FAA and TCCA will accept an MRB Report and associated ICA documentation when developed jointly.

(b) In the absence of a joint MRB, the FAA or TCCA will conduct its own MRB or equivalent process to develop acceptable ICA.

3.6 Environmental Compliance Demonstration and Approval Procedures

3.6.1 General

3.6.1.1 The FAA is authorized to make findings of compliance with 14 CFR parts 34 and 36 based upon FAA-witnessed tests conducted in accordance with FAA-approved test plans and based upon FAA review and approval of all data and compliance demonstration reports. The FAA environmental requirements are documented in FAA Order 8110.4, Type Certification.

NOTE: The National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321 et seq.) requires the FAA to publicly assess and analyze potential environmental consequences of its actions. In order to grant an aircraft type certificate (new, amended, or supplemental) in the absence of noise regulations that are applicable and appropriate to a particular aircraft type, the FAA must prepare an Environmental Assessment, including a decision on whether to prepare a finding of no significant impact or an environmental impact statement. Information and data must be supplied to the FAA in order to prepare the Environmental Assessment.

3.6.1.2 Information and data must be supplied to the CA in order to conduct findings in accordance with Title 49 of the United States Code, Section 44715 (49 U.S.C. 44715) or Part V of the CARs, as applicable. The CA, before issuing an original TC for an aircraft of any category, must assess the extent of noise abatement technology incorporated into the type design and determine whether additional noise reduction is achievable. This examination must be initiated as soon as possible after the application for type certification in each original type certification project and reflect noise reduction potentials that become evident during the design and certification process.

3.6.1.3 TCCA is authorized to make findings of compliance with Part V of the CARs based upon TCCA-witnessed tests, conducted in accordance with TCCA-approved test plans, and based upon TCCA review and approval of all data and compliance demonstration reports.

3.6.1.4 Upon request to TCCA, and after mutual agreement, the FAA may authorize environmental findings of compliance to be performed by TCCA on behalf of the FAA. For tests conducted prior to a TC or STC application being made to the FAA, the FAA may accept TCCA approved noise and emissions certification compliance data, provided the data meets the applicable FAA regulations, guidance, and policy material.

NOTE: Under 14 CFR parts 34 and 36, all equivalent procedures must be approved by the FAA's Office of Environment and Energy (AEE). Any equivalent procedures not contained in existing approved guidance and policy material must be approved by the FAA in advance of use. In addition, 14 CFR part 34.3 requires that all emissions alternative methods of compliance require not only FAA approval, but also the approval of the United States Environmental Protection Agency (EPA).

3.6.1.5 Upon request to the FAA, and after mutual agreement, TCCA may authorize environmental findings of compliance to be performed by the FAA on behalf of TCCA. For tests conducted prior to a TC or STC application being made to TCCA, TCCA may accept FAA approved noise and emissions certification compliance data, provided the data meets the applicable TCCA regulations, guidance, and policy material.

3.6.2 Environmental Approval Process

3.6.2.1 In the absence of any VA request to the CA, the process for environmental compliance determinations and approvals includes all or parts of the following:

(a) Environmental (noise, fuel venting and exhaust emissions) certification compliance demonstration plans must be submitted to the VA for review, comment, and subsequent approval prior to undertaking certification testing;

(b) Information and data must be supplied to the VA in order to conduct an evaluation of the measurement and analysis methods and practices, and data correction procedures of the applicant for environmental certification under 14 CFR parts 34 and 36, or Part V of the CARs;

(c) Compliance demonstration tests must be witnessed by the VA personnel or authorized VA designees or delegates, as appropriate. Prior to the start of testing, it is necessary to assure the conformity of the test article (aircraft or aircraft engine configuration) to that identified in the VA approved compliance demonstration test plans;

(d) Proposed equivalent procedures to be used by the applicant during testing, data processing, data reduction, and data analysis must be specifically identified to the VA and approved in advance by the VA as part of items (a) and (c);

(e) Compliance demonstration reports must be submitted to the VA for review and/or comment and subsequent approval prior to type certification approval.

3.7 Submission of Electronic Data

When electronic data is submitted by an applicant and received as described in FAA Order 8000.79 or TCCA's electronic data policy, as applicable, the applicant is considered to have an arrangement acceptable to both the FAA and TCCA for the submission and storage of electronic data, as long as the data is in a format that is compatible with the VA's information system. The applicant is responsible for the transmission of the electronic data they consider proprietary to the VA under the guidance of the CA.

SECTION IV CONTINUING AIRWORTHINESS

4.1 General

4.1.1 In accordance with Annex 8 to the Chicago Convention, the SoD is responsible for resolving in-service safety issues related to design or production. The CA, as the Authority of the SoD, will provide applicable information that 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 product or article. Each Authority will review and normally accept the corrective actions taken by the CA in the issuance of its own mandatory corrective actions.

4.1.2 At the request of the VA, the CA will assist in determining what action is considered necessary for the continued operational safety of the product or article. The VA, as Authority of the SoR, retains sole authority for decisions on final actions to be taken for products or articles under their jurisdiction. The FAA and TCCA will strive to resolve differences.

4.1.3 The FAA and TCCA recognize the importance of the routine sharing of Continued Operational Safety (COS) information as a means to assist in the identification and resolution of emerging airworthiness issues. The FAA and TCCA will share their COS data with each other to assist in their respective COS oversight.

4.1.4 The VA has the right to seek information from the CA, which includes, but is not limited to, design data and findings of compliance. Additionally, once the design is validated, the CA will provide any mandatory continuing airworthiness information (MCAI) necessary to ensure continuing airworthiness of the product registered in the jurisdiction of the importing State.

4.1.5 The FAA and TCCA will ensure active communication between specific focal points for regular feedback and communicating continuing airworthiness issues on products certified by either the FAA or TCCA and validated by the other. The extent of this engagement will be commensurate with the continuing airworthiness activities associated with the product.

4.2 Failures, Malfunctions and Defects (FM&D) and Service Difficulty Reports (SDR)

4.2.1 The FAA and TCCA agree to perform the following functions for the products and articles for which it is the CA:

4.2.1.1 Tracking of FM&D reports/SDR and accident/incidents;

4.2.1.2 Evaluating FM&D reports/SDR and accident/incidents;

4.2.1.3 Investigating and resolving all suspected unsafe conditions; and

4.2.1.4 Advising the other Authority of all known unsafe conditions and the necessary corrective actions (see 4.2.5).

4.2.1.5 Upon request, providing the other Authority with the following:

(a) Reports of FM&D/SDR and accidents/incidents;

(b) Status of investigations into FM&D/SDR and accidents/incidents;

(c) Copies of final reports reached in its investigation into FM&D/SDR; and

(d) Copies of final reports of investigation into accidents/incidents in accordance with Annex 13 to the Chicago Convention.

4.2.1.6 Making a reasonable effort to resolve issues raised by the other Authority concerning matters of safety for products registered in their State.

4.2.2 The FAA and TCCA, as Authorities for the SoR, agree to perform the following functions:

4.2.2.1 Advise the CA of FM&D/SDR and accidents/incidents which are believed to be potentially unsafe conditions;

4.2.2.2 Support the CA in investigations of unsafe conditions and their occurrences; and

4.2.2.3 Advise the CA, if as a result of investigations made by the VA into FM&D/SDR and accidents/incidents, it has determined that it will make corrective actions mandatory.

4.2.3 For COS issues related to investigations of Safety Recommendations, Service Difficulty Reports, accidents or incidents on the imported products, parts, or articles, the Authority for the SoR can directly request information from the design approval holder after informing the CA of the investigation.

4.2.4 Copies of FM&D/SDR reports from the U.S. and Canada can be found at the addresses listed in Appendix A.

4.2.5 Unsafe Condition and Mandatory Continuing Airworthiness Information (MCAI)

4.2.5.1 The FAA (under 14 CFR part 39) and TCCA (under Part V of the CARs) agree to perform the following functions for the products, articles, and design changes for which they are the CA:

(a) Issue an MCAI (e.g. AD) whenever the Authority determines that an unsafe condition exists in a type certificated product or article, and is likely to exist or develop in a type certificated product or article of the same type design. This may include a product that has an aircraft engine, propeller, or article installed on it and the installation causes the unsafe condition.

(b) Ensure that the following information is provided to the other Authority in support of the MCAI or directly from the approval holder:

(1) The number of aircraft, aircraft engines, and propellers world-wide needing corrective action;

(2) A statement on the availability of parts; and

(3) An estimate of the number of labor hours and the cost of parts required for the corrective actions.

(c) Issue a revised or superseding AD when determined that any previously issued AD was incomplete or inadequate to fully correct the unsafe condition.

(d) Provide timely notification to the VA of the unsafe condition and the necessary corrective actions by providing a copy of the AD at the time of publication to the address referenced in Appendix A. Additionally, upon request by the VA, the CA will arrange for copies of all relevant service bulletins referenced in the MCAI, as well as other supporting documentation, to be forwarded to the appropriate focal point in the product-responsible FAA Directorate or to the TCCA Continuing Airworthiness Division of the National Aircraft Certification Branch, as appropriate.

(e) In the case of emergency airworthiness information, ensure special handling so that the other Authority is notified immediately.

(f) Advise and assist the VA in defining the appropriate actions to take in the issuance of its own AD.

(g) Provide sufficient information to the VA for its use in making determinations as to the acceptability of an AMOC to ADs.

(h) Maintain a web-based database of ADs that can be accessed by the VA.

4.2.5.2 The FAA and TCCA recognize that they may disagree as to the finding of an unsafe condition and propose to issue a unilateral AD. In such a case, the VA should consult with the CA prior to issuing a unilateral AD.

4.2.5.3 The FAA and TCCA, as VAs, agree to respond quickly to the issuance of an MCAI by the CA in making its own determination of the need for issuing its own similar MCAI that addresses all unsafe conditions on affected products or articles certified, approved or otherwise accepted by the VA.

4.2.5.4 The FAA and TCCA 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 FAA and TCCA may treat a reduced life limit as an unsafe condition and will accordingly issue an AD. The FAA and TCCA may also issue an AD for other limitation changes if they are considered an unsafe condition.

4.3 Alternative Methods/Means of Compliance (AMOC) to an AD

4.3.1 If the CA issues an AMOC of general applicability to an existing AD for its own SoD products, the CA will notify the VA of the decision.

4.3.2 For FAA ADs adopted in Canada, an AMOC of general applicability issued by the FAA for its SoD products is automatically accepted by TCCA and does not require TCCA AMOC approval.

4.3.3 The CA, upon request by the VA, will provide sufficient information to assist in the VA's determination of the acceptability of an AMOC request on an AD issued by the CA for its SoD products.

SECTION V ADMINISTRATION OF DESIGN APPROVALS

5.1 General

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

5.1.1 For the FAA, 14 CFR 21.47(c) requires that each transferor must first notify the appropriate FAA ACO before a TC transfer can be performed. For TCCA, CAR 521, as applicable to the design approval, requires TCCA's review and acceptance of SoD responsibilities for any TC held by a non-Canadian person that is transferred to a Canadian person. Early coordination with both Authorities is, therefore, necessary for TC and STC transfers.

5.1.2 Notwithstanding the regulatory differences outlined above, in both countries the type design data are the property of the design approval holder.

5.2 Transfer of TCs and STCs

The FAA and TCCA will administer the transfer of TCs/STCs only where an applicant agrees to assume responsibility for both an FAA and TCCA TC/STC (as applicable) and the affected operating fleet. The following paragraphs outline the procedures to be followed for effective TC transfers between Canada and the U.S., or internally within the same country. The administration of Design Approval Holder (DAH) responsibilities between TCCA and FAA as it applies to a DAH under the direct jurisdiction of the other is addressed in Section VIII.

5.2.1 Transfer of a TC/STC with a change in SoD

5.2.1.1 Early coordination between the current TC/STC holder and its Authority, together with the proposed TC/STC holder and its Authority is essential. The transferring Authority will notify the receiving 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.

5.2.1.2 Upon notification of a change in ownership of a TC/STC holder to a new holder in the other country, the transferring Authority's responsible geographic office will notify the receiving Authority's responsible office as listed in Appendix A. An arrangement may be developed to identify each Authority's responsibilities throughout the transfer process.

5.2.1.3 The transferring Authority will transfer to the receiving Authority the ICAO SoD responsibilities for TCs and STCs within the scope of these Implementation Procedures. The receiving Authority will not assume ICAO SoD functions for models or design changes that have not been found to meet their certification requirements.

5.2.1.4 If the receiving Authority does not already have a corresponding TC/STC, the new holder will have to apply to their Authority for a new TC/STC. The transferring Authority will provide support to establish acceptance of the receiving Authority's TC/STC as showing compliance with the applicable certification requirements of the receiving Authority. This would include

providing a certifying statement that the product meets new SoD certification requirements. Upon acceptance, the receiving Authority will issue their TC/STC.

5.2.1.5 If the receiving Authority already has a corresponding TC, but that TC does not include all of the models being transferred, the transferring Authority will, if requested, provide support to establish acceptance of the additional model(s) as showing compliance with the applicable certification requirements. This support would include providing a certifying statement that the model meets the new SoD certification requirements. Upon acceptance, the receiving Authority will place the additional model on its TC.

5.2.1.6 For STCs, if the original STC does not include a specific certificated model of the product listed on the new STC, the applicability of an STC issued by the receiving Authority will only include those models for which a TC has been validated by the receiving Authority.

5.2.1.7 The transfer of the ICAO SoD responsibilities for the TC/STC to the receiving Authority will be considered complete when the receiving Authority confirms all necessary data have been transferred to the new holder, and the new holder is able to perform the responsibilities required of a design approval holder.

5.2.1.8 The transferring Authority will reissue a TC/STC in the name of the new holder after the receiving Authority issues its TC/STC, unless the new holder does not wish to maintain the original SoD approval.

5.2.1.9 If the new SoD's TC only covers a partial list of models from the transferring Authority's original TC, and the new holder does not apply for approval of those additional models, the existing holder will continue to hold the data for those additional models, and the transferring Authority will continue to fulfill its SoD responsibilities for those additional models.

5.2.1.10 Upon transfer, or a mutually agreed-upon date, the receiving Authority in carrying out SoD functions will comply with the requirements of Annex 8 to the Chicago Convention for affected products. For TCs/STCs, the receiving Authority will notify the transferring 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, upon completion of all applicable procedures described above.

5.2.1.11 The transfer of the SoD responsibilities per Annex 8 of the Chicago Convention has to be agreed upon 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.

5.2.2 Transfer of TCs and STCs with no change in SoD

5.2.2.1 Where there is no change in the SoD, the CA will notify the VA when a TC/STC validated by the VA is successfully transferred to a new design approval holder within the country of the CA.

5.2.2.2 The CA shall provide the VA with a statement confirming the ability of the new holder to fulfill the regulatory responsibilities assigned to a design approval holder. The CA shall assist the VA in facilitating the reissuance of the validated TC/STC to the new holder.

5.2.2.3 The VA, upon completion of its review, will issue a TC/STC in the name of the new design approval holder, and notify the CA accordingly.

5.3 Surrender of TCs or STCs

5.3.1 If a certificate holder surrenders a TC or STC issued by either the FAA or TCCA, the CA will immediately notify the other in writing of the action. For TCCA, notification will be to the FAA's product-responsible directorate as listed in Appendix A. For the FAA, notification will be to the National Aircraft Certification Branch at the address given in Appendix A.

5.3.2 The FAA or TCCA, as the CA, will accomplish all actions necessary to ensure continuing airworthiness of the products affected by the surrendered TC or STC, until such time as:

5.3.2.1 The surrendered TC or STC is reissued to a new holder when that new holder demonstrates competence to fulfill the necessary obligations; or

5.3.2.2 The FAA or TCCA revokes the TC or STC. Prior to revocation, the FAA or TCCA will notify the other of the pending action.

5.4 Revocation or Suspension of TCs or STCs

5.4.1 In the event that either Authority revokes or suspends a TC or STC of a product manufactured in its country, that Authority shall immediately inform the other. The VA, upon notification, will conduct an investigation to determine if action is required. If the revocation or suspension was for cause and the VA concurs with the CA’s certificate action, the VA will initiate revocation or suspension of its TC or STC.

5.4.2 Alternatively, the VA may decide to assume continued airworthiness responsibilities if there is sufficient information 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.

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

5.5 Surrender, Withdrawal, or Change of Holder of a TSO/CAN-TSO Design Approval

5.5.1 Surrender

If an FAA TSOA holder, FAA Letter of Design Approval holder, or a CAN-TSO design approval holder elects to surrender their TSOA, LODA or CAN-TSO

design approval, the FAA or TCCA shall immediately notify the other in writing of the action.

5.5.2 Withdrawal

If a TSOA/CAN-TSO design approval is withdrawn, the FAA or TCCA shall immediately notify the other in writing of the action. The EA shall inform the IA when an unsafe condition has been identified. In the event of a withdrawal of a TSOA/CAN-TSO design approval for non-compliance, the EA shall investigate all non-compliances for corrective action and shall notify the IA of the corrective action. The EA still has responsibility for the continuing airworthiness of those TSO/CAN TSO articles manufactured under its authority.

5.5.3 Change of Holder of TSO/CAN-TSO Design Approval

Upon notification of a change of holder of TSO design approval or CAN-TSO design approval, the EA shall notify the IA.

SECTION VI PRODUCTION AND SURVEILLANCE ACTIVITIES

6.1 Production Quality System

All products and articles produced in the U.S. or Canada, and exchanged under the provisions of these Implementation Procedures, shall be produced in accordance with an approved production quality system that ensures conformity to the approved design, and ensures that completed products and articles are in a condition for safe operation. The production quality system addresses the manufacture of associated products and articles within and outside of the SoM.

6.2 Surveillance of Production Approval Holders

6.2.1 The FAA and TCCA, as Authorities for the SoM, will conduct regulatory surveillance of production approval holders and their suppliers in accordance with each Authority's specific policies, practices, and/or procedures. Both scheduled and random evaluations should be conducted to verify that the production approval holder is in continual compliance with their approved production quality system, manufacturing products and articles that fully conform to the approved design, and are in a condition for safe operation. The Authority for the SoM should verify the correction of all deficiencies.

6.2.2 Regulations and policy guidance material for surveillance of production approval holders is referenced in Appendix B.

6.3 Extensions of Production Approvals

6.3.1 As the Authority for the SoM, the FAA and TCCA may authorize production approval extensions. This includes manufacturing sites and facilities in each other's countries or in a third State. The Authority for the SoM remains responsible for the surveillance and oversight of these manufacturing sites and facilities.

6.3.2 Each Authority for the SoM is responsible for surveillance and oversight of its production approval holders operations located in the other country. Routine surveillance and oversight may be performed by the FAA or TCCA on each other's behalf through the provisions of Section VIII.

6.3.3 Either Authority for the SoM may seek assistance with regulatory surveillance and oversight functions from the Civil Aviation Authority (CAA) of a third State when a production approval has been granted or extended by formal agreement/arrangement to that third State. This should only be done when a bilateral arrangement for technical assistance has been formalized between the CAA of the country seeking assistance and the CAA of the third State.

6.4 Production Approvals Based on Licensing Agreement

6.4.1 The Authorities recognize that some business relationships may result in the licensing of data for products or articles designed under one Authority's approval and manufactured under the other Authority's approval. In such cases, the Authorities will work together to develop an arrangement defining their regulatory responsibilities to ensure accountability under Annex 8 to the Chicago Convention. Such special arrangements will address the

responsibilities of the SoD and the SoM and will be documented in accordance with Section IX of these Implementation Procedures.

6.4.2 For products, either Authority can grant a production approval in its respective State based on design data obtained through a licensing agreement (i.e. licensing the rights to use the design data) with the design approval holder in the other State, or in a third State to manufacture that product. In this case, the Authority granting that production approval will ensure the establishment of adequate manufacturing processes and quality control procedures to ensure that each product conforms to the approved licensed design data. There must also be procedures to ensure that all changes to be introduced into the design by the production approval holder are approved. These design changes will be submitted to the type design holder, who will obtain approval from its Authority using established procedures. These production approvals based on a licensing agreement will be addressed on a case-by-case basis in accordance with Section IX of these Implementation Procedures.

6.4.3 For articles, either Authority may grant a production approval in its respective State based on design data obtained through a licensing agreement (i.e. licensing the rights to use the design data) with the design approval holder in the other State. In this case, the Authority granting production approval will ensure the establishment of adequate manufacturing processes and quality control procedures to ensure that each article conforms to the approved licensed design data. There must also be procedures to ensure that all changes to be introduced into the design by the production approval holder are approved. These design changes will be submitted to the design approval holder who will obtain approval from its Authority using established procedures.

6.5 Supplier Surveillance – Outside the SoM

6.5.1 The Authority for the SoM shall include in its regulatory surveillance and oversight programs a means of surveillance of persons/suppliers, located outside of its State. This surveillance and oversight shall be equivalent to the program for domestic suppliers. This surveillance activity will assist the Authorities in determining conformity to an approved design and if articles are safe for installation on type certificated products.

6.5.2 Each Authority for the SoM is responsible for surveillance and oversight of its production approval holders' suppliers located in the other country. Routine surveillance and oversight may be performed by the other Authority through the provisions of Section VIII.

6.5.3 Either Authority may request that the other Authority conduct regulatory surveillance on its behalf for facilities located within that Authority's country. The assisting Authority may use either its own policies, practices and procedures or those of the requesting Authority. Details of this assistance will be documented in a management plan.

6.5.4 Either Authority for the SoM may seek assistance with regulatory surveillance and oversight functions from the CAA of a third State in which the supplier is located. This may only be done when an agreement/arrangement for this

purpose has been formalized between the FAA or TCCA and the CAA of the third State.

6.5.5 The production approval holder may not use a supplier in a State where the Authority of the production approval holder is denied unimpeded access, by either the supplier or the supplier's CAA, to the supplier's facility to perform surveillance activities. The production approval holder also may not use a supplier located in a State if that State denies entry to the Authority of the production approval holder.

6.6 Multi-National Consortium

6.6.1 Approvals may be issued to multinational consortia for the design and production of products and/or articles in either the U.S. or Canada. These consortia clearly designate one SoD and one SoM, for the purposes of regulatory accountability. There may be domestic and international suppliers to the approval holder(s) that produce parts for use in the final product.

6.6.2 The FAA and TCCA shall continue to conduct regulatory surveillance and oversight of the domestic design and production approval holder, and should emphasize surveillance and oversight of parts suppliers. Each Authority shall use its regulatory surveillance and oversight programs that best enable it to ensure the consortia suppliers are producing parts that conform to the approved design and are in a condition for safe operation.

SECTION VII EXPORT AIRWORTHINESS APPROVAL PROCEDURES

7.1 General

7.1.1 Export Certificates of Airworthiness are issued by the FAA and TCCA for completed aircraft. Authorized Release Certificates (Airworthiness Approval Tags), or equivalent, are issued by the FAA and TCCA for aircraft engines, propellers and articles.

7.1.2 The FAA's requirements and procedures for import of aeronautical products are described in 14 CFR part 21, FAA Order 8130.2, and Advisory Circular (AC) 21-23. TCCA's requirements for import of aeronautical products are described in CAR 507, with associated standards detailed in AWM 507.

7.1.3 The FAA's requirements for issuing export airworthiness approvals are contained in 14 CFR part 21, FAA Order 8130.2, FAA Order 8130.21, and FAA Advisory Circular (AC) 21-2. TCCA's regulations for issuing Export Airworthiness Certificates are described in CAR 509 with associated standards detailed in AWM 509.

7.2 New or Used Aircraft Exported for which a Design Approval has Been Granted

7.2.1 Except as provided in 7.6, the IA will accept an Export Certificate of Airworthiness on new aircraft and on used aircraft only if a TC holder exists to support continuing airworthiness of such aircraft, identified in 2.2.4, when the Exporting Authority (EA) certifies that each aircraft:

7.2.1.1 Conforms to a type design approved by the IA, as specified in the IA's TCDS (including all applicable STCs);

7.2.1.2 Has undergone a final operational check;

7.2.1.3 Is in a condition for safe operation, including compliance with applicable IA ADs;

7.2.1.4 Meets all additional requirements prescribed by the IA in 7.8, as notified; and

7.2.1.5 For Used Aircraft only:

(a) Is properly maintained using approved procedures and methods throughout its service life to the requirements of an approved maintenance program as evidenced by logbooks and maintenance records; and

(b) Records which verify that all overhauls, major changes, and repairs were accomplished in accordance with approved data.

7.2.2 Each aircraft imported to the U.S. or Canada with a EA airworthiness approval will have an Export Certificate of Airworthiness and should contain information equivalent to the following statement: "The [INSERT AIRCRAFT MODEL] covered by this certificate conforms to the type design approved under the TC Number [INSERT TC NUMBER, REVISION LEVEL, AND DATE], and is found

to be in a condition for safe operation," and any other clarifying language as specified in the TCDS.

7.2.3 When a used aircraft produced in the U.S. or Canada is to be imported into the other country from a third State, the Authority of the original SoD will, upon request, assist the IA in obtaining information regarding the configuration of the aircraft at the time it left the manufacturer. The original SoD Authority will also provide, upon request, information regarding subsequent installations on the aircraft that they have approved.

7.2.4 If a used civil aircraft produced in Canada or the U.S. has been used in military service in either country at any time, the EA will consult with the IA to determine if they will accept such an aircraft.

7.2.5 Acceptance of Used Aircraft Being Exported (Returned) to the original SoD

7.2.5.1 Either Authority will accept an Export Certificate of Airworthiness on a used aircraft being exported (returned) to the original SoD for the aircraft, when the conditions of 7.2.1 have been met.

7.2.5.2 If the EA is not in a position to assess whether or not the used aircraft satisfies the above conditions, it will inform the IA accordingly.

7.2.6 Acceptance of Used Aircraft for which another State is the SoD

7.2.6.1 The IA will accept Export Certificates of Airworthiness from the EA for used aircraft for which another State is the SoD.

(a) For used aircraft being imported from Canada into the U.S., the other State must have a bilateral agreement/arrangement with the U.S. covering the same class of product, and the conditions of 7.2.1 have been met; and

(b) Although Canada does not have a similar requirement that a bilateral agreement be in place covering similar class of product, the conditions of 7.2.1 must be met.

7.2.6.2 If the EA is not in a position to assess whether or not the used aircraft satisfies the above conditions, it will inform the IA accordingly.

7.3 New Aircraft Engines and Propellers Exported to the U.S. or Canada

7.3.1 Except as provided in 7.7, the IA shall accept the EA's Authorized Release Certificates, or equivalent, certifying that each new aircraft engine or propeller identified in 2.2.4 exported to the U.S. or Canada:

7.3.1.1 Conforms to a type design approved by the IA, as specified in the IA's TCDS, and any additional STCs accepted by the IA;

7.3.1.2 Has undergone a final operational check;

7.3.1.3 Is in a condition for safe operation, including compliance with applicable IA ADs; and

7.3.1.4 Meets all additional requirements prescribed by the IA in 7.8.

7.3.1.5 For rebuilt aircraft engines being exported to Canada from the U.S., that

the aircraft engine has been rebuilt by the production approval holder and the Total Time Since New (TTSN) is specified in both the technical record of the aircraft engine and the accompanying Authorized Release Certificate.

7.3.2 Each new aircraft engine and propeller exported to the IA will have an Authorized Release Certificate, or equivalent, that identifies the EA's approved design data (TC number).

7.3.3 For new aircraft engines and propellers, the Authorized Release Certificate should contain information equivalent to the following statement: "The [INSERT AIRCRAFT ENGINE OR PROPELLER MODEL] covered by this certificate conforms to the type design approved under the IA's TC Number [INSERT TYPE CERTIFICATE NUMBER, REVISION LEVEL, AND DATE], and is found to be in a condition for safe operation and has undergone a final operational check," and any other clarifying language as specified in the IA's TCDS.

7.4 New TSO Articles

7.4.1 Under the acceptance provisions for TSO articles as detailed in Section III, the IA shall accept the EA's Authorized Release Certificate, or equivalent, on those new articles only when the EA certifies, that the new article:

7.4.1.1 Conforms to the TSO/CAN-TSO Design Approval, including any accepted non-TSO functions (see 3.3.4) as applicable;

7.4.1.2 Complies with all applicable EA ADs; and

7.4.1.3 Meets all additional requirements prescribed by the IA in 7.8, as notified.

7.5 New Modification and Replacement Parts

7.5.1 The IA will accept the EA's Authorized Release Certificates, or equivalent, on new modification and/or replacement parts as identified in 2.2.4, only when the EA certifies by issuance of an Authorized Release Certificate, or equivalent, that each part:

7.5.1.1 Conforms to the applicable FAA or TCCA approved design data and is safe for operation; and

7.5.1.2 Meets all additional requirements prescribed by the IA in 7.8, as notified.

7.5.2 When parts are shipped under direct ship authorizations, the accompanying EA's Authorized Release Certificate, or equivalent documentation, must indicate that the responsible manufacturing/production approval holder has authorized direct shipment. This indication may be a supplemental "remark" entry on the Authorized Release Certificate indicating the authorization to the supplier for direct shipment of parts from the supplier's location.

7.5.3 Each part exported to the importing State with the EA's airworthiness approval will have an EA's Authorized Release Certificate. This form should identify the IA's approved design data (e.g., TC/STC/TSO/CAN-TSO Number, etc.).

7.6 Coordination of Exceptions on an Export Certificate of Airworthiness

7.6.1 The EA will notify the IA prior to issuing an Export Certificate of Airworthiness when non-compliance with an IA's approved type design is to be noted on the exporting approval document. This notification should help to resolve all issues concerning the aircraft's eligibility for an airworthiness certificate.

7.6.1.1 For new aircraft, this notification should be sent to the responsible FAA ACO as detailed in Appendix A. For used aircraft, this notification should be sent to the responsible FAA Flight Standards Office (FSDO), available online at www.faa.gov.

7.6.1.2 For new and used aircraft exported to Canada, the TCCA Regional Office should be contacted as detailed in Appendix A.

7.6.2 In all cases, a written acceptance of the exceptions from the IA is required before the issuance of the EA's Export Certificate of Airworthiness. A copy of this written acceptance will be included with the export documentation.

7.7 Coordination of Exceptions on an Authorized Release Certificate

7.7.1 The EA will notify the IA prior to issuing an Authorized Release Certificate for an aircraft engine, propeller, or TSO article, when non-compliance with EA-approved design is to be noted in the "Remarks" block (Block 13) of the Authorized Release Certificate. This notification should help resolve all issues regarding the aircraft engine, propeller, or article's installation eligibility.

7.7.2 This notification should be sent to the geographic responsible MIO or TCCA Regional Office detailed in Appendix A, as applicable. In all cases, a written acceptance from the IA is required before the issuance of EA's Authorized Release Certificate. A copy of this written acceptance will be included with the export documentation.

7.8 Additional Requirements for Imported Products

7.8.1 Additional Requirements for the United States

The following identifies those additional requirements that must be complied with as a condition of acceptance for products and articles imported into the U.S. or for use on a U.S. registered aircraft.

7.8.1.1 Identification and Marking

Aircraft, aircraft engines, propellers and articles must be identified in accordance with the applicable subpart in 14 CFR part 21. Identification plates must have the manufacturer's legal name, or as it appears in the approved data of the type design.

7.8.1.2 Instructions for Continued Airworthiness (ICA)

ICA and maintenance manuals having airworthiness limitation sections must be provided by the certificate holder as prescribed in 14 CFR 21.50.

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

Each aircraft must be accompanied by an approved AFM, including all applicable supplements. The aircraft must also have the appropriate operating placards and markings, a current weight and balance report, and a list of installed equipment.

7.8.1.4 Logbooks and Maintenance Records

Each aircraft (including the aircraft engine, propeller, rotor, or article) must be accompanied by logbooks and maintenance records equivalent to those specified in 14 CFR 91.417. The maintenance records must also show that, for a used aircraft, that aircraft has had a 100-hour inspection, or equivalent, as specified in 14 CFR 21.183(d).

7.8.2 Additional Requirements for Canada

The following identifies those additional requirements that must be complied with as a condition of acceptance for products and articles imported into the Canada, or for use on a Canadian registered aircraft.

7.8.2.1 Product Identification

To be eligible for a Canadian flight authority, aeronautical products must be identified in accordance with requirements contained in CAR 201. Identification plates should have the manufacturer's legal name, or as it appears in the approved data of the type design.

7.8.2.2 Provision of Aircraft Manuals

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

SECTION VIII TECHNICAL ASSISTANCE BETWEEN AUTHORITIES

8.1 General

8.1.1 Upon request and after mutual agreement, and as resources permit, the FAA and TCCA may provide technical assistance to each other when significant activities are conducted in either the U.S. or Canada.

8.1.2 Every effort should be made to have these certification tasks performed locally on each other's behalf. These technical assistance activities will help with regulatory surveillance and oversight functions at locations outside of the requesting Authority's country. These supporting technical assistance activities do not relieve the Authority of the responsibilities for regulatory control, environmental certificate, and airworthiness approval of products and articles manufactured at facilities located outside of the requesting Authority's country.

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

8.1.3.1 Certification 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 designees or approved organizations; and

(h) Conducting investigations of service difficulties.

8.1.3.2 Conformity and Surveillance Support

(a) Conformity inspections;

(b) Witnessing the first article inspection of parts;

(c) Monitoring the controls on special processes;

(d) Conducting sample inspections on production parts;

(e) Monitoring production certificate extensions;

(f) Monitoring the activities and functions of designees or approved organizations;

(g) Conducting investigations of service difficulties; and

(h) Evaluating or conducting surveillance of production quality systems, including assistance in determining that a supplier complies with

purchase order and quality requirements at locations in the U.S. or Canada.

8.1.3.3 Airworthiness Certification Support

(a) Assistance in the delivery of airworthiness certificates for aircraft; and

(b) Determining the original export configuration of a used aircraft.

8.1.3.4 VA Requirements for DAH Responsibilities

Any additional assistance needed to support or implement responsibilities assigned by the VA regulations to a DAH under the jurisdiction of the CA. See further explanation in 8.8.

8.1.3.5 Technical Training

Any additional assistance needed to support the technical implementation of this agreement.

8.2 Witnessing of Tests During Design Approval

8.2.1 The FAA or TCCA may request assistance in the witnessing of tests from the other Authority.

8.2.2 Subject to 8.4, only Authority-to-Authority requests are permissible and neither the FAA nor TCCA will respond to a test witnessing request made directly from the manufacturer or supplier. Witnessing of tests will be conducted only after consultations and agreement between the FAA and TCCA on the specific work to be performed. A written request for witnessing of tests will be provided.

8.2.3 Unless otherwise delegated, approval of the design approval applicant's test plans, test procedures, test specimens, and hardware configuration remains the responsibility of the Authority of 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 design approval applicant.

8.2.4 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 the Authority receiving such requests, these activities may be delegated to authorized designees, delegates or approved organizations, as applicable.

8.2.5 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 the FAA or TCCA, as appropriate, at least two weeks prior to each scheduled test.

8.2.6 The FAA or TCCA requests for conformity of the test set-up and/or witnessing of tests shall be sent to the appropriate FAA ACO or TCCA office which has geographic responsibility for the location of the test. FAA requests for test witnessing may be sent on FAA Form 8120-10, Request for Conformity, and

described in the Special Instructions section of the form. FAA and TCCA offices are listed in Appendix A.

8.2.7 Upon completion of test witnessing on behalf of the requesting Authority, the FAA or TCCA will send a report stating that the test was conducted in accordance with approved test plans and confirming the test results, as well as any other documentation, as notified by the requesting Authority.

8.3 Compliance Determinations

8.3.1 The FAA or TCCA may also request that specific compliance determinations be made 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 The FAA's or TCCA's statements of compliance will be sent in a formal letter, transmitted electronically, to the requesting FAA ACO or TCCA office.

8.4 Flammability Testing Procedures

8.4.1 Canadian design approval applicants are utilizing U.S. flammability test facilities in support of their design approval activities. TCCA, or its appropriately authorized delegates using approved procedures, will interact directly with FAA designees at such facilities as follows:

8.4.1.1 TCCA will approve the Flammability Test Plan and send a letter to the test facility requesting the specific conformity inspection and test witnessing of the test articles. TCCA's notification will fully communicate any special requirements for the testing and inspections.

8.4.1.2 TCCA will ensure that the applicant has made its own Statement of Conformity (equivalent to FAA Form 8130-9) prior to any U.S. conformity inspection or test. Per FAA Order 8110.4, the applicant may delegate, in writing, a representative at the supplier to complete the FAA Form 8130-9. This representative will be acting on behalf of the applicant and, in this case, the supplier must submit a copy of the applicant's authorization with the FAA Form 8130-9 prior to the inspection or test.

8.4.1.3 The FAA designee(s) will conduct the inspection and/or witness the test on behalf of TCCA and submit the results to TCCA. TCCA will evaluate and disposition any nonconformities or deviations identified during an inspection or test.

8.4.1.4 TCCA is the responsible CA for accepting the findings of FAA designees. TCCA shall rely on the FAA oversight of its designees and their approved processes to assure validity of the flammability data generated to support these findings.

8.4.2 The managing FAA ACO or MIO, as applicable, will review the authorizations for any designees at a U.S. flammability test facility that is asked to support TCCA activities. Such designees will receive a special authorization, noted in the Designee Management Information System, to conduct conformity inspections and test witnessing related to flammability test activities on behalf of TCCA.

8.5 Conformity Certifications during Design Approvals

8.5.1 The CA may request conformity certifications from the CAA in the State in which the design approval applicant's part supplier is located.

8.5.2 Only Authority-to-Authority requests are permissible, and Authorities will not respond to a conformity certification request from the manufacturer, supplier or designee. Certifications will be conducted only after consultations between the two Authorities on the specific work to be performed, and agreement has been obtained from the CAA in the State in which the supplier is located. Requests for conformity certifications should be limited to prototype/pre-production parts that are of such complexity that they cannot be inspected by the manufacturer or its CAA after assembly or prior to installation in the final product. Conformity certifications may require the development of a working procedure based on the complexity of the requested certifications. At the discretion of the Authority in receipt of such requests, conformity certifications may be delegated to authorized designees or delegated organizations.

8.5.3 TCCA requests for conformity certifications will be sent to the FAA Directorate MIO that has geographic responsibility for the U.S. region in which the conformity certification will take place. FAA Offices are listed in Appendix A. FAA requests for conformity certifications will be sent on a completed FAA Form 8120-10, Request for Conformity, to TCCA's Operational Airworthiness Division at the address listed in Appendix A.

8.5.4 Upon completion of all conformity inspections conducted on behalf of the requesting Authority, the FAA or TCCA will complete and return all documentation to the requesting Authority, as notified. The CAA of the State in which the supplier is located will note all deviations from the requirements notified by the design approval applicant's CAA on the conformity certification for the particular part. Any nonconformity described as a deviation should be brought to the attention of the FAA or TCCA for evaluation and disposition. The FAA or TCCA should receive a report stating the disposition required on each deviation before an FAA Form 8130-3 or TCCA Form One – *Authorized Release Certificate* is issued.

8.5.5 Neither conformity certification on prototype/pre-production parts, nor inspections on prototype/pre-production parts, should be construed as being an export airworthiness approval, since a conformity certification does not constitute an airworthiness determination. Airworthiness determinations remain the responsibility of the design or production approval holder and the CAA of the State in which the holder is located.

8.6 Other Requests for Assistance or Support

The FAA or TCCA may request other types of technical assistance outlined in 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 special arrangement may be needed.

8.7 Airworthiness Certificates

There may be certain programs and conditions that warrant technical assistance for the issuance of standard airworthiness certificates so that aircraft may be placed directly into operation from the site of manufacture. The IA may seek assistance from the EA in the final processing and delivery of an airworthiness certificate when the aircraft has been manufactured, granted an Export Certificate of Airworthiness by the EA, and entered on the importing State's registry. This will require the development of a special arrangement between the EA and IA.

8.8 VA Requirements for Foreign Design Approval Holders

TCCA or FAA, as a VA, has regulatory requirements requiring a foreign DAH to fulfill certain administrative procedures and technical actions intended for the continued operational safety of imported products. Where the regulatory requirements of the CA and the VA are the same or equivalent, the VA will rely on the CA's oversight and enforcement of that requirement on behalf of the VA. Where the requirements are unilateral for the VA, the CA and the VA shall consult each other on the appropriate action to be taken in order for the affected DAH to respond or comply with the applicable VA requirement.

8.9 Protection of Proprietary Data

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

8.10 Freedom of Information Act (FOIA) Requests

8.10.1 The FAA often receives requests from the public under the United States Freedom of Information Act (FOIA) (5 U.S.C. Section 552) to release information that the FAA may have in its possession. Each record the FAA has in its possession must be disclosed under the FOIA unless a FOIA exemption applies to that record. Trade secrets and financial or commercial information that is confidential or privileged are examples of criteria that may exempt records from FOIA. Design approval holders' data may include trade secrets or other information that is confidential because release of the information would damage the competitive position of the holder or other person.

8.10.2 When the FAA receives a FOIA request related to a product or article of an FAA approval holder or applicant who is located in Canada, the FAA will request TCCA assistance in contacting the FAA approval holder or applicant to obtain justification for a determination of what may qualify for exemption under the criteria found in 5 U.S.C. Section 552.

8.11 Access to Information and Privacy (ATIP) Act Requests

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

8.12 Accident/Incident and Suspected Unapproved Parts Investigation Information Requests

8.12.1 When either the FAA or TCCA needs information for the investigation of service incidents, accidents, or suspected unapproved parts involving a product or article imported under these Implementation Procedures, the request for the information should be directed to the appropriate Authority. In turn, upon receipt of the request for information, the EA will ensure that the requested information is provided in a timely manner.

8.12.2 In case of an incident/accident, the FAA and TCCA will cooperate to address urgent information needs. Following an incident/accident, upon receipt of a request for urgent information, the FAA or TCCA will provide the requested information. The FAA and TCCA will establish individual focal points to respond to each other’s questions and ensure that timely communication occurs. The FAA or TCCA may request information directly from a manufacturer if 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 the FAA or TCCA, as applicable, will assist in ensuring that their manufacturer provides requested information expeditiously.

SECTION IX SPECIAL ARRANGEMENTS

9.1 General

9.1.1 It is anticipated that situations may arise that have not been specifically addressed in these Implementation Procedures, but are within the scope of the BASA. Where such a situation arises, it will be reviewed by the respective FAA Aircraft Certification Service Executive Director and the TCCA Standards Director, and they will mutually agree to an arrangement to address the situation.

9.1.2 Where a situation is unique, with little possibility of repetition, the arrangement will be of limited duration. However, if a situation has anticipated new technology, or management developments that could lead to further repetitions, then these Implementation Procedures will be revised accordingly by the FAA and TCCA.

9.1.3 Arrangements shall be developed and administered by the focal points for these Implementation Procedures, listed in Appendix A. Special arrangements will be posted on the FAA and TCCA International Arrangements websites for public viewing, as appropriate.

SECTION X AUTHORITY

10.1 General

10.1.1 These Implementation Procedures enter into force as specified in 1.11.1 above, and replace the Implementation Procedures for Airworthiness (IPA) Revision 2, dated November 10, 2016.

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

Federal Aviation Administration	Transport Canada Civil Aviation
Original signed by	Original signed by
Earl Lawrence	Félix Meunier
Aviation Safety Executive Director Aircraft Certification Service	Director, Standards Branch
Date: April 26, 2021	Date: April 26, 2021

APPENDIX A ADDRESSES

The designated focal point offices for these Implementation Procedures are:

For the FAA

International Office (AIR-040)
Aircraft Certification Service
Federal Aviation Administration

c/o Wilbur Wright Building, Room 6W1000
800 Independence Avenue, SW
Washington, DC 20591
U.S.A.

Tel: 1-202-267-0908
Fax: 1-202-267-1261
E-mail: 9-AWA-AVS-AIR400@faa.gov

For TCCA

Aircraft Certification Standards (AARTC)
Standards Branch
Transport Canada Civil Aviation

Mailing Address:
330 Sparks Street (AARTC)
Place de Ville, Tower C
Ottawa, ON K1A 0N5
Canada

Office Location (no mail service):
159 Cleopatra Drive
Nepean, ON K1A 0N5
Canada

Tel: 1-613-773-8273
Fax: 1-613-996-9178
E-mail : TC.InternationalArrangements-Ententesinternationales.TC@tc.gc.ca

---

FAA Offices

Key Aircraft Certification Service Offices for these Implementation Procedures

Contact Point for Airworthiness Directives

Mailing Address:

Federal Aviation Administration
Aircraft Certification Service
Policy & Innovation Division (AIR-600)
(ATTN: (Enter an AIR-600 office from the list below))
800 Independence Avenue SW
Washington, DC 20591
Tel: 1-202-267-1575
E-mail: 9-AWA-AVS-AIR600@faa.gov

Safety Risk Management, AIR-633
-Technical & policy experts in safety risk management and mitigation

Design and Maintenance Systems Section, AIR-631
Technical & policy experts in design certification systems

- *Type certification (TC)*
- *Supplemental TC*
- *Instructions for Continued Airworthiness*
- *Interface with repair and alterations*

Strategic Policy Propulsion Section, AIR-617
-Regulatory and policy responsibility for all aircraft engines, propellers, and auxiliary power units.

Strategic Policy Rotorcraft Section, AIR-616
-Regulatory and policy responsibility for powered lift, normal and transport category rotorcraft.

Strategic Policy Small Airplanes Section, AIR-615
-Regulatory and policy responsibility for:

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

Strategic Policy Transport Section, AIR-614
-Regulatory and policy responsibility for all transport category airplanes.

Contact Point for Article Approval Applications

New York ACO Branch
AIR-7H0
1600 Stewart Avenue, Suite 410
Westbury, NY 11590
Tel: 1-516-228-7300
Fax: 1-516-794-5531
E-mail: 9-avs-nyaco-oversight@faa.gov
9-avs-nyaco-cert@faa.gov

Contact Point for TC Applications
Send to the applicable FAA Standards Branch (see below for list)

Contact Point for STC Applications
Send to the applicable FAA Standards Branch (see below for list)

International Validation Branch
1600 Stewart Avenue,
Suite 410
Westbury, NY 11590
Tel: 1-516-228-7300
Fax: 1-516-794-5531
Email: IVBCommunications@faa.gov – General mailbox
9-AVS-AIR-730-AMOC@faa.gov – AMOCs 731A/732

Policy & Innovation Division

Certification Procedures Branch
AIR-6C0
950 L'Enfant Plaza North, SW
5th Floor
Washington, DC 20024
Tel: 1-202-385-6348
Fax: 1-202-385-6475
E-mail: 9-AWA-AVS-AIR100-Coord@faa.gov

Engine and Propeller Standards Branch
AIR-6A0
1200 District Avenue
Burlington, MA 01803
Tel: 1-781-238-7110
Fax: 1-781-238-7199
Regulatory and policy responsibility for all aircraft engines, propellers, and auxiliary power units.

Rotorcraft Standards Branch
AIR-680
10101 Hillwood Parkway
Fort Worth, TX 76177
Tel: 1-817-222-5100
Fax: 1-817-222-5959
Regulatory and policy responsibility for powered lift, normal and transport category rotorcraft.

Small Airplane Standards Branch
AIR-690
DOT Building
901 Locust Avenue
Room 301
Kansas City, MO 64106
Tel: 1-816-329-4100
Fax: 1-816-329-4106

Regulatory and policy responsibility for:

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

Transport Airplane Standards Branch
AIR-670
220 South 216th Street
Des Moines, WA 98198
Tel: 1-206-231-3154
Regulatory and policy responsibility for all transport category airplanes.

System Oversight (SO) Division for Manufacturing Inspection

East MIO Branch
AIR-850
1200 District Avenue
Burlington, MA 01803
Tel: 1-781-238-7180
Fax: 1-781-238-7898

For the States of: Alabama, Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, and West Virginia:
Submit Conformity Inspection Requests to: 9-ANE-180-FRFC@faa.gov

Central MIO Branch
AIR-880
10101 Hillwood Parkway
Fort Worth, TX 76177
Tel: 1-817-222-5180
Fax: 1-817-222-5136

For the States of: Arkansas, Alaska, , Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, , Missouri, Nebraska, New Mexico, , North Dakota, Ohio, Oklahoma, , South Dakota, Texas, and Wisconsin:
Submit Conformity Inspection Requests to: 9-ASW-180-FRFC@faa.gov

West MIO Branch
AIR-870
2200 South 216th Street
Des Moines, WA 98198
Tel: 1-206-231-3664
Fax: 1-206-231-3219

For the States of: Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming:
Submit Conformity Inspection Requests to: 9-ANM-108-FRFC@faa.gov

Environmental Policy and Regulations

Office of Environment and Energy, AEE-1
800 Independence Avenue, SW
Washington, DC 20591
Tel: 1-202-267-3576
Fax: 1-202-267-5594

Aircraft Certification Branches (ACOs) and BASOO Branch

Anchorage ACO Branch
AIR-770
222 West 7th Avenue, Unit 14,
Room 128
Anchorage, AK 99513
Tel: 1-907-271-2668
Fax: 1-907-271-6365

Atlanta ACO Branch
AIR-7A0
107 Charles W. Grant Parkway,
Suite 201
Hapeville, GA 30354
Tel: 1-404-474-5500
Fax: 1-404-474-5606
E-mail: 9-ASO-ATLACO-CORR@faa.gov

Boston ACO Branch
AIR-7B0
1200 District Avenue
Burlington, MA 01803
Tel: 1-781-238-7151
Fax: 1-781-238-7170

Chicago ACO Branch
AIR-7C0
2300 East Devon Avenue,
Room 107
Des Plaines, IL 60018
Tel: 1-847-294-7358
Fax: 1-847-294-7834

Denver ACO Branch
AIR-7D0
Technical Operations Center (TOC)
26805 E. 68th Avenue, Room 214
Denver, CO 80249
Tel: 1-303-342-1080
Fax: 1-303-342-1088
E-mail: 9-Denver-Aircraft-Cert@faa.gov

Engine Certification Office Branch
AIR-7E0
1200 District Avenue
Burlington, MA 01803
Tel: 1-781-238-7141
Fax: 1-781-238-7199

DSCO Branch
AIR-7J0
10101 Hillwood Parkway
Fort Worth, TX 76177
Tel: 1-817-222-5190
Fax: 1-817-222-4960

Fort Worth ACO Branch
AIR-7F0
10101 Hillwood Parkway
Ft. Worth, TX 76177
Tel: 1-817-222-5140
Fax: 1-817-222-5960
E-mail: FWACO@faa.gov

New York ACO Branch
AIR-7H0
1600 Stewart Avenue, Suite 410
Westbury, NY 11590
Tel: 1-516-228-7300
Fax: 1-516-794-5531
E-mail: 9-avs-nyaco-oversight@faa.gov
9-avs-nyaco-cert@faa.gov

Los Angeles ACO Branch
AIR-790
3960 Paramount Boulevard, Suite 100
Lakewood, CA 90712-4137
Tel: 1-562-627-5200
Fax: 1-562-627-5210
E-mail: LAACO-certification@faa.gov

Wichita ACO Branch
AIR-7K0
1801 Airport Road
Room 100
Wichita, KS 67209
Tel: 1-316-946-4100
Fax: 1-316-946-4107

Seattle ACO Branch
AIR-780
2200 S. 216 St.
Des Moines, WA 98198
Tel: 1-206-231-3500
Fax: 1-206-231-3549
E-mail: 9-ANM-SACO-ForeignValidation@faa.gov

BASOO Branch
AIR-860
2200 South 216th Street
Des Moines, WA 98198
Tel: 1-206-231-3595
Email: 9-ANM-BASOO-Validation@faa.gov

Failures, Malfunctions & Defects (FM&D)/Service Difficulty Reports (SDR)

Copies of U.S. Failures, Malfunctions, and Defects (FM&D) and Service Difficulty Reports (SDR) reports are available from the FAA Mike Monroney Aeronautical Center, Aviation Data Systems Branch, AFS-620.
Copies of U.S. FM&D reports are also available on the Mike Monroney Aeronautical Center internet web site at http://av-info.faa.gov/sdrx.

Contact Point for MRB Procedures and MMEL Validation

AED Manager
1309 S. Terminal Service Road
Greensboro, NC 27409
Phone: (336) 369-3900

TCCA Offices

Key Contacts for these Implementation Procedures

Contact Point for Aircraft Certification Issues

Aircraft Certification Standards – International Arrangements (AARTC)
Standards Branch
Transport Canada Civil Aviation
Mailing Address:
330 Sparks Street, 2nd Floor
Place de Ville, Tower C
Ottawa, ON K1A 0N5
Office Address (no mail service)
159 Cleopatra Drive
Ottawa, ON K1A 0N5
Tel: 1-613--773-8290
Fax: 1-613--996-9178
E-mail: TC.InternationalArrangements-Ententesinternationales.TC@tc.gc.ca

Contact point for Operational Airworthiness Issues

Operational Airworthiness Division (AARTM)
Standards Branch
Transport Canada Civil Aviation
330 Sparks Street, 4th Floor
Place de Ville, Tower C
Ottawa, ON K1A 0N5
Tel: 1-613-952-4386
Fax: 1-613-952-3298

Contact Point for Airworthiness Directives

Continuing Airworthiness Division (AARDG)
National Aircraft Certification Branch
Transport Canada Civil Aviation
159 Cleopatra Drive
Ottawa, ON K1A 0N5
Tel: 1-888-663-3639
Fax: 1-613-996-9178
E-mail: TC.AirworthinessDirectives-Consignesdenavigabilite.TC@tc.gc.ca

Contact Point for TC/STC* Applications

National Aircraft Certification Branch
Transport Canada Civil Aviation
159 Cleopatra Drive
Ottawa, ON K1A 0N5
Tel: 1-888-663-3639
Fax: 1-613-996-9178
*For STC applications where there is no identified Canadian Customer e-mail: TC.CivAv.STC.CTS.AvCiv.TC@tc.gc.ca, otherwise direct the STC application to the respective Regional Office.

Contact Point for STC and Other Airworthiness Applications
Regional Offices

Atlantic Region

Associate Director, Operations (MAH)
Moncton Regional Office
95 Foundry Street
Moncton, NB E1C 5H7
Tel: 1-800-305-2059
Fax: 1-855-726-7495
E-mail: tc.aviationservicesatl-servicesaviationatl.tc@tc.gc.ca

Quebec Region

Associate Director, Operations (NAH)
Dorval Regional Office
700 Leigh Capréol Place
Dorval, QC H4Y 1G7
Tel: 1-514-633-3316
Fax: 1-514-633-3958
E-mail: tc.casaengineering-sacaingenierie.tc@tc.gc.ca

Ontario Region

Associate Director, Operations West (PAX)
Ontario Regional Office
4900 Yonge Street, 4th Floor
Toronto, ON M2N 6A5
Tel: 1-416-952--0674
Fax: 1-877-822-2129
E-mail: tc.aviationservicesont-servicesaviationont.tc@tc.gc.ca

Associate Director, Operations East (PAH)
Ontario Regional Office
4900 Yonge Street, 4th Floor
Toronto, ON M2N 6A5
Tel: 1-416-954-2058
Fax: 1-877-822-2129

Prairie and Northern Region

Associate Director, Operations (RAR)
Calgary Regional Office
800, 1601 Airport Road NE, 8th Floor
Calgary, AB T2E 6Z8
Tel: 1-403-292-5007
Fax: 1-888-463-0521
E-mail: pnrweb@tc.gc.ca

Associate Director, Operations (RAX)
Edmonton Regional Office
1100-9700 Jasper Avenue
Edmonton, AB T5J 4E6
Tel: 1-780-495-3856

Associate Director, Operations (RAW)
Winnipeg Regional Office
344 Edmonton Street, 2nd Floor
Winnipeg, MB R3B 2L4
Tel: 1-204-299-7408

Pacific Region

Associate Director, Operations (TAH)
Transport Canada Regional Office
2010-7445 132 Street
Surrey, BC, V3W 1J8
Tel: 1-604-666-5599
Fax: 1-855-618-6288
E-mail: aviation.pac@tc.gc.ca

Associate Director, Operations (TAX)
Transport Canada Regional Office
2010-7445 132 Street
Surrey, BC, V3W 1J8
Tel: 1-604-666-5555
Fax: 1-855-618-6288

APPENDIX B LIST OF REFERENCE DOCUMENTS

B.1 FAA Reference Documents

1. Code of Federal Regulations, Title 14, parts 21-36, 39, 43, 45, 91, and 183
2. FAA Advisory Circular 21-2 – Complying with the Requirements of Importing Countries
3. FAA Advisory Circular 21-23 – Airworthiness Certification of Civil Aircraft, Engine, Propellers, and Related Products Imported to the United States
4. FAA Advisory Circular 43-210 – Standardized Procedures for Obtaining Approval of Data Used in the Performance of Major Repairs and Major Alterations
5. FAA Order 8000.79 – Use of Electronic Technology and Storage of Data
6. FAA Order 8110.4 – Type Certification
7. FAA Order 8110.37 – Designated Engineering Representative (DER) Handbook
8. FAA Order 8110.52 – Type Validation and Post-Type Validation Procedures
9. FAA Order 8110.54 – Instructions For Continued Airworthiness
10. FAA Order 8110.53 – Reciprocal Acceptance of Repair Design Data Approvals Between FAA and TCCA
11. FAA Order 8110.120 – Processing Surrendered, Abandoned, and Historical Aircraft Type Certificates
12. FAA Order 8130.2 – Airworthiness Certification of Aircraft
13. FAA Order 8120.23 – Certificate Management of Production Approval Holder
14. FAA Order 8130.21 – Procedures for Completion and Use of the Authorized Release Certificate, FAA Form 8130-3, Airworthiness Approval Tag
15. FAA Order 8300.16 – Major Repair and Alteration Data Approval
16. FAA Order 8900.1 – Flight Standards Information Management System (FSIMS)
17. FAA/TCCA Maintenance Implementation Procedures (MIP)

B.2 TCCA Reference Documents

1. Part II of the CARs – Aircraft Identification and Registration and Operation of a Leased Aircraft by a Non-Registered Owner
    a. Subpart 1 – Identification of Aircraft and Other Aeronautical Products
2. Part V of the CARs (partial listing of applicable subparts to these Implementation Procedures):
    a. Subpart 0 – General
    b. Subpart 1 – Annual Airworthiness Information Report
    c. Subpart 7 – Flight Authority and Certificate of Noise Compliance
    d. Subpart 9 – Export Airworthiness Certificates

e. Subpart 21 – Approval of the Type Design or a Change to the Type Design of an Aeronautical Product, consisting of:

   i. Division I – General

   ii. Division II – Type Certificates

   iii. Division III – Canadian Technical Standard Order (CAN-TSO) Design Approvals

   iv. Division IV – Changes to a Type Design

   v. Division V – Supplemental Type Certificates

   vi. Division VI – Repair Design Approvals

   vii. Division VII – Part Design Approvals

   viii. Division VIII – Responsibilities of a Design Approval Document Holder

   ix. Division IX – Service Difficulty Reporting

   x. Division X – Airworthiness Directives

   xi. Division XI – Foreign Aeronautical Products

f. Subpart 49 – Amateur Built Aircraft

g. Subpart 61 – Manufacture of Aeronautical Products

h. Subpart 71 – Aircraft Maintenance Requirements

3. U.S. Eligible Aircraft List: https://www.tc.gc.ca/eng/civilaviation/certification/projects-eligible-menu-1377.htm

APPENDIX C LIST OF SPECIAL ARRANGEMENTS

1. FAA-TCCA Management Plan on the Change to the Type Design for the Bombardier Challenger 350 Rockwell Collins Pro Line Fusion Avionics Update and on the Rockwell Collins STC for the Bombardier Challenger 350 Rockwell Collins Pro Line Fusion Avionics Update
   Date of issue: June 19, 2019

2. Shared Surveillance of FAA Production Approval Holders (PAH) and TCCA Approved Manufacturers (CAR 561)
   Date of issue: September 18, 2018

3. FAA-TCCA Management Plan for Bell Helicopter Civil Aeronautical Products
   Date of issue: June 14, 2017

4. FAA-TCCA Management Plan for the Design and Production of Products under a TC/PC Split (Vector-GE Engine MP)
   Date of issue: September 13, 2016

APPENDIX D CROSS-REFERENCE OF STANDARDS

Product	**FAA Regulations** **14 CFR**	**TCCA Standards** **AWM Chapter**
Aircraft Emissions	Part 34 Fuel venting and exhaust Part 36 Noise	AWM 516 (adopted ICAO Annex 16)
Gliders & Powered Gliders	Part 21	AWM 522 (adopted CS-22)
Small Airplanes (Normal, Utility, Aerobatic, & Commuter)	Part 23	AWM 523
Very Light Airplanes (Light Sport Aircraft in the U.S.)	Part 21 or 23	AWM 523 – VLA (adopted JAR-VLA)
Transport Category Airplanes	Part 25	AWM 525
Continued Airworthiness and Safety Improvements for Transport Category Airplane	Part 26	(refer to AWM Chapter 525 amended to reflect FAR amendments 25-xxx)
Normal Category Rotorcraft	Part 27	AWM 527
Transport Category Rotorcraft	Part 29	AWM 529
Manned Free Balloons	Part 31	AWM 531
Aircraft Engines	Part 33	AWM 533
Propellers	Part 35	AWM 535
Articles & Parts	Part 21, Subpart O	AWM 537
Airships	Part 21	AWM 541
Amateur Built Aircraft	Part 21	AWM 549
Aircraft Equipment & Installation		AWM 551

APPENDIX E DOCUMENTS SUPERSEDED OR CANCELLED BY REVISION 3

1. Management Plan for the Bombardier Aerospace BD-100 Continental Aircraft Program
   Date of Issue: October 18, 2000

2. TCCA/FAA Approved Flight Manual Revision Procedure
   Date of Issue: August 9, 2011

APPENDIX F LIST OF ACRONYMS

ACO	Aircraft Certification Office
AD	Airworthiness Directive
AED	FAA Aircraft Evaluation Division
AEG	TCCA Aircraft Evaluation Group
AFM	Aircraft Flight Manual
AMOC	Alternative Methods/Means of Compliance
ATIP	Access to Information and Privacy Act (Canada)
AWM	Airworthiness Manual
BAMT	Bilateral Airworthiness Management Team
BASA	Bilateral Aviation Safety Agreement
CAN-TSO	Canadian Technical Standard Order
CA	Certificating Authority
CAR	Canadian Aviation Regulations
CFR	Code of Federal Regulations
14 CFR	Title 14, Code of Federal Regulations
COS	Continued Operational Safety
DER	Designated Engineering Representative
EA	Exporting Authority
ELOS	Equivalent Level of Safety
FAA	Federal Aviation Administration
FM&D	Failures, Malfunctions and Defects
FOIA	Freedom of Information Act (U.S.)
IA	Importing Authority
ICA	Instructions for Continued Airworthiness
ICAO	International Civil Aviation Organization
LODA	FAA Letter of TSO Design Approval
MCAI	Mandatory Continuing Airworthiness Information
MIO	Manufacturing Inspection Office
MIP	FAA/TCCA Maintenance Implementation Procedures
MMEL	Master Minimum Equipment List
MOC	Method of Compliance
MRB	Maintenance Review Board
ODA	Organization Designation Authorization
PDA	Part Design Approval
PMA	Parts Manufacturer Approval

RDA	Repair Design Approval
SDR	Service Difficult Reports
SoD	State of Design
SoM	State of Manufacture
SoR	State of Registry
STC	Supplemental Type Certificate
TC	Type Certificate
TCCA	Transport Canada Civil Aviation
TSO	Technical Standard Order
TSOA	Technical Standard Order Authorization
VA	Validating Authority
VLA	Very Light Airplanes