

**Administrative arrangement on product certification between
Transport Canada, Civil Aviation Directorate (TCCA) and
And
The European Aviation Safety Agency (EASA)
(referred to as the Parties)**

1. Introduction

This administrative arrangement for product certification has been agreed upon between Transport Canada, Civil Aviation Directorate (TCCA) and the European Aviation Safety Agency (EASA) (Hereafter called the Parties).

1.1 The Parties have agreed to this arrangement with regard to products and changes to these products designed in Canada, which confirms that TCCA is prepared to support the EASA as the Competent Authority for the certification and continuing airworthiness of types of products imported by Member States of the European Community.

1.2 The Parties will work in accordance with the procedures of this arrangement from the date at which the Parties have signed it, until such time it is revised by mutual agreement of the Parties or replaced by some other Arrangement or terminated by one of the Parties.

1.3 This arrangement has been developed to satisfy Commission Regulation (EC) No 1702/2003 of 24 September 2003, in particular its Annex, Part 21.

2. General

The EASA have determined that the rules, standards, practices, procedures and system for TCCA approval and monitoring of design and production organisations are an acceptable alternative to Part 21, in accordance with Commission Regulation (EC) No 1702/2003, articles 3.2 and 4.2.

Therefore and without prejudice to the obligation of each Party under its own regulations, the purpose of this arrangement is:

2.1 To eliminate redundant review of reports, duplication of inspections, tests and test demonstrations, evaluations and approvals, thereby enabling maximum acceptance of TCCA findings by the EASA.

2.2 To define the detailed procedures to be followed for the implementation of the various Subparts of Part 21.

3. Definitions

The definitions listed below apply also to the Appendices of this arrangement.

The definitions apply for this document and are not always consistent with other EASA/EC definitions.

3.1 "Approved by the Agency" means the approval, acceptance, authorisation, certification or licensing of the organisation, person, civil product or document either directly or in accordance with a delegation procedure.

3.2 "Airworthiness Requirements" means requirements governing the design, performance, materials, quality, manufacture, maintenance or modification of products as prescribed by the EASA to enable it to find that the design, manufacture and condition of these products comply with its own laws, regulations, standards and requirements concerning airworthiness.

3.3 "Product" means any aircraft, engine, propeller, part or appliance.

3.4 "Critical component" means a part for which a replacement time, inspection interval, or related procedure is specified in the Airworthiness Limitation section of the manufacturer's maintenance manual or Instructions for Continued Airworthiness.

3.5 "Design-related Operational Requirements" means operational or environmental requirements related to design features of an product or data on its design relating to its operation or maintenance that make it eligible for a particular kind of operation.

3.6 "Environmental Requirements " means requirements governing the design, performance, materials, workmanship, manufacture, maintenance and modification of products prescribed by the EASA to ensure compliance with the laws, regulations, standards and requirements concerning aircraft noise and aircraft engine exhaust emissions.

3.7 "Modification" is either a change, which is designed by the TC holder or by a Person that is not the holder of the TC.

3.8 "Type Design" means the description of all characteristics of a product, including its design, manufacture, limitations and continued airworthiness instructions, which determine its airworthiness.

3.9 "Type Design Approval" means granting a certificate, approval or acceptance by or on behalf of the Authority for the type design of a product.

4. Scope

This arrangement covers:

- Design,
- Production, and
- Environmental approval

for all products.

5. Working Procedures

See Paragraph 9 and Appendices.

6. Continued Airworthiness

TCCA shall undertake the responsibilities for support of the continuing airworthiness of all Canadian products in accordance with the provisions of Part 21.

7. Mutual Co-operation and Assistance

7.1 In respect of products designed and manufactured in Canada, TCCA shall on request assist the EASA in determining whether the design of major changes, or repairs made under the control of the EASA, comply with the applicable airworthiness and environmental standards of the EASA.

7.2 TCCA and the EASA recognize that revision by TCCA to its regulations, policies, procedures, statutory responsibility, organizational structure, production quality control oversight, or delegation system may affect the basis and the scope of this arrangement. Accordingly, upon notice of such changes by TCCA, the EASA may request a meeting to review the need for amendment to this arrangement.

7.3 TCCA and the EASA agree to meet as necessary to review this arrangement and its continued validity. The frequency of these meetings will be mutually agreed by both authorities, and will depend on the number and significance of the issues to be discussed between the authorities.

7.4 When either TCCA or EASA needs information for the investigation of service incidents, accidents, or suspected unapproved parts involving a product imported under this arrangement, the request for information should be directed to the appropriate office of the Parties. In turn, upon receipt of the request for information the Party should immediately do everything necessary to make sure the requested information is provided in a timely manner. If urgency requires that the EASA request the information directly from the manufacturer because immediate contacts cannot be made with TCCA, the EASA shall inform TCCA of this action as soon as possible.

8. Interpretation

Any disagreement regarding the interpretation or application of this arrangement shall be resolved by common accord, in the following order, between:

8.1 The persons in charge of the implementation of this arrangement within TCCA and the EASA.

For this purpose the following persons are identified herewith:

For TCCA:

- a. The Director, Aircraft Certification Branch
- b. The Director, Aircraft Maintenance and Manufacturing Branch

For the EASA:

- a. The Certification Director, European Aviation Safety Agency

8.2 The executive agents (or their successors) who signed this arrangement.

9. Implementation

For the implementation of this arrangement TCCA and the EASA will apply the appended principles/procedures relating to specific Subparts of Part 21.

TCCA and EASA will develop additional principles/procedures for the implementation of this arrangement to other Subparts of Part 21, as appropriate.

In addition, project specific Project Information Document may be developed, when found necessary.

The Parties will jointly review this arrangement from time to time and may amend it as appropriate by written agreement.

10. Entry into Force

This arrangement shall enter into force at the date of signature by all concerned Parties of this arrangement.

11. Termination

Either Party may at any time give written notice to the other Party of its decision to terminate this arrangement. This arrangement shall terminate twelve months following the date of receipt of the notice by the other Party, unless the said notice of termination has been withdrawn by mutual agreement before the expiration of this period.

12. Authority

TCCA and the EASA agree to the provisions of this arrangement as indicated by the signature of their duly authorized representatives or executive agents.

Signed in _____, on ____2 February____ 2004 on behalf of

Transport Canada, Civil Aviation

European Aviation Safety Agency

By Signature

By Signature

M. Preuss

P. Goudou

APPENDICES WITH DETAILED PRINCIPLES/PROCEDURES

Appendix	Part-21 Subpart	Title
1	B	Type-certificates
2	D	Changes to the type-certificates
3	E	[Reserved for Supplemental Type Certificates]
4	F/G	Conformity with design
5	H	Airworthiness Certificates
6	K-L	Export of Engines, Propellers, Parts and Appliances
7	O	[Reserved for European Technical Standard Order Authorisations]
8	Q	Identification of products, parts and appliances

Appendix 1

Subpart B: Type-Certificates

(TCCA/EASA TYPE VALIDATION PRINCIPLES)

TCCA/JAA Generic arrangement on Certification under JAR-21 Subpart N, Appendix B, signed on 5 June 2000, apply, adapted as necessary to satisfy the provisions of Regulation (EC) No 1592/2002 and its implementing rules. This means in particular that references to JAR shall be interpreted as reference to Agency certification specifications.

Appendix 2

Subpart D: Changes to the Type-Certificates

(TCCA/EASA POST-TYPE VALIDATION PRINCIPLES)

TCCA/JAA Generic arrangement on Certification under JAR-21 Subpart N, Appendix D, signed on 5 June 2000, apply, adapted as necessary to satisfy the provisions of Regulation (EC) No 1592/2002 and its implementing rules. This means in particular that references to JAR shall be interpreted as reference to Agency certification specifications.

Appendix 3

Subpart E: Supplemental Type-Certificates

[Reserved]

Appendix 4

Subpart F/G: Conformity with design

1.0 Production Quality System.

All products, parts, and appliances exported under the provisions of these Procedures shall be produced in accordance with a production quality system, which ensures conformity to the approved design of the Agency and ensures that completed products are in a condition for safe operation. This production quality system covers the fabrication of products, parts, and appliances within and outside of the country of export.

1.1 Surveillance of Production Activities.

1.1.0 TCCA, as exporting authority, shall conduct regulatory surveillance of manufacturers, and their suppliers, in accordance with the TCCA's specific policies, practices, and/or procedures. Both ongoing and scheduled evaluations should be conducted to verify that the manufacturer is in continual compliance with its production quality system, manufacturing products, parts, and appliances which fully conform to the approved design, and are in a condition for safe operation.

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

1.1.2 TCCA production approval and supplier surveillance programs are described in "The Inspection and Audit Manual (IAM)" TP 8606E Part 2 Chapters 2 and 3. The manufacturer's responsibilities for surveillance of suppliers are described in CAR 561.14.

1.2 Extensions of Production Approvals.

1.2.0 When a production approval has been granted or extended by TCCA, as exporting authority, to include manufacturing sites and facilities for parts, components, and subassemblies, in an EU Member State or in a third country, the TCCA remains responsible for the surveillance and oversight of these manufacturing sites and facilities.

1.2.1 The TCCA may seek assistance from the civil airworthiness authority of a third country in the undertaking of TCCA regulatory surveillance and oversight functions when a production approval has been granted or extended by formal agreement/arrangement to that third country.

1.3 Supplier Surveillance - Outside the Exporting Country.

1.3.0 The TCCA, as exporting authority, shall include in their regulatory surveillance and oversight programs a means of surveilling their manufacturer's suppliers who are located outside the exporting country. This surveillance and oversight program for suppliers located outside of Canada will be equivalent to that program for domestic suppliers. This surveillance activity will assist the TCCA in determining conformity to approved design and whether parts are safe for installation on type certificated products.

1.3.1 The TCCA is responsible for surveillance and oversight of its manufacturers' suppliers located in the other country. Routine surveillance and oversight may be delegated by TCCA to the Agency by common accord.

1.3.2 The TCCA may seek assistance from a third country civil airworthiness authority at the supplier's location when an agreement has been formalised with that authority in the undertaking of TCCA regulatory surveillance and oversight functions at suppliers to manufacturers of the exporting country.

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

1.4 Arrangement Recordkeeping Requirements.

In accordance with Subpart 511 of the Canadian Aviation Regulations (CARs) for TC holders, and section 561.15 of the Canadian Aviation Regulations (CARs), for Production Approval Holders, these approval holders are required to maintain production records identified with the completed product, part, or appliance. They are required to retain them in order to provide the information necessary to ensure continued airworthiness and to hold them for access by the TCCA. This information is available from the approval holders via the TCCA upon request from the Agency.

Appendix 5

Subpart H: Airworthiness Certificates

1.1 Export Airworthiness Certificates.

TCCA shall issue export airworthiness certificates for products exported to Member States of the European Union under the conditions defined in 1.2, 1.3 and 1.4.

1.2 New Aircraft.

- a. TCCA shall issue an “*Export Certificate of Airworthiness*”, for a new aircraft certifying that the aircraft:
 1. Conforms to a type design approved by the Agency and any additional supplemental type certificates approved/accepted by the importing authority;
 2. Is marked in accordance with Appendix 8 of this arrangement
 3. Is in a condition for safe operation, including compliance with applicable importing authority Airworthiness Directives, as notified; and
 4. Meets all additional requirements prescribed by the importing authority, as notified.
- b. Each aircraft exported to an EU Member State with TCCA airworthiness approval will have an TCCA Form 24-0049, Export Certificate of Airworthiness, issued in accordance with the requirements of Subpart 509 of the CARs. The TCCA Form 24-0049 should contain a statement such as: “This certifies that the product identified below and more particularly described in the relevant *Type Approval / Certificate mentioned herein has been examined and as of the date of this certificate is considered to conform to the data forming the basis for the type approval, is in a condition for safe operation and complies with any additional airworthiness requirements specified by the importing country. This certificate does not constitute a flight authority.*”

1.3 Export Certificate of Airworthiness Exceptions.

The TCCA shall notify the Agency prior to issuing an Export Certificate of Airworthiness in which a non-compliance to the Agencies approved type design is to be noted under the “Exceptions” section of the Export Certificate of Airworthiness. This notification should help to resolve all issues concerning the aircraft’s eligibility for an airworthiness certificate. This notification should be to the Agency. A written acceptance from the Agency is required before the issuance of the TCCA’s Export Certificate of Airworthiness.

1.4 Used Aircraft for Which There Has Been a Design Approval Granted by the TCCA or the Agency

- a. For a used aircraft which design has been approved by the Agency, TCCA shall issue an “*Export Certificate of Airworthiness*” certifying that the aircraft:
 1. Conforms to a type design approved by the Agency and any additional supplemental type certificates approved/accepted by the Agency, as notified by the Agency to TCCA;

2. Is in a condition for safe operation, including compliance with all applicable importing authority Airworthiness Directives, as notified;
 3. Has been properly maintained using approved procedures and methods during its service life (evidenced by logbooks and maintenance records); and,
 4. Meets all additional requirements prescribed by the Agency, as notified.
- b. Acceptance of Used Aircraft Manufactured in Third Countries.
1. The Agency shall also accept TCCA Export Certificate of Airworthiness for used aircraft manufactured and/or assembled in a third country when that country has a bilateral agreement/arrangement with both the TCCA and the EASA covering the same class of product, and the conditions of paragraph 1.4(a)(1)-(4) have been met.
 2. When a used aircraft produced in Canada is to be imported into an EU Member State from a third country, TCCA will, upon request, assist the EU Member State in obtaining information regarding the configuration of the aircraft at the time it left the manufacturer. The TCCA will also provide, upon request, information regarding subsequent installations on the aircraft that have been approved by TCCA.
- c. The EU Member State, as importing country, may also request inspection and maintenance records which include, but are not limited to: the original or certified true copy of the Export Certificate of Airworthiness, or equivalent, issued by TCCA; records which verify that all overhauls, major changes, and repairs were accomplished in accordance with approved data; and maintenance records and log entries which substantiate that the used aircraft has been properly maintained throughout its service life to the requirements of an approved maintenance program.

Appendix 6

Subpart K-L: Export of Engines, Propellers, Parts And Appliances

1.1 New Parts, Including Modification and/or Replacement Parts.

- a. For a new part, including a modification and/or replacement part, TCCA shall certify that each part:
 1. Is eligible for installation in a product or appliance that has been granted an Agency design approval;
 2. Conforms to TCCA approved design data and is safe for installation;
 3. Is marked in accordance with Appendix 8 of this arrangement; and
 4. Meets all additional requirements prescribed by the Agency, as notified.
- b. All new parts exported to an EU Member State with TCCA airworthiness approval will have a TCCA Authorized Release Certificate form 24-0078. The Authorized Release Certificate shall contain the following certifying statement: "*Certifies that the items identified above were manufactured in conformity to approved design data as identified in [insert document identifier] and are in condition for safe operation*".

1.2 New Engines and Propellers.

- a. TCCA shall certify that each new engine or propeller:
 1. Conforms to a type design approved by the Agency;
 2. Is in a condition for safe operation, including compliance with applicable importing authority Airworthiness Directives, as notified;
 3. Has undergone a final operational check; and
 4. Meets all additional requirements prescribed by the Agency as notified.
- c. Each new engine or propeller exported to an EU Member State with TCCA airworthiness approval will have an TCCA Form 24-0078 — Authorized Release Certificate, issued in accordance with the requirements of section 561.11 of the Canadian Aviation Regulations (CARs). The TCCA Form 24-0078 should contain the following statement: "*Certifies that the items identified above were manufactured in conformity to approved design data as identified in [insert document identifier] and are in condition for safe operation*."

Appendix 7

Subpart O: European Technical Standard Order Authorisations

[Reserved]

Appendix 8

Subpart Q: Identification of Products, Parts and Appliances

1. Each Agency certified / validated aircraft, engine, and propeller must be identified as required in Part 21 Subpart Q.
2. Each part or appliance produced in accordance with design data not belonging to the type certificate holder of the related product (i.e. replacement or modification part) must be marked in accordance with Part 21 Subpart Q. In addition, information concerning the model designation of the type certificated product for which the part is eligible for installation must be furnished.