

Working Arrangement

between

the European Aviation Safety Agency (EASA)

and

the State Aviation Administration of the
Ministry of Transport and Communications of
Ukraine
(SAAU)



The European Aviation Safety Agency (EASA) and the State Aviation Administration of the Ministry of Transport and Communications of Ukraine (SAAU), hereinafter referred to as 'the Parties',

1. Considering the common interest of the Parties to achieve a high uniform level of civil aviation safety and environmental compatibility.
2. Considering that it is desirable to ensure close cooperation between the Parties in all areas of aviation safety, taking into account the objective of the European Union and Ukraine to establish a Common Aviation Area.
3. Noting that this Working Arrangement is a provisional measure facilitating the conclusion and implementation of a Common Aviation Area agreement between the European Community and Ukraine and that it should serve to further study, and become acquainted with, the standards and systems for certification and oversight of the Parties.
4. Desiring to encourage co-operation and assistance between the Parties with the view to developing and employing procedures for granting design approvals and airworthiness and environmental certification to civil aeronautical products, parts and appliances imported from the other Party so as to give maximum practicable credit for technical evaluations, test results, inspections, conformity statements, marks of conformity and certificates accepted or issued by or on behalf of the exporting Party in granting its own design approvals or airworthiness and environmental certification to such aeronautical products, parts and appliances.
5. Taking note that following the decision of the Directors General of the Member States of the European Civil Aviation Conference at their DGCA/129 meeting (Paris, 19 March 2008) and with the endorsement of the Final Report on the FUJA II the JAA were dissolved and the Arrangements concerning the development, the acceptance and the implementation of Joint Aviation Requirements (Cyprus Arrangements) ceased to exist on 30 June 2009.
6. Noting that Regulation (EC) No 216/2008¹ declares that the involvement of European countries not Members of the European Union should be pursued, so as to ensure a proper pan-European dimension, in order to facilitate the improvement of civil aviation safety throughout Europe.
7. Acknowledging that SAAU agreed to join the EASA system as established by the European Community as part of its JAA commitments by means of an agreement with the European Community and its Member States.
8. Acknowledging that Ukraine would until its full integration into the EASA system carry out functions and tasks of the State of design, manufacture and registration as provided by the Convention on International Civil Aviation²
9. Recognizing the emerging trend towards multinational design, production and interchange of civil aeronautical products and the need for harmonization of processes and procedures aiming for an integrated safety management and safety validation methodology.
10. Conscious of the need to avoid any gap in their cooperation in safety related matters.

¹ Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency. OJ L 79, 19.3.2008, p 1, recital 30

² Convention on International Civil Aviation, signed in Chicago on 7 December 1944 (the Chicago Convention)



11 Noting that SAAU, has already accepted the competencies and tasks attributed to EASA in particular in the field of standardisation by the procedures implementing the Cyprus Arrangements.

Have agreed to conclude this Working Arrangement as follows:

1. Scope

This Working Arrangement covers all aspects of the regulation of civil aviation safety and environmental protection of products, organisations and personnel as these are covered by the relevant standards referred to in Annex 1, as applicable.

2 Definitions

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

"EASA Aviation Authority" means the competent authority (member of the JAA on 30 June 2009) of a Member State of the European Union or a Contracting Party to a Common Aviation Area type agreement providing for the full integration of that Party into the EASA system

"non-EASA Aviation Authority" means the competent authority (member or candidate of the JAA on 30 June 2009), which is not an EASA aviation authority

"EASA system" means the system established pursuant to Regulation (EC) No 216/2008 (OJ L 79, 19 3.2008, p. 1) and its implementing rules.

"JAA standards" means the Joint Aviation Requirements as these stand on 30 June 2009.

3. Regulatory cooperation and mutual assistance

3.1 In respect to all areas covered by this Working Arrangement the Parties will provide each other technical assistance as they consider appropriate. This includes the possible participation of EASA and non EASA aviation authorities' auditors to the standardisation visits.

3.2 Upon request of either Party, co-operation between EASA and the SAAU will be developed in the domains of Research and the European Strategic Safety Initiative (ESSI)

3.3 EASA will notify the SAAU of any change to the relevant standards set out in Annex 1 and shall assist SAAU in understanding the applicable rules so as to facilitate their transposition and implementation into national legislation.

3.4 The SAAU will be under no obligation to automatically adopt or apply, as its sole code, the relevant standards set out in Annex 1.

4. Implementation procedures for certification of products, parts, appliances and organisations

The Parties will develop Implementation Procedures for the certification of products, parts, appliances and organisations which shall be consistent with the principles specified under the agreement between the European Community and its Member States and Ukraine on the establishment of the Common Aviation Area.

5. Standardisation procedures and relevant standards

5.1 The SAAU accepts that EASA carries out standardisation visits on the basis of the relevant standards as set out in Annex 1, as applicable and according to the standardisation technical methods, principles and procedures set out in Annex 2.

5.2 For the purpose of carrying out standardisation visits the SAAU accepts to assist EASA in gaining unimpeded access to its relevant premises, lands or means of transport and to those of any undertakings under its regulatory control in accordance with the national legislation in force.

6. Acceptance of certificates and technical findings

6.1 The SAAU agrees to accept a certificate issued by EASA, by any act of recognition or validation, together with the privileges and certificates pertaining thereto, in accordance with the applicable rules of the EASA system. Acceptance may be effected through the issuance of a certificate. The acceptance procedure shall be based on the national legislation of Ukraine in force.

6.2 EASA will issue, as appropriate, a certificate on the basis of the relevant technical findings, established by the SAAU when based on standardisation results it has been determined that such technical findings have been issued in compliance with applicable relevant standards set out in Annex 1, as applicable.

6.3 This Working Arrangement does not affect the acceptance under international agreements of certificates by any act of recognition or validation, with the privileges and certificates pertaining thereto, on the basis of the relevant technical findings issued by the SAAU, issued by any EASA Aviation Authority or issued by a non-EASA Aviation Authority. The acceptance procedure shall be based on the national legislation in force.

7. Consultations

7.1 If the SAAU has serious doubts about the compliance of a certificate issued pursuant to paragraph 6.3 above, it will notify EASA thereof as soon as practicable but not later than 15 working days after doubts about compliance have been raised.

7.2 Following this notification the Parties will attempt to resolve any doubt about the compliance of the certificate concerned.

7.3 Application of paragraph 7.2 will not prevent the SAAU from taking any action it considers appropriate to preserve safety, neither will it affect its rights provided for in international agreements to which Ukraine is a party.

8. Costs

The Parties agree to bear the costs incurred from the application of this Working Arrangement. The modalities of reimbursement are described in Annex 3.

9. Communication and liaison activities

9.1 The SAAU will establish a liaison function with EASA and will assign a Focal Point to facilitate the implementation of this Working Arrangement.

9.2 The SAAU is entitled to appoint an observer in the Advisory Group of National Authorities, so as to be aware of regulatory developments in the EASA system and to contribute to defining



priorities and policies for rulemaking. The SAAU is equally entitled to propose experts for participation in rulemaking activities, including working groups

9.3 All communication undertaken in execution of this Working Arrangement will be conducted in the English language.

10. Final Provisions

This Working Arrangement does not affect or limit in any way the rights and obligations of the SAAU stemming from international agreements to which Ukraine is a party

11. Entry into force, settlement of disagreement, amendment and termination

11.1 This Working Arrangement shall apply as from the date of their signature

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

11.3 Any disagreement regarding the interpretation or application of this Working Arrangement shall be resolved by common accord between the Parties.

11.4 When the comprehensive aviation agreement between Ukraine and European Community is concluded, this Working Arrangements shall be adapted accordingly, when necessary.

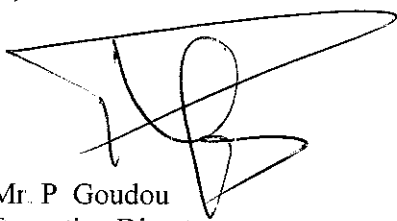
11.5 This Working Arrangement will continue to apply until terminated by either Party by written notice. Such termination will be effected upon the sixty calendar day's period following the date of receipt of the written notification, unless the notice of termination has been withdrawn by mutual agreement before the expiry of the aforesaid period.

Done in duplicate in English and Ukrainian languages³.

on 09 December 2009 in Paris.

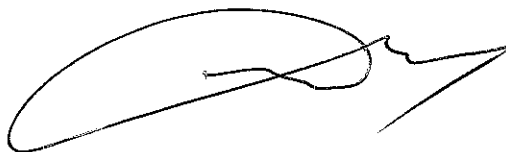
European Aviation Safety Agency (EASA)

By



Mr. P. Goudou
Executive Director

**State Aviation Administration of the
Ministry of Transport and
Communications of Ukraine (SAAU)**
By



Mr. Oleksandr Davydov
Deputy Minister of Transport
& Communications of Ukraine-Chairman of
the State Aviation Administration

³ In case of dispute the English version shall prevail. The Ukrainian authorities are in charge of the translation of this Working Arrangement and its annexes into the Ukrainian language

Annex 1

Relevant Standards

A. Airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations (EASA Part 21), as last amended

CS-22 (Sailplanes and Powered Sailplanes)
CS-23 (Normal, Utility, Aerobatic and Commuter Aeroplanes)
CS-25 (Large Aeroplanes)
CS-27 (Small Rotorcraft)
CS-29 (Large Rotorcraft)
CS-34 (Aircraft Engine Emissions and Fuel Venting)
CS-36 (Aircraft Noise)
CS-APU (Auxiliary Power Units)
CS-AWO (All Weather Operations)
CS-E (Engines)
CS-ETSO (European Technical Standard Orders)
CS-Definitions (Definitions and Abbreviations)
CS-P (Propellers)
CS-VLA (Very Light Aeroplanes)
CS-VLR (Very Light Rotorcraft)

AMC&GM related material related to this field.

B. Continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks, as last amended

EASA Part M
EASA Part 145
EASA Part 66
EASA Part 147

AMC&GM related to this field.

C. Technical requirements and administrative procedures in the field of OPS:

JAR OPS 1 Amendment 14 (refers to council Regulation 3922/91 as amended by Regulation 859/2008)
JAR OPS 3 amendment 5 (1.07.2007)
JAR 26 amendment 3 (1.12.2005)
JAR MMEL/MEL amendment 1 (1.08.2005)
JAR-FSTD A (Aeroplanes) – First issue, 1.05.2008
JAR FSTD H (Helicopters) – First issue, 1.05.2008
JAA Administrative & Guidance Material, Section 4: Operations, Part 2, Procedures – revision 01/10/2008
JAA Administrative & Guidance Material, Section 6: Synthetic Training Devices, Part 2, Procedures – revision 1.02.2008



D. Technical requirements and administrative procedures in the field of FCL:

JAR-FCL 1 (Aeroplane) amendment 7, published 1.12.2006

JAR-FCL 2 (Helicopter) amendment 6, published 1.2.2007

JAR-FCL 3 (Medical) amendment 5, published 1.12.2006

JAR-FCL 4 (Flight Engineers) amendment 3, published 1/9/2005


JAA Administrative & Guidance Material, Section 5, Personnel Licensing, Part 2, Procedures –
published 1.10.2008



Annex 2

Standardisation principles and procedures

1. EASA will inform all EASA and non-EASA Aviation Authorities and the European Commission of the results of the standardisation visits carried out under this Working Arrangement
2. The SAAU accepts the following classification of findings raised by EASA during the standardisation visits carried out in accordance with the principles and procedures set out in this Annex:
 - (a) fully compliant;
 - (b) compliant, but improvement is recommended in areas (reference to the standards affected) for better efficiency;
 - (c) not compliant, with objective evidence of minor deficiencies showing non-compliance with the applicable requirements in areas (reference to the standards affected), which could raise standardisation concerns;
 - (d) not compliant, with objective evidence of significant deficiencies showing non-compliance with the applicable requirements in areas (reference to the standards affected), which, besides standardisation concerns raise safety concerns if not promptly corrected;
 - (e) not applicable;
 - (f) not confirmed, when the national aviation authority inspected commits to produce shortly after the visit material evidence of compliance on findings otherwise classified as in (c) or (d), such material evidence not being directly available at the time of the visit.
3. The SAAU accepts to duly take into account the safety recommendations resulting from the standardisation reports of the visits carried out in accordance with the procedures set out in this Annex and will act upon them in order to redress the identified findings
4. Where no satisfactory remedial action is proposed or implemented by the SAAU as undertaken, EASA will address a supplementary report to the SAAU, and will inform thereof all EASA and non-EASA Aviation Authorities as well as the European Commission.
5. Once EASA is satisfied with the actions undertaken by the SAAU, it will issue a statement of closure of findings. Such statement will be addressed to the SAAU and EASA will inform thereof all EASA and non-EASA Aviation Authorities as well as the European Commission.



Reference procedures used for standardisation visits

S.P006 Standardisation Inspection Procedure including all related relevant Work Instructions and Standardisation Bulletins, as last amended and published on the “EASA Standardisation” electronic community of EASA in SINAPSE⁴.

EASA shall grant access to SINAPSE for SAAU personnel in charge of the implementation of this Working Arrangement (see Article 9.1).

⁴ SINAPSE is a web-based software application hosted by the European Commission. It features tools to facilitate the effective communication amongst closed communities of experts. Nominated experts become group members.



Annex 3

Modalities for bearing the costs arising from the application of this Working Arrangement

The costs incurred due to the application of this Working Arrangement comprise travel expenses and management fees.

1) Travel expenses (accommodation and transport)

- For EASA members of standardisation teams the travel expenses will be directly paid by EASA.
- For members of standardisation teams coming from Civil Aviation Authorities, the travel expenses will be directly invoiced by the seconding Authority to the Civil Aviation Authority subject to the standardisation visit.

2) Management fees

The standardisation services will be invoiced by EASA to the Civil Aviation Authority subject to the standardisation visit.

