

## **Working Arrangement**

**between**

**The General Administration of Civil Aviation of China  
(CAAC)**

**and**

**The European Aviation Safety Agency (EASA)**

**On the production of the Diamond aircraft DA40 and parts  
and appliances related to this aircraft in China**

The General Administration of Civil Aviation of China (CAAC) and the European Aviation Safety Agency (EASA), hereinafter referred to as the Parties,

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

Bearing in mind the emerging trend towards multinational design, production, maintenance and interchange of civil aeronautical products,

Considering the Memorandum of Understanding on the production of the Diamond aircraft DA40 and parts and appliances related to this aircraft in China signed by Mr Li Jian and Mr. Patrick Goudou on 27<sup>th</sup> of February 2008,

Noting that EASA has granted an EASA Production Organisation Approval (EASA POA) to Shandong Bin Ao Aircraft Industries Co, Ltd (SBAAI) on 28 January 2008 for the production in China of the Diamond aircraft DA40 and of its parts and appliances,

Acknowledging that the Parties agree that the production oversight of the production in China of the Diamond aircraft DA40 and of its parts and appliances will be performed by EASA through the EASA POA granted to SBAAI,

Have agreed the present Working Arrangement:

## **1. PURPOSE**

Without prejudice to the obligation of each Party under its own regulations, the purpose of this Working Arrangement is to organise the necessary co-operation to support the production in China by SBAAI of the Diamond aircraft DA40 and of its parts and appliances, taking into account their respective responsibilities under such regulations

## **2. SCOPE**

The Working Arrangement covers:

- The oversight of the production of the Diamond aircraft DA40 and of its parts and appliances, at the SBAAI production line and delivery centre located in Dagao, Zhanhua County, Binzhou City (P.R. China);
- The issuing of documents attesting the conformity of these aircraft, parts and appliances with the design approval issued by EASA;
- The issuing of Special Flight Permit to these aircraft, as appropriate for flight test and delivery to their owners or operators; and
- Maintenance of these aircraft until they are delivered by SBAAI to SBAAI customers.

### **3. IMPLEMENTATION**

#### **3.1 Release certificates**

##### a) Export Certificate of Airworthiness

For each Diamond aircraft DA40 to be registered in China after delivery from SBAAI, the Parties agree that EASA will issue an Export Certificate of Airworthiness based on the individual EASA Form 52, issued under the privileges of the SBAAI EASA POA, stating the product complies with the CAAC approved type design and is in a condition for safe operation, including compliance with applicable CAAC Airworthiness Directives.

##### b) Parts and appliances

Each part and appliance related to the Diamond aircraft DA40, will be delivered to China with an individual EASA Form 1, issued under the privileges of the SBAAI EASA POA, stating that the part and appliance complies with the CAAC approved type design and is in a condition for safe operation, with a note in Block 13 of EASA Form 1 stating that the part and appliance is eligible for export to China.

#### **3.2 Production oversight**

##### a) General

The oversight of the assembly line and delivery centre shall be performed in accordance with the provisions of Regulation (EC) No 1592/2002<sup>1</sup>, Commission Regulation (EC) No 1702/2003<sup>2</sup> and the applicable interpretative material.

##### b) Audit

The oversight of the assembly line and delivery centre will be performed by EASA. EASA will inform CAAC about its planned audits/visits to the production facility. CAAC may decide to send representatives as observers of the audit performed by EASA.

##### c) Allocation of technical tasks

CAAC may take oversight functions and tasks of the Chinese production facility, on behalf of EASA, under conditions to be agreed by the parties.

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<sup>1</sup> Regulation (EC) No 1592/2002 of the European Parliament and of the Council of 15 July 2002 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency. OJ L 240, 7 9 2002, p 1, as last amended.

<sup>2</sup> Commission Regulation (EC) No 1702/2003 of 24 September 2003 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations (Part 21), as last amended



### **3.3 Special flight permit**

CAAC will issue, as necessary, the special flight permit and the temporary registration certificate to Diamond aircraft DA40 produced in China in accordance with the applicable Chinese regulations.

All necessary information on the ability of safe flight of the considered aircraft is provided by SBAAI which will issue a statement to CAAC, in accordance with a procedure surveyed by EASA and CAAC and agreed upon by CAAC and EASA by exchange of letters.

Any change to this procedure shall be similarly reviewed and agreed upon by exchange of letters between EASA and CAAC.

### **3.4 Maintenance**

Aircraft produced in China will be maintained under the SBAAI EASA POA until transfer to their owners or operators.

## **4. COMMUNICATION**

- 4.1 The Parties will consult regularly about the implementation of this Working Arrangement.
- 4.2 A project manager will be assigned by each Party to facilitate the implementation of this Working Arrangement. All routine communication related to the activities of this Working Arrangement will formally take place between these two project managers (see appendix 1).
- 4.3 All communications between the Parties related to the activities of this Working Arrangement will be made in the English language

## **5. EXECUTIVE MANAGEMENT**

- 5.1 Representatives of the Parties will meet at least once a year for ensuring the effective functioning of this Working Arrangement and to evaluate the effectiveness of its implementation. In case of disagreement the parties will take the opportunity of this meeting to decide the conditions under which this Working Arrangement and its applicable procedures may be continued and amend it as appropriate.
- 5.2 These meetings will also provide a forum for discussion of other issues that may arise related to civil aviation safety and other changes that may affect the implementation of this Working Arrangement.



## **6. ENTRY INTO FORCE, INTERPRETATION, AMENDMENT, DURATION AND TERMINATION**

### **6.1 Entry into force**

This Working Arrangement shall enter into force at the date of signature by the Parties' duly authorised representatives.

### **6.2 Interpretation and amendment**

Any disagreement regarding the interpretation or application of this Working Arrangement shall be resolved by common accord by consultation between the parties. This Working Arrangement may be amended by mutual consent between the parties (see paragraph 5). Such amendments will be written and made effective by the signatures of the duly authorized representatives or their designees.

### **6.3 Duration and termination**

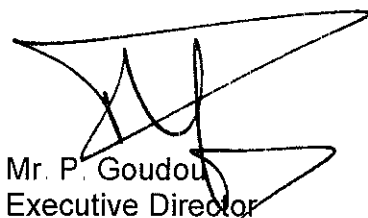
This Working Arrangement will remain in force until terminated by either Party.

Either Party may at any time give written notice to the other Authority of its decision to terminate this Working Arrangement. This Working Arrangement shall terminate three 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 expiry of this period.

The parties agree to the provisions of this Working Arrangement as indicated by the signature of their duly authorised representatives.

Signed on 28<sup>th</sup> of February 2008 in duplicate in English language:

**For the European Aviation Safety Agency (EASA)**



Mr. P. Goudou  
Executive Director

**For the General Administration of Civil Aviation of China (CAAC)**



Mr. Zhang Hongying  
Director General

## APPENDIX 1

### Project Manager

| FOR EASA   | FOR CAAC  |
|--|---|
| Approvals and Standardisation Directorate  | Aircraft Airworthiness Certification Department                     |
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