

WORKING ARRANGEMENT ON AIRWORTHINESS
BETWEEN
THE EUROPEAN AVIATION SAFETY AGENCY (EASA)
AND
THE CIVIL AVIATION AUTHORITY
OF NEW ZEALAND (CAA-NZ)



The European Aviation Safety Agency (EASA), established by Regulation (EC) No 1592/2002¹, and the Civil Aviation Authority of New Zealand (CAA-NZ) established by section 72A of the Civil Aviation Act 1990, hereinafter referred to as the Parties,

Desiring to promote a high level of civil aviation safety,

Recognising the emerging trend toward multinational design, production and interchange of civil aeronautical products,

Considering the possible reduction of the economic burden imposed on the aviation industry by redundant technical inspections, evaluations and testing,

Being entitled by their respective constituting acts to conclude working arrangements in their field of competence,

Noting that the cooperation between New Zealand and the European Community in the field of civil aviation safety extends far beyond airworthiness certification, the further development of the appropriate cooperation would be best achieved by the conclusion of an appropriate agreement in the future between the European Community and New Zealand.

Have agreed as follows:

1. OBJECTIVES

The Parties have agreed, taking into account the level of co-operation achieved between CAA-NZ, JAA and the EU Member States aviation authorities, on the following objectives for co-operation:

a. to reduce the economic burden imposed on aviation industries and operators by avoiding redundant technical evaluations, tests and inspections by developing and employing procedures for granting design approvals and airworthiness certification to civil aeronautical products, parts and appliances imported from either Party, which give maximum practicable credit to technical evaluations, test results, inspections, conformity statements, marks of conformity and certificates issued by or on behalf of that Party and;

b. to encourage co-operation and assistance in achieving common safety objectives by establishing and maintaining airworthiness standards and certification systems that are as similar as is practicable.

¹ Regulation (EC) No 1592/2002 of the European Parliament and of the Council of 15 07 2002 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, OJ 7.9.2002 L 240/1

2. SCOPE OF COVERAGE

This Working Arrangement applies to:

- a. The acceptance by the Importing Party of:
 - the design approval, including modifications or repairs
 - the findings of compliance made by the Exporting Party with the Importing Party's design requirements of civil aeronautical products, parts and appliances and
 - the changes to approved documentation
- b. The acceptance by the Importing Party of the airworthiness certification of civil aeronautical products, parts and appliances that may be exported from each Party;
- c. Co-operation and assistance on continued airworthiness of in-service products, parts and appliances;
- d. Co-operation, assistance, and exchange of information regarding safety and environmental standards and certification systems;
- e. Co-operation in providing technical evaluation assistance.

3. IMPLEMENTATION TO DESIGN APPROVAL

- a. This Working Arrangement applies to products, listed in Attachment 1 and parts and appliances related to these products. This list will be regularly updated by a mutual agreement.
- b. This Working Arrangement shall be implemented in accordance with technical procedures mutually agreed for each particular product or class of products. Such procedures shall be consistent with the principles specified hereunder in this article. These technical procedures shall be included in the schedule of implementation procedures in as attachments to this Working Arrangement.
- c. For each new certification project the Exporting Party will assist the Importing Party to become familiar with the aeronautical product, parts and appliances to be imported and with the laws, regulations, standards, requirements and the certification system applied by the Exporting Party.
- d. As soon as practicable, after it has become familiar with the design of an aeronautical product, the Importing Party shall notify the Exporting Party of its approval basis for that design approval of the aeronautical product, parts and appliances, in terms of the laws regulations, standards, requirements and



certification system of the Exporting Party together with any additional technical conditions it deems necessary.

e. These additional technical conditions will be prescribed to ensure that the aeronautical product meets the airworthiness standards, which would be required for a similar aeronautical product, part or appliance, designed or manufactured in the jurisdiction of the Importing Party, at the time when the application was received for the approval of the aeronautical product type design by the Exporting Party, unless otherwise agreed by the Parties to take into account, in particular, service experience, or airworthiness directives issued, between the date of application in the Exporting Party and the date of application in the Importing Party

f. On request from the Exporting Party, the Importing Party will promptly advise the Exporting Party of its current design related operational requirements.

g. The Exporting Party, by using its established certification system involving technical evaluation, tests, determinations and inspections, will determine and so certify to the Importing Party that the product design, or an alteration or modification thereto, complies with the criteria identified as described in paragraphs d and f above. In the absence of specific interpretations of means of compliance of these criteria prescribed by the Importing Party, the Exporting Party shall use in making this determination of compliance the interpretations and means of compliance, which it deems appropriate or it shall confer with the Importing Party.

h. The Importing Party will make its finding of compliance with its own laws, regulations, standards and requirements by giving the appropriate credit to that certification of compliance provided by the Exporting Party in accordance with paragraph g above. Additional investigation test may be required and witnessed by the Importing Party to ensure compliance to its airworthiness standards.

4. IMPLEMENTATION PROCEDURES FOR AIRWORTHINESS CERTIFICATION

For each product, listed in Attachment 1 and for part and appliance related to these products the Exporting Party will assist the Importing Party in determining that an aeronautical product, part or appliance conforms to a design approved by the Importing Party and is in a condition for safe operation.



5. CONTINUING AIRWORTHINESS

- a. The Parties will co-operate in analysing airworthiness aspects arising from accidents and incidents or any other investigations involving the aeronautical products listed in Attachment 1, and parts and appliances related to these products.
- b. In respect of aeronautical products, parts and appliances designed or manufactured under its jurisdiction, the Exporting Party will, where appropriate, specify any actions it deems necessary to correct any unsafe condition of the type design that may be discovered after an aeronautical product, part or appliance is placed in service, including any actions in respect of components designed or manufactured by a supplier under a contract with the type certificate holder.
- c. In respect of an aeronautical product, parts or appliances designed or manufactured under its jurisdiction, the Exporting Party will assist the Importing Party in establishing any actions deemed necessary by the Importing Party to ensure the continuing airworthiness of such aeronautical product.
- d. Each Party will promptly inform the other of all mandatory airworthiness modifications, special inspections, special operating limitations or other actions which it deems necessary to ensure the continuing airworthiness of the relevant aeronautical products, parts and appliances designed or manufactured under its jurisdiction.

6. MUTUAL COOPERATION AND ASSISTANCE

- a. In respect of aeronautical products, parts and appliances designed or manufactured under its jurisdiction, the Exporting Party will, on request, assist the Importing Party in determining whether the major changes to type design, or repairs made under the control of the Importing Party, comply with the airworthiness standards under which such aeronautical products, parts and appliances were originally approved by the Exporting Party.
- b. Each Party will advise the other of all its relevant airworthiness and environmental laws, regulations, standards and requirements, and of its airworthiness and environmental certification system.
- c. Each Party will, as soon as practicable, notify the other of proposed significant revisions to its standards and system for airworthiness and environmental certification or approval; offer the other Party an opportunity to comment and give due consideration to the comments made by the other Party on the intended revisions.



d. The Parties will provide to each other such technical evaluation assistance, as they consider appropriate on a case by case basis.

7. INTERPRETATION

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

- The persons in charge of the implementation of this Working Arrangement within CAA-NZ and the EASA.
- The executive agents (or their successors) who signed this Working Arrangement.

b. In the case of conflicting interpretation of the laws, airworthiness or environmental regulations/standards, requirements, or acceptable means of compliance pertaining to certifications, approvals, or acceptance under this Working Arrangement, the interpretation of the Party whose law, regulation/standard, requirement, or acceptable means of compliance is being interpreted shall apply.

8. ENTRY INTO FORCE AND IMPLEMENTATION

a. The Parties will work in accordance with this Working Arrangement from the date on which it is signed by the Parties. The Working Arrangement may be revised by agreement of the Parties.

b. The provisions of Articles 3, 4 and 5 shall be further elaborated in technical procedures to be attached to this Working Arrangement as attachments

c. Each Party shall keep the other Party advised as to its identity and of any changes in its competence with relevance to this Working Arrangement,

9. TERMINATION

Either Party may terminate this Working Arrangement at any time by giving notice in writing to the other Party. The Working Arrangement shall terminate 3 (three) months following the date of receipt of the notice by the other Party, unless the said notice of termination has been withdrawn by a mutual agreement before the expiry of that period.




10. AUTHORITIES

The Parties agree to the provisions of this Working Arrangement as indicated by the signature of their duly authorised representatives or executive agents.

Signed in Wellington on 23/11/2007 in duplicate in English language, on behalf of:

European Aviation Safety Agency
(EASA)

By



Mr P. Goudou
Executive Director

C. Drosio

Civil Aviation Authority of New
Zealand (CAA-NZ)

By



Mr Steve Douglas
Director of Civil Aviation.

23 November 2007.

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Attachment 1

List of products

Manufacturer	Model	CAA-NZ TC Issuance	EASA TC Issuance
Alpha Aviation Manufacturing Ltd.	HR200 and R2000 series	16 June 2006	16 June 2006
Pacific Aerospace Corporation Ltd.	PAC 750XL	23 July 2003	12 April 2006



Implementation Procedures for the Approval of Products, Parts and Appliances Imported from New Zealand

SECTION A – TYPE-CERTIFICATION

1. Scope

The procedures described in this section are applicable for the EASA type certification of civil aeronautical products certificated by CAA-NZ as the authority of the State of Design, or for which an application for issue of type certification has been received by CAA-NZ

2. Application for EASA Type Certification

An application for EASA Type Certificate shall be made, through CAA-NZ, in accordance with EASA Part 21, Section A, Subpart B¹ and EASA Certification/Validation Procedures. Applications may be submitted for products with CAA-NZ Type Certificate, or with application for type certification accepted by CAA-NZ. CAA-NZ shall ensure the application contains the following information:

- a. The CAA-NZ Type Certificate and TC Data Sheet, if available, and a definition of the national airworthiness standards upon which the CAA-NZ design approval was (or will be) based, and the EASA equivalent standards CAA-NZ believes to be satisfied by its own standards; and
- b. A planning date for EASA type certification.

In addition, the application shall contain the following information if known at the time of the application:

- c. A description of all novel or unusual design features known to the type-certificate applicant and CAA-NZ at the time of application which might necessitate issuance of EASA special conditions under 21A.16B of EASA Part 21, or which might require a special review of acceptable means of compliance; and
- d. All known or expected exemptions, deviations or equivalent level of safety findings relative to the CAA-NZ's standards for design approval that might affect compliance with the applicable EASA airworthiness standards.

3. CAA-NZ and EASA Communications and Procedures

On receipt of an application for EASA type certification EASA shall nominate a Project Certification Manager (PCM) for the project and advise CAA-NZ accordingly.

¹ 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 design and production organisations (EASA Part-21) OJ L 243, 27.9.2003, p. 6.



Implementation Procedures for the Approval of Products, Parts and Appliances Imported from New Zealand

All correspondence between CAA-NZ and EASA will be between the CAA-NZ Type Certification Co-ordinator and the EASA Project Certification Manager assigned to the project.

Direct discussion including the exchange of technical information as required may be conducted between the relevant EASA and CAA-NZ technical specialists authorized by the Project Manager in each case.

EASA will notify CAA-NZ of any meeting(s) that EASA arranges in direct contact with the type-certificate applicant and/or its suppliers on certification matters. The EASA shall indicate those meetings particularly warranting CAA-NZ attendance and provide adequate notice to allow CAA-NZ to attend. CAA-NZ will notify EASA if it wishes to attend any other meeting.

4. EASA Responsibilities

The EASA type-certification basis will be notified to CAA-NZ and the type-certificate applicant.

EASA will provide CAA-NZ with appropriate interpretative material to enable CAA-NZ to determine compliance with EASA airworthiness standards or environmental protection requirements and declare this compliance to EASA.

For major certification subjects, EASA will raise Certification Review Items (CRIs):

- a. To record the process followed to define and record the content of the EASA certification basis identifying the nature of each requirement;
- b. To develop and administer EASA Special Conditions;
- c. To administer new EASA policies, e.g. means of compliance, interpretations;
- d. To administer equivalent safety findings, exemptions or deviations;
- e. To deal with novel and unusual design features;
- f. To record the application of new EASA standards, if different from CAA-NZ standards;
- g. To record controversial subjects;
- h. To list specific design changes required for compliance with EASA certification basis.

For the purpose of administering the findings of compliance with EASA airworthiness standard or environmental protection requirements, EASA shall issue Certification Action Items (CAIs):

- a. To review the suitability of a proposed demonstration of compliance;
- b. To identify areas, and justify extent, of direct involvement of EASA in the compliance finding process;
- c. To provide CAA-NZ with adequate material (e.g. the interpretations to be applied, the means of compliance) to verify compliance demonstrations.

EASA will identify, and notify in writing CAA-NZ and the applicant, as early as possible the subjects for which it elects to be directly involved in the demonstration of compliance findings.

EASA will inform CAA-NZ in writing of its conclusions concerning its investigation.



Implementation Procedures for the Approval of Products, Parts and Appliances Imported from New Zealand

EASA will provide a Summary List and a copy of all Certification Review Items (CRIs) and CAIs, and revisions thereof, to CAA-NZ, including copies of its correspondence with the type-certificate applicant relating to CRIs and CAIs.

EASA will notify CAA-NZ (with copy to type-certificate applicant) of the status of each CRI or CAI and will request formal CAA-NZ and type-certificate applicant for a formal position statement.

When satisfied with the compliance findings, EASA will send a statement of compliance to CAA-NZ for the subjects for which it has retained compliance.

5. CAA-NZ Responsibilities

CAA-NZ will find compliance with EASA type-certification basis and environmental protection requirements using EASA acceptable means of compliance and guidance material (see paragraph 4 above).

CAA-NZ will initiate comments on CRIs and CAIs for which EASA has requested CAA-NZ position statements, or as considered appropriate by CAA-NZ.

CAA-NZ will provide EASA with a formal statement attesting that it has determined that compliance has been demonstrated with EASA type-certification basis and environmental protection requirements.

CAA-NZ will keep EASA informed on the status of the certification program, including progress, schedules, problems and significant certification issues.

6. Test Witnessing

EASA will notify CAA-NZ and the type-certificate applicant concerning requests for conducting or witnessing tests by CAA-NZ on its behalf and will identify the test programme to be used. CAA-NZ will verify the reported certification test results and will forward them to EASA. EASA will review these test results and notify CAA-NZ (with copy to type-certificate applicant) of its conclusions.

EASA may request CAA-NZ to approve the test programme and/or the test results report on its behalf.

7. Documentation

7.1. Documents associated with Type Certification requiring formal approval by EASA

The following documents require formal approval by EASA:

- a. Test Programmes for which the test witnessing has been retained by EASA;
- b. Compliance documents on subjects which have been retained by EASA;
- c. Aircraft Flight Manual (AFM);
- d. Airworthiness Limitations; and

Implementation Procedures for the Approval of Products, Parts and Appliances Imported from New Zealand

e. Certification Maintenance Requirements

7.2 Aircraft Flight Manual Approval Procedure

The AFM will be processed under the applicable EASA certification procedures. EASA will review the relevant CAA-NZ AFM, including any Supplements or Appendices. EASA will provide comments on the content to the applicant and CAA-NZ.

A complete EASA AFM (CAA-NZ AFM amended with the relevant EASA AFM pages) will then be submitted to EASA for further review. When EASA is satisfied that this AFM meets the specific EASA requirements, it will request CAA-NZ to sign the approval on its behalf.

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Implementation Procedures for the Approval of Products, Parts and Appliances Imported from New Zealand

SECTION B – CHANGES TO TYPE-CERTIFICATES

1. Introduction

These procedures apply to the products listed in Attachment 1 to the Working Arrangement

The purpose of this Chapter is to lay down procedures for the approval of changes to Type Designs, Type Certificates and associated Flight Manual amendments that are voluntarily generated by the type-certificate holder

2. Post Type Certification Procedures

2.1 Design Changes other than AFM Revisions

For the purpose of this procedure changes to type design are classified as **Major or Minor**. Type certificate holders proposed classification of the Design Change shall be reviewed and agreed by CAA-NZ and submitted to EASA for endorsement.

Major and minor changes to type design are defined by § 21A.91 to Commission Regulation (EC) No 1702/2003 and Guidance Material to this Regulation GM 21A.91

2.2 AFM Revisions

The CAA-NZ will review all proposed revisions to CAA-NZ approved AFM pages and EASA approved pages

All AFM revisions will be submitted to EASA for review.

3. EASA Responsibilities

The EASA may prescribe standards in addition to the Type Certification basis if found necessary for approving a major change. In such cases, it will notify in writing CAA-NZ and the type-certificate holder of these additional standards

The EASA will review and approve all major design changes. It will identify as early as possible the subjects for which it wish to be involved to some degree directly in the demonstration of compliance findings, and notify it to CAA-NZ.

4. CAA-NZ Responsibilities

The type-certificate holder will notify EASA in writing, with CAA-NZ endorsement, of all type design changes classified as Major by CAA-NZ.

CAA-NZ will verify and state to the EASA that compliance has been demonstrated with the EASA certification basis.



Implementation Procedures for the Approval of Products, Parts and Appliances Imported from New Zealand

For minor type design changes, CAA-NZ will ensure that compliance with the EASA certification basis has been determined prior to their incorporating in the EASA approved type design of the aircraft.

In addition CAA-NZ shall approve the following documents taking into account the EASA Certification Basis and the EASA approved Type Design of the product:

- a. Continuing Airworthiness Instructions (Airworthiness Limitations – see Part A, paragraph 7), and
- b. Structural Repair Manual and Major Repairs.

5. Delivery of an aircraft to EU

Timely in advance of the aircraft delivery to an EU country, the build standard, including the embodiment of all minor and major type design changes, should be made available by type-certificate holders to EASA. In particular, a list of all minor type design changes approved by CAA-NZ since previous delivery must be provided to EASA for approval

If compliance of a type design change with the applicable EASA requirements cannot be shown at the date of aircraft delivery, the type-certificate holder should notify the customer accordingly

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Implementation Procedures for the Approval of Products, Parts and Appliances Imported from New Zealand

SECTION C – CONTINUED AIRWORTHINESS

It is recognized that type-certificate holders shall report to EASA through CAA-NZ all failures, malfunctions, defects or other occurrences on their products of which they are aware and that have resulted or may result in an unsafe condition, in accordance with § 21A.3 to Commission Regulation (EC) No 1702/2003 and GM 21A.3(b) to this Regulation. Similarly, type-certificate holders investigate reported occurrences and propose corrective actions to CAA-NZ and EASA in accordance with 21A.3(c) to Commission Regulation (EC) No 1702/2003.

EASA will review with CAA-NZ failures, malfunctions and defects or other occurrences reported by type-certificate holders under §21A.3 to Commission Regulation (EC) No 1702/2003 and decide whether an EASA airworthiness directive is to be issued

When considered appropriate by EASA, CAA-NZ or a type-certificate holder, a meeting shall be organised between EASA, CAA-NZ and the type-certificate holder to review and discuss service difficulties, incidents and accidents and agree on appropriate actions.

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**Implementation Procedures for the Approval of Products, Parts and Appliances
Imported from New Zealand**

**SECTION D- CONFORMITY WITH DESIGN SERIAL PRODUCTION AND
SURVEILLANCE ACTIVITIES**

RESERVED

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