

**TECHNICAL IMPLEMENTATION PROCEDURE**

**FOR**

**AIRWORTHINESS AND ENVIRONMENTAL**

**CERTIFICATION**

Under the Agreement  
Between the Government of the Federative  
Republic of Brazil  
And  
The European Union  
on Civil Aviation Safety

**TABLE OF CONTENTS**

<b>1.</b>	<b>GENERAL</b>	<b>5</b>
1.1	Purpose	5
1.2	Legal Basis of Authority for Technical Implementation Procedure	5
1.3	Communications	5
1.4	Interpretations and Resolution of Conflicts	7
1.5	Amendments and Points of Contact	7
1.6	Applicable Requirements, Procedures, and Guidance Material	7
1.7	Effective Date and Termination	8
1.8	Terminology	8
<b>2.</b>	<b>DESIGN APPROVAL</b>	<b>12</b>
2.1	General	12
2.2	Limitations of Design or Design Change Approvals	13
2.3	General Procedures for Validation of a Design or a Design Change	14
2.4	Type Certificate – TC	15
2.5	Restricted Type Certificate – RTC	17
2.6	Supplemental Type Certificate – STC	17
2.7	Supplemental Type Certificate for Special-Purpose Operations	20
2.8	European Technical Standard Order Authorization – ETSOA and Brazilian Attestation of Approved Aeronautical Product	20
2.9	Reciprocal Acceptance of Replacement Parts	23
2.10	Repair Design	24
2.11	Evaluation of Operational and Maintenance Aspects	26
2.12	Approved Manuals	26
2.13	Changes to the Approved Design	27
2.14	Coordination between Design and Production	28
<b>3.</b>	<b>CONTINUING AIRWORTHINESS</b>	<b>29</b>
3.1	General	29
3.2	Continuing Airworthiness Obligations	29
3.3	Failure, Malfunction and Defect Reporting	30
3.4	Unsafe Conditions and Mandatory Continuing Airworthiness Information	31
3.5	Alternative Means of Compliance – AMOC, for EASA and Alternative Methods of Compliance – AMOC, for ANAC to Mandatory Continuing Airworthiness Information	33
<b>4.</b>	<b>ADMINISTRATION OF DESIGN APPROVALS</b>	<b>33</b>
4.1	General	33
4.2	Transfer of a TC or STC	33
4.3	Surrender of a TC or STC	35
4.4	Revocation or Suspension of a TC or STC	36
4.5	Surrender or Revocation of an Approval (ETSOA, APAA, DAL, Repair Design)	36

<b>5.</b>	<b>EXPORT AIRWORTHINESS APPROVAL</b>	<b>37</b>
5.1	General	37
5.2	Certification for Export	37
5.3	Coordination of Exceptions on Export Certificate of Airworthiness	39
5.4	Identification and Marking Requirements	40
5.5	Additional Requirements for Import	44
<b>6.</b>	<b>PRODUCTION OVERSIGHT [Reserved]</b>	<b>40</b>
<b>7.</b>	<b>TECHNICAL SUPPORT AND INFORMATION</b>	<b>41</b>
7.1	General	41
7.2	Witnessing of Tests During Design Approval	42
7.3	Compliance Determinations	43
7.4	Conformity Certifications During Design Approval	43
7.5	Surveillance and Other Support	44
7.6	Airworthiness Determination	44
7.7	Airworthiness Certificates	44
7.8	Handling of Requests for Proprietary Data and Access to Information/Public Access to Official Documents Information	45
7.9	Accident/Incident and Suspected Unapproved Parts Investigation Information Requests	46
<b>8.</b>	<b>FURTHER WORKING ARRANGEMENTS</b>	<b>46</b>
<b>9.</b>	<b>AUTHORITY</b>	<b>47</b>
<b>APPENDIX A</b>	<b>FOCAL POINTS AND OFFICE ADDRESSES</b>	<b>48</b>
<b>A1.</b>	<b>FOCAL POINTS FOR IMPLEMENTATION</b>	<b>48</b>
<b>A2.</b>	<b>FOCAL POINTS FOR COORDINATION OF AMENDMENTS</b>	<b>48</b>
<b>A3.</b>	<b>EASA OFFICES</b>	<b>48</b>
<b>A4.</b>	<b>EASA E-MAIL ADDRESSES</b>	<b>49</b>
<b>A5.</b>	<b>ANAC OFFICES</b>	<b>49</b>
<b>A6.</b>	<b>ANAC E-MAIL AND WEB ADDRESSES</b>	<b>49</b>
<b>APPENDIX B</b>	<b>REGULATIONS, ADVISORY AND GUIDANCE MATERIALS</b>	<b>50</b>
<b>B1.</b>	<b>ANAC AND EASA NORMATIVE DOCUMENTS STRUCTURES</b>	<b>50</b>
<b>B2.</b>	<b>ANAC MATERIALS</b>	<b>50</b>
<b>B3.</b>	<b>EASA MATERIALS</b>	<b>50</b>
<b>APPENDIX C</b>	<b>PROCEDURES FOR VALIDATION AND RECIPROCAL ACCEPTANCE</b>	<b>51</b>
<b>C1.</b>	<b>INTRODUCTION</b>	<b>51</b>
C1.1.	General	51
C1.2.	Guiding Principles	51
<b>C2.</b>	<b>TC/STC VALIDATION</b>	<b>53</b>
C2.1.	Initiation of Validation	53

C2.2.	Technical Familiarisation	54
C2.3.	Establish the Certification Basis for the TC/STC Validation Project	54
C2.4.	Level of the Validating Authority's Technical Involvement	54
C2.5.	Completion of a TC/STC Validation	54
<b>C3.</b>	<b>VALIDATION OR RECIPROCAL ACCEPTANCE OF CHANGES TO A TC/STC</b>	<b>59</b>
C3.1.	Major Changes to a TC or STC by Persons Other than the Holder	59
C3.2.	Major Changes to a TC or STC (Including Revisions to Approved Manuals) by the Holder	59
<b>C4.</b>	<b>RECIPROCAL ACCEPTANCE OR VALIDATION OF APPLIANCE APPROVALS</b>	<b>61</b>
C4.1.	Appliance Approval	61
C4.2.	Reciprocal Acceptance	61
C4.3.	Marking Requirements	62
C4.4.	Validation of Other Appliance Approvals	62
C4.5.	APU with no European Approval	63
<b>C5.</b>	<b>RECIPROCAL ACCEPTANCE OF REPLACEMENT PARTS</b>	<b>63</b>
C5.1.	Reciprocal Acceptance	63
C5.2.	Marking Requirements	64
<b>C6.</b>	<b>RECIPROCAL ACCEPTANCE OR VALIDATION OF REPAIR DESIGN APPROVALS</b>	<b>64</b>
C6.1.	Repair Design Approval	64
C6.2.	Reciprocal Acceptance	64
C6.3.	Exclusion	65
C6.4.	Validation of Other Repair Design Approvals	65
<b>APPENDIX D</b>	<b>ACRONYM LIST</b>	<b>67</b>

## GENERAL

### 1.1. Purpose and scope

This Technical Implementation Procedure establishes the interface requirements and activities between the National Civil Aviation Agency (ANAC) of Brazil and the European Aviation Safety Agency – EASA of the European Union for design approval, production, import, export, and continued support, of civil aeronautical products. ANAC and EASA shall conduct their certification and validation activities consistent with the “Agreement between the Government of the Federative Republic of Brazil and the European Union on Civil Aviation Safety”, hereafter referred to as the Agreement, signed on 14 July 2010 and entered into force on 27 August 2013 and the working procedures established by this Technical Implementation Procedure.

*Note: Appendix D of this TIP lists all acronyms used in this document.*

### 1.2. Legal Basis for Technical Implementation Procedure

1.2.1. Article 2.2.1 a) of Annex A to the Agreement sets the basis for the development of working procedures which are contained in this document, hereafter referred to as **Technical Implementation Procedure – TIP**.

1.2.2. Appendix 1 of the Agreement designates ANAC and EASA as the Competent Authorities for Brazil and for European Union, respectively, as regards design approvals.

1.2.3. Upon entry into force, the Agreement supersedes any bilateral aviation safety agreements or arrangements between the Government of the Federative Republic of Brazil and the Member States of the European Union with respect to any matters covered by this Agreement, as well as any prior arrangements between the ANAC and EASA.

### 1.3. Communications

#### 1.3.1. Changes in Certification or Approval Systems

1.3.1.1. The working procedures established by the TIP are based upon similar certification and approval systems for civil aeronautical products being in place at the time of signing the Agreement. Therefore, the Competent Authorities shall keep each other informed of significant changes within those systems, such as changes in:

a) statutory responsibilities;

b) organizational structure (e.g., key personnel, management structure, office location);

- c) airworthiness and environmental requirements, procedures and technical training;
  - d) production quality system oversight, including system oversight outside their territory; and
  - e) functions or tasks performed by approved organizations (for EASA) and accredited persons or organizations (for ANAC).
- 1.3.1.2. Revision by any of the Competent Authorities of its certification or approval system may affect the basis and the scope of the working procedures of this TIP. Accordingly, upon notice of such changes by a Competent Authority, ANAC and EASA may request a meeting to review the need to amend this TIP.
- 1.3.2. Language of Communications
- Data and documents exchanged between ANAC and EASA under this TIP shall be in the English language.
- 1.3.3. Technical Consultations
- 1.3.3.1. ANAC and EASA should, within the framework of their regular meetings, discuss draft advisory and guidance materials and consult on new or proposed changes to the civil aviation standards or specifications, practices and procedures for civil aeronautical products.
- 1.3.3.2. ANAC and EASA agree to consult as necessary to provide input when requested on technical issues and to resolve technical disagreements. The frequency of these exchanges will depend on the number and significance of the issues to be discussed.
- 1.3.3.3. These technical consultations will not be charged by ANAC or EASA as the Authority being consulted.
- 1.3.4. Communications Regarding Approved Organizations
- ANAC and EASA understand that there may be occasional situations where either may interact directly with an accredited person or organization or an approved organization of the other. In such cases, it is the responsibility of the initiator of the contact to notify the other as soon as possible. Any such direct communication between accredited person or organization and approved organization should be limited to information exchange. ANAC and EASA should always consult one another on significant validation program decisions.

**1.4. Interpretations and Resolution of Conflicts**

- 1.4.1. In the case of conflicting interpretations by the Competent Authorities of the laws, airworthiness or environmental regulations, standards, specifications, requirements, acceptable means of compliance –pertaining to certifications, approvals, or acceptance under these TIP, the interpretation of the Importing Party whose regulations, standards, specifications, requirements, or acceptable means of compliance are being interpreted shall prevail.
- 1.4.2. The Competent Authorities agree to resolve issues through consultation or any other mutually agreed-upon means. Every effort should be made to resolve issues at the lowest possible level before elevating the issue to higher management.
- 1.4.3. Issues that cannot be satisfactorily resolved at the working level should be expeditiously raised to the respective managements of ANAC and EASA, on a progressive level, until an agreement or compromise is reached.
- 1.4.4. Issues that cannot be satisfactorily resolved between ANAC and EASA may be raised to the Joint Sectorial Committee on Certification.
- 1.4.5. Issues that cannot be resolved by the Joint Sectorial Committee on Certification may be forwarded to the Joint Committee.

**1.5. Amendments and Points of Contact**

- 1.5.1. This TIP may be amended based on a decision of the Joint Sectorial Committee on Certification. Such amendments shall be made effective by signature of the duly authorized representatives of ANAC and EASA. Administrative and editorial changes to these procedures may be made by the focal points after mutual consultation by letters exchange between those focal points. These letters with administrative and editorial changes are annexes of this TIP and will be incorporated in the next amendment of it.
- 1.5.2. Appendix A, of this TIP, identifies the:
  - a) focal points for implementation of this TIP;
  - b) focal points for coordination of amendment of this TIP; and
  - c) offices addresses for ANAC and EASA.

**1.6. Applicable Requirements, Procedures, and Guidance Material**

ANAC and EASA agree that their respective regulations, certification standards or specifications, policies, procedures, and guidance materials for airworthiness and environmental certification will guide this TIP. These materials and where they may be

obtained are identified in Appendix B of this TIP. It is not intended that this be an exhaustive list.

### **1.7. Effective Date and Termination**

1.7.1. This TIP becomes effective on the date of the latest signature and shall remain in force until terminated by either ANAC or EASA. Either ANAC or EASA may terminate this TIP upon 60 (sixty) days written notice to the other.

1.7.2. Termination of this TIP shall not affect the validity of activities conducted under this TIP prior to termination

### **1.8. Terminology**

1.8.1. In this TIP, “shall” has the same meaning of “must” and it is used to express an obligation.

1.8.2. In addition to the definitions in the Agreement (Article 2 and paragraph 1.2 of Annex A), the following terms as used in this TIP are defined as follows:

- a) “Acoustical Change” means a change in the type design of an aircraft or aircraft engine that result in an increase in the noise emission level of that aircraft.
- b) “Airworthiness Requirement” means regulation, airworthiness standard or other certification specifications governing the design and performance of civil aeronautical products.
- c) “Appliance” means any instrument, equipment, mechanism, part, apparatus, appurtenance or accessory, including communications equipment that is used, or intended to be used, in operating or controlling an aircraft in flight and is installed in or attached to the aircraft.
- d) “Approved Manual” means manuals, or sections of manuals, requiring approval by a Competent Authority. These include the approved sections of the Flight Manual, the airworthiness limitation section of the Instructions for Continued Airworthiness (ICAs), the structural repair manual, the engine and propeller installation and operating manuals, and the certification maintenance requirements, where applicable.
- e) “Certification Basis” means a set of the applicable airworthiness and environmental requirements established by ANAC and EASA 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 also include Special Conditions, Findings of Equivalent Level of Safety, and Exemptions or Deviations when determined by ANAC and EASA to apply to the type design.
- f) “Competent Authorities” mean the authorities listed in Appendix 1 to the Agreement.



- g) “Compliance Determination” means, for design approval, the determination, by either ANAC’s system or EASA’s system, that the applicant has demonstrated compliance with identified individual airworthiness and environmental standards.
- h) “Critical Part” means a part identified as critical by the design approval holder or the Exporting Party during the type design certification process for the civil aeronautical product. Typically, such components 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 ICAs. Specific definitions for critical parts are found within the applicable airworthiness requirements.
- i) “Declaration of Design and Performance” means a document containing the definition and all relevant references of an equipment, issued by the equipment manufacturer, that is submitted also to the installer of the TSO/ ETSO article in an aircraft. A standard form can be found on EASA AMC 21A.608 ([ED Decision 2003/1/RM of 17 October 2003](#)).
- j) “Deviation” means a grant of relief from the requirements of a certification specification when processed through the appropriate regulatory procedure by EASA.
- k) “Emissions Change” in respect of an aircraft means a change in the type design of an aircraft or aircraft engine that results in an increase in fuel venting or exhaust emissions of a turbine engine.
- l) “Environmental Requirements” mean regulations, environmental standards, or certification specifications governing the certification of designs with regard to noise characteristics, exhaust emissions, and fuel venting of civil aeronautical products.
- m) “Finding of Equivalent Level of Safety” means a finding by a Competent Authority that alternative action taken provides a level of safety equal to that provided by the airworthiness requirements for which equivalency is being sought.
- n) “Exemption” means a grant of relief from requirements of a regulation when processed through the appropriate regulatory procedure by ANAC or the European Commission.
- o) “Export” means the process by which a civil aeronautical product is released from one regulatory system to another.
- p) “Exporting Party” means the organization, within the Exporting State and charged by the laws of the State, to regulate the airworthiness and

environmental certification, approval, or acceptance of the civil aeronautical products, parts and appliances, for:

I - Brazil, is ANAC.

II - European Union, is:

A. EASA, for:

i- the functions and tasks of the State of Design, Manufacture or Registry when related to design approval; and

ii- the approval of certain production organisations and their export airworthiness approvals;

B. the Competent Authority in an EU Member State, for:

i- the approval of production organisations within that State;

ii- the issuance of corresponding Certificate of Airworthiness; and

iii- Export airworthiness approvals.

q) "Import" means the process by which an exported civil aeronautical product is accepted by ANAC or EASA (on behalf of an EU Member State), for use and is subsequently placed under that authority's regulatory system.

r) "Importing Party" means the organization, within the Importing State and charged by the laws of the Importing State with regulating the airworthiness and environmental certification, approval, or acceptance of civil aeronautical products, for:

I - Brazil, is ANAC.

II - European Union, is:

A. EASA for the functions and tasks related to design approval; and

B. The Competent Authority in the EU Member State for all other issues related to the State of Registry responsibilities.

s) "Licensing Agreement" means a commercial contract between a design holder (Type Certificate - TC, Supplemental Type Certificate – STC, or other design approvals) or/and a production organization approval holder (or applicant) formalizing the rights and duties to other organization, of both Parties, to use the design data for the purpose of manufacturing the civil aeronautical product.

t) "Life-limited Part" means a part that, as a condition of the type certificate or other design approval, may not exceed a specified time, or number of operating cycles, in service.

u) "Manufacturer" means a person who, by the Parties regulation, is responsible for determining that all civil aeronautics products produced within its production quality system conform to an ANAC or EASA approved design or established government or industry standard and are in a condition for safe operation. This includes a production organisation.

- v) “Operational Suitability Data (OSD)” **[Reserved]**
- w) “Production Quality System” means a systematic process, which meets the requirements of the Exporting Party and ensures that civil aeronautics products will conform to the approved design and will be in a condition for safe operation.
- x) “Restricted Type Certificate” means a type certificate in the restricted category.
- y) “Special Condition” means:
  - I - For ANAC: an additional regulation prescribed by the ANAC when the regulations for the category of product do not contain adequate or appropriate rules due to novel or unusual design features, unconventional use of the product, or experience in service with similar products showing that unsafe or inadequate environmental conditions may develop. Special Conditions contain such rules as ANAC finds necessary to establish a level of safety or adequate environmental conditions equivalent to that established or intended in the applicable regulations.
  - II - For EASA: an additional detailed technical specification prescribed by EASA when the airworthiness code for the category of civil aeronautical product does not contain adequate or appropriate safety standards due to novel or unusual design features, unconventional use of the product, or experience in service with similar products showing that unsafe conditions may develop. Special Conditions contain such safety standards as the European Union finds necessary to establish a level of safety equivalent to that intended in the applicable airworthiness code.
- z) “Standard Part” means a part that is manufactured in accordance with an established government or industry-accepted specification, which includes design, manufacturing, and uniform identification requirements. The specification must include all information necessary to produce and to conform the part, and must be published so that any person or organization who manufactures the part does so in a standard manner.
- aa) “Validation” means the Importing Party’s own process for compliance determination of a design, or a design change, as approved or certified by Exporting Party.

## **2. DESIGN APPROVAL**

### **2.1. General**

- 2.1.1. The "State of Design" functions and tasks are carried out for Brazil by ANAC and for the European Union by EASA who shall, where applicable and as specified in the Chicago Convention or its Annexes, carry out on behalf of Member States the functions and tasks of the State of Design, Manufacture or Registry when related to design approval.
- 2.1.2. The procedures of this section apply to the initial design approval of each other's civil aeronautical products, the approval of subsequent design changes, and approval of design data used in support of repairs. When validating each other's products, EASA and ANAC, shall follow the validation process described in Appendix C of this TIP.
- 2.1.3. These procedures are based on the high degree of mutual confidence and trust between ANAC and EASA on their technical competence, regulatory capabilities and similarities of each other's certification and approval systems. These procedures establish the process for implementing the reciprocal acceptance of each other's findings of compliance determinations (with design, environmental and design-related operational requirements) and approvals on civil aeronautical products.
- 2.1.4. Brazil and the European Union recognize that they have sovereign authority over the certification and approval processes and findings of compliance determinations within their respective jurisdictions. The procedures in this section are not intended to diminish the responsibilities of either ANAC or EASA or their right to access to the type design information. Rather, determined that requirements, standards, practices, procedures, and systems for the certification, approval and production of civil aeronautical products are sufficiently similar to enable the Importing Party to rely on and accept, to the maximum extent practicable, the finding of compliance determination by the Exporting Party with the Importing Party's requirements. It is agreed that if there are overwhelming reasons to go outside this defined principle, such reasons will be discussed between ANAC and EASA.
- 2.1.5. ANAC and EASA mutually recognize each other's systems of organisation approval (EASA) or accreditation of persons and organizations (ANAC) as part of their overall certification and approval systems. Compliance determinations and approvals made pursuant to this TIP through these systems are given the same validity as those made directly by ANAC and EASA.

## **2.2. Limitations of Design or Design Change Approvals**

- 2.2.1. A certificate or an approval issued by either ANAC or EASA is intended for civil aeronautical products, which have, or will have, a civilian application. Civil aeronautical products that are engaged strictly in military, customs, police, search and rescue, coastguard or similar activities or services are not eligible for certification or approval under this TIP. ANAC and EASA may accept an application for these products under this TIP where they perform a dual role and the product has a civil certification basis.
- 2.2.2. An applicant under the jurisdiction of ANAC who submits an application directly to EASA (or the other way around) is not eligible for certification, approval or validation under this TIP, unless another procedure for application has been jointly agreed by both ANAC and EASA.

## **2.3. General Procedures for Validation of a Design or a Design Change**

### **2.3.1. Submission of an Application**

- 2.3.1.1. Where specified by this TIP, an application for approval of a design or a design change shall:
- a) be made using the forms required by ANAC or EASA, as Importing Parties, duly completed by the applicant. The forms are available from the following websites:
    - I - For EASA: [http://www.easa.eu.int/ws\\_prod/c/c\\_app\\_forms.php](http://www.easa.eu.int/ws_prod/c/c_app_forms.php);
    - II - For ANAC: <http://www2.anac.gov.br/certificacao/Form/FormE.asp>;
  - b) be accompanied by the applicable technical data package necessary for the Importing Party to conduct preliminary administrative and technical assessments of the application;
  - c) be forwarded by the Exporting Party to the Importing Party, along with a cover letter stating that the application is within the scope of this TIP, except for those applications cited in 2.2.2; and
  - d) be acknowledged formally by the Importing Party, and give notice to the Exporting Party of the contact points for purpose of further communication on the application.
- 2.3.1.2. The applicant may be required to provide a statement that he will comply with financial requirements linked to the application, before the application can be processed.

### 2.3.2. Joint or Concurrent Certification

2.3.2.1. When ANAC, EASA, and the applicant seeking approval agree to a joint or concurrent certification/validation process, ANAC or EASA performing the validation shall conduct its activities using the validation procedures contained in Appendix C, of this TIP.

2.3.2.2. ANAC and EASA shall document their agreement under section 8 of this TIP. This documentation shall include the details of their work-sharing program necessary to cover the concurrent type certification/validation and concurrent post type certification/validation activities and shall include those elements that would be documented as part of the validation documentation defined in the Appendix C of this TIP.

### 2.3.3. Projects Involving a Separate State of Design and State of Manufacture

2.3.3.1. The Competent Authorities recognize that some of their aviation industries projects may involve products designed under one Party's jurisdiction and manufactured under the other Party's jurisdiction. In such cases, the Competent Authorities shall work together to develop and document a working arrangement in accordance with section 8 of this TIP.

2.3.3.2. The working arrangement shall define their respective responsibilities to ensure that the relevant functions assigned to ANAC and EASA as State of Design and to the State of Manufacture under Annex 8 to the Convention on International Civil Aviation (Chicago Convention) are carried out. Such a working arrangement shall address the continued airworthiness responsibilities assigned to the State of Design and the State of Manufacture.

### 2.3.4. Communications during a Certification, Approval or Validation Project

A communications protocol shall be established by ANAC and EASA at a level considered appropriate for the scope of the certification, approval, or validation activity under this section. The communications protocol shall, as a minimum, identify primary contact offices or persons, accommodate for an early exchange of information and discussion between ANAC and EASA, and promote continued communications throughout the certification, approval, or validation project. The organizational contact points for ANAC and EASA for the purpose of this TIP are provided in Appendix A.

### 2.3.5. Validation Process

The reciprocal acceptance of compliance determinations and/or approvals on products under the Agreement shall be respected on validation projects between the ANAC and EASA. ANAC and EASA agree to conduct validation activities using the validation procedures contained in Appendix C, of this TIP. The expectation is that the Exporting Party's certification activities would allow the Importing Party to

make compliance determinations that the design of a civil aeronautical product complies with its requirements. It is the intent of this section that the number of compliance determinations retained by the Importing Party be reduced as much as practicable while respecting regulatory requirements. The validation process is intended to allow:

- a) the Importing Party to issue its design approval based on the Exporting Party's design approval and declaration that the design has been examined and found to comply with the Importing Party's certification basis; and
- b) the Importing Party to review selected aspects of a design presented for design approval, due to the origin and nature of the civil aeronautical product and the validation criteria defined in Appendix C of this TIP.

### 2.3.6. Completion of Validation

Except where this TIP provides for the automatic acceptance of an approval issued by the Exporting Party, the completion of the validation process by the Importing Party, which includes the resolution of all issues raised during the validation activity, shall result in the issuance of a corresponding approval, or an indication of its acceptance of the Exporting Party's approval as equivalent to its own. In the case where the Importing Party issues an approval, the approval shall be forwarded directly to the holder, and at the same time, a copy provided to the Exporting Party.

## 2.4. **Type Certificate – TC**

2.4.1. The Importing Party shall use the following procedures for the validation and approval of an aircraft, aircraft engine or propeller for which ANAC or EASA is the State of Design.

### 2.4.2. Application for a Type Certificate

2.4.2.1. An application for a TC shall be submitted (according paragraph 2.3 of this TIP) to the Importing Party, through the Exporting Party, by the applicant for an aircraft, aircraft engine or propeller that has been issued a TC by the Exporting Party, or for an aircraft, aircraft engine or propeller where an application for certification has been made to, and accepted by, the Exporting Party.

2.4.2.2. The Exporting Party should ensure that the application contains the following information, not limited to and if applicable:

- a) the data required in accordance with, for ANAC, section 21.15 of the "Regulamento Brasileiro da Aviação Civil – RBAC nº 21", and for EASA, in accordance with EASA Part 21.A.15;

- b) a copy of the Exporting Party's TC and TC data sheet, if available, that identifies the certification basis upon which the Exporting Party's design approval was based. In the absence of a TC data sheet, the Exporting Party should submit the document that defines the certification basis;
  - c) the date of application for a TC to the Exporting Party;
  - d) the applicant's requested date for completion of type certification;
  - e) the applicant's proposed certification basis, which includes the amendment level of the applicable airworthiness requirements of the Importing Party;
  - f) any other technical data requested by the Importing Party in order to proceed with the application; and
  - g) if application is made for more than one model at the same time, the applicant shall indicate:
    - I - if such models are to be certified at the same predicted date; and
    - II - which model is a derivative from the other model.
- 2.4.2.3. If known at the time of application, the application should also contain the following:
- a) a description of all novel or unusual design features known to the applicant or the Exporting Party, which might necessitate issuance of Special Conditions or may require a review of the acceptable means of compliance;
  - b) all known or expected exemptions or deviations, or findings of equivalent level of safety relative to the Exporting Party's standards for design approval that might affect compliance with the applicable Importing Party's airworthiness and environmental standards; and
  - c) available information on Brazilian or European Union customers and delivery schedules.
- 2.4.2.4. The Importing Party shall acknowledge receipt of the application and notify the Exporting Party of the subsequent procedures for the validation and its proposed certification basis.
- 2.4.2.5. ANAC and EASA may accept applications for concurrent or joint type certification/validation in accordance with paragraph 2.3.2 of this TIP.
- 2.4.3. Establishing the Certification Basis for the Type Certificate

For the purpose of validation by the Importing Party, the certification basis shall be developed using:



- a) for airworthiness, the applicable airworthiness requirements of the Importing Party in effect on the date of application for a TC to the Exporting Party; and
- b) for environmental protection, the applicable environmental requirements of the Importing Party in effect on the date of application for the TC to the Importing Party.

2.4.4. Type Certificate Validation by the Importing Party

The Importing Party shall conduct its validation of a TC for an aircraft, aircraft engine or propeller in accordance with the applicable procedures of Appendix C of this TIP.

2.4.5. Issuance of a Type Certificate

The Importing Party shall issue a TC for an aircraft, aircraft engine or propeller when:

- a) the applicant has demonstrated and declared compliance to the Importing Party's certification basis;
- b) the Exporting Party has issued a statement of compliance to the Importing Party's certification basis;
- c) the Exporting Party has issued its own TC for the aircraft, aircraft engine or propeller; and
- d) the Importing Party has completed its validation procedures for a TC.

**2.5. Restricted Type Certificate – RTC**

For aircraft that have been, or shall be granted an RTC, ANAC and EASA may agree to validate such aircraft designs on a case-by-case basis. In such a case, they agree to follow the procedures established in the subsection 2.4 of this TIP.

**2.6. Supplemental Type Certificate – STC**

- 2.6.1. The Importing Party shall use the following procedures for its approval of a design change to a civil aeronautical product that is type certified by the Exporting Party.
- 2.6.2. For EASA STCs associated with replacement part design, the procedures of subsection 2.9 of this TIP should be used.

### 2.6.3. Application for a Supplemental Type Certificate

2.6.3.1. An application for an STC shall be submitted for a civil aeronautical product for which both ANAC and EASA have issued a TC regardless of the State of Design of the product, and for which ANAC or EASA:

- a) is the State of Design for the design change; or
- b) has approved the design change through the issuance of an STC.

2.6.3.2. ANAC shall also validate an STC issued by EASA for an aeronautical product that has been exempted from Type Certification under RBAC 21.29 (d)-I or (e)-I.

2.6.3.3. ANAC, EASA, and the applicant may agree to a joint or concurrent certification/validation process as per paragraph 2.3.2 of this TIP.

2.6.3.4. The Exporting Party should ensure that each application contains the following information, not limited to and if applicable:

- a) the data required and a description of the design change, in accordance with RBAC 21.113 for ANAC, and in accordance with Part 21.A.113(a), including the information to fulfill Part 21.A.113(b) regarding a link to the TC holder or adequacy of the applicant's own resources, for EASA;
- b) a copy of the Exporting Party's STC that identifies the certification basis upon which the Exporting Party's design approval was based. In the absence of the STC, the Exporting Party should submit the document that defines the certification basis;
- c) the date of application for an STC to the Exporting Party;
- d) the applicant's requested date for completion of the STC;
- e) the applicant's proposed certification basis, which includes the amendment level of the applicable airworthiness requirements of the Importing Party;
- f) identification of areas where additional compliance demonstration is required for compliance with the Importing Party certification basis;
- g) any additional technical data that may be requested by the Importing Party in order to proceed with the application, but not limited to the following:
  - I - Compliance Checklist;
  - II - Airplane or Rotorcraft Flight Manual Supplement;
  - III - Master Documentation List or Master Drawing List;
  - IV - Manufacturing and Installation Instruction Drawings;
  - V - Weight and Balance data; and

VI - Instructions for Continued Airworthiness which include Maintenance and Repair Manual Supplements.

2.6.3.5. The Importing Party, Exporting Party, and the applicant may agree that the additional technical data be submitted directly by the applicant to the Importing Party.

2.6.3.6. If known at the time of application, the application should also contain the following:

a) a description of all novel or unusual design features known to the applicant or the Exporting Party, which might necessitate issuance of Special Conditions or may require a review of the acceptable means of compliance;

b) all known or expected exemptions or deviations, or equivalent level of safety findings relative to the Exporting Party's standards for design approval that might affect compliance with the applicable Importing Party's airworthiness and environmental standards; and

c) available information on Brazilian or European Union customers and delivery schedules.

2.6.3.7. In the case of applications from Brazil where an STC applicant has not entered into an arrangement with the TC holder as set out in EASA Part 21.A.113, ANAC shall review and confirm the applicant's justification that such an arrangement is not necessary as the information on which the application is based is adequate from the applicant's own resources. The applicant's justification and the ANAC concurrence statement shall be provided to EASA.

2.6.3.8. The Importing Party shall acknowledge receipt of the application and notify the Exporting Party of the subsequent procedures for the validation and its proposed certification basis.

2.6.3.9. ANAC and EASA may accept applications for concurrent or joint supplemental type certification/validation in accordance with paragraph 2.3.2 of this TIP.

### 2.6.4. Establishing the Certification Basis for the Supplemental Type Certificate

For the purpose of supplemental type certification by the Importing Party, the certification basis shall be developed:

a) using the Importing Party's procedures and its applicable airworthiness requirements as determined in a manner that is consistent with the criteria that is used to establish the certification basis for a domestic STC of similar design and service history. These requirements are defined for ANAC in RBAC 21.101 and for EASA in EASA Part 21.A.101;

b) For the purpose of STC validation by the Importing Party, the certification basis shall be developed using:

- I - the date of application to the Exporting Party for the STC, as the date that is to be used for the purpose of determining the Importing Party's certification basis; and,
- II - in the case of a design change involving an acoustical or emissions change the applicable environmental requirements of the Importing Party in effect on the date of application for the STC to the Importing Party.

#### 2.6.5. Supplemental Type Certificate Validation by the Importing Party

The Importing Party shall conduct its validation of an STC for a civil aeronautical product in accordance with the applicable procedures of Appendix C of this TIP.

#### 2.6.6. Issuance of the Supplemental Type Certificate

The Importing Party shall issue an STC for a civil aeronautical product when the:

- a) applicant has demonstrated and declared compliance to the Importing Party's certification basis;
- b) Exporting Party has issued a statement of compliance to the Importing Party's certification basis;
- c) Exporting Party has issued its own STC for the product, if applicable; and
- d) Importing Party has completed its validation procedures for an STC.

### 2.7. **Supplemental Type Certificate for Special-Purpose Operations**

For an STC intended for an aircraft to be reconfigured for use in a special-purpose operation (as defined by the Importing Party), and the proposed configuration is not eligible for a standard Certificate of Airworthiness, the Importing Party may agree to validate such a design change on a case-by-case basis. In such a case, ANAC and EASA agree to follow the procedures of 2.6 above.

### 2.8. **European Technical Standard Order Authorization – ETSOA and Brazilian Attestation of Approved Aeronautical Product (APAA)**

2.8.1. For the purpose of that TIP, it is necessary to consider that:

- a) ANAC issues an Attestation of Approved Aeronautical Product (*Atestado de Produto Aeronáutico Aprovado – APAA*) under RBAC 21.601, to approve the design of a Brazilian TSO article.

- b) In addition to the APAA, ANAC issues a Production Organization Certificate (*Certificado de Organização de Produção – COP*) in accordance with RBAC 21.601, to approve the production of a Brazilian TSO article.
- c) ANAC issues APAA and COP to approve the production of TSO articles under licensing agreements.
- d) For manufacture not under ANAC jurisdiction, ANAC issues a Brazilian Design Approval Letter – DAL when that manufacturer has an ETSOA, TSOA or other applicable standard approved and accepted by the authority under the manufacturer's jurisdiction.
- e) EASA issues an ETSOA under Part 21 Subpart O to approve the design and production of a European ETSO article.
- f) As a prerequisite for the ETSOA, a POA has to be issued by the responsible NAA according to Part 21 Subpart G or through compliance with Subpart F procedures and an ADOA by EASA under Part 21 Subpart O, 21.A.602B b)2.

### 2.8.2. Technical Standard Orders and European Technical Standard Orders

2.8.2.1. ANAC and EASA shall agree on a list of common Technical Standard Orders that are:

- (a) common for use in Brazil and the European Union; and
- (b) found technically equivalent to each other's standards.

2.8.2.2. The establishment and maintenance of a list of common TSOs shall be done in accordance with the procedures jointly developed by ANAC and EASA, and approved by the Joint Sectorial Committee on Certification as required under the Agreement. ANAC and EASA shall publish and make available the list of common TSOs:

- (a) For EASA, the common TSOs shall be based on European TSOs (ETSOs); and
- (b) For ANAC, the common TSOs shall be based on TSOs issued by the Federal Aviation Administration of the United States of America.

2.8.2.3. Either ANAC or EASA may recommend changes (either additions or removals) to the list of common TSOs by giving notice to the other of its intent, and rationale for the change. Any change to the list of common TSOs shall be the subject of discussion and agreement between the Authorities, and the changes shall be approved in accordance with the agreed procedures. The validity of an ETSO Authorization (ETSOA) or an APAA under TSO issued prior to the removal of the TSO from the list of common TSOs shall not be affected.

2.8.2.4. Each Competent Authority shall notify the other of changes to its TSOs that may affect the technical equivalence of the common TSOs established under paragraph 2.8.2.1.

2.8.3. Acceptance of Non-TSO or Non-ETSO functions

2.8.3.1. The Importing Party shall accept, without further validation, data related to non-ETSO or Non-TSO functions that are integrated into an appliance approved according a TSO, ETSO or standard accepted by EASA and ANAC, when:

- a) the non-TSO or non-ETSO functions included in the appliance do not interfere with the functionality of the appliance and/or its ability to comply with the TSO, ETSO or standard accepted by EASA and ANAC;
- b) the data provided with the appliance relative to non-TSO or non-ETSO functions is valid data as processed by the Exporting Party granting the approval; and
- c) the non-TSO or non-ETSO functions are covered under the ETSOA for EASA or an APAA and/or a COP for ANAC.

2.8.3.2. The acceptance of this additional data does not constitute installation approval.

2.8.4. Reciprocal Acceptance

2.8.4.1. When EASA grants its ETSOA or ANAC grants its APAA (under TSO) and COP based on a TSO, the Importing Party shall automatically accept that approval as equivalent to having granted and issued its own approval.

2.8.4.2. The reciprocal acceptance of such articles, under the Agreement, shall be based on the following conditions:

- a) the appliance meets the TSOs, ETSOs, as evidenced by a statement or declaration of conformity by the ETSOA or APAA (under TSO) and COP;
- b) if applicable, deviations or exemptions from the ETSO, TSO or standard accepted by EASA and ANAC are substantiated and have been approved by the Exporting Party in conformity with the requirements of its regulatory system;
- c) the Exporting Party has determined compliance and as a result the Importing Party issued its own ETSOA for EASA or APAA (under TSO) and COP for ANAC, in accordance with its regulations;
- d) the Exporting Party issuing the ETSOA or APAA (under TSO) and COP, exercises continued safety oversight functions for those TSO products; and
- e) any additional applicable conditions defined in subsection C4.2 of the Appendix C of this TIP.

2.8.4.3. ANAC and EASA shall apply, without further investigation, the reciprocal acceptance of an ETSOA or APAA (under TSO) and COP under this TIP, unless the conditions for reciprocal acceptance are no longer met.

2.8.4.4. Where reciprocal acceptance of an ETSOA or APAA (under TSO) and COP is not possible, that appliance shall be subject to the application and validation requirements set out in section C4 of the Appendix C of this TIP. In this case ANAC, as Importing Party, will issue a DAL.

## **2.9. Reciprocal Acceptance of Replacement Parts**

### **2.9.1. Replacement Parts**

2.9.1.1. The term replacement part, as used in this TIP, assumes a general meaning of a part intended to be installed in the place of a part specified in the design of a civil aeronautical product. The references to a replacement part approval in this TIP are:

- a) For EASA, a replacement part design approved using an STC; and
- b) For ANAC, a replacement part design approved using an APAA and/or a COP.

2.9.1.2. If the replacement part is a critical part or a life-limited part, EASA and ANAC shall not accept such a replacement part. These parts shall be approved by EASA using an STC as set out in subsection 2.6, of this TIP.

### **2.9.2. Reciprocal Acceptance**

2.9.2.1. Except as stated in subparagraph 2.9.1.2, of this TIP, ANAC and EASA agree that when either grants its own approval for a replacement part as set out in subparagraph 2.9.1.1 of this TIP, such approval will be automatically accepted by the other as being equivalent to having granted and issued its own replacement part approval. In this case, an application and a validation will not be required. The reciprocal acceptance of replacement parts under the Agreement is based on the following agreed and underlying conditions:

- a) ANAC or EASA is the State of Design for the design of the replacement part;
- b) the replacement part applies to a civil aeronautical product that has been certified or validated by ANAC and EASA regardless of the State of Design of the product;
- c) the replacement part has been approved in accordance with the approval procedures of ANAC and EASA;
- d) the Competent Authority that issued the approval shall exercise continued safety oversight functions;

e) any applicable additional conditions defined in subsection C5.1 of the Appendix C of this TIP.

2.9.2.2. ANAC and EASA shall apply, without further investigation, the reciprocal acceptance of replacement parts under this TIP, unless the conditions for reciprocal acceptance are no longer met.

2.9.2.3. At the time of signing of the Agreement, the European Union has no standalone design approval for a replacement part. EASA approves replacement parts through the issuance of an STC.

2.9.2.4. ANAC shall automatically accept those STCs issued by EASA and respective replacement part where it can be clearly established that the approval is for a replacement part, which meets the conditions of subparagraph 2.9.2.1 of this TIP.

2.9.2.5. EASA shall automatically accept replacement part design, and respective replacement part, approved by ANAC where it can be clearly established that the approval is for a replacement part, which meets the conditions of subparagraph 2.9.2.1 of this TIP.

## **2.10. Repair Design**

2.10.1. Except as stated in paragraph 2.10.2, of this TIP, ANAC and EASA agree that when either grants its own approval for a repair design, such approval will be automatically accepted by the other as being equivalent to having granted and issued its own repair design approval. In this case, an application and a validation will not be required. The reciprocal acceptance of repair design approvals under the Agreement is based on the following agreed and underlying conditions:

- a) ANAC or EASA is the State of Design for the repair design;
- b) the repair data applies to a civil aeronautical product that has been certified or validated by ANAC and EASA, regardless of the State of Design of the product;
- c) the repair design has been approved in accordance with approval procedures of the Exporting Party;
- d) the Authority that granted or issued the approval exercises continued safety oversight functions for that repair design; and
- e) any applicable additional conditions defined in section C6 of the Appendix C of this TIP.

2.10.2. EASA shall require the submission of an application for a repair design for its direct approval as Importing Party when the repair design is for:



- a) a critical part or a life-limited part, if the repair design was developed by a person other than the holder of the TC, STC or other equivalent approval for the affected civil aeronautical product; or
  - b) an area that is the subject of an airworthiness directive by the Importing Party, unless such airworthiness directive allows for the acceptance of a repair design approved by the Exporting Party.
- 2.10.3. Repair designs for the fabrication of new parts, which result in a change in type design, are not eligible for reciprocal acceptance under these Technical Implementation Procedures.
- 2.10.4. ANAC and EASA shall apply, without further investigation, the reciprocal acceptance of repair design approvals under this TIP, unless the conditions for reciprocal acceptance are no longer met.
- 2.10.5. ANAC and EASA shall notify each other of changes to its repair design approval processes or procedures that affect the validity of a repair design accepted under this TIP.
- 2.10.6. According to RBAC 43, minor repairs can be performed by using data acceptable by ANAC. EASA shall consider a minor repair as automatically approved when:
- a) EASA has certificated/validated the product or appliance,
  - b) ANAC is the authority of the State of Design for the repair design data, and
  - c) the repair design data has been provided by a Brazilian TC/STC or APAA holder, or
  - d) for minor repairs from other than a Brazilian TC/STC or APAA holder, the determination that data are acceptable (under RBAC 43) has been made by a maintenance organization under ANAC's certification system.
- 2.10.7. An EU company must use EASA Part 21 for the approval of repair data for use on an EU-registered aircraft. Unless the minor repair data has been previously used to repair a Brazilian registered aircraft, an EU company cannot determine any data to be acceptable data under RBAC 43 for use on an EU-registered aircraft.
- 2.10.8. In these circumstances, repair design data are considered to be EASA-approved following its approval or acceptance under ANAC's system. This process does not require application to EASA or compliance findings to the EASA certification basis.

### **2.11. Evaluation of Operational and Maintenance Aspects**

2.11.1. ANAC and EASA shall evaluate the operational and maintenance aspects of the TC, STC, and repair design using their own respective internal procedures, or using a common procedure that provides for a single acceptable assessment.

2.11.2. ANAC and EASA shall accept a Maintenance Review Board – MRB Report and associated Instructions for Continued Airworthiness – ICAs documentation when developed jointly. Changes to this documentation may also be addressed jointly. In the absence of a joint MRB, ANAC and EASA shall conduct their own MRB or equivalent process, in accordance with their own internal procedures, to develop acceptable ICAs. Differences in the required ICAs, if any, shall be communicated and resolved between ANAC and EASA.

## **2.12. Approved Manuals**

### **2.12.1. Initial Approval of Manuals**

2.12.1.1. The Exporting Party shall submit to the Importing Party, for review and acceptance all Approved Manuals. Following a review of the submitted Approved Manuals and notification by the Importing Party of its review and acceptance, the Exporting Party shall approve the Manual(s) on behalf of the Importing Party.

2.12.1.2. The Importing Party shall inform the Exporting Party of which manuals must be approved by the Importing Party. The other manuals shall be considered accepted without further actions from the Importing Party.

### **2.12.2. Changes to Approved Manuals**

2.12.2.1. ANAC and EASA may authorize the review and approval of revisions to Flight Manuals and other Approved Manuals, supplements, and appendices on behalf of each other in order to facilitate their timely approval. If ANAC and EASA agree to such an arrangement, the Exporting Party shall:

a) notify the Importing Party of changes to the existing approved limitations, performance, weight and balance, or procedures of Approved Manuals, and changes to any parts of the Approved Manuals for which the Importing Party retained the compliance determination during its validation. For these changes, the Importing Party shall review the changes and notify the Exporting Party of its acceptance. Following the notification of acceptance, the Exporting Party shall approve the changes on behalf of the Importing Party; and

b) review editorial, administrative, and other minor changes on behalf of the Importing Party, and ensure that those changes meet the Importing Party's requirements. For these changes, the Importing Party may authorize the Exporting Party to approve such revisions on its behalf without prior notification. Such revisions shall be submitted promptly for the Importing Party's record.

2.12.2.2. Upon mutual agreement, a procedure between ANAC and EASA may be developed to define the changes that can be automatically approved by the Exporting Party on behalf of the Importing Party.

2.12.3. Authorization to Approve

The authorization of ANAC and EASA to sign on behalf of the other must be documented clearly between the appropriate persons or offices responsible for the Approved Manuals.

**2.13. Changes to the Approved Design**

2.13.1. Changes to the Type Design by the TC or STC Holder

2.13.1.1. The Exporting Party (based on applicant's input) shall define the proposed design changes relative to the Importing Party's current definition of the approved type design.

2.13.1.2. Design changes are classified into two categories, as required by the Agreement. The criteria and procedures for the classifications are contained in Appendix C of this TIP.

- a) For the category of design changes that require the involvement of the Importing Party, the Importing Party shall approve the design changes following receipt of a written statement by the Exporting Party that the design changes comply with the certification basis. In order to fulfill its obligations under this subparagraph, the Exporting Party may provide individual statements for each design change or collective statements for lists of approved design changes; and
- b) For all other design changes the approval of the Exporting Party constitutes a valid approval of the Importing Party without additional action.
- c) For purposes of validation, the Importing Party's certification basis shall be developed:
  - I - using the applicable airworthiness requirements of the Importing Party as determined, for ANAC, in accordance with RBAC 21.101, and for EASA in accordance with EASA Part 21.A.101;
  - II - the date of application to the Exporting Party for the design change, as the date that is to be used for the purpose of determining the Importing Party's certification basis; and,
  - III - in the case of a design change involving an acoustical or emissions change the applicable environmental requirements of the Importing Party in effect on the date of application for the change to the Importing Party.

2.13.1.3. ANAC and EASA shall address relevant changes to the ICAs during the design change approval. If changes to the ICAs are required, these changes must be communicated to the Importing Party.

### 2.13.2. Design Changes by a Person other than the TC or STC Holder

2.13.2.1. For major changes to a type design by a person other than the TC or STC Holder, ANAC and EASA agree to follow the design change approval procedures in subsection 2.6 of this TIP.

2.13.2.2. For minor changes to a type design by a person other than the TC or STC Holder, the change shall be accepted or approved in accordance with the respective procedures of ANAC and EASA for such change. Once a minor change is approved under the system of either ANAC or EASA, it is considered approved by the other.

### 2.13.3. Changes to an Appliance Approved to an ETSOA or APAA under TSO

2.13.3.1. Major design changes to an appliance approved and accepted under paragraph 2.8.4 of this TIP require substantiation of the new design and issuance of a new approval under the respective approval systems of either ANAC or EASA.

2.13.3.2. For Minor design changes approved and accepted under paragraph 2.8.4 of this TIP that remain within the scope of the appliance approval, ANAC and EASA shall rely on each other's system of compliance determination. Neither ANAC nor EASA shall require notification of these minor changes, except in the case of an APU where such changes result in a new APU model designation.

### 2.13.4. Changes to a Repair Design

Design changes to an approved repair require approval by either ANAC or EASA that originally approved the repair design, who shall ensure that the approval continues to be valid and eligible for recognition under subsection 2.10 of this TIP. Neither ANAC nor EASA shall require notification of these changes, except where the repair is no longer eligible for reciprocal acceptance.

## 2.14. **Coordination between Design and Production**

2.14.1. When a Competent Authority grants a production approval for a civil aeronautical product in its territory based on design data obtained from a design approval holder in the other's jurisdiction, the Competent Authority, shall ensure that:

- a) the design approval holder collaborates with the production organisation as required under Part 21.A.4 for EASA; and
- b) the production approval holder meets the requirements of RBAC 21.6 for ANAC.

2.14.2. The conditions in paragraph 2.14.1 of this TIP are, as minimum, to ensure:

a) satisfactory coordination of design and production as appropriate:

- I - to ensure correct and timely transfer of up-to-date applicable design data (e.g., drawings, material specifications, dimensional data, processes, surface treatments, shipping conditions, quality requirements, etc.) to the production organization;
- II - to provide visible statement(s) of approved design data;
- III - to deal adequately with production deviations and non-conforming parts in accordance with the applicable procedures of the design organisation and the production organisation approval holder; and
- IV - to achieve adequate configuration control of manufactured parts, to enable the production organisation to make the final determination and identification for conformity or airworthiness release; and

b) the proper support of the continued airworthiness of the civil aeronautical product.

### **3. CONTINUING AIRWORTHINESS**

#### **3.1. General**

The Competent Authorities respectively agree to fulfill the applicable continuing airworthiness obligations assigned to ICAO Contracting States under Annex 8 to the Chicago Convention. The functions of the State of Design, and where appropriate, State of Manufacture or State of Registry are to be carried out by the appropriate Competent Authority. These procedures are intended to facilitate the fulfillment of those obligations and for the timely resolution of in-service safety issues arising on civil aeronautical products under their respective jurisdictions.

#### **3.2. Continuing Airworthiness Obligations**

3.2.1. Under Annex 8 to the Chicago Convention, the State of Design is responsible for resolving in-service safety issues related to a civil aeronautical product's design or production. The State of Design shall provide applicable information, which it has found to be necessary for mandatory modifications, required limitations and/or inspections to the Importing Party to ensure continued operational safety of the civil aeronautical product. The Importing Party will review and normally accept the corrective actions taken by the State of Design in the issuance of, or as part of, its own mandatory corrective actions.

3.2.2. The State of Design shall, upon request, assist in determining any actions considered necessary by the Importing Party for the continued safety of civil aeronautical products operating under its jurisdiction. The Importing Party decides the final action to be taken with respect to these civil aeronautical products.

### 3.3. Failure, Malfunction and Defect Reporting

3.3.1. For the purpose of the subsection 3.3 of this TIP, the reporting of failures, malfunctions and defects to the Competent Authorities is in respect of those failures, malfunctions and defects that have resulted in or may result in an unsafe condition.

3.3.2. ANAC and EASA agree to perform the following functions for those civil aeronautical products for which they are the State of Design:

- a) tracking of reports on failures, malfunctions, and defects, other service difficulty reports, and accident/incidents;
- b) evaluating failures, malfunctions, and defects, and the results and/or conclusions drawn from accident or incident investigations;
- c) investigating and resolving unsafe conditions;
- d) advising the Importing Party of known unsafe conditions and the necessary mandatory corrective actions (see 3.4);

- I - In the case of ANAC, this information is provided through the Airworthiness Directive publishing tool, which can be accessed at: <http://www2.anac.gov.br/certificacao/DA/DA.asp>.
- II - In the case of EASA, this information is provided through the Airworthiness Directive publishing tool, which can be accessed at: <http://ad.easa.europa.eu/>.

e) providing the Importing Party, upon request, with the following:

- I - reports of failures, malfunctions, and defects;
- II - status of investigations into failures, malfunctions, and defects and accidents/incidents;
- III - copies of final reports reached in its investigation into failures, malfunctions, and defects, if available; and

f) making a reasonable effort to resolve issues raised by the Importing Party concerning matters of safety for civil aeronautical products operated or used in its jurisdiction.

3.3.3. ANAC and EASA, agree to perform the following functions:

- a) advise each other of failures, malfunctions, and defects and accidents/incidents which are believed to be potentially unsafe conditions occurring on the civil aeronautical products which are imported from each Party;

- b) support the Exporting Party in investigations of unsafe conditions and their occurrences on the imported aircraft; and
- c) advise the Exporting Party, if as a result of investigations made by the Importing Party into failures, malfunctions and defects and accidents/incidents, it has determined that it will implement its own mandatory corrective action(s).

3.3.4. Failure, malfunction, and defect reports shall be transmitted in the manner required by ANAC and EASA, as follows:

- a) for ANAC, directly to ANAC using the web site in the following link: <https://sistemas.anac.gov.br/rds/FormExecutarPrincipal.do>.
- b) for EASA, directly to the TC holders, who then are responsible to report to the EASA PCM per applicable EASA procedures.

### **3.4. Unsafe Conditions and Mandatory Continuing Airworthiness Information**

3.4.1. ANAC and EASA agree to perform the following activities for the civil aeronautical products for which they function as the State of Design:

- a) issue mandatory continuing airworthiness information (such as an airworthiness directive) whenever the Competent Authority determines that an unsafe condition exists in a civil aeronautical product (or is likely to exist or develop in a product of the same type design for EASA) (and is likely to exist or develop in a product of the same type design for ANAC). This may include a civil aeronautical product that has another product installed on it and the installation causes the unsafe condition. The contents of such a mandatory continuing airworthiness information should include, but are not limited to, the following:

- I - make, model, and serial numbers of affected civil aeronautical products;
- II - description of the unsafe condition, reasons for the mandatory action, and its impact on the overall aircraft and continued operation;
- III - description of the cause of the unsafe condition (e.g., stress corrosion, fatigue, design problem, quality control, suspected unapproved part);
- IV - the means by which the unsafe condition was detected and, if resulting from in-service experience, the number of occurrences may be provided; and
- V - corrective actions and corresponding compliance times, with a list of the relevant manufacturer's service information including reference number, revision number and date;

- b) issue a revised or superseding mandatory continuing airworthiness information whenever the Exporting Party finds any previously issued mandatory continuing airworthiness information was incomplete or inadequate to fully correct the unsafe condition;

- c) notify the Importing Party, and affected State(s) of Registry in the case of the European Union, of the unsafe condition and the necessary corrective actions by transmitting by e-mail or other mutually accepted means a copy of the mandatory continuing airworthiness information at the time of publication;
  - d) notify the Importing Party and affected State(s) of Registry in the case of the European Union, of any emergency airworthiness information;
  - e) assist the Importing Party in defining the appropriate actions to take in the issuance of its own mandatory continuing airworthiness information; and
  - f) provide the Importing Party with a summary index list of mandatory continuing airworthiness information (or equivalent information) issued by the State of Design for civil aeronautical products operated or used by the Importing Party:
    - I - In the case of ANAC, this information is provided through the link: <http://www2.anac.gov.br/certificacao/DA/DA.asp>;
    - II - In the case of EASA, this information is provided through the Airworthiness Directive publishing tool, which can be accessed at: <http://ad.easa.europa.eu/>.
- 3.4.2. ANAC and EASA agree that when applicable and possible they will provide each other an advance copy of the mandatory continuing airworthiness information.
- 3.4.3. ANAC and EASA recognize that they may disagree as to the finding of an unsafe condition. If such a disagreement arises, the Importing Party will normally consult with the State of Design prior to issuing its own airworthiness directive. The State of Design will work with the TC holder to provide sufficient information, e.g. service bulletins, to the Importing Party in a timely manner for its use in issuing this unilateral airworthiness directive.
- 3.4.4. The Importing Party may issue its own mandatory continuing airworthiness information, or adopt as mandatory continuing airworthiness the mandatory continuing airworthiness of the other Authority, to address all unsafe conditions on affected products that have been certified, approved or otherwise accepted by the Importing Party. ANAC and EASA agree to respond quickly when the other Authority issues mandatory continuing airworthiness information.
- 3.4.5. For an appliance or part where the Importing Party automatically accepts the approval under paragraphs 2.8.4 or 2.9.2 of this TIP as equivalent to having granted and issued its own approval, any mandatory continuing airworthiness information issued by the State of Design for the appliance or part shall be automatically accepted by the Importing Party.
- 3.5. Alternative Methods of Compliance to Mandatory Continuing Airworthiness Information**



- 3.5.1. An AMOC, proposing a variation in the prescribed method of compliance, that is issued by either ANAC or EASA for its own State of Design civil aeronautical products, is considered automatically accepted by the other Authority.
- 3.5.2. The State of Design shall, upon request, assist in determining the acceptability of a specific AMOC request submitted to the Importing Party on an airworthiness directive that has been issued by the State of Design for its own civil aeronautical products.

#### **4. ADMINISTRATION OF DESIGN APPROVALS**

##### **4.1. General**

This section addresses the procedures for the transfer, surrender, revocation or suspension of certificates or approvals on civil aeronautical products that have been validated or accepted by either Competent Authority under these Technical Implementation Procedures.

##### **4.2. Transfer of a TC or STC**

###### **4.2.1. Transfer General**

- 4.2.1.1. The transfer of a certificate shall comply with the requirements of ANAC and EASA:
  - a) For Brazil, ANAC shall transfer a certificate only when the requirements of the RBAC 21.47 have been satisfied and when the corresponding EASA certificate has been transferred to the same applicant.
  - b) For the European Union, EASA shall transfer a certificate only when it has been satisfied that the applicant is able to undertake the responsibilities in EASA Part 21 and that the ANAC certificate has been transferred to the same applicant.
- 4.2.1.2. The responsibilities of the State of Design referred to in this section are those contained in Annex 8 to the Chicago Convention. Any other responsibilities on civil aeronautical products assigned to ANAC and EASA, are derived from their respective regulations.
- 4.2.1.3. The transfer of the State of Design responsibilities has to be mutually agreed to by both ANAC and EASA. If agreement cannot be reached, then the affected certificate may be revoked by the incumbent State of Design and the affected ICAO Contracting States notified of such an action.
- 4.2.1.4. ANAC and EASA shall administer the procedures for the transfer of certificates only where an applicant, who is to become the holder, agrees to fulfill responsibilities for both the ANAC and EASA certificates, and the affected operating fleet. Otherwise subparagraph 4.2.1.3 of this TIP applies.

4.2.1.5. ANAC and EASA acknowledge that the design data are the property of the certificate holder.

### 4.2.2. Transfer Without a Change in State of Design Functions

The transfer of a certificate between persons located in Brazil or within the European Union, which does not involve a change in the State of Design functions for ANAC or EASA, shall be administered according to the requirements of the incumbent State of Design. ANAC or EASA shall notify each other of any formally completed transfer of a certificate, so that the corresponding certificate issued by the other Authority can be re-issued to reflect the change. ANAC or EASA shall provide assistance where necessary so that either Authority is satisfied that the new certificate holder is able to fulfill the responsibilities of a certificate holder under the requirements of the other Authority.

### 4.2.3. Transfer With a Change in State of Design Functions

The transfer of a certificate between persons of different jurisdictions, which involves a transfer of the State of Design functions from ANAC to EASA or the other way around, shall be administered according to a transfer plan agreed to between ANAC and EASA. The purpose of the transfer plan is to describe the process that will be used by ANAC and EASA to satisfactorily complete the transfer of a certificate and its associated responsibilities to the new certificate holder and the new State of Design. The transfer plan shall be:

- a) specific to the certificate being transferred;
- b) initiated by the incumbent State of Design; and
- c) terminated upon issuance of a certificate by the new State of Design.

### 4.2.4. Transfer Plan and Notification

4.2.4.1. The transfer plan referred in paragraph 4.2.3 of this TIP should be drafted at the beginning of the process and should cater to the size and scope of the certificate being transferred. The plan should establish, but is not limited to:

- a) points of contact for the transfer;
- b) the transfer of design data to the new holder;
- c) the responsibilities of ANAC and EASA during the transfer process;
- d) the responsibilities of the holder and applicant during the transfer process;
- e) the type design of the civil aeronautical products being transferred;

- f) transfer of knowledge on continuing airworthiness issues;
- g) production issues;
- h) the needed resources and project timelines;
- i) the transfer schedule;
- j) how a request between the Competent Authorities for assistance in making additional compliance determinations on the other's behalf will be accomplished;
- k) how to enhance a Competent Authority's understanding of the design;
- l) how procedural differences will be resolved, and how those resolutions will be recorded;
- m) how differences between the original certification basis and the one under consideration may be minimized; and
- n) details about the manufacturing of parts related to the type design.

4.2.4.2. Upon transfer of a certificate, the new State of Design shall notify all affected ICAO Contracting States of the transfer, the new certificate, the new person responsible for the type design, and the mailing address for submitting reports of failures, malfunctions and defects and other service difficulties.

#### **4.3. Surrender of a TC or STC**

If a certificate holder voluntarily surrenders a TC or STC issued by either ANAC or EASA that Authority shall immediately notify the other in writing. This notification must include information on the known civil aeronautical products operating in Brazil or the European Union, as applicable. ANAC and EASA shall continue to exercise its continuing airworthiness responsibilities as the State of Design for the surrendered certificate, and inform the other of any identified unsafe conditions until such time as they:

- a) reissue the TC or STC to a new holder after the new holder demonstrates competence to fulfill the necessary obligations; or
- b) revoke the TC or STC. Prior to revocation ANAC and EASA shall notify each other of the intention to revoke the TC or STC.

#### **4.4. Revocation or Suspension of a TC or STC**

4.4.1. If a State of Design takes action to revoke or suspend a TC or STC, it shall immediately notify the Importing Party of its action. Upon such notification, the Importing Party shall determine for itself if a corresponding action is warranted.

4.4.2. The State of Design in revoking or suspending a certificate shall provide the Importing Party information on the known civil aeronautical products operated or used in the State of the Importing Party.

### **4.5. Surrender or Revocation of an Approval (ETSOA, APAA, DAL, Repair Design)**

#### 4.5.1. Surrender

If the holder of an ETSOA, APAA, DAL, or repair design approval, approved under this TIP, surrenders such an approval, ANAC or EASA shall immediately notify the other of the action. The Authority that issued the approval shall inform the other when an unsafe condition has been identified, until such time as the issuing Authority formally revokes the surrendered approval.

#### 4.5.2. Revocation

If an ETSOA, APAA, DAL, or repair design approval, approved under this TIP, is revoked, ANAC or EASA shall immediately notify the other of the action. The Authority that issued the approval shall inform the other when an unsafe condition or a non-compliance situation has been identified. The issuing Authority shall investigate the unsafe condition or non-compliance situation for corrective action and notify the other of the corrective action.

#### 4.5.2.1. Surrender or Revocation

In the case of either a surrender or revocation of an ETSOA, APAA, DAL, or repair design approval, approved under this TIP, ANAC or EASA as the Authority that granted the approval still has responsibility for the continued airworthiness of the repair design and those parts and appliances manufactured under its authority.

## **5. EXPORT AIRWORTHINESS APPROVAL**

### **5.1. General**

5.1.1. This section addresses the procedures by which a civil aeronautical product being exported from Brazil or the European Union to the other shall be accepted on the basis of an export airworthiness approval issued by the Exporting Party. The Importing Party shall recognize and accept the export airworthiness approval of the Exporting Party when issued in accordance with this TIP.

5.1.2. For civil aeronautical products exported from Brazil or the European Union, the following export airworthiness approvals are recognized and accepted when issued

in a form and manner prescribed by the Exporting Party through its Competent Authority, as follows:

- a) for complete aircraft only, an Export Certificate of Airworthiness; and
- b) for aircraft engines, propellers, appliances, and parts other than Standard Parts, an Authorized Release Certificate.

## **5.2. Certification for Export**

### **5.2.1. Export of New Aircraft**

5.2.1.1. The Exporting Party shall certify that a new aircraft being exported to Brazil or the European Union:

- a) conforms to the type design approved by the Importing Party, as specified in the Importing Party's type certificate data sheet and any additional STCs approved by the Importing Party;
- b) is in a condition for safe operation; and
- c) complies with the applicable airworthiness directives and additional import requirements of the Importing Party, where notified.

5.2.1.2. The Exporting Party shall provide a statement or declaration on the Export Certificate of Airworthiness of its certification in respect of the subparagraph 5.2.1.1 of this TIP, and it shall include the identification of any exception from the identified approved type design of the Importing Party. The exception from the identified type design shall be coordinated in accordance with subsection 5.3 of this TIP.

5.2.1.3. The Exporting Party shall also provide information on the acoustical configuration of the new aircraft and its noise and emission characteristics necessary for the Importing Party to establish compliance with its environmental requirements and to complete the certificate of noise compliance or equivalent record.

### **5.2.2. Export of New Aircraft Engine, Propeller, Appliance, and Part other than a Standard Part**

5.2.2.1. A new aircraft engine, propeller, appliance, and any part other than a Standard Part being exported to Brazil or the European Union shall be certified that it:

- a) conforms to the applicable approved design data;
- b) is in a condition for safe operation; and

- c) complies with the applicable airworthiness directives and additional import requirements of the Importing Party, where notified.
- 5.2.2.2. The approved manufacturer of a new aircraft engine, propeller, appliance, and part other than a Standard Part being exported shall provide a statement or declaration on the Authorized Release Certificate of its certification in respect of subparagraph 5.2.2.1 of this TIP, including the identification of any exception from the identified approved type design of the Importing Party.
- 5.2.3. Export of Used Aircraft
- 5.2.3.1. A used aircraft under the jurisdiction of Brazil or the European Union is eligible for export to the other only where the used aircraft, regardless of State of Design, has a design approval granted by the Importing Party.
- 5.2.3.2. The Exporting Party shall certify that a used aircraft eligible under subparagraph 5.2.3.1 of this TIP being exported to Brazil or the European Union:
- a) conforms to the type design approved by the Importing Party, as specified in the Importing Party's type certificate data sheet and any additional STCs approved by the Importing Party;
  - b) is in a condition for safe operation; and
  - c) is properly maintained using approved procedures and methods (evidenced by logbooks and maintenance records); and
  - d) complies with the applicable airworthiness directives and additional import requirements of the Importing Party, where notified.
- 5.2.3.3. The Exporting Party shall also provide information on the acoustical configuration of the used aircraft and its noise and emission characteristics necessary for the Importing Party to establish compliance with its environmental requirements and to complete the certificate of noise compliance or equivalent record.
- 5.2.3.4. The Exporting Party shall provide a statement or declaration on the Export Certificate of Airworthiness of its certification in respect of subparagraph 5.2.3.2 of this TIP, including the identification of any or all exceptions from the identified approved type design of the Importing Party. The exception from the identified type design shall be coordinated in accordance with subsection 5.3 of this TIP.
- 5.2.3.5. In the case of subparagraph 5.2.3.2, letter "c", of this TIP, the Importing Party may request inspection and maintenance records, which include but are not limited to:
- a) the original or certified true copy of the Export Certificate of Airworthiness, or equivalent, issued by the Exporting Party;

- b) records, which verify that all overhauls, major changes, and major repairs were accomplished in accordance with data approved in accordance with section 2, of this TIP;
  - c) maintenance records and logbook entries which substantiate that the used aircraft is properly maintained by fulfilling the requirements of an approved maintenance program by the Competent Authority for EU and approved or accepted by ANAC for Brazil; and
  - d) where major design changes or STCs are embodied in a used aircraft, all necessary data for subsequent maintenance should be provided, such as the data describing the installation, the materials and parts used, wiring diagrams for installation on avionics and electrical systems, drawings or floor plans for installations in the cabin, fuel or hydraulic systems, structural changes.
- 5.2.3.6. In the case where Brazil or the European Union is the State of Design of the used aircraft, and such aircraft is being imported from a third country, ANAC or EASA shall, upon request, assist the other in obtaining information regarding the configuration of the aircraft at the time it left the manufacturer. In addition, assistance shall also be provided in obtaining information regarding subsequent installations on the used aircraft that have been approved by the State of Design.

### **5.3. Coordination of Exceptions on Export Certificate of Airworthiness**

- 5.3.1.1. Where the Exporting Party identifies a non-compliance to the approved type design of the Importing Party and intends to identify these as exceptions to its export certification, the Exporting Party shall, prior to issuing its Export Certificate of Airworthiness, notify the Importing Party of such non-compliance. This notification by the Exporting Party should help to resolve all issues concerning the aircraft's eligibility for an airworthiness certificate. This notification should be sent to the appropriate office of the Importing Party.
- 5.3.1.2. In all cases, the Importing Party shall provide a written confirmation of its acceptance of the non-compliance notified under subparagraph 5.3.1.1 of this TIP before the Exporting Party issues its Export Certificate of Airworthiness.

### **5.4. Identification and Marking Requirements**

Under the Agreement, Brazil and the European Union mutually recognize and accept each other's identification and marking of civil aeronautical products as being compliant with their own legal requirements, when such identification and marking are accomplished in accordance with the regulations of the Exporting Party.

### **5.5. Additional Requirements for Import**

The Importing Party may have additional requirements, which must be complied with as a condition of acceptance of the civil aeronautical product being imported. The following are required, but not limited to those in paragraphs 5.5.1 to 5.5.3 of this TIP.

### 5.5.1. Instructions for Continued Airworthiness – ICAs

Instructions for Continued Airworthiness – ICAs and maintenance manuals having airworthiness limitation sections must be provided by the TC or STC holder.

### 5.5.2. Aircraft Flight Manual, Operating Placards and Markings, Weight and Balance Report, and Equipment List

An approved Aircraft Flight Manual, including all applicable supplements, must accompany each aircraft. The aircraft must also have the appropriate operating placards and markings, a current weight and balance report, and a list of installed equipment.

### 5.5.3. Logbooks and Maintenance Records

Logbooks and maintenance records must accompany each aircraft (including the aircraft engine, propeller, rotor, or appliance).

## 6. **PRODUCTION APPROVAL [Reserved]**

### 1.1 Maintenance of confidence building [Reserved]

Description how item (e), (f) and (h) of the JSCC mandate is accomplished.

### 1.2 Technical issues related to Production [Reserved]

Description how technical issues related to Production resulting from implementation of the Agreement by the competent authorities or technical agents are dealt with.

## 7. **TECHNICAL SUPORT AND INFORMATION**

### 7.1. **General**

7.1.1. Pursuant to section 6 of Annex A of the Agreement, upon request and after mutual agreement, and as resources permit, ANAC and EASA shall provide technical support and information, hereafter referred to as technical assistance, to each other when significant activities are conducted in either Brazil or the European Union.

7.1.2. Every effort should be made to have these certification and validation tasks performed locally on each other's behalf. Technical assistance activities will help with regulatory surveillance and oversight functions at locations outside of the requestor's territory. These activities shall in no way relieve the requestor's



responsibilities for regulatory control and environmental and airworthiness certification of civil aeronautical products manufactured at facilities located outside of the requestor's territory. EASA and ANAC may agree to provide Technical Assistance to each other under the conditions that all related costs (working hours, travel expenses) are covered by appropriate service contracts with the organization benefitting from this arrangement.

7.1.3. ANAC and EASA shall use their own policies and procedures when providing such technical assistance to the other, unless other working arrangements are agreed upon. Types of support may include, but are not limited to, the following:

a) Operational Suitability Data – Development of minimum operational suitability requirements (covering inter alia minimum flight crew and flight crew member training requirements).

b) Certification and Validation Support:

- I - approving test plans;
- II - witnessing tests;
- III - performing compliance inspections;
- IV - reviewing reports;
- V - obtaining data;
- VI - verifying/determining compliance;
- VII - monitoring the activities and functions of delegates or approved organizations; and
- VIII - conducting investigations of service difficulties.

c) Conformity and Monitoring Support:

- I - conformity inspections;
- II - monitoring the controls of special processes;
- III - witnessing the first article inspection of parts;
- IV - conducting sample inspections on production parts;
- V - monitoring the activities and functions of delegates or approved organizations;
- VI - conducting investigations of service difficulties; and
- VII - auditing production quality systems.

d) Airworthiness Certification Support:

- I - assistance in the delivery of airworthiness certificates for aircraft; and
- II - determining the original export configuration of a used aircraft.

7.1.4. Request from ANAC for EASA Engineering Design Support (Including conformity of test set-ups):

a) EASA is relying on EASA DOAs to provide technical assistance to ANAC.

- b) Routine requests for technical assistance shall be sent directly to an EASA DOA. When the EU company holds an EASA DOA, the company may use its DOA procedures to conduct the requested technical assistance on behalf of EASA. No coordination or individual requests to EASA are required once ANAC confirms with EASA that the scope of the DOA includes the activities related to the request for technical assistance. EASA retains responsibility for the DOA's performance.
- c) Non-routine requests shall use the procedures outlined in paragraphs 7.2 through 7.8.

### **7.2. Witnessing of Tests During Design Approval**

- 7.2.1. ANAC and EASA may request assistance from the other for the witnessing of tests that are performed in the other's jurisdiction.
- 7.2.2. Only requests between ANAC and EASA are permissible and neither ANAC nor EASA shall respond to a test-witnessing request made directly from the manufacturer or supplier. Witnessing of tests shall be conducted only after consultations between ANAC and EASA on the specific work to be performed and agreement has been obtained from the other party. ANAC or EASA, as appropriate for the country in which the design approval applicant is located, makes the written request for witnessing of tests.
- 7.2.3. Unless otherwise delegated, approval of the applicant's test plans, test procedures, test specimens, and hardware configuration remains the responsibility of ANAC or EASA, as appropriate for 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 applicant.
- 7.2.4. Generally, conformity inspections associated with prototype parts in Europe are the responsibility of the European Union Member State. However, EASA shall assure that such inspections have been conducted prior to witnessing any tests on behalf of ANAC. In addition, EASA is generally responsible for the conformity of the test set-up.
- 7.2.5. 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 ANAC or EASA in receipt of such requests, these activities may be performed by accredited persons or organizations or approved organizations.
- 7.2.6. 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 ANAC or EASA, as appropriate, at least 2 (two) weeks prior to each scheduled test.

- 7.2.7. EASA's or ANAC's requests for conformity of the test set-up and/or witnessing of tests shall be sent electronically to the appropriate office, which has geographic responsibility for the location of the test. ANAC and EASA offices are listed in Appendix A of this TIP. Where prototype part conformity inspection is also involved, ANAC may send a joint notification of the activity to both EASA and the applicable Competent Authority of the European Union Member State.
- 7.2.8. Upon completion of test witnessing, ANAC or EASA shall send a report stating that the test was conducted in accordance with approved test plans, including the identification of any variations from those test plans, and confirming the test results, as well as any other documentation as notified in the request.

### **7.3. Compliance Determinations**

- 7.3.1. ANAC or EASA may request that specific compliance determinations be made, which are associated with the witnessing of tests or other activities. Such statements of compliance shall be made to the airworthiness or environmental standards of the requesting Authority.
- 7.3.2. ANAC's or EASA's statement of conformity shall be sent in a formal letter, transmitted electronically, to the requesting EASA or ANAC office.

### **7.4. Conformity Certifications During Design Approval**

- 7.4.1. ANAC or EASA, depending upon the country in which a supplier is located, may request prototype part conformity certifications from the other, as appropriate.
- 7.4.2. Only ANAC-to-EASA or EASA-to-ANAC requests are permissible and neither shall respond to a conformity certification request made directly by the manufacturer or supplier. Conformity certifications shall be conducted only after consultations and agreement to perform the work. Requests for conformity certifications should be limited to test specimens or prototype parts that are of such complexity that they cannot be inspected by the manufacturer or its regulatory authority prior to installation in the final civil aeronautical product.
- 7.4.3. Conformity certifications may require the development of a working arrangement based on the complexity and frequency of the requested certifications. At the discretion of ANAC or EASA in receipt of such requests, these activities may be performed by accredited persons or organizations or approved organizations.
- 7.4.4. EASA requests for conformity certifications shall be sent to the ANAC offices listed in Appendix A of this TIP. ANAC requests shall be sent to EASA or the appropriate National Aviation Authority of the European Union Member State. ANAC and EASA offices are listed in Appendix A of this TIP.
- 7.4.5. Upon completion of each conformity certification conducted on each other's behalf, ANAC or EASA shall complete and return all documentation as notified.

ANAC or EASA, depending upon the country in which the supplier is located, shall note all deviations from the requirements notified by ANAC or EASA on the conformity certification for the particular part. Any non-conformity described as a deviation should be brought to the attention of ANAC or EASA for evaluation and disposition as to its effect on safety and the validity of the test under consideration. ANAC or EASA should receive a report stating the disposition of each deviation before the appropriate ANAC or EASA form is issued.

### **7.5. Surveillance and Other Support**

ANAC and EASA may request other types of technical assistance outlined in paragraph 6.1.3 of this TIP. Each request shall be handled on a case-by-case basis, as resources permit between the Project Certification Manager – PCM for EASA and Gerente de Programa de Certificação – GPC, for ANAC. Each request shall 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 working arrangement may be needed.

### **7.6. Airworthiness Determination**

Neither conformity certification on prototype parts as per subsection 6.4 of this TIP, nor inspections on production parts (per subsection 6.5 of this TIP) should be construed as being an export airworthiness approval, since a conformity certification does not constitute a determination of airworthiness. Airworthiness determinations remain the responsibility of the design holder and/or manufacturer and the Exporting Party.

### **7.7. 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 Importing Party may seek assistance from the Exporting Party in the final processing and delivery of an airworthiness certificate when the aircraft has completed its manufacturing cycle, has been entered on the importing country's registry, and has subsequently been granted an Export Certificate of Airworthiness by the Exporting Party. This will require the development of a working arrangement between the Competent Authorities.

### **7.8. Handling of Requests for Proprietary Data and Access to Information/Public Access to Official Documents Information**

#### **7.8.1. Protection of Proprietary Data**

Unless required by law, ANAC and EASA agree that they shall not copy, release, or show data identified as proprietary or otherwise restricted that is obtained from each other to anyone other than an ANAC or EASA employee, without written

consent of the design approval holder or other data submitter. ANAC and EASA should obtain this written consent from the design approval holder through its authority. To the extent that either EASA or ANAC shares such data with relevant accident investigation bodies, EASA and ANAC shall ensure in all cases that these persons treat such restricted information in accordance with Article 11 of the Agreement.

### 7.8.2. Access To Information Requests

When ANAC receives a request for access to information related to a civil aeronautical product of a Brazilian approval holder or an applicant who is located in an European Union Member State, ANAC may request EASA's assistance in contacting the approval holder or applicant. ANAC shall advise EASA of the potential release of any information received from EASA and submitted to ANAC by the approval holder or the applicant. If EASA, where applicable, or the approval holder or applicant consents to the release of the information, a written consent must be provided to ANAC. If release is objected to, a statement of the reasons must be furnished by EASA to ANAC. If there is objection, ANAC shall only release the information that it determines that it is required to do so under the Access to Information Request.

### 7.8.3. Public Access to Official Documents

When EASA receives a request for the release of information that has been submitted by a design approval holder in Brazil and covered by this TIP, EASA shall advise ANAC of any information received from ANAC and submitted to the EASA by the approval holder or the applicant that might be released. EASA may also request ANAC's assistance in determining if the person submitting the information would object to release and which portions of the information received from that person or generated by ANAC might be withheld under the secrecy exceptions, if any. If release is objected to, a statement of the reasons must be furnished by ANAC to EASA. EASA shall apply the relevant European Union regulations/directives in making its determination whether or not to release information.

## 7.9. **Accident/Incident and Suspected Unapproved Parts Investigation Information Requests**

7.9.1. When investigating in-service incidents, accidents, or suspected unapproved parts involving a civil aeronautical product imported under this TIP, ANAC or EASA may request information from the appropriate focal points (see listing in Appendix A of this TIP). EASA shall coordinate with the appropriate European Union Member State to obtain any necessary support.

7.9.2. In case of a major incident/accident, ANAC and EASA shall cooperate to address urgent information needs. Following a major accident/incident, upon receipt of a request for urgent information, the appropriate Competent Authority shall provide

the requested information. ANAC and EASA shall establish individual focal points to respond to each other's questions and ensure that timely communication occurs. Information may be requested directly from a manufacturer when immediate contact with the appropriate focal points cannot be made. In such cases, notification of this action shall be made as soon as possible. Either ANAC or EASA, as applicable, shall assist in ensuring that its manufacturer provides requested information expeditiously.

### **8. FURTHER WORKING ARRANGEMENTS**

- 8.1. It is anticipated that future situations will arise requiring additional procedures that are not specifically addressed in these Technical Implementation Procedures, but are within the scope of the Agreement. When such a situation arises, ANAC and EASA shall review it and a working arrangement shall be developed to address the situation. Such an arrangement shall be concluded, when appropriate, in a separate document. If it is apparent that the situation is unique, with little possibility of repetition, then the working arrangement shall be of limited duration. However, if the situation has anticipated new technology or management developments, which could lead to further repetitions, this TIP should be revised accordingly through the Joint Sectorial Committee on Certification.
- 8.2. Any working arrangements shall be kept and controlled by the focal points for this TIP listed in Appendix A of this TIP.

**9. AUTHORITY**

The Joint Sectorial Committee on Certification approves these Technical Implementation Procedures- TIP, as indicated by the signatures of its duly authorized representatives.

NATIONAL CIVIL AVIATION AGENCY - BRAZIL EUROPEAN AVIATION SAFETY AGENCY

By: Original signed by Dino Ishikura

By: Original signed by Dr. Norbert Lohl

Title: Airworthiness Superintendent

Title: Certification Director

Date: 23 April 2014

Date: 23 April 2014

**APPENDIX A  
FOCAL POINTS AND OFFICE ADDRESSES**

**A1. FOCAL POINTS FOR IMPLEMENTATION**

The designated focal point offices for implementation of this TIP are:

For ANAC:	For EASA:
Superintendência de Aeronavegabilidade – SAR Gerência-Geral de Certificação de Produto – GGCP Avenida Cassiano Ricardo, 521 Bloco B/2º andar - Parque Residencial Aquarius São José dos Campos – SP - Brasil CEP 12.246-870	Certification Policy and Planning Department Certification Directorate European Aviation Safety Agency Postfach 10 12 53 D-50452 Köln Germany
Tel.:+55 12 3797 2525 Fax:+55 12 3797 2330	Tel.:+49 221 89990 4005 Fax:+49 221 89990 4505

**A2. FOCAL POINTS FOR COORDINATION OF AMENDMENTS**

The designated focal point offices for coordination of amendments to this TIP are:

For ANAC:	For EASA:
Superintendência de Aeronavegabilidade – SAR Gerência Técnica de Processo Normativo – GTPN Avenida Cassiano Ricardo, 521 Bloco B/2º andar - Parque Residencial Aquarius São José dos Campos - SP - Brasil CEP 12.246-870	International Cooperation Department Executive Directorate European Aviation Safety Agency Postfach 10 12 53 D-50452 Köln Germany
Tel.:+55 12 3797 2493 Fax:+55 12 3797 2330	Tel.:+49 221 89990 5007 Fax:+49 221 89990 5507

**A3. EASA OFFICES**

Mailing Address	Physical Location
European Aviation Safety Agency Postfach 10 12 53 D-50452 Köln Germany	European Aviation Safety Agency Ottoplatz, 1 D-50679 Köln Germany



**A4. EASA E-MAIL ADDRESSES**

For Design approvals:

TCs: tc@easa.europa.eu  
 STCs: stc@easa.europa.eu  
 ETSOAs: etsoa@easa.europa.eu  
 Major changes/repairs: MajorChange-MajorRepair@easa.europa.eu

For Continuing Airworthiness:

AD: ads@easa.europa.eu  
 Failure, Malfunction and Defect: report@easa.europa.eu

**A5. ANAC OFFICES**

Mailing Address	Physical Location:
Superintendência de Aeronavegabilidade – SAR Avenida Cassiano Ricardo, 521 Bloco B/2º andar - Parque Residencial Aquarius São José dos Campos - SP – Brasil CEP 12.246-870	Superintendência de Aeronavegabilidade – SAR Avenida Cassiano Ricardo, 521 Bloco B/2º andar - Parque Residencial Aquarius São José dos Campos - SP – Brasil CEP 12.246-870

**A6. ANAC E-MAIL AND WEB ADDRESSES**

ANAC - Coordination of Amendments: [prodcert.arrang@anac.gov.br](mailto:prodcert.arrang@anac.gov.br).

ANAC ADs:

Web site for information on existence or applicability of any AD is: <http://www2.anac.gov.br/certificacao/DA/DA.asp>.  
 E-mail may be sent to: [ad-brazil@anac.gov.br](mailto:ad-brazil@anac.gov.br).

ANAC TCs: [sar@anac.gov.br](mailto:sar@anac.gov.br).

ANAC STCs: [pst@anac.gov.br](mailto:pst@anac.gov.br).

For General Inquiries:

E-mail: [sar@anac.gov.br](mailto:sar@anac.gov.br).  
 Web site: [www.anac.gov.br/certificacao](http://www.anac.gov.br/certificacao).

**APPENDIX B  
REGULATIONS, ADVISORY AND GUIDANCE MATERIALS**

**B1. ANAC AND EASA NORMATIVE DOCUMENTS STRUCTURES**

This Appendix identifies the respective ANAC and EASA regulatory, advisory and guidance material structures that are applicable to this TIP. For the most up-to-date materials please refer to the following websites:

For ANAC: [http://www.anac.gov.br/Area.aspx?ttCD\\_CHAVE=14](http://www.anac.gov.br/Area.aspx?ttCD_CHAVE=14).

For EASA:

Rulemaking: [http://www.easa.eu.int/ws\\_prod/g/rg\\_regulations.php](http://www.easa.eu.int/ws_prod/g/rg_regulations.php)

Certification: [http://www.easa.eu.int/ws\\_prod/c/c\\_intwrkproc.php](http://www.easa.eu.int/ws_prod/c/c_intwrkproc.php)

**B2. ANAC MATERIALS**

The ANAC's standards for aircraft airworthiness and environmental certification are contained in Regulamentos Brasileiros da Aviação Civil (RBAC) 21, 23, 25, 26, 27, 29, 31, 33, 34, 35, and 36. Guidance material, policy, and procedures are contained in ANAC Instruções Suplementares (IS) and Manuais de Procedimentos (MPR).

**B3. EASA MATERIALS**

The following documents are posted on the EASA website at the following address: <http://easa.europa.eu/regulations/regulations-structure.php>

- EASA implementing rule for airworthiness and environmental certification of aircraft and related products, parts and appliances: (EU) No. 748/2012;
- Certification Specifications: CS-22, 23, 25, 27, 29, 31 (Gas Balloons, Hot Air Balloons), 34, 36, APU, AWO (All Weather Operations), E (Engines), ETSO (European Standard Orders), FSTD (A) & (H) (Flight Simulation Training Devices for Aeroplanes and Helicopters), LSA (Light Sport Aeroplanes), P (Propellers), VLA (Very Light Aeroplanes), VLR (Very Light Rotorcraft), AMC -20 (General Acceptable Means of Compliance for Airworthiness of Products, Parts and Appliances).
- Acceptable Means of Compliance and Guidance Material to Part 21

**APPENDIX C**

**PROCEDURES FOR VALIDATION AND RECIPROCAL ACCEPTANCE**

**C1. INTRODUCTION**

**C1.1. General**

C1.1.1. The technical procedures contained in this Appendix supplement the administrative procedures contained in section 1 and section 2 of this TIP. These combined administrative and technical procedures provide the manner by which ANAC and EASA will conduct the validation and reciprocal acceptance of civil aeronautical product approvals. PCM – Project (or Program) Certification Manager is expected to be thoroughly familiar with both procedures.

C1.1.2. ANAC and EASA shall adhere to these procedures. The authorities agree that if there are overwhelming reasons to deviate from this Appendix, such reason(s) will be technically explained by the Importing Party to the other in every instance. The procedures in this Appendix do not affect the responsibilities or rights of ANAC or EASA with regards to type design data.

**C1.2. Guiding Principles**

C1.2.1. This document refers to Validation to be the Importing Party's own process for determining compliance of design approvals and changes thereof for: type certificates, supplemental type certificates, repairs, parts and appliances, as approved or certified by the Exporting Party. Annex A, article 3.1, Design Approvals General Provisions, of the Agreement, makes it possible for either Brazil or the European Union to grant approval of a foreign civil aeronautical product, without conducting its own exclusive, full and in-depth examination of the design or design change. Validation, in the context of the Agreement, puts emphasis on reliance between both Parties to fulfill their own import requirements.

C1.2.2. The Agreement also establishes the reciprocal acceptance by ANAC and EASA of each other's approvals, without further showing, on appliances, replacement parts, and minor repair designs. By reciprocal acceptance, ANAC and EASA are bound by the Agreement to recognize and accept an approval granted by either one as being equivalent to having granted and issued its own equivalent approval. The approval document issued by either ANAC or EASA is sufficient under the Agreement, and the other Authority is not required to issue the corresponding certificate. Reciprocal acceptance, as with validation, also puts emphasis on reliance and full confidence in each other's approval system.

C1.2.3. Designs or design changes differ in many ways, but ANAC and EASA acknowledge that certain designs and design changes are either non-complex or common, or both, in the sense of their general/widespread application or time-proven use in civil aviation. These common designs and design changes, involving their principles and technology, are well understood today and can be regarded to be standard designs or standard design changes, based on the technical knowledge and

regulatory experiences accumulated over the years in the repeated application of the certification process. Furthermore, the total actual in-service experiences from these standard designs or design changes provide a good basis or reinforcement for treating the certification or approval of these standard designs or design changes as less risky than others. The primary benefit, therefore, is that such standard designs and design changes do not necessarily require as much certification resources from the State of Design, and consequently an even lesser degree of validation by the Importing Party.

- C1.2.4. As with any civil aeronautical product operating in service, any unsafe condition that manifests over time is continuously monitored by the designer, operator and maintenance provider under a service difficulty reporting system that forms part of the continuing airworthiness program. The continuing airworthiness program is a regulated requirement and an international obligation for Brazil and European Union Member States under Annex 8 to the Chicago Convention, which provides another layer of safeguard for the protection of the approved design or design change in the actual operating environment. As such, ensuring overall safety is not exclusive or confined at all to the certification or approval of a product, but rather a collective process that also includes the monitoring of the product's performance in-service, the accomplishment of both maintenance and preventive maintenance on the product, and the certificate or approval holder's responsibility for the continued safety of its own products. Either Party can immediately address any unsafe condition, potential or real, either jointly or unilaterally, through issuance of a mandatory continuing airworthiness information against the affected product.
- C1.2.5. The basic tenets of the Agreement are the high level of confidence that both Brazil and the European Union have placed on each other's regulatory and technical capabilities, their abilities to fulfill their international obligations as States of Design under the Chicago Convention, and the mutual trust that ANAC and EASA can rely on each other to uphold their shared interests in the safety of civil aeronautical products. The validation and reciprocal acceptance procedures contained in this Appendix respect and implement these tenets to the fullest extent.
- C1.2.6. It follows that the main objective of this Appendix is to enable ANAC and EASA, when acting as the Importing Party, to satisfy its own import requirements by placing greater reliance on the approval or findings of compliance by the other. To achieve this objective and without prejudice to their own obligations under their respective regulations and policies, ANAC and EASA shall:
- a) work to eliminate redundant reviews of reports, duplication of inspections, tests and test demonstrations, evaluations and approvals; and
  - b) directly accept or give full credit to enable maximum acceptance of the compliance determinations made by the other.

## **C2. TC/STC VALIDATION**

**C2.1. Initiation of Validation**

C2.1.1. Submission of Application

The validation process begins with the acknowledgement by the Importing Party of a formal application submitted by the Exporting Party. Communication shall be initiated between the appropriate ANAC and EASA offices identified in Appendix A of this TIP. Communication will include the identification and notification of the PCMs responsible for processing the application.

C2.1.2. Review of Initial Documentation

The PCM of the Importing Party shall review the application package for completeness, and consult with the Exporting Party and applicant for additional information as necessary. The submission to the Importing Party should, as a minimum, include the documents specified in this TIP. Where none are specified, the required data shall be those as notified by the Importing Party. The following is a summary of the data submission requirements under this TIP:

- a) for an initial Type Certificate see subparagraph 2.4.2.2 of this TIP; and
- b) for an initial Supplemental Type Certificate see subparagraph 2.6.3.3 of this TIP.

**C2.2. Technical Familiarisation**

The applicant will present suitable and satisfactory information to the Importing Party in order for it to fully understand the design. This presentation may take the form of a meeting or submitted documentation. The choice is that of the Importing Party. The presentation on the civil aeronautical product shall include information on the following:

- a) new technologies and any unique or unconventional features;
- b) intended unconventional usage; and
- c) unsafe conditions that may have developed in similar products in service or products having similar design features.

**C2.3. Establish the Certification Basis for the TC/STC Validation Project**

The Importing Party shall establish a certification basis as detailed in paragraphs 2.4.3 or 2.6.4 respectively of this TIP. The Importing Party may elect to include Special Conditions in the certification basis based on its knowledge of new technologies and any unique or unconventional features or intended

unconventional usage of the civil aeronautical product as presented by the applicant. The certification basis may need to be changed during the validation process as the Importing Party's knowledge of the design increases.

### **C2.4. Level of the Validating Authority's Technical Involvement**

- a) The level of the Validating Authority's technical involvement means the process used to manage the participation of, and the activities undertaken by, the Importing Party's technical specialists in the validation and compliance determination activities leading to the approval of a civil aeronautical product that has been approved by the other. When determining the level of technical involvement, the principles set out in paragraph C1.2.6 of the Appendix C of this TIP shall be respected.
- b) The level of the Validating Authority's technical involvement by technical specialists of the Importing Party in conducting the technical review is usually predicated on the sensitivity placed by the Importing Party on the demonstration of compliance with its requirements. While it is ultimately the Importing Party's decision, the Competent Authorities must exercise good judgment in defining the level of Validating Authority's technical involvement by considering a non-obtrusive approach and being respectful of the guiding principles mentioned in subsection C1.2 of the Appendix C of this TIP.

### **C2.5. Completion of a TC/STC Validation**

A TC/STC validation may be accomplished either on-site or off-site, and the exact nature may not be determined until additional information is gathered from the applicant and the Exporting Party. The PCM of the Importing Party shall proceed with the following activities to complete its validation.

#### **C2.5.1. Familiarization Meeting**

A TC/STC validation requires that the Importing Party familiarize itself with the civil aeronautical product in detail, the applicant, and the certification activity of the Exporting Party.

##### **a) Purpose**

A familiarization briefing is required to obtain initial detailed information regarding the characteristics of the design, the type certification conducted or proposed, and the certification basis by the Exporting Party. One of the key purposes of this additional information is to determine whether an on-site review will be required (i.e. applicant's site will be visited) or an off-site review will be sufficient. The familiarization briefing can then be used to identify the technical areas of interest to the Importing Party and specify what the applicant shall provide to the respective specialists to allow them to conduct their review. Another purpose of the familiarization meeting is to provide an opportunity for the Importing Party's

aircraft certification personnel to brief the applicant and the Exporting Party with respect to the Importing Party's airworthiness and environmental requirements applicable to the given civil aeronautical product, its type certification and validation procedures and policies. The PCM of the Importing Party, in consultation with the Exporting Party, shall draw up an agenda for the familiarization meeting, and coordinate the necessary arrangements for conducting the familiarization meeting.

A briefing may be conducted following the submission of suitable descriptive material or by a physical meeting (or any other alternative forum acceptable to the Importing Party).

### b) Modern communication means

The familiarization meeting should also consider use of modern communication means (e.g. teleconference, videoconference) to achieve its purpose, especially in a case where the resources to assemble a technical audience could be economically disproportionate to the scale and complexity of the design or design change being validated.

### c) Required Attendance

The PCM of the Importing and Exporting Party shall ensure that the briefing is scheduled at a date suitable to all parties involved and that sufficiently knowledgeable representatives from the applicant are participating.

### d) Involvement of the Exporting Party

The Exporting Party is expected to attend the familiarization meeting, given that they have a thorough knowledge of the certification of the design or design change. It is, therefore, appropriate that the Exporting Party assist the Importing Party in its validation of the design or design change for the purpose of establishing either a full credit or partial credit to the findings of compliance by the Exporting Party. The Exporting Party's involvement shall be identified and coordinated through the respective PCM of both Importing and Exporting Parties.

#### C2.5.2. Validation documentation

Following the completion of the Familiarization meeting, the PCM of the Importing Party shall prepare the adequate documentation that identifies the subsequent and necessary activities of its validation.

#### C2.5.3. Environmental Testing and Approval

C2.5.3.1. The Importing Party shall review compliance demonstration plans and reports necessary to make a determination of compliance with its environmental requirements, giving due consideration to any compliance determination that the Exporting Party already made, or is able to make, on its behalf. The Importing Party may delegate to the Exporting Party any or all of its functions related to environmental testing and approval, subject to mutual agreement.

C2.5.3.2. In the absence of any delegation of its functions related to environmental testing and approval to the Exporting Party, the Importing Party shall:

- a) review and approve environmental certification compliance demonstration plans for noise, fuel venting and exhaust emissions;
- b) evaluate the measurement and analysis methods and practices, and data correction procedures of the applicant for aircraft noise and emission certification;
- c) review and approve any equivalent procedures to be used by the applicant during testing, data processing, data reduction, and data analysis;
- d) verify the conformity of the test article;
- e) witness the compliance demonstration test; and
- f) review and approve compliance demonstration reports.

#### C2.5.4. Documentation from Applicant

C2.5.4.1. The PCM of the Importing Party shall request from the applicant documentation required for those areas of technical interest identified by the relevant specialists during the familiarisation meeting.

C2.5.4.2. All requests for documents from the applicant should be routed through the PCM of the Importing Party, who would verify that the documentation requests are reasonable and appropriate.

C2.5.4.3. The amount of document requests will vary between an off-site and on-site review. An off-site review is conducted remotely from the applicant and the Exporting Party, and will rely completely on the availability of sufficient documents to allow the technical specialists to complete the review of its identified areas of interest. However, for an on-site review, the documentation request should be kept to a level sufficient to prepare the technical specialists in advance, as the intent is to conduct the technical review while on-site. An on-site, in contrast to an off-site, review offers more opportunity for direct specialist-to-specialist interaction.

#### C2.5.5. Off-Site Review



- C.2.5.5.1. If an off-site review was decided as being sufficient, the technical specialists of the Importing Party shall review from its business location(s) the technical documentation supplied by the applicant, and communicate, as necessary, with its counterpart specialists from the Exporting Party and the applicant through its PCM.
- C.2.5.5.2. Items of concern or requiring further clarification on the applicant's substantiation or the conduct of the certification activity by the Exporting Party shall be documented and notified by the Importing Party to the Exporting Party through the PCM.
- C.2.5.5.3. The PCM of the Competent Authorities shall coordinate the resolution of these items to the satisfaction of the Importing Party, and document the agreement or decision reached between them. Disagreements or conflicts on technical issues should be resolved at the technical level as much as possible, but should be raised promptly to ANAC and EASA management on a progressive level to avoid potential delays in the validation schedule.
- C.2.5.5.4. Where the PCM of the Importing Party finds that significant technical or documentation concerns still persist and is proving very difficult to resolve under an off-site review, the PCM may consider requesting an on-site review of the specific area of concern. Such on-site review of the specific area of concern must be coordinated with the Exporting Party.
- C.2.5.6. On-Site Review
- C.2.5.6.1. An on-site review requires a visit to the applicant's facility by a team of technical specialists from the Importing Party. The intent is for the Importing Party to conduct its activities during a single comprehensive visit, if possible. In some cases, specialists may require more than one visit.
- C.2.5.6.2. The PCM of the Importing Party shall coordinate the initial visit with the applicant and the Exporting Party, and advise on the team composition, the schedule of the on-site visit, and the schedules for each of the technical specialists review sessions (on the technical areas of interest). The counterpart specialists from both the Exporting Party and the applicant shall be made available to the visiting validation team for the duration of the on-site review. Where it is determined by the Importing Party after the initial visit that additional visits by the technical specialists are required, these meetings should be held as early as possible in the validation schedule in order to permit timely design changes, if required. All technical meetings subsequent to the initial on-site visit must be arranged through the respective PCM of the Importing and Exporting Parties.
- C.2.5.6.3. Items of concern or requiring further clarification on the applicant's substantiation or the conduct of the certification activity by the Exporting Party shall be documented and notified by the Importing Party to the Exporting Party through

the PCM. The notification of findings should be provided by the end of the visit through a formal debrief, or if not possible communicated shortly following the visit. The PCMs of ANAC and EASA shall coordinate the resolution of these items to the satisfaction of the Importing Party, and finally documenting the agreement or decision reached between them. Disagreements or conflicts on technical issues should be resolved at the technical level as much as possible, but should be raised promptly to ANAC and EASA management on a progressive level to avoid potential delays in the validation schedule.

### C2.5.7. Concluding the Validation

C2.5.7.1. ANAC or EASA shall notify the other upon completion of its validation exercise, and indicate its readiness to issue a corresponding approval of the design or design change. ANAC or EASA, as Importing Party, shall issue its corresponding approval for the TC/STC in accordance with the applicable provisions of section 2, of this TIP.

C2.5.7.2. The PCM of both ANAC and EASA, including the applicant, may agree to have a final meeting at the conclusion of the validation if there are areas of further discussion, or if the sharing of information would be beneficial.

**C3. VALIDATION OR RECIPROCAL ACCEPTANCE OF CHANGES TO A TC/STC**

**C3.1. Major Changes to a TC/STC by Persons Other than the Holder**

The Exporting Party will issue an STC for these changes and the Importing Party will follow the validation process of section 2 of the Appendix C of this TIP to complete its validation of the change.

**C3.2. Major Changes to a TC/STC (Including Revisions to Approved Manuals) by the Holder**

- a) Changes to the type certificate covered by this TIP include those necessary for customer unique design features, product improvements and any other design changes, including revisions to approved manuals, made by the TCH/STCH, for whatever reason.
- b) Where design changes are declared by the TCH/STCH they will be defined relative to the current definition of the approved type design as validated by the Importing Party.
- c) Design changes will be classified by the TCH/STCH as either Major or Minor in accordance with the criteria and procedures of the Exporting Party and these classifications will be accepted by the Importing Party without further investigation.
- d) Design changes classified as Major will be further categorized by the TCH/STCH as Level 1 Major or Level 2 Major as defined in paragraphs C3.2.1 and C.3.2.2 of the Appendix C of this TIP.
- e) Design changes classified as Minor or Level 2 Major will be approved by the Exporting Party in accordance with its procedures, against the certification basis of both the Exporting and Importing Parties. The Importing Party will not receive notification of such changes, but all such changes will be reciprocally accepted and included in the TCH/STCH Type Design definition which defines the Importing Party's approved build standard and provided to the Importing Party at least on an annually periodic basis.
- f) The Importing Party will receive notification of all Major Level 1 design changes. The Importing Party's acceptance of the change will be requested at the same time by the Exporting Party. The Exporting Party will determine compliance with the certification basis of the Importing Party on behalf of that Party for all Level 1 Major design changes.
- g) The extent of any Importing Party Technical Involvement will be discussed and decided between the Exporting and Importing Parties in line with the principles stated in subsection C1.2 of the Appendix C of this TIP.

- h) Subject to letter “f” above, the Exporting Party will provide the Importing Party with a Statement of Compliance with the certification basis of the Importing Party for all Level 2 Major design changes approved on behalf of the Importing Party and for each Level 1 Major design changes for which the Importing party is approving the change, based mainly on the finding of compliance activities performed by the Exporting Party. This may be achieved through the provision of individual statements for each design change or by providing collective statements for lists of approved changes (e.g. Revisions to a Type Design definition for the type as validated by the Importing Party). For validated products, the Exporting and Importing Parties’ TC data sheets should be consistent in the information they include to the degree practicable.
- i) All Level 1 Major design changes approved by the Exporting Party on behalf of the Importing Party or approved by the Importing Party on the basis of compliance determinations made by the Exporting Party will be recorded in the Type Design definition specifying the Importing Party’s current type design and provided to the Importing Party.

### C.3.2.1. Level 1 Major design changes

Level 1 Major design changes are any of the following:

- a) Design changes that introduce a new model designation (derivative model, variant etc.);
- b) Design changes having an effect on the certification basis that involves new interpretations of the requirements, new Special Conditions, new Findings of Equivalent Level of Safety, new deviations, new exemptions, new elect to comply with later standards or novel methods of compliance;
- c) Design changes determined to be significant in accordance with the changed product rule principles as set out in section of ANAC RBAC 21.101 or EASA Part 21.A.101;
- d) Design changes that involve the use of a method of compliance that is different from that of the Importing Party’s guidance materials, and differs from that used by the TC/STC holder during the initial type validation, unless otherwise agreed by both ANAC and EASA that the design change can be considered a Level 2 Major;
- e) Design changes that affect an area where the Importing Party had retained Technical Involvement for compliance determination during the initial type validation, unless otherwise agreed by both ANAC and EASA that the design change can be considered a Level 2 Major. These criteria can be applied only when the Level of Validating Authority’s Involvement has been recorded in a

Certification Review Item – CRI for EASA or “Ficha de Controle de Assuntos Relevantes” – FCAR for ANAC during initial type validation.

f) Design changes involving revisions to approved manuals (only those manuals required by the Importing Party) that:

I - challenge the existing certification/operation envelope (e.g. maximum MTOW, acoustical change, maximum operating altitudes, steep approach, airworthiness limitations, etc.); or

II - affect the existing differences between Exporting and Importing Party approved manual content (excluding editorial, administrative, or other changes considered as minor by the Exporting Party).

g) Any design change classified as an Acoustical Change or Emissions Change; or

h) Any other design changes classified as Level 1 Major by the Exporting Party or the TCH/STCH.

### C.3.2.2. Level 2 Major design changes

C3.2.2.1 Level 2 Major design changes are all other major design changes not classified as Level 1 Major.

C3.2.2.2 The Importing Party will reciprocally accept these design changes without review.

## **C4. RECIPROCAL ACCEPTANCE OR VALIDATION OF APPLIANCE APPROVALS**

### **C4.1. Appliance Approval**

The definition of appliance in this TIP shall be interpreted to also include an auxiliary power unit (APU). The references to an approved appliance under this TIP include:

a) for EASA, an approval granted under EASA Part 21.A, Subpart O, European Technical Standard Order Authorizations; and

b) for ANAC, an approval granted under Brazilian RBCA 21, Subpart O, Product Approval According Technical Standard Order (“Aprovação de Produtos Conforme uma Ordem Técnica Padrão”).

### **C4.2. Reciprocal Acceptance**

The reciprocal acceptance of approvals under the Agreement shall be implemented by ANAC and EASA on appliances solely on the basis of each other’s approval, without the need for submission of an application or validation by the other. An appliance approval originally granted by ANAC or EASA shall be automatically accepted by the other as being equivalent to having granted and issued its own approval, provided the appliance is:

- a) identified by a Technical Standard Order under paragraph 2.8.2 of this TIP;
- b) approved under the procedures identified under subsection C4.1 of the Appendix C of this TIP; and
- c) marked in accordance with the regulations of the Competent Authority approving the appliance.

### **C4.3. Marking Requirements**

- C4.3.1. The identification and marking of appliances may differ between ANAC and EASA requirements. The Agreement provides that ANAC and EASA accept each other's identification and marking requirements as being compliant with their own legal requirements provided such marking is accomplished in accordance with the regulations of the Authority granting the appliance approval.
- C4.3.2. Therefore, no additional identification or marking requirements shall be imposed or required by ANAC or EASA on an appliance when recognizing and accepting the approval by the other.

### **C4.4. Validation of Other Appliance Approvals**

- C4.4.1. ANAC and EASA, where requested by an applicant, can make formal submission to the other for the validation of any appliance approval that is not automatically accepted under this TIP. The following considerations shall apply:
  - a) in all cases, an application shall be submitted from one Authority to the other for validation and issuance of an approval;
  - b) where both Authorities have a similar Technical Standard (like TSO, ETSO, or other standard accepted by a Competent Authority), but it is not according subsection 2.8.2 of this TIP, an application for an appliance approval shall be made as set out in paragraph C4.4.2 of the Appendix C of this TIP. ANAC and EASA agree to validate the differences between the Technical Standard and the ETSO, TSO or other standards accepted by EASA and ANAC and give full credit to, or enable maximum acceptance of the compliance determinations made by the Exporting Party such that an approval may be issued;
  - c) where the Importing Party does not have a similar Technical Standard to that of the Exporting Party, an STC application and validation shall be made for EASA validation and an application for a DAL for ANAC. The Importing Party's STC for EASA and DAL for ANAC, would be based on a validation of the Exporting Party's appliance approval and would address the installation aspects. ANAC and EASA agree to give full credit to, or enable maximum acceptance of the compliance determinations made by the Exporting Party. The application should include the

material set out in paragraph C4.4.2 of the Appendix C of this TIP in addition to that required for an STC application; and

- I - where ANAC, as Exporting Party, does not have its own TSO or specific standard but have approved the appliance through the issuance of an APAA that incorporated an ETSO or specific standard published or adopted by EASA, then EASA, as Importing Party, may issue an ETSOA. Application shall be as set out in paragraph C4.4.2 of the Appendix C of this TIP. EASA shall give full credit to, or enable maximum acceptance of the compliance determinations made by ANAC to the ETSO, provided ANAC certifies that:
  - II - the appliance meets the EASA's ETSO or specific standard; and
  - III - ANAC shall exercise continued operational safety functions for that appliance.

C4.4.2. The Exporting Party shall ensure that the application package includes:

- a) The application form required by the Importing Party, a Declaration of Design and Performance (DDP), required by EASA, and all the required data/documentation as specified in the TSO, ETSO, or specific standard;
- b) If applicable, request to deviate from the TSO, ETSO, or specific standard and substantiation data, or identification of the deviation and evidence of approval;
- c) Statement of conformance to the TSO, ETSO, or specific standard;
- d) Certifying statement from the Exporting Party indicating that the appliance has been examined, tested, and found to meet the identified TSO, ETSO, or specific standard; and
- e) Copy of the applicable approval.

### **C4.5. APU with no European or Brazilian Approval**

An ETSOA is not required for an APU for which no previous individual European approval has been granted if the APU was grandfathered under EU 748/2012 as a part of the configuration of one aircraft type design or STC, and the APU is now proposed for installation on another aircraft type. Such installation can be approved under an EASA STC or ANAC TC or STC.

## **C5. RECIPROCAL ACCEPTANCE OF REPLACEMENT PARTS**

### **C5.1. Reciprocal Acceptance**

The reciprocal acceptance of replacement parts by either ANAC or EASA under this Agreement shall be based solely on the basis of each other's approval, without the need for submission of an application or the completion of a validation by the other. An approval of a replacement part originally granted by either ANAC or EASA

shall be automatically accepted by the other as being equivalent to having granted and issued its own approval, provided the replacement part is:

- a) not a critical part or a life-limited part as defined in 1.8;
- b) approved under the procedures identified under 2.9; and
- c) marked in accordance with the regulations of the Competent Authority approving the product.

### **C5.2. Marking Requirements**

The identification and marking of replacement parts may differ between each Competent Authorities requirements. The Agreement provides that the Competent Authorities accept each other's identification and marking requirements as being compliant with its own legal requirements provided such marking is accomplished in accordance with the regulations of the Competent Authority granting the approval of the product. Therefore, no additional identification or marking requirements shall be imposed or required by either Competent Authority on a replacement part when recognizing and accepting the approval by the other.

## **C6. RECIPROCAL ACCEPTANCE OR VALIDATION OF REPAIR DESIGN APPROVALS**

### **C6.1. Repair Design Approval**

A repair design is intended for the restoration of a civil aeronautical product to an airworthy condition. The references to an approved repair design under these Technical Implementation Procedures are:

- a) for EASA, a repair design approval letter issued by EASA or a repair design approval granted by a holder of a Design Organization Approval; and
- b) for ANAC, an approval issued under RBAC 21 by either ANAC or an appropriately accredited person or organisation.

### **C6.2. Reciprocal Acceptance**

Except where required in C6.4, the reciprocal acceptance of repair designs by each Competent Authority under this Agreement shall be based solely on the basis of each other's approval, without the need for submission of an application or the completion of a validation by the other. A repair design approval originally granted by one Competent Authority shall be automatically accepted by the other as being equivalent to having granted and issued its own approval, provided the repair design is:



- a) not subject to the exclusions according subsection C6.3 of the Appendix C of this TIP;
- b) developed, in the case of a critical part or a life-limited part, by the holder of the applicable TC, STC, or equivalent approval, of the affected civil aeronautical product;
- c) for a civil aeronautical product for which both ANAC and EASA have issued type certificates, or equivalent approvals; and
- d) approved according subsection C6.1 of the Appendix C of this TIP by one of the Competent Authorities.

**C6.3. Exclusion**

This TIP does not allow the automatic acceptance of the following repair designs, and shall be subject to the procedures of subsection C6.4 of the Appendix C of this TIP:

- a) critical part or a life-limited part (see definition in subsection 1.8, Terminology, of this TIP) if the repair design was developed by a person other than the holder of the TC, STC, or other equivalent approval for the affected civil aeronautical product;
- b) a repair design for the fabrication of a new part, which results in a change in type design; and
- c) an area that is the subject of an airworthiness directive by the Importing Party, unless such airworthiness directive allows for the acceptance of a repair design approved by the Exporting Party.

**C6.4. Validation of Other Repair Design Approvals**

Repair designs that are not eligible for automatic acceptance under this TIP shall be validated and approved by the Importing Party, as follows:

- a) The Exporting Party shall submit an application on behalf of the applicant to the Importing Party, using the addresses listed in Appendix A of this TIP. The application shall be made in the manner prescribed by the Importing Party;
- b) In cases where the applicant has entered into an arrangement with the TC or STC holder, the Exporting Party shall confirm this to the Importing Party. The repair design approval may be issued based on this confirmation without further technical review;
- c) In cases where the applicant has not entered into an arrangement with the TC or STC holder, the application shall contain:

- I - drawings, specifications and other data necessary to define the configuration and design features of the repair;
  - II - a compliance summary that identifies the applicable airworthiness standards, methods of compliance, and compliance results;
  - III - substantiation for continued applicability of existing ICAs, or supplemental ICAs, if any;
  - IV - applicant's justification, and ANAC or EASA concurrence, that an arrangement is not necessary as the information on which the application is based is adequate from the applicant's own resources; and
  - V - a copy of the repair design approvals issued by the Exporting Party.
- d) The Importing Party shall issue a repair design approval based on the declaration from the Exporting Party that the applicant has met the Importing Party's requirements.

**APPENDIX D**  
**ACRONYM LIST**

AD	Airworthiness Directive
AMOC	Alternative Methods of Compliance
ANAC	“Agência Nacional de Aviação Civil” (National Civil Aviation Agency) - Brazil
APAA	“Atestado de Produto Aeronáutico Aprovado” (Attestation of Approved Aeronautical Product) (for ANAC)
APU	Auxiliary Power Unit
COP	“Certificado de Organização de Produção” (Production Organization Certificate) (for ANAC)
CRI	Certification Review Item
CS	Certification Specification (for EASA)
DAL	Design Approval Letter (for ANAC)
DDP	Declaration of Design and Performance
DOA	Design Approval Organisation (for EASA)
EASA	European Aviation Safety Agency
EU	European Union
ETSO	European Technical Standard Order
ETSOA	European Technical Standard Order Authorization
FCAR	“Ficha de Controle de Assuntos Relevantes” (Relevant Issues Control Sheet) (for ANAC)
ICA	Instructions for Continued Airworthiness
ICAO	International Civil Aviation Organization
IS	“Instrução Suplementar” (Supplementary Instruction) (for ANAC)
MPR	“Manual de Procedimentos” (Procedures Manual) (for ANAC)
MRB	Maintenance Review Board
PCM	Project (or Program) Certification Manager
POA	Production Organisation Approval (for EASA)
RBAC	Regulamento Brasileiro da Aviação Civil (Brazilian Civil Aviation Regulation) (for ANAC)
RTC	Restricted Type Certificate
STC	Supplemental Type Certificate
STCH	Supplemental Type Certificate Holder
TC	Type Certificate
TCH	Type Certificate Holder
TIP	Technical Implementation Procedure
TSO	Technical Standard Order