

TECHNICAL IMPLEMENTATION PROCEDURES

FOR

AIRWORTHINESS AND ENVIRONMENTAL

CERTIFICATION

Between

The Civil Aviation Bureau of the Ministry of Land,  
Infrastructure, Transport and Tourism of Japan

And

The European Union Aviation Safety Agency

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## **1. GENERAL**

These Technical Implementation Procedures (TIP) are developed pursuant to paragraph 1 of Article 6 of Annex 1 on Airworthiness and Environmental certification (hereinafter referred to as “Annex 1”) to the Agreement on Civil Aviation Safety between the European Union and Japan, signed in Brussels on 22.06.2020, hereinafter referred to as “the Agreement”.

### **1.1. Purpose and scope**

This TIP will provide specific procedures to facilitate the implementation of Annex 1 for matters covered in paragraph 1 a), b) and c) of Article 1 of Annex 1, namely:

- airworthiness certificates and monitoring of civil aeronautical products
- environmental certificates and testing of civil aeronautical products
- design and production certificates and monitoring of design and production organisations

In particular, this TIP will address:

- a) The definition of procedures for communication activities between the competent authorities of the Parties; and
- b) The differences between the Parties’ civil aviation standards, rules, practices, procedures and systems related to the implementation of Annex 1.

### **1.2. Governance**

Annex 1 includes provisions for the establishment of a Certification Oversight Board (COB) under the co-chairmanship of the technical agents. The COB will develop and adopt its own Rules of Procedure, pursuant to Annex 1, Section B, and is responsible for developing, adopting and revising this TIP.

### **1.3. Commencement, revisions and termination, suspension of the Working Arrangement and recognition of technical investigations**

**1.3.1.** This TIP will commence on the date of the last signature of the representatives of the technical agents (COB co-chairs). This TIP will continue until terminated by either technical agent.

**1.3.2.** This TIP may be revised by a decision of the COB. Such revisions will be made applicable by the signature of the COB co-chairs.

**1.3.3.** Either technical agent may terminate this TIP upon sixty (60) days written notice to the other, unless the said notice has been withdrawn by mutual consent of the technical agents before the expiry of this period.

**1.3.4.** Termination of this TIP will not affect the validity of the certificates granted by the competent authorities or the approved organisations, or the activities conducted under this TIP prior its termination.

**1.3.5.** Upon commencement of this TIP, the Working Arrangement between the European Union Aviation Safety Agency (EASA) and the Civil Aviation Bureau of the Ministry of Land, Infrastructure, Transport and Tourism of Japan (JCAB), signed by JCAB on 27.12.2010 and by EASA on 24.02.2011, will be replaced.

**1.3.6.** The replacement of the Working Arrangement will not affect the validity of the design certificates issued by the technical agents or the activities conducted under the matters of the Working Arrangement.

**1.3.7.** For on-going validation activities on civil aeronautical products initiated by the technical agents under the terms of the Working Arrangement which have not yet been concluded, the technical agents will terminate these activities and all technical work done to that point will be appropriately credited. Further activities will then be conducted under the terms of this TIP. The technical agents will ensure that these actions will not affect the planned timescales for the issuance of the relevant design certificates.

#### **1.4. Publication of the TIP**

The technical agents will publish this TIP, and all subsequent its revisions in their respective Official Publications.

#### **1.5. Definitions**

For the purposes of this TIP:

1. approved organisations: means any legal person certified by the competent authority of either Party to exercise privileges related to the scope of the Agreement.
2. authorised release certificate: means a certificate issued by a competent authority or an approved organisation of the exporting Party as a form of recognition that a

new civil aeronautical product, other than an aircraft, conforms to a design approved by the exporting Party and is in a condition for safe operation.

3. certificate: means any approval, licence or other document issued as a form of recognition of compliance that a civil aeronautical product, an organisation or a legal or natural person complies with the applicable requirements set out in laws and regulations of a Party.
4. certifying authority (CA): means the technical agent of the exporting Party that issues a design certificate for a civil aeronautical product in its capacity as an authority carrying out the State of Design responsibilities set out in Annex 8 to the Convention on International Civil Aviation (hereinafter referred to as "Chicago Convention").
5. civil aeronautical product: means any civil aircraft, aircraft engine, or aircraft propeller; or sub-assembly, appliance, part or component, installed or to be installed thereon.
6. competent authority: means a government agency or a government entity responsible for civil aviation safety that is designated by a Party for the purposes of the Agreement to perform the following functions:
  - (i) to assess the compliance of civil aeronautical products, organisations, facilities, operations and services subject to its oversight with applicable requirements set out in laws, regulations and administrative provisions of that Party;
  - (ii) to conduct monitoring of their continued compliance with those requirements; and
  - (iii) to take enforcement actions to ensure their compliance with those requirements.
7. design certificate: means a certificate issued by the technical agent or an approved organisation of a Party as a form of recognition that the design or change to a design of a civil aeronautical product complies with airworthiness requirements, and as applicable, environmental protection requirements, in particular concerning noise, fuel venting or exhaust emissions set out in laws, regulations and administrative provisions of that Party.
8. design-related operational requirements: means the operational, including environmental protection requirements affecting the design features, design data of

a civil aeronautical product relating to the operation, or maintenance of the civil aeronautical product, which makes it eligible for a particular kind of operation.

9. export: means the process by which a civil aeronautical product is released from the regulatory system for civil aviation safety of a Party to that of the other Party.
10. export certificate of airworthiness: means a certificate issued by the competent authority of the exporting Party or, for used aircraft, by the competent authority of the State of Registry from which the product is exported as a form of recognition that an aircraft conforms to the applicable airworthiness and environmental protection requirements notified by the importing Party.
11. exporting Party: means the Party from whose regulatory system for civil aviation safety a civil aeronautical product is exported.
12. findings of compliance: means a determination of compliance with the applicable requirements set out in laws and regulations of a Party as the result of actions such as testing, inspections, qualifications, approvals and monitoring.
13. import: means the process by which an exported civil aeronautical product from the regulatory system for civil aviation safety of a Party is introduced into that of the other Party.
14. importing Party: means the Party into whose regulatory system for civil aviation safety a civil aeronautical product is imported.
15. major change: means all changes in type design other than “minor change”.
16. minor change: means a change in type design that has no appreciable effect on the mass, balance, structural strength, reliability, operational characteristics, noise, fuel venting, exhaust emission, or other characteristics affecting the airworthiness of the civil aeronautical product.
17. Operational Suitability Data (OSD): means the required set of data to support and allow the type-specific operational aspects of certain types of aircraft that are regulated under the regulatory system for civil aviation safety of the European Union. It must be designed by the type certificate (TC) applicant or holder for the aircraft and be part of the TC. Under the regulatory system for civil aviation safety of the European Union, an initial application for a TC or restricted TC will include, or be subsequently supplemented by, the application for approval of operational

suitability data, as applicable to the aircraft type.

18. Party: means a Party to the Agreement
19. production approval: means a certificate issued by the competent authority of a Party to a manufacturer which produces civil aeronautical products, as a form of recognition that the manufacturer complies with applicable requirements set out in laws, regulations and administrative provisions of that Party for the production of the particular civil aeronautical products.
20. stand-alone production approval: means a production approval issued to a manufacturer of a civil aeronautical product which is not an extension of the production approval to any affiliated entity of the manufacturer.
21. State of Design (SoD): means the State having jurisdiction over the organisation responsible for the type design and continued airworthiness of the civil aeronautical product.
22. State of Manufacture (SoM): means the State having jurisdiction over the organisation responsible for the final assembly of the aircraft, engine or propeller.
23. State of Registry (SoR): means the State on whose register the aircraft is entered.
24. technical agent: means for the European Union, EASA or its successor, and for Japan, JCAB or its successor. Notwithstanding that EASA and JCAB are competent authorities within the meaning of the Agreement, they are referred to in this TIP as “technical agent”, where applicable.
25. validating authority (VA): means the technical agent of the importing Party that automatically accepts or validates, as specified in Annex 1, a design certificate issued by the CA or the approved organisation.
26. Validation Work Plan (VWP): means the document used for validations that outlines and documents the VA level of involvement.

#### **1.6. Continued Qualification of the competent authorities**

To be further developed

## 1.7. Communications

### Language of communications

Data and documents exchanged under this TIP between the competent authorities or between an applicant and a competent authority will be in the English language.

Some certification compliance data may not be required by the VA during a validation process; related documents may therefore not need to be available in the English language.

The technical agents may decide on additional exceptions on a case-by-case basis.

To be further developed

## 1.8. Interpretations and Resolution of Conflicts

To be further developed

## 1.9. Points of contact

### EASA

#### Mailing Address

European Union Aviation Safety Agency  
Postfach 10 12 53  
D-50452 Köln  
Germany

#### Physical Location

European Union Aviation Safety Agency  
Konrad-Adenauer-Ufer 3;  
D-50668 Köln  
Germany

#### EASA Point of Contact for Implementation of this TIP

Certification Strategy & International Validation Section (CT5)  
European Union Aviation Safety Agency  
Postfach 10 12 53  
D-50452 Köln  
Germany

#### EASA Point of Contact for Applications



E-mail addresses:

- TCs: tc@easa.europa.eu
- STCs: stc@easa.europa.eu
- Major changes/ repair designs: MajorChange-MajorRepair@easa.europa.eu

EASA Point of Contact for Airworthiness Directives (AD)

- ads@easa.europa.eu

**JCAB**

Mailing Address and Physical Location (Point of Contact for Implementation of this TIP)

Airworthiness Division, Japan Civil Aviation Bureau

2-1-3 Kasumigaseki, Chiyoda-ku

Tokyo, 100-8918

Japan

JCAB Point of Contact for Applications

- hqt-cab-gij-kka@gxb.mlit.go.jp

JCAB Point of Contact for TCD

- hqt-ad\_jcab@gxb.mlit.go.jp

## **2. APPROVAL PROCEDURES FOR DESIGN CERTIFICATES**

### **2.1. Guidelines on automatic acceptance and validation processes**

**2.1.1.** The following guidelines apply to design certificates that have been, or are in the process of being, issued by either technical agent as CA.

**2.1.2.** Certain design certificates are automatically accepted and others are subject to validation, as described in Articles 10 and 13 of Annex 1:

- a) For design certificates subject to automatic acceptance the provisions included in Article 13 of Annex 1 apply.
- b) For design certificates subject to validation, the validation process will be based to the maximum extent practicable on the technical evaluations, tests, inspections, and compliance certifications made by the other technical agent as CA. Therefore, the VA grants a validated design certificate with a reduced level of involvement compared to that of the CA.

**2.1.3.** In both cases (automatic acceptance and validation), emphasis is put on reliance and confidence in each other's certification oversight system.

#### **2.1.4. Principles of involvement for validation**

The level of involvement of the VA during validation processes is defined in Article 12 of Annex 1 and due consideration will be given to the following:

- (a) the experience and records of the competent authority of the other Party as CA. Therefore, the more it has experience as the CA, the more reliance the VA can exercise.
- (b) the overall direct experience gained by the VA during previous validation exercises of similar product categories with the CA.
- (c) the complexity of the design to be validated.
- (d) the performance and experience of the applicant with the VA.
- (e) the outcome of initial and continued qualification requirements assessments, defined in Articles 28 and 29 of Annex 1. Through the results of the assessments the higher the continued confidence of the VA in the CA, the more the VA will reduce its level of involvement, relying on the CA.

## **2.2. Automatic acceptance of design certificates**

The technical agents conclude that certain design certificates can benefit from automatic acceptance. The VA will accept as equivalent the certificate issued by the CA to a design certificate issued by the VA without issuance of its corresponding design certificate. Therefore, no application for validation is required for the design certificates referred to in paragraphs 2, 3 and 4 of Article 13 of Annex 1.

## **2.3. Validation of design certificates**

For design certificates that are not eligible for automatic acceptance as established in paragraph 2.2, the technical agents have established two paths for validation:

- streamlined validation
- validation in line with level of involvement principles

These paths are risk-based influenced by past certification and operational experience with similar civil aeronautical products, as well as the specific design features and operational characteristics of the project presented for validation.

### **2.3.1. Streamlined validation limited to technical familiarisation without involvement of the VA in the showing of compliance activities**

This validation path is conducted in line with subparagraph 2.4.3 and is applicable as a matter of principle to design certificates referred to in paragraph 2 of Article 10 of Annex 1 and to design certificates referred to in c) of subparagraph 2.3.2., when decided by the technical agents on a case-by-case basis.

### **2.3.2. Validation in line with level of involvement principles**

This validation path is conducted in line with subparagraph 2.4.4 and is applicable to:

- a) TCs issued by the European Union as CA.
- b) TCs and type approvals (TAs) for an aircraft engine and aircraft propeller issued by Japan as CA.
- c) TAs for a civil aeronautical product other than an aircraft engine or an aircraft propeller, supplemental type certificate (STC), and approvals for major changes, major repairs and specification issued by Japan as CA.

## **2.4. Procedures for streamlined validation and validation in line with level of involvement principles**

The processes start with an application to the VA, containing a statement by the CA that the design complies with the VA's certification basis and finishes with the issuance of a VA's design certificate. However, the intermediate steps between application and approval vary depending on which process is applied.

### **2.4.1. Application process**

#### **2.4.1.1. CA application responsibilities**

An application for the validation of a design certificate of a civil aeronautical product will be made to the VA through the CA. Upon receipt of an application for validation, the CA will:

- a) Assure that the civil aeronautical product or design change is within the scope of the Agreement;
- b) Assure that a design certificate has been issued for the civil aeronautical product or design change by the CA, or an application has been made to the CA;
- c) Verify the applicant's classification for validation in line with subparagraph 2.3.1. or 2.3.2.; and
- d) Verify the completeness of the data package to be transmitted to the VA in line with subparagraph 2.4.1.2.

#### **2.4.1.2. Data package**

The data package will be submitted to the appropriate VA office (as listed in paragraph 1.9: Points of contact) by the applicant. The CA will check that the data package contains adequate information.

NOTE: For certain projects, some elements of the data package will not be available at the time of application; the data package for such projects will include all known data at the time of application. This does not prevent the validation process from being started and missing information will be provided to the VA as it becomes available during the course of the project.

Validation data package includes:

(a) A description of the product in line with the following:

(1) For a TC or TA for an aircraft engine and aircraft propeller, descriptive data defined in Articles 17 and 14-2 of the Civil Aeronautics Regulations (CAR) for applications to JCAB, or Part 21.A.15 for applications to EASA, in addition:

(i) A listing of any applicable CA mandatory continuing airworthiness information (MCAI) such as AD and TCD and a statement that changes to correct the unsafe condition identified in the MCAI have been incorporated into the type design presented for validation; and

(ii) A copy of approved manuals and approved instructions for continued airworthiness (ICA) by CA.

Note: TCD is equivalent to AD under Japan's regulatory system.

(2) For a design change, including an STC, a high-level description of the change, together with the make and model of the product being changed, including, if affected, a copy of:

(i) Changes to the Airworthiness Limitations Section (ALS) of the ICA;

(ii) Changes to other Operating Limitations (e.g. Aircraft Flight Manual); and

(iii) Changes to OSD for EASA validations, and changes to the Master Minimum Equipment List (MMEL) for JCAB validations.

The VA will be aware of any such changes to ensure it is able to release updated information, or to perform any necessary mandatory airworthiness activity as required by its system, or to address crew-training requirements to support the operational introduction. Any additional information the VA needs to fulfil such responsibilities will be requested by the VA within the timeframe specified in subparagraph 2.4.2.

(b) The date of application to the CA.

(c) A statement that the CA has made a determination of the classification for validation in line with subparagraph 2.3.1 or 2.3.2.

(d) A copy of the CA's TC/ TA and TCDS/ TADS, TCDSN, STC that identifies the certification basis upon which the CA's design certificate was issued. In the absence of a TCDS/ TADS, the CA should submit the document that defines the CA's certification basis.

The CA should also provide the reference date used to establish the CA certification basis.

(e) A statement of compliance that the CA certifies that the product has been shown to comply to either:

(1) The applicable airworthiness, noise, fuel venting and emissions requirements of the VA;

or

(2) The CA airworthiness requirements and the VA's Significant Standard Differences (SSDs), special conditions, equivalent level of safety findings (for JCAB)/ equivalent safety findings (for EASA) and exemptions (for JCAB)/ deviations (for EASA) the VA has prescribed to provide an equivalent level of safety as the VA's airworthiness requirements, and the CA's noise, fuel venting and emissions requirements, plus any other requirements prescribed by the VA to provide noise, fuel venting and emissions requirements equivalent to those provided in the applicable VA standards.

#### **2.4.2. VA acknowledgement and review of data package**

- a) The VA will review the data package and request any missing information within twenty (20) working days of receipt of the data package.
- b) When applicable, the VA assures the CA statement of compliance is complete, including verification of the correct VA certification basis reference.
- c) A data package not acknowledged or commented by the VA after twenty (20) working days of its submission by the applicant is considered as complete and accepted by the VA.

#### **2.4.3. Streamlined validation process**

**2.4.3.1.** The streamlined validation process is limited to the technical familiarisation by the VA with the design certificate to be validated. There is no involvement of the VA in the showing/ findings of compliance activities. Once the technical familiarisation is completed, the process is limited to the administrative actions required by the VA to issue its validated design certificate based on the corresponding CA design certificate and the statement of compliance from the CA to the VA, as described in 2.4.3.6.

**2.4.3.2.** Streamlined validation process projects are only managed as sequential projects, in which the CA submits the application to the VA after the CA has completed its certification

programme, when it is ready to provide the statement of compliance to the VA as described in 2.4.3.6.

**2.4.3.3.** In order to provide the VA with an adequate technical familiarisation:

- i. The data package referred to in subparagraph 2.4.1.2 will be complemented with a technical familiarisation package with dedicated presentations and/or reports.
- ii. Alternatively, the description of the change provided in the data package will be sufficiently thorough to ensure that the purpose of the technical familiarisation is fulfilled.
- iii. Under the streamlined process, the technical familiarisation is normally limited to a desktop review of the provided documentation. For complex projects when decided by both the VA and CA, one or more dedicated meetings may support the familiarisation.

**2.4.3.4.** The technical familiarisation in the streamlined validation process is only for the purpose of gaining an understanding of the approval to be validated. The VA will focus its attention during the technical familiarisation on understanding the general compliance methodologies used by the applicant.

Each design area of the change should be presented to the VA's team, highlighting the architectures, the main critical, new and novel technologies, etc. Therefore the presentation should include detailed information on:

- a) An overview of the proposed design, intended operational use and, if applicable, relation to previously approved products,
- b) The CA certification basis and proposed VA certification basis, including analysis of their differences,
- c) Any novel design features, novel applications of existing technology, or unconventional uses of the product,
- d) Any design features where experience has shown that an unsafe condition might occur,
- e) All exemptions/ deviations, special conditions, and equivalent level of safety findings/ equivalent safety findings issued by the CA, and

- f) Any newly proposed interpretations or Means of Compliance (MoC) for existing standards.

**2.4.3.5.** Technical familiarisation timing and confirmation of the applicable certification basis

- a) The VA will complete its technical familiarisation within twenty (20) working days from receipt of a complete application or when applicable twenty (20) working days from the completion of any necessary specific meeting, with concurrent notification to the CA.
- b) The VA will inform the CA of any missing requirement in the proposed VA's certification basis during this review period of twenty (20) working days. In this case, when applicable, the CA will update the statement of compliance with the VA's certification basis.

**2.4.3.6.** Once the technical familiarisation has been completed, the VA will issue its validated design certificate based on the CA's design certificate and the CA's statement of compliance with the VA's certification basis and rely on the data provided by the CA, including acceptance of any CA approved manuals provided as part of the data package.

The VA will issue its validated design certificate with concurrent notification to the CA within fifteen (15) working days of completion of the technical familiarisation.



#### **2.4.4. Validation process in line with level of involvement principles**

For projects within the classification of subparagraph 2.3.2, a validation process in line with level of involvement principles, will be performed by the VA to support issuance of its validated design certificate.

**2.4.4.1.** The objective of the validation process in line with level of involvement principles is to provide the VA with sufficient information for it to establish its certification basis and perform a review of the approval in line with the level of involvement principles.

**2.4.4.2.** The VA may choose to limit the Technical Validation process to a review of the application, proceeding from there directly to issuance of its validated design certificate. Intermediate steps such as indicated in subparagraph 2.4.4.5. would not be required in this case.

**2.4.4.3.** A validation process in line with level of involvement principles can be performed as a sequential or as a concurrent validation.

a) In a sequential validation, the CA has completed its certification, or is well advanced in the certification process, before the applicant requests validation by the VA. In this case, the CA's certification basis and MoC have been established and approved by the CA.

Type design changes, revised operating limitations, or new or revised certification testing or analysis may still be required in a sequential programme to meet the requirements of the VA, since these requirements may not have been considered during the CA certification.

b) In a concurrent validation, the applicant requests validation of the product by the VA at the same time as certification by the CA, with the objective to obtain the CA and the VA approval at, or near, the same time. The benefits of a concurrent programme are as follows:

(1) It allows unique VA requirements to be addressed during the design development and initial showing of compliance.

(2) It provides an opportunity for collaborative development of both CA and VA certification bases and MoC. Additionally, it provides for early identification of areas where jointly established solutions are not readily available.

c) A concurrent validation may use any or all of the following optional subparagraphs:

(i) Work-Sharing

A work-sharing programme is where the VA may make the findings of compliance on behalf of both the VA and CA. Work sharing may be advantageous when certification activity is occurring within the geographical area of the VA, or when limited CA resources make it advantageous to advance the project by using VA resources. Work sharing can be limited to a single issue or may be utilised extensively throughout the project and, if confirmed, may persist through the life of a programme into post-type certification activities. Such work sharing arrangements will be documented at within the project and confirmed by the CA, VA and applicant.

(ii) Common Issue Papers (IPs) and Certification Review Items (CRIs)

The CA and the VA may jointly develop and approve IPs or CRIs that are common, depending on which authority is the CA, to establish the programme certification requirements. Common IP/ CRIs can be limited to a single issue, or may be used extensively throughout the project.

(iii) Single Certification Basis

The CA and VA may elect to jointly develop a single certification basis that satisfies both Japan and EU regulatory requirements.

**2.4.4.4. Description of the project phases for validation in line with level of involvement principles**

- a) The following are the project phases for the validation of a certificate following the level of involvement principles. The project phases are tailored, and may be simplified or combined, depending on the level of complexity of the product to be validated, when confirmed between the CA and the VA.

<b>Project Phase</b>	<b>Objective</b>	<b>Beginning</b>	<b>Ending</b>
Phase 1	General familiarisation	Acknowledgement of application by VA	Establishment of VA team
Phase 2	Technical Familiarisation and establishment of VA Certification Basis	First technical familiarisation meeting (if required)	Establishment of VA Certification Basis
Phase 3	Determining VA Involvement	Completion of Phase 2	Initial Validation Items (VIs) closed and

Project Phase	Objective	Beginning	Ending
			decisions made regarding initial VIs findings of compliance
Phase 4	Compliance verification	First findings of compliance activities	Issuance of VA Design Certificate

- b) It is the applicant’s responsibility to propose a realistic timescale throughout the course of the validation phases, to seek the CA and VA concurrence to take appropriate action with the CA and VA to stay as close as possible to the established schedule.
- c) Certain technical disciplines on a VA team may be at different phases of the validation project depending on the progress of their efforts. There is no need for any technical discipline to delay its validation efforts to wait for others that are not so advanced.
- d) The initiation of the technical validation process follows the steps for application and acknowledgement of the application as described in subparagraphs 2.4.1 and 2.4.2.

**2.4.4.5. General familiarisation (Phase 1)**

The objective of the general familiarisation is to give an overview of the product, the main technologies utilised and any unusual characteristics, also including a high-level project schedule to enable the VA to endorse the plan and establish the project team.

A key element of Phase 1 is the general familiarisation meeting. At this meeting, the applicant will present an overview of the project to the VA and familiarise the VA with the design, as currently known.

The briefing should provide sufficient information for the VA to establish the appropriate technical disciplines, size of the VA team, and guidance for the team. This should maximise the effectiveness of any follow-on meetings. The meeting is usually expected to last no more than two days.

A general familiarisation meeting may not be required if the VA confirms that changes from previously validated designs do not warrant the briefing.

Phase 1 ends with the establishment of the VA team.

#### 2.4.4.6. Technical familiarisation (Phase 2)

- a) The objective of this phase is to provide detailed technical information about the project to the VA's team to enable the definition of, and decision on, the VA's initial type certification basis.

The objective can only be fully satisfied when the applicant has provided a sufficiently detailed description of the design to the VA and when the CA certification basis has been sufficiently presented to the VA. This is done, in particular, during one or several technical familiarisation meeting(s).

- b) The applicant, in coordination with the Project Certification Manager (PCM) of the VA and in consultation with the CA, will draw up an agenda for this/ these meeting(s), and coordinate the necessary arrangements, including the details related to the preparation of suitable descriptive material and other documentation necessary for the good conduct of the meeting(s).
- c) The technical familiarisation meeting(s) may be organised using modern communication means (e.g. teleconference, videoconference), especially in a case where the resources to assemble a technical audience could be economically disproportionate to the scale and complexity of the design being validated.
- d) The PCMs of the CA and VA will ensure that the technical familiarisation meeting is scheduled at a date suitable to all parties involved and that sufficiently knowledgeable representatives from all parties are participating.

The CA is expected to attend the familiarisation meeting, given that it has a thorough knowledge of the certification of the design.

- e) The applicant, with support from the CA as applicable, will present to the VA:
  - (1) An overview of the proposed design, intended operational use and, if applicable, relation to previously approved products,
  - (2) The CA certification basis and proposed VA certification basis, including analysis of their differences.
  - (3) Any novel design features, novel applications of existing technology, or unconventional uses of the product,

- (4) Any design features where experience has shown that an unsafe condition might occur,
  - (5) All exemptions/ deviations, special conditions, and equivalent level of safety findings/ equivalent safety findings issued by the CA, and
  - (6) Any newly proposed interpretations or MoCs for existing standards.
- f) For concurrent validation projects, in addition to the above elements, the CA may identify the domains, if any, where delegation may be given to the VA for the findings of compliance to both CA and VA requirements. For example, where the VA may have particular expertise or specific resources not available within the CA's system, the VA may be asked to make the findings of compliance. Another possible example is when a supplier is an entity regulated under the VA's certification oversight.
- g) For concurrent validation projects, VA familiarisation flights are a unique aspect of technical familiarisation, since those flights cannot be conducted until late in the project when a flying aircraft is available.

Familiarisation flights are typically conducted for all new TC programmes. Familiarisation flights may also be conducted for other design change programmes having a significant impact on the operational capabilities or limitations, or pilot/ aircraft interface.

Familiarisation flights will not be used to repeat the findings of compliance performed by the CA. Rather, those flights have the following purposes:

- (i) Identify to the CA for resolution any potential compliance issues not previously identified by the validation team in the course of technical familiarisation;
- (ii) Provide the VA flight test representatives with sufficient familiarity with the aircraft to develop the MMEL and any special flight characteristics training requirements; and
- (iii) Familiarise the VA with the type design as necessary to support continued operational safety of the VA registered fleet.

Familiarisation flights should be supported by the CA flight test team to facilitate completion of the objectives described above.

- h) The VA should identify operational standards with design impacts early in the programme – typically during the technical familiarisation phase – so those standards may be included in the validation activities.

#### **2.4.4.7. Establishment of the VA certification basis (Phase 2)**

The VA will establish a certification basis when a validation process is applied. This certification basis will be recorded in a dedicated VA Certification Basis document (e.g. CRI A-01 for EASA, IP G-1 for JCAB) to be produced by the VA in cooperation with the CA and the applicant. This document will be updated during the life of the product as required.

The initial VA's certification basis needs to be notified to the applicant and to the CA by the VA.

The VA's certification basis should consist of the following items:

- Applicable airworthiness codes;
- Applicable environmental protection requirements; and
- Equivalent level of safety findings/ equivalent safety finding, exemptions/ deviations, special conditions.

For that purpose, the VA will use the applicable airworthiness standards for a similar product of its own that were in effect on the effective certification application date established by the CA.

The environmental protection requirements used during the validation process will be the applicable requirements in effect for the VA on the date of application for validation to the VA.

Based on the above and as an alternate method, the VA establishes its certification basis for validation by accepting the CA certification basis for civil aviation products and identifying Additional Technical Conditions (ATC) including, and not limited to, the differences between the referred VA airworthiness standards and environmental protection requirements and those defined in the CA certification basis.

Taking into account the information provided during the technical familiarisation, the VA will specify, when applicable, any:

- a) exemption to the applicable standards;
- b) deviation from the applicable standards; and

- c) compensating factors that provide an equivalent level of safety when applicable standards are not complied with.

Furthermore, the VA will specify any special condition to be applied if the related airworthiness code does not contain adequate or appropriate safety standards for the product, because:

- a) the product has novel or unusual design features relative to the design practices on which the applicable airworthiness code is based;
- b) the intended use of the product is unconventional; or
- c) experience from other similar products in service or products having similar design features, has shown that unsafe conditions may develop.

When specifying exemptions, deviations, compensating factors or special conditions, the VA will give due consideration to those applied by the CA. The VA will not be more demanding for the products to be validated than it would be for similar products of its own. The VA will notify the CA of any such exemptions, deviations, compensating factors or special conditions.

The certification basis may need to be adapted during the validation process as the VA's knowledge of the design increases.

Notwithstanding the above principles, during the validation process the applicant, as jointly established by the CA and the VA, may adopt into the VA certification basis later amendments to airworthiness or environmental standards than those specified in the VA's initial certification basis.

As detailed in subparagraph 2.4.4.4. b), the CA and VA may opt for a concurrent validation process. In this case, they may jointly develop all or part of their applicable certification bases.

For instance, when the CA position is equivalent to what the VA would specify if it were to release its own IP/ CRI, the CA's IP/ CRI may be used directly by the VA in lieu of a VA IP/ CRI.

In a concurrent validation programme, the CA position regarding a particular CA IP/ CRI may not be fully established at the time of Phase 2. In such cases collaboration between the CA and the VA specialists should be encouraged to promote a harmonised evolution of the CA IP/ CRI during the programme, with the objective of full adoption into the VA certification basis at the time of closure of Phase 2.

#### **2.4.4.8. Establishment of VIs (Phase 3)**

One of the outcomes of phase 2 is to enable the identification of the technical areas of interest to the VA which are translated into VIs. The list of VIs is discussed between the VA and the CA and is registered in the VWP.

The VA's evaluation or review conducted in Phase 2 is confined to the general, overall methodology used by the applicant, including assumptions, MoC, in order to determine if VIs are necessary and to support development of the VA VWP used to document those VIs.

Further details, including review of test plans, test witnessing, or other details of the showing of compliance are discussed at a later stage, in the context of established and retained VIs.

VIs identify aspects of the design, certification basis or proposed MoC that warrant VA involvement beyond technical familiarisation.

The basic principle for the validation process is that the VA will not review the findings of compliance by the CA, or be involved in an in-depth review of the MoC, except in areas which fall within the scope of identified VIs.

The VA will establish the scope of its technical review by identifying VIs, on the basis of level of involvement principles detailed in subparagraph 2.1.4.

Generic VIs:

(a) SSDs – Airworthiness standards differences where the standards are substantively different and may result in type design changes (including approved manuals) to meet the airworthiness standards of the VA. SSDs will be identified by the VA based on a comparison of applicable VA and CA standards. If no specific SSD listing is provided, this criterion may not be applied.

(b) VA Standards – When VA airworthiness or environmental standards are specified and any of the following apply:

(1) limited past experience by the CA with the application of VA standards to a CA product;



(2) new VA standards with an important impact on the whole product or a product's critical feature; or

(3) new VA standards requiring engineering judgment to find compliance.

#### Project VIs:

In complement to Generic VIs, Project VIs are also established. Indeed, a validation project may contain unique elements due to the product's design, use, or proposed MoC. The VA may identify these elements for special review and consideration. These Project VIs are developed by the VA team solely to address unique project elements and are defined in respect of the level of involvement principles as per subparagraph 2.1.4. In addition, Project VIs will meet one of the following criteria:

(c) **New Technology** – This is technology that is new to the VA as a whole, not just new to the VA team members. For instance, if technology used by the applicant were new to the VA team but not the VA itself, it would not be considered a Project VI. It is the VA management's responsibility to make sure the VA team members are properly informed of the earlier use of the technology, VA standards and MoC.

(d) **Novel Applications of Existing Technology** – This is where a particular technology is being used in a manner that causes the precepts of the technology to be questioned. This known technology is being used in a manner different from previous experience of the CA or VA. Besides, it does not mean that existing technology being applied for the first time to a particular product line is automatically novel. Additionally, novel applies to the VA as a whole, not just the VA team members.

(e) **The Product Use is Unconventional** – This is where a product is being used for a purpose for which it was previously not designed.

(f) **Unsafe Condition** – The product contains design features where demonstrated experience with other products in service has shown an unsafe condition might occur in that product, even though compliance with the standards in the VA certification basis can be shown.

*Note: This principle of 'unsafe condition' should only be used to upgrade the level of safety of the product if the VA has mandated, or is in the process of mandating, this upgraded level of safety to all other products with similar design features.*

(g) **Newly Proposed Interpretations or MoC for the Existing Airworthiness Standards** – These are interpretations/ MoC applied by the CA that are different from those already confirmed between the CA and the VA. A standards interpretation or MoC would not be considered ‘new’ if it had been applied previously in a similar context by both the CA and the VA and accepted by both the CA and VA.

(h) **Exemptions/ Deviations** – These are subjects identified by the VA or CA as potentially requiring an exemption/ deviation from the VA standards.

(i) **Equivalent Level of Safety Findings/ Equivalent Safety Findings** – These are subjects identified by the VA or CA as potentially requiring an equivalent level of safety finding to the VA standards.

#### **2.4.4.9. Level of the VA’s Technical Involvement (Phase 3)**

During the findings of compliance, the VA should rely on the CA as much as technically justifiable. For this purpose, the CA should eventually find compliance with VA’s certification basis and declare that the applicant has shown full compliance.

The level of the VA’s technical involvement means the process used to manage the participation of, and the activities undertaken by the VA’s technical specialists in the validation and the findings of compliance activities.

While it is ultimately the VA’s decision, the CA and the VA should exercise good judgment in defining the level of VA’s technical involvement by considering a non-obtrusive approach and being respectful of the guiding principles as described in subparagraph 2.1.4.

#### **2.4.4.10. VA’s VWP (Phase 3)**

A VWP establishes the scope and depth of the VA involvement. Scope identifies *what* to review. Depth identifies *how much* to review, and to what level of detail. It should clearly identify the retained VIs and detail which certification documents are retained, which tests will be witnessed, which audits will be performed, etc.

Based on the review of the data package and the elements provided during the technical familiarisation the VA will develop an initial VWP. The VA will provide its VWP to the CA and the applicant following approval by the VA management.

The VWP is scalable to suit the scope and complexity of the project and should include:

- (a) a brief description of the product or change, as provided in the data package;
- (b) identification of the responsible VA PCM and any VA team members involved in the validation project;
- (c) a description of the CA certification basis;
- (d) a description of the VA certification basis, including identification of the applicable VA airworthiness and environmental standards;
- (e) a list of proposed areas of VA level of involvement, registering the VIs discussed between the VA and the CA as per subparagraph [2.4.4.9](#); and
- (f) a description of the retained VIs as per subparagraph [2.4.4.10](#) and the associated activities (certification documentation approved, test witnessing, audits).

The VWP will be revised by the VA if, during the course of the validation project, it determines a need to revise the scope or depth of its validation review. Any such changes expanding the VA's involvement will be approved by the VA management and communicated to both the CA and the applicant.

The VA may choose to have no further level of involvement beyond review of the data package, in which case no VWP is required and the VA will request a statement of compliance, as described in subparagraph [2.4.4.13](#) from the CA to support issuance of the VA design certificate.

#### **2.4.4.11. Findings of Compliance (Phase 4)**

The findings of compliance can start upon decision among the CA, VA and Applicant on given VIs and associated MoC.

The CA will make all findings of compliance on behalf of the VA, except for subjects defined within VWP.

In accordance with the provisions of paragraph 1 of Article 10 of Annex 1, the following data, when part of a TC issued by EASA to be validated, will be automatically accepted by JCAB during the TC validation process and therefore, that data cannot lead to retained VIs by JCAB:

- (a) Engine installation manual (for engine TC);

- (b) Structural repair manual;
- (c) Instruction for continued airworthiness of electrical wiring interconnection systems;  
and
- (d) Weight and balance manual

For identified VIs, the VA will review the showing of compliance (e.g. plans and reports), giving due consideration to any findings of compliance that the CA already made, or is able to make on its behalf.

Note: Once the VA has accepted a MoC for a given standard on any programme with the CA, the expectation is that the VA will accept that MoC in the future as long as the assumptions made in the MoC are applicable. An exception is where a past MoC has been determined not to be sufficient. This determination will be discussed between the VA and the CA.

The applicant will provide documentation requested by the VA for the findings of compliance for retained VIs. The documentation requests should be reasonable and appropriate.

For certain retained VIs, the findings of compliance can be made through an off-site review. In this case, the technical specialists of the VA will review the technical documentation supplied by the applicant, and communicate, as necessary, with the CA and the applicant.

When the PCM of the VA 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.

The VA will coordinate on-site visits with the applicant and the CA and advise on the team composition and the schedules for each of the technical specialists review sessions (on the technical areas of interest).

The intent of an on-site review is to enable the technical specialists from the VA to conduct the findings of compliance activities during a single comprehensive visit, if possible. In some cases, specialists may require more than one visit.

Where it is determined by the VA 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.

Items of concern or requiring further clarification on the applicant's substantiation or the conduct of the certification activity by the CA will be documented and resolved between the CA and VA. Disagreements or conflicts on technical issues should be resolved at the lowest possible technical level, but should be raised promptly to CA and VA management on a progressive level to avoid potential delays in the validation schedule.

#### **2.4.4.12. Conclusion of the Validation (Phase 4)**

The VA will notify the CA upon completion of its validation exercise, and indicate its readiness to issue its validated design certificate.

The CA, the VA and the applicant, may decide to have a final meeting at the conclusion of the validation.

At the end of the validation activities, the following statements will be given:

- a) For the findings of compliance made by the VA at the request of the CA (in a concurrent validation) or for VA retained VIs, the VA will notify the CA that compliance to the VA and/or CA (as applicable) requirements has been demonstrated.
- b) Upon issuance of the CA's design certificate and completing all findings of compliance not made by the VA, the CA will provide to the VA a statement of compliance with the VA certification basis so that the VA may issue its validated design certificate. The following is an example of such statement of compliance:

*'With the findings of compliance made by the {VA} and summarised in {Letter or document} dated {Date}, the {CA} certifies that the {Specific product type and model} complies with the {VA's } Certification Basis as identified in {Certification Review Item A-1 or Issue Paper G-1} dated {Date}.'*

#### **2.4.4.13. Issuance of a Design Certificate (Phase 4)**

The VA will issue a design certificate when:

- a) the CA has issued its own design certificate;
- b) the applicant has shown and declared compliance to the VA's certification basis;
- c) the CA has issued a statement of compliance to the VA's certification basis;

- d) all issues raised during the validation process conducted by the VA have been resolved; and
- e) administrative fees have been paid by the applicant in line with the applicable VA's Fees and Charges regulation.

*Note: The EASA TC includes certain data, called OSD, that the TC holders are required to produce. By derogation, an EASA TC may be issued with a delayed OSD approval. However, in this case, the TC would not allow the product to be operated by an EU operator. In that case, the OSD data would be approved independently of the TC issuance before entry into service with an EU operator; this may require the re-opening of the CRI A-01 to record late OSD certification basis changes. The TCDS will then be updated to record OSD references.*

### **3. CONTINUING AIRWORTHINESS**

#### **3.1. General**

The competent authorities respectively decide to fulfil the applicable continuing airworthiness responsibilities assigned to ICAO Contracting States under Annex 8 to the Chicago Convention. The functions of the authority of SoD, and where appropriate, SoM or SoR will be carried out by the appropriate competent authority. These procedures are intended to facilitate the fulfilment of those responsibilities and for the timely resolution of in-service safety issues arising on civil aeronautical products under their respective jurisdictions.

Under Annex 8 to the Chicago Convention, the SoD is responsible for resolving in-service safety issues related to a civil aeronautical product's design or production. The CA as the authority discharging the SoD responsibilities will 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 CA in the issuance of, or as part of, its own mandatory corrective actions.

The CA as the authority discharging the SoD responsibilities will assist, upon request, 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(s) to be taken with respect to these civil aeronautical products.

#### **3.2. Failures, Malfunctions, Defects and In-Service Difficulties**

The technical agents perform the following functions for the civil aeronautical products for which they function as Authority discharging the SoD responsibilities:

1. Tracking of reports on failures, malfunctions, defects, in-service difficulties and accident/incidents;
2. Evaluating reports on failures, malfunctions, defects, in-service difficulties and accident/incidents;
3. Investigating and resolving all suspected unsafe conditions;
4. Advising the importing Party of known unsafe conditions and the necessary corrective actions;

- a) In the case of JCAB, this information is provided through the TCD publishing tool, which can be accessed at [http://www.mlit.go.jp/koku/15\\_hf\\_000127.html](http://www.mlit.go.jp/koku/15_hf_000127.html)
  - b) 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/>
5. Upon justified request, providing the importing Party with the following:
- a) Reports of failures, malfunctions, defects and in-service difficulties;
  - b) Status of investigations into failures, malfunctions, defects, in-service difficulties and accidents/ incidents; and
  - c) Copies of final reports reached in its investigation into failures, malfunctions, defects and in-service difficulties, if available; and
6. 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.

The importing Party performs the following functions:

1. Advise the CA of any failures, malfunctions, defects, in-service difficulties and accidents/ incidents which are believed to be potentially unsafe conditions occurring on its civil aeronautical products;
2. Support the CA in investigations of unsafe conditions and their occurrences; and;
3. Advise the CA, when as a result of investigations made by the importing Party into failures, malfunctions, defects, in-service difficulties and accidents/ incidents, the importing Party has determined that it will implement its own mandatory corrective action(s).

Copies of reports of failures, malfunctions, defects and in-service difficulties from the technical agents can be requested at the addresses listed in paragraph 1.9.

### **3.3. Unsafe Condition and MCAI**

The technical agents perform the following activities for the civil aeronautical products for which they function as the authority discharging the SoD responsibilities:

1. Issue an MCAI whenever the technical agent determines that an unsafe condition exists in a civil aeronautical product and is likely to exist or develop on a product of the same type design.



This may include a civil aeronautical product that has other products installed on it and the installation causes the unsafe condition. The content of such an MCAI should include, but are not limited to, the following:

- a) Make, model, and serial numbers of affected civil aeronautical products;
  - b) Description of the unsafe condition, reasons for the mandatory action, and its impact on the overall aircraft and continued operation;
  - c) Description of the cause of the unsafe condition (e.g., stress corrosion, fatigue, design problems, quality control, suspected unapproved part);
  - d) The means by which the unsafe condition was detected and, if resulting from in-service experience, the number of occurrences; and
  - e) Corrective actions and corresponding compliance times, with a list of the relevant manufacturer's service information including reference number, revision number and date.
2. Issue a revised or superseding MCAI whenever any previously issued MCAI was found incomplete or inadequate to fully correct or properly mitigate the unsafe condition;
  3. Timely notify the importing Party of the unsafe condition and the necessary corrective actions by transmitting by e-mail or other mutually accepted means a copy of the MCAI at the time of publication; additionally, upon request by the importing Party, the CA may arrange for copies of MCAI-relevant service bulletins.
  4. In the case of emergency MCAI ensure special handling so that the importing Party is notified prior to publication, and provide the importing Party civil aeronautical product-responsible office advance electronic notice of anticipated emergency MCAIs (including security-sensitive MCAIs) or other significant safety events;
  5. Advise and assist the importing Party in defining the appropriate actions to take in the issuance of its own MCAI;
  6. Maintain a web-based database of MCAI that can be accessed by the technical agents; and
  7. When applicable and possible provide each other an advance copy of the MCAI.

The CA will share information on any changes that affects operating limitations, life limits, or any other airworthiness limitations, to include manual changes and changes to certification maintenance requirements. These changes should be promptly sent to the VA in order to ensure the continued operational safety of the aircraft. The technical agents may treat a reduced life limit as an unsafe

condition and may accordingly issue an MCAI. The technical agents may also issue an MCAI for other limitation changes when considered as an unsafe condition.

The technical agents recognise that they may disagree as to the finding of an unsafe condition. If such disagreement arises, the importing Party will normally consult with the CA prior to issuing its own MCAI. The CA will work with the TC/ TA holder to provide sufficient information (e.g. service bulletins) to the importing Party in a timely manner for its use in issuing this unilateral MCAI.

The importing Party may either issue its own MCAI, or adopt, the MCAI of the CA, to address all unsafe conditions on affected civil aeronautical products that have been certified, approved or otherwise accepted by the importing Party.

For certain cases of unsafe condition related to production or maintenance, EASA may issue an Emergency Conformity Information (ECI) instead of an AD. Both ECI and AD are EASA-issued MCAI under Annex 8 to the Chicago Convention.

### **3.4. Alternative Methods of Compliance (AMOC) to an AD/ TCD**

**3.4.1.** EASA approved AMOCs related to EASA ADs applicable to EU SoD products or STCs, are automatically considered to be JCAB approved, provided the related EASA AD has been adopted by JCAB or JCAB issued a TCD with no deviations from the EASA AD.

**3.4.2.** JCAB approved AMOCs related to JCAB TCDs applicable to Japan SoD products or STCs, are approved by EASA. When issuing its approval EASA will give full consideration to the JCAB approved AMOC provided the related JCAB TCD has been adopted by EASA. In consideration of the EASA AMOC approval, EASA should only account for differences that may affect the mitigation used by JCAB when applied to the EASA standards. EASA will rely on JCAB to support this process to the fullest extent.

#### **4. ADMINISTRATION OF DESIGN CERTIFICATES**

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

To be developed

##### **4.2. Transfer of TCs and STCs**

To be developed

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

To be developed

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

To be developed

##### **4.5. Surrender or Withdrawal of a Specification/ ETSOA**

To be developed

## **5. EXPORT CERTIFICATES**

### **5.1. General**

**5.1.1.** This section addresses the procedures by which a civil aeronautical product being exported from Japan or the European Union will be accepted on the basis of an export certificate. The competent authority of the importing Party will recognize and accept the export certificate when issued in line with this TIP.

**5.1.2.** For civil aeronautical products exported from Japan or the European Union, the following export certificates are 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 (JCAB Form 1-014-3 and EASA Form 27) issued by the competent authority of the exporting Party for new aircraft or the competent authority of the SoR for used aircraft; and

b) for a new civil aeronautical product other than a complete aircraft, an authorised release certificate (JCAB Form 18 issued by a production approval holder, Certificate of Airworthiness for Export and Certificate of Conformity for Export issued by JCAB) and EASA Form 1 issued by a production approval holder as an approved organisation of the exporting Party.

c) The acceptance of Certificate of Airworthiness for Export and Certificate of Conformity for Export as specified in JCAB Circular 1-014 issued by JCAB for civil aeronautical products other than a complete aircraft exported from Japan to the European Union will be assessed by the technical agent of the European Union on a case-by-case basis, in line with paragraph 5.6. The certificates will include the information about the approval number of the production approval holder and the status of the applicable design data.

### **5.2. Certification for Export**

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

**5.2.1.1.** The competent authority of the exporting Party will certify that a new aircraft being exported to Japan or the European Union:

a) conforms to a type design approved by the importing Party in line with section 2;

- b) is in a condition for safe operation, including compliance with the applicable MCAI of the importing Party, as notified by the competent authority of that Party; and
- c) meets all additional requirements prescribed by the importing Party, as notified by the competent authority of that Party.

**5.2.1.2.** Each new aircraft imported to Japan or the European Union will have an Export Certificate of Airworthiness. The Export Certificate of Airworthiness should contain the following statement: *“The [insert aircraft MODEL] covered by this certificate conforms to the type design approved under [insert JCAB or EASA] Type Certificate Number [INSERT TYPE CERTIFICATE NUMBER and REVISION LEVEL], and is found to be in a condition for safe operation,”* and/ or any other import requirements text as specified in the [insert JCAB or EASA] TCDS.

**5.2.1.3.** The competent authority of the exporting Party of a complete aircraft being exported will provide a statement or declaration on the Export Certificate of Airworthiness of its certification in respect of subparagraph 5.2.1.1., including the identification of any exception from the identified approved type design or notified directives and requirements of the importing Party.

## **5.2.2.** Export of new civil aeronautical product other than a complete aircraft

**5.2.2.1.** A new civil aeronautical product other than a complete aircraft being exported to Japan or the European Union will be certified that it:

- (a) conforms to design data approved by the importing Party;
- (b) is in a condition for safe operation including compliance with the applicable MCAI for aircraft engines and aircraft propellers of the importing Party, as notified by the competent authority of that Party; and
- (c) meets all additional requirements prescribed by the importing Party, as notified by the competent authority of that Party.

**5.2.2.2.** The competent authority or the production approval holder producing a new civil aeronautical product other than a complete aircraft being exported will provide a statement or declaration on the authorised release certificate in respect of subparagraph 5.2.2.1, including the identification of any exception from the identified approved type design or notified directives and requirements of the importing Party.

### **5.2.3. Export of Used Aircraft**

**5.2.3.1.** Refer to Article 27 of Annex 1,

**5.2.3.2.** The competent authority of the importing Party may request inspection and maintenance records, which include:

a) records which verify that all overhauls, major changes, and major repairs were accomplished in line with data approved in line with section 2;

b) maintenance records and logbook entries which substantiate that the used aircraft is properly maintained to the requirements of a maintenance programme approved by the competent authority for EU and approved or accepted by JCAB for Japan, and that all known defects have been rectified; and

c) where major design changes or STCs are embodied in a used aircraft, the necessary data for subsequent maintenance, such as the data describing the installation, the materials and parts used, wiring diagrams for installation on avionic and electrical systems, drawings or floor plans for installations in the cabin, fuel or hydraulic systems, structural changes.

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

**5.3.1.** Where the competent authority of the exporting Party identifies non-compliances to the approved type design, the TIP paragraphs or the notified directives and requirements of the importing Party and intends to identify these as exceptions on its export certificate, the competent authority of the exporting Party will, prior to issuing its Export Certificate of Airworthiness, notify the competent authority of the importing Party of such non-compliances. This notification by the competent authority of 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 competent authority of the importing Party.

**5.3.2.** In all cases, the competent authority of the importing Party will provide a written confirmation of its acceptance of the non-compliance notified under subparagraph 5.3.1. before the competent authority of the exporting Party issues its Export Certificate of Airworthiness.

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

Civil aeronautical products to be exported to the European Union will be identified in line with the requirements contained in EASA Part 21 Subpart Q<sup>1</sup>. Civil aeronautical products to be exported to Japan will be identified in line with CAR Article 141, JCAB Circular 1-004 article 7 and JCAB Circular 1-008.

The manuals, placards, listings, and instrument markings and other necessary information required by applicable certification specifications will be presented in English or for export to EU possibly in other official language of the European Union acceptable to the competent authority of the Member State of registry.

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

The following documentation will be provided as a condition of acceptance of the civil aeronautical product being imported:

**5.5.1.** ICA and maintenance manuals having airworthiness limitation sections for aircraft.

**5.5.2.** Aircraft Flight Manual including all applicable supplements, weight and balance report, and equipment list for aircraft.

**5.5.3.** Logbooks or maintenance records for each aircraft and aircraft engine, propeller, rotor, or critical component.

**5.5.4.** The information necessary to complete an EASA Form 45 (noise certificate) will be provided upon export of a new or used aircraft to the European Union including any additional information needed to uniquely identify the aircraft acoustic configuration for the purpose of compliance with EASA noise certification requirements.

#### **5.6. Assessment of the production approval holder**

In case of categories of civil aeronautical products that have not been previously accepted under the regulatory system for civil aviation safety of the importing Party, the technical agent of the importing

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<sup>1</sup> Commission Regulation (EU) No 748/2012, as last amended.

Party may decide, before accepting the export certificates for those civil aeronautical products, to conduct an assessment of the production approval holder as follows:

1. The technical agent of the importing Party will formally notify the technical agent of the exporting Party that it has the intention to perform an assessment and it will ask:
  - a) The name of the production approval holder to be part of the assessment;
  - b) A copy of the production approval including limitation record with the scope of work issued by the competent authority of the exporting Party;
  - c) An extract in English of the related Production Organisation Exposition; and
  - d) An example of export certificates.
2. In addition, the technical agent of the exporting Party will provide a summary of the last audit reports of the production approval holder in English with specific reference to findings made and the latest status of these findings at the time of the request.
3. The technical agent will evaluate the notification from the other technical agent and related documents and decide on possible on-site visit of the production organisation and of the responsible oversight office.
4. In case of on-site visit, the technical agents and the production approval holder will discuss on the details of the visit. Incurring costs of the on-site visit will be borne by the production approval holder.
5. In case of any observations restricting evaluation of the production approval holder, these will be managed between the technical agents through a follow-up process.
6. Upon successful completion of the assessment, following the result of desk-top and/ or on-site review, the technical agents will inform the production approval holder of the result and will publish its name and reference to validated design in its official publication.
7. The technical agent of the exporting Party will timely inform the technical agent of the importing Party on any changes to the status of the published production approval holder to evaluate the change and modify the list, when applicable.



**6. TECHNICAL SUPPORT AND INFORMATION FOR CERTIFICATION ACTIVITIES**

**6.1. General**

To be developed

**6.2. Witnessing of Tests during Design Approval**

To be developed

**6.3. Findings of Compliance**

To be developed

**6.4. Conformity Certifications during Design Approval**

To be developed

**6.5. Other request for assistance and support**

To be developed

**6.6. Airworthiness Certificates**

To be developed

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

To be developed

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

To be developed

## **7. FURTHER WORKING ARRANGEMENTS**

The technical agents note that the Working Arrangement on the production in Japan of the MBB BK117 D-2 and D-3 helicopters was signed by JCAB on 5 March 2020 and by EASA on 17 March 2020.

8. AUTHORITY

JCAB and EASA confirmed the paragraphs of this TIP as indicated by the signature of their representatives.

JCAB

EASA

By Mr. KODA Toshihiro

By Ms Rachel DAESCHLER

Toshiro Koda

Daeschler

Title Director of Airworthiness Division

Title Certification Director

Date 25 June 2020

Date 09. JULI 2020

**ANNEXES/ APPENDICES**

To be developed