
IMPLEMENTATION PROCEDURES

FOR

AIRWORTHINESS

Covering

DESIGN APPROVAL,
POST DESIGN APPROVAL ACTIVITIES,
AND
TECHNICAL ASSISTANCE

Under the Memorandum of Understanding between
Transport Canada Civil Aviation
And National Civil Aviation Agency of Brazil
For
The Promotion of Civil Aviation Safety

Amendment 1
to
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TABLE OF CONTENTS

SECTION I	GENERAL	1
1.1	Authorization	1
1.2	Purpose	1
1.3	Principles	1
1.4	Changes in the Authority Certification Systems	2
1.5	Governance	2
1.6	Maintenance of Confidence	3
1.7	Applicable National Requirements, Procedures, and Guidance Material	3
1.8	Interpretations and Resolution of Conflicts	4
1.9	Cooperation on Investigation or Enforcement Action	4
1.10	Revisions, Amendments, and Points of Contact	4
1.11	Entry Into Force, Termination and Cancellations	4
1.12	Definitions	5
SECTION II	SCOPE OF THESE IMPLEMENTATION PROCEDURES	10
2.1	General	10
2.2	Design Approvals	10
2.3	Restricted Category	11
2.4	Provisions for Technical Assistance	11
2.5	Provisions for Special Arrangements	11
2.6	Summary Tables	11
SECTION III	DESIGN APPROVAL PROCEDURES	14
3.1	General	14
3.2	Acceptance Principle	14
3.3	Acceptance Procedures for Specific Design Approvals and Articles	15
3.4	Validation Principles	18
3.5	Design Approval Validation Procedures	19
SECTION IV	CONTINUING AIRWORTHINESS	32
4.1	General	32
4.2	Failures, Malfunctions and Defects (FM&D) and Service Difficulty Reports (SDR)	32
4.3	Alternative Methods/Mean of Compliance (AMOC) to an AD	35

SECTION V ADMINISTRATION OF DESIGN APPROVALS	36
5.1 General	36
5.2 Transfer of TCs and STCs	38
5.3 Surrender of TCs or STCs.....	38
5.4 Revocation or Suspension of TCs or STCs	38
5.5 Surrender, Withdrawal, or Change of Holder of a TSO/CAN-TSO Design Approval	39
SECTION VI [RESERVED]	40
SECTION VII [RESERVED]	41
SECTION VIII TECHNICAL ASSISTANCE BETWEEN AUTHORITIES	42
8.1 General	42
8.2 Witnessing of Tests for Design Approval	43
8.3 Compliance Determinations	43
8.4 Other Requests for Assistance or Support	44
8.5 VA Requirements for Foreign Design Approval Holders	44
8.6 Protection of Proprietary Data	44
8.7 Lei de Acesso à Informação (LAI) Requests	44
8.8 Access to Information and Privacy (ATIP) Act Requests	44
8.9 Accident/Incident and Suspected Unapproved Parts Investigation Information Requests.....	45
SECTION IX SPECIAL ARRANGEMENTS	46
9.1 General	46
SECTION X AUTHORITY.....	47
10.1 General	47
APPENDIX A ADDRESSES	48
APPENDIX B LIST OF REFERENCE DOCUMENTS	53
APPENDIX C LIST OF SPECIAL ARRANGEMENTS [RESERVED].....	55
APPENDIX D CROSS-REFERENCE OF STANDARDS	56
APPENDIX E DOCUMENTS SUPERSEDED OR CANCELLED [RESERVED].....	57
APPENDIX F LIST OF ACRONYMS.....	58

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Design Approval, Post Design Approval Activities, and Technical Assistance between Transport Canada Civil Aviation and National Civil Aviation Agency of Brazil

SECTION 1 GENERAL

1.1 Authorization

These Implementation Procedures for Airworthiness are authorized by paragraphs 2(a) and 2(b) of the *Memorandum of Understanding Between the Transport Canada Civil Aviation and the National Civil Aviation Agency of Brazil for the Promotion of Civil Aviation Safety*, also known as the “Memorandum of Understanding (MOU)”, dated November 16, 2018. In accordance with paragraph 2.(b) of the MOU, Transport Canada Civil Aviation (TCCA) and National Civil Aviation Agency of Brazil (ANAC) (individually, the “Authority”, and collectively, the “Authorities”) have determined that the regulations, standards, and aircraft certification systems of each Authority for the design approval, and continuing airworthiness of the civil aeronautical products and articles identified in this document, are sufficiently compatible in structure and performance to support these Implementation Procedures.

1.2 Purpose

The purpose of these Implementation Procedures for Airworthiness (hereinafter “Implementation Procedures”) is for ANAC and TCCA to define the civil aeronautical products and articles eligible for import into Brazil and Canada as Importing States (see Section II, Scope of These Implementation Procedures), the process for obtaining eligibility for import, and the means for providing continued support of those civil aeronautical products and articles after import.

1.3 Principles

1.3.1 These Implementation Procedures are based on standards, rules, practices, procedures, continuous communication, and systems compatibility and mutual confidence in the partner’s certification system and technical competence to perform regulatory functions within the scope of these Implementation Procedures. When a finding is made by one Authority in accordance with the laws and regulations of the other Authority and with these Implementation Procedures, that finding is given the same validity as if it were made by the other Authority. Therefore, the fundamental principle of these Implementation Procedures is to maximize the use of the Certifying Authority’s (CA’s) aircraft certification system to ensure that the airworthiness and environmental requirements of the Validating Authority (VA) are satisfied.

1.3.2 ANAC and TCCA are committed to the elimination of duplication of work and avoidance of exclusive retention of findings of compliance when acting as the VA or Authority for the Importing State.

- 1.3.3 ANAC and TCCA mutually recognize and accept each other's delegation or designee systems as part of their respective aircraft certification systems. To the maximum extent permitted by these Implementation Procedures and each Authority's regulations, the findings, compliance determinations and approvals made through these systems are given the same validity as those made directly by either ANAC or TCCA.
- 1.3.4 ANAC and TCCA will not routinely notify the other of their designee's, delegate's or delegated organization's activities in advance of any of those persons travelling to Brazil or Canada to witness tests, to perform conformity inspections, and/or to make determinations of compliance. However, there may be situations where one Authority may interact directly with an individual designee or delegate of the other Authority. In this case, prior notification to the other Authority would be required.
- 1.3.5 Data and documents exchanged between ANAC and TCCA under these Implementation Procedures shall be in the English language as specified in section 6 of the MOU.

1.4 Changes in the Authority Certification Systems

- 1.4.1 These Implementation Procedures are based upon sufficiently compatible Authority certification systems being in place at the time of signing. Therefore, ANAC and TCCA will keep each other informed of significant changes within those systems, such as changes in:
- 1.4.1.1 Statutory responsibilities;
 - 1.4.1.2 Organizational structure (e.g., key personnel, management structure, technical training, office location);
 - 1.4.1.3 Significant revisions to airworthiness, certification, and environmental standards and procedures; or
 - 1.4.1.4 Delegated functions, or the kinds of individuals and organizations to which functions have been delegated.
- 1.4.2 ANAC and TCCA recognize that revision by either Authority to its regulations, policies, procedures, statutory responsibility, organizational structure, or delegation system may affect the basis and scope of these Implementation Procedures. Accordingly, upon notice of such changes by one Authority, the other Authority may request a meeting to review the need for amendment to these Implementation Procedures.
- 1.4.3 ANAC and TCCA will notify each other of relevant draft policy and guidance material and will consult on new or proposed changes to airworthiness and environmental standards.

1.5 Governance

- 1.5.1 The governance of these Implementation Procedures shall be undertaken by the Bilateral Management Team (BMT) consisting of management representatives from both ANAC and TCCA. The BMT shall be responsible for

the effective functioning, implementation, and continued validity of these Implementation Procedures, including revisions and amendments thereto.

- 1.5.2 The BMT shall be headed by the ANAC Head of Airworthiness and jointly by the TCCA Directors of Standards and National Aircraft Certification. The BMT shall establish, when necessary and/or convenient, work procedures and roadmaps for improvement of cooperation between Authorities.

1.6 Maintenance of Confidence

- 1.6.1 These Implementation Procedures shall be subject to periodic evaluations. The BMT is to define the procedures and processes constituting the maintenance of confidence activities intended to ensure that both Authorities remain capable of carrying out the obligations contained in these Implementation Procedures beyond the period of initial assessment that resulted in the original version of these Implementation Procedures.
- 1.6.2 The periodic evaluations will focus on the continued equivalency or compatibility of the respective standards, rules, practices, procedures, and systems, in order to maintain the high degree of mutual confidence in ANAC's and TCCA's technical competence and ability to perform regulatory functions within the scope of these Implementation Procedures.
- 1.6.3 Where one Authority identifies divergence or concerns in the other Authority's certification or validation process that is deemed to be inconsistent or incompatible with the principles stipulated in 1.3.1 through 1.3.5 of these Implementation Procedures, the BMT shall rectify the situation to achieve system harmonization and, where necessary, introduce changes to these Implementation Procedures.

1.7 Applicable National Requirements, Procedures, and Guidance Material

- 1.7.1 ANAC's standards for aircraft airworthiness and environmental certification include, but not limited to, Regulamento Brasileiro de Aviação Civil – RBHA/RBAC (Brazilian Regulation for Civil Aviation) 21, 23, 25, 26, 27, 29, 31, 33, 34, 35, 36 and 38. Guidance materials, policy and procedures are contained in ANAC Instruções Suplementares – IS (Supplemental Instructions), Manuais de Procedimento – MPR (Procedure Manuals), Diretrizes de Aeronavegabilidade – DA (Airworthiness Directives), and Policy Memoranda.
- 1.7.2 TCCA requirements for airworthiness and environmental certification of civil aeronautical products are identified in Part V, Subpart 21 of the Canadian Aviation Regulations (CAR 521). CAR 521 is the enabling regulation for incorporating by reference the comprehensive and detailed standards contained in a separate publication referred to as the Airworthiness Manual (AWM). The AWM provides separate chapters corresponding to each civil aeronautical product, including appliances that are subject to TCCA airworthiness and environmental approvals. Guidance material, policy, and procedures are contained in, but not limited to, TCCA Civil Aviation Directives, Advisory Circulars, Staff Instructions, and Supplementary Staff Instructions.

1.8 Interpretations and Resolution of Conflicts

- 1.8.1 In the case of conflicting interpretations between ANAC and TCCA regarding the laws, airworthiness or environmental regulations/standards, requirements, or acceptable means of compliance pertaining to certifications, approvals, or acceptance under these Implementation Procedures, the interpretation of the Authority whose laws, regulations, standards, requirements, or acceptable means of compliance are being interpreted shall prevail.
- 1.8.2 ANAC and TCCA agree to resolve issues through consultation or any other mutually agreed-upon means. Issues that cannot be satisfactorily resolved at the working level should be expeditiously raised to the respective managements of ANAC and TCCA, on a progressive level, until a resolution is reached. If input from the BMT is necessary to achieve resolution, the points of contact identified in Appendix A shall be responsible for the preparation and presentation of the unresolved issue to the BMT.

1.9 Cooperation on Investigation or Enforcement Action

Both ANAC and TCCA agree to mutual cooperation and mutual assistance in the investigation of any alleged or suspected violations of ANAC or TCCA laws or regulations. Both Authorities will cooperate in sharing information needed for any investigation or enforcement action, including its closure. The sharing of information shall be subject to the laws and regulations of Brazil and Canada that govern the disclosure or sharing of the requested information.

1.10 Revisions, Amendments, and Points of Contact

- 1.10.1 The designated focal points for revisions or amendments to these Implementation Procedures are:
- 1.10.1.1 For ANAC; Gerência Técnica de Normas e Inovação – Superintendência de Aeronavegabilidade – GTNI (Airworthiness Standards and Innovation Technical Branch) – Airworthiness Department), and
- 1.10.1.2 For TCCA; Aircraft Certification Standards (AARTC).
- 1.10.2 Contact information for the identified offices is listed in Appendix A.

1.11 Entry Into Force, Termination and Cancellations

1.11.1 Entry Into Force

These Implementation Procedures enter into force ninety (90) days after signature by the duly authorized representatives, and will remain in force, contingent upon the MOU remaining valid, unless terminated by either Authority in accordance with 1.11.2 below.

1.11.2 Termination

Either ANAC or TCCA may terminate these Implementation Procedures upon receipt of sixty (60) days written notice by the other Authority. Termination will take effect at the end of the sixty (60) days and will not affect the validity of

activities conducted under these Implementation Procedures prior to termination.

1.11.3 Cancellations

[Reserved]

1.12 Definitions

Notwithstanding the definitions set forth in the Brazilian Regulations for Civil Aviation (RBAC) and in the Canadian Aviation Regulations (CAR), and for the purpose of these Implementation Procedures, the following definitions are provided.

- 1.12.1 “Acceptance” means the CA has granted an approval, issued a certificate, or made a finding of compliance and the VA will accept that approval, certificate, or findings of compliance as satisfactory evidence that a product and/or design complies with the VA’s applicable standards and will not issue its own equivalent approval.
- 1.12.2 “Additional Technical Condition”, for the purpose of design approval, means any requirement in the VA’s certification basis that is in addition to, or any variation of, the airworthiness and environmental standards defined in the CA’s certification basis to ensure that the CA’s:
 - 1.12.2.1 Airworthiness standards provide a level of safety equivalent to that provided by the applicable airworthiness requirements of the VA; and
 - 1.12.2.2 Environmental standards provide noise, fuel venting, and exhaust emission levels that are no higher than those provided by the applicable environmental requirements of the VA.
- 1.12.3 “Aircraft Flight Manual (AFM)” means an authoritative document prepared for each aircraft type by the type certificate holder and approved by the CA. Its required content is specified in the appropriate design standards.
- 1.12.4 “Airworthiness Approval” means a finding that a civil aeronautical product conforms to its approved design that has been found to meet the applicable standards by the Authorities and is in a condition for safe operation. This finding may be in a form of an approval document issued by the Authority.
- 1.12.5 “Airworthiness Directive (AD)” means legally enforceable rules issued by ANAC in accordance with RBAC 39, or mandatory airworthiness action either issued by TCCA in accordance with CAR 521 Division X – *Airworthiness Directives*, or as required by CAR 605.84 where an equivalent notice has been issued by a foreign authority.
- 1.12.6 “Airworthiness Standards” for ANAC means regulations governing the design and performance of civil aeronautical products and articles. For TCCA, the term, with respect to design, manufacture, and maintenance of an aeronautical product, means the description, in terms of minimum standard, of the properties and configuration, material, and performance or physical characteristics of that aeronautical product, and includes the procedures to ascertain compliance with or to maintain the minimum standard as specified in

CAR Part V. This term is equivalent to “Standard of Airworthiness” as defined in CAR Part I.

- 1.12.7 “Appliance” means any instrument, mechanism, equipment, part, apparatus, appurtenance, or accessory, including communications equipment that is used or intended to be used in operating or controlling an aircraft in flight, is installed in or attached to the aircraft, and is not part of an airframe, engine, or propeller.
- 1.12.7.1 For TCCA, Appliance means either an Appliance Type Certificate approved in accordance with predecessor regulations CAR Part V, Subpart 11, or a Canadian Technical Standard Order (CAN-TSO) design approval issued in accordance with CAR Part V, Subpart 21, and produced under a CAR Part V, Subpart 61 Manufacturer Certificate. Canadian Technical Standards for appliances are listed in Airworthiness Manual Chapter 537.
- 1.12.8 “Approved Manuals” means manuals, or sections of manuals, requiring approval by ANAC or TCCA as part of a certification program. These include, but not limited to, the AFM, the airworthiness limitation section of the Instructions for Continued Airworthiness (ICA), the engine and propeller installation and operating instructions manuals, and the certification maintenance requirements.
- 1.12.9 “Article” means a material, part, component, process, or appliance.
- 1.12.10 “Certificating Authority (CA)” means ANAC when fulfilling State of Design (SoD) functions for type design approvals in Brazil; and TCCA when fulfilling State of Design (SoD) functions for type design approvals in Canada. These also include the functions of the State of Design of Modification (SoDM), as defined in ICAO Annex 8.
- 1.12.11 “Certification Basis” consists of the applicable airworthiness and environmental standards established by a CA or VA 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 include additional technical conditions, special conditions, equivalent level of safety findings, and exemptions or deviations, when determined to apply to the type design.
- 1.12.12 “Civil Aeronautical Product” or “product” means any civil aircraft, aircraft engine, or propeller or subassembly, appliance, material, part, or component to be installed thereon.
- 1.12.13 “Compliance Determination” means the determination by either ANAC’s system or TCCA’s system that the applicant has demonstrated compliance with identified individual airworthiness and environmental standards.
- 1.12.14 “Certificado de Organização de Produção or COP” (Production Organization Certificate) is the production certificate issued by ANAC to a person that allows the production of a product or article in accordance with its approved design and approved quality system.
- 1.12.15 “Certificado de Produto Aeronáutico Aprovado or CPAA” (Certificate of Approved Aeronautical Product) refers to ANAC’s certificate indicating approval

of Technical Standard Order (TSO) articles, or parts of an aeronautical product. The CPAA document is equivalent to TCCA's Parts Design Approval (PDA) and Technical Standard Order Approval (CAN-TSO). The CPAA, however, does not include production or installation approval.

- 1.12.16 "Critical Part" means a part identified as critical by the design approval holder, the CA, or by the VA during the product type validation process. Typically, these 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 manufacturer's maintenance manual or ICA.
- 1.12.17 "Design Approval" means a type certificate, supplemental type certificate (including amendments thereto), repair design approval, the approved article or article design under a CPAA, PDA, Technical Standard Order Approval (TSOA), CAN-TSO and any other design approval document.
- 1.12.18 "Deviation" when used with respect to a TSO article means a difference from any performance standard of an OTP/CAN-TSO and requires factors or design features providing an equivalent level of safety to compensate for the standards from which a deviation is requested.
- 1.12.19 "Environmental Approval" means finding that a civil aeronautical product complies with standards agreed between the Authorities concerning noise, fuel venting, and/or exhaust emissions.
- 1.12.20 "Environmental Standards" means regulations or standards governing designs with regard to noise characteristics, fuel venting, and exhaust emissions of civil aeronautical products and articles.
- 1.12.21 "Environmental Compliance Demonstration" means a process by which a design or a change to a design of a civil aeronautical product is evaluated for compliance with those environmental standards, using procedures agreed upon between the Authorities.
- 1.12.22 "Equivalent Level of Safety (ELOS) Finding or Finding of Equivalent Safety (ESF)" means a finding that alternative action taken provides a level of safety equivalent to that provided by the requirements for which equivalency is being sought.
- 1.12.23 "Exemption" means a grant of relief from requirements of a current regulation when processed through the appropriate regulatory procedure by ANAC or TCCA, as applicable.
- 1.12.24 "Issue Paper (IP)" or "Ficha de Controle de Assunto Relevante (FCAR)" means a document describing an item that requires disposition prior to issuance by the CA or VA, as applicable, of a Type Certificate (TC), Supplemental Type Certificate (STC), or changes thereto.
- 1.12.25 "Non-TSO Function" means one that is not covered by a TSO-approved minimum performance standard, does not support, or affect the hosting article's TSO function(s), and could technically be implemented outside the TSO article.

- 1.12.26 “Part Design Approval (PDA)”, for TCCA, means an approval of the type design of a replacement part for an aeronautical product, and that references the documents and data defining the type design, the limitations, and the conditions applicable.
- 1.12.27 “Person” means an individual, firm, partnership, corporation, company, association, joint stock association, or government entity, and includes a trustee, receiver, assignee, or other similar representative of any of them.
- 1.12.28 “Restricted Category Aircraft” means an aircraft intended for a special purpose operation that; meets applicable airworthiness requirements of an aircraft category except those that are determined to be inappropriate for the special purpose operation, shows compliance with the applicable environmental standards, and shows no feature or characteristic that makes it unsafe when operated within the limitations prescribed for its intended use. For purposes of these Implementation Procedures, aircraft manufactured in accordance with the design and performance requirements of, and accepted for use by, either the Brazilian or Canadian military are excluded from this definition unless such aircraft is shown to comply with the applicable airworthiness standards of the CA.
- 1.12.29 “Special Conditions” means additional airworthiness standard(s) prescribed by ANAC or TCCA when the airworthiness standards for the category of product do not contain adequate or appropriate safety standards due to novel or unusual design features. Special conditions contain such safety standards as ANAC or TCCA find necessary to establish a level of safety equivalent to that intended by the applicable regulations.
- 1.12.30 “Suspension” means a temporary action to withhold the effectiveness or validity of a certificate, approval, or authorization, as ordered by ANAC or TCCA.
- 1.12.31 “Technical Standard Order (CAN-TSO)” or “Ordem Técnica Padrão (OTP)” means the minimum performance standard used to evaluate and approve the design of an article. Each Technical Standard Order (CAN-TSO/OTP) covers a certain type of specified materials, parts, and appliances used on civil aircraft. A CAN-TSO/OTP design approval is neither an approval to install or use it in the aircraft nor is it an approval to manufacture it.
- 1.12.32 “Type Design”, for ANAC, is defined in RBAC 21.31, and for TCCA, is defined in CAR 101.
- 1.12.33 “Validating Authority (VA)” means ANAC, when fulfilling State of Registry (SoR) functions for design approvals in Brazil, or TCCA, when fulfilling State of Registry (SoR) functions for design approvals in Canada.
- 1.12.34 “Validation” means the VA’s process for issuing, accepting, or granting a Design Approval for a design certified by the CA.
- 1.12.35 “Validation Program” means the entire scope of activities that the VA employs to complete either the Streamlined Validation process or the Technical Validation process culminating in the VA’s issuance of a new or amended design approval document, or acceptance when deemed appropriate by the

VA. These activities include, but are not limited to, receipt and initial review of the validation application, conducting technical familiarization leading to the development and approval of the work plan and their respective schedules, and performing the technical validation activities through execution of the work plan.

- 1.12.36 “Work Plan” defines the scope of the VA’s level of involvement in a validation program that leads to a VA design approval being issued. The work plan is scalable and developed using risk-based criteria, is approved by the VA management, and shared with the applicant and the CA.

SECTION II SCOPE OF THESE IMPLEMENTATION PROCEDURES

2.1 General

- 2.1.1 These Implementation Procedures apply to such aircraft type designs to be type certificated by ANAC and TCCA that are eligible for standard airworthiness certification.
- 2.1.2 ANAC and TCCA issue standard airworthiness certificates for aircraft in the normal, utility, aerobatic, commuter, very light airplanes and transport categories, as well as for manned free balloons and special classes of aircraft which include airships, gliders, and other non-conventional aircraft.
- 2.1.3 Aircraft in the restricted category, including those considered to be in the light sports category, may be dealt with on a case-by-case basis either through 2.3 or the special arrangements provision of Section IX.

2.2 Design Approvals

These Implementation Procedures cover the products and articles identified below, their approvals, and their respective provisions, set forth as follows.

2.2.1 Design Approvals

- 2.2.1.1 Type Certificates (TCs) and amended TCs for the classes and categories listed in Table 1 for which Brazil is the SoD, and Table 2 for which Canada is the SoD;
- 2.2.1.2 All Supplemental Type Certificates (STCs) and amended STCs for products that have been issued both an ANAC and TCCA type design approval regardless of SoD, or have been exempted under RBAC 21.29.

NOTE: Exempted aircraft are aircraft of type and model that already received a Brazilian registration before December 19, 1986, inclusive, for which a Brazilian type certificate has not been issued. The list of ANAC exempted aircraft under RBAC 21.29 can be found at: <https://sistemas.anac.gov.br/certificacao/Produtos/IsentosE.asp>
- 2.2.1.3 All OTP/CAN-TSO appliances/articles and all CPAA/PDA parts as listed in Tables 1 and 2; and
- 2.2.1.4 Any other design changes or data approvals as identified in 3.2.1 for products and articles including those intended for aircraft exempted under RBAC 21.29.

NOTE: The term “amended” TC, or STC, refers to an approved design that has undergone a level of change by the holder that was subsequently approved by the CA and reissued at the next revision or issue number.

2.2.2 Repair Design Data

CA approved design data used in the support of repairs as identified in 3.3.4 for products and articles where both the ANAC and TCCA have issued a type design approval for the product or have been exempted under RBAC 21.29.

2.2.3 Environmental Approval

The VA will accept environmental approvals based upon findings made against RBAC 34, 36 and 38 by ANAC as CA or AWM Chapter 516 by TCCA as CA, as the basis for establishing compliance with VA environmental requirements.

2.3 Restricted Category

Aircraft type-certificated in the restricted category in Brazil or Canada may be validated on a case-by-case basis, subject to mutual agreement between ANAC and TCCA. In such a case, the Authorities agree to follow the procedures in accordance with Section III.

2.4 Provisions for Technical Assistance

The types of technical assistance activities within the scope of these Implementation Procedures between ANAC and TCCA are specified in Section VIII, Technical Assistance Between Authorities.

2.5 Provisions for Special Arrangements

These Implementation Procedures provide for designated officials within ANAC and TCCA to make special arrangements – with respect to design approval, post-design approval, or technical assistance – in situations that have not been specifically addressed in these Implementation Procedures, but which are anticipated by the MOU.

2.6 Summary Tables

The following tables summarize the design approvals, products, and articles designed and manufactured in Brazil or Canada that are eligible for import under these Implementation Procedures.

Table 1

Summary of Brazil SoD Products and Articles Eligible for Approval by TCCA

PRODUCT	ANAC Type Certificates & Amendments	ANAC Supplemental Type Certificates	ANAC OTP Authorization	Repair Design Approvals	ANAC CPAA
Airplanes in the following categories:					
Normal	✓	✓	N/A	✓	N/A
Utility	✓	✓	N/A	✓	N/A
Aerobatic	✓	✓	N/A	✓	N/A
Commuter	✓	✓	N/A	✓	N/A
Transport	✓	✓	N/A	✓	N/A
Rotorcraft in the following categories:					
Normal	✓	✓	N/A	✓	N/A
Transport	✓	✓	N/A	✓	N/A
Light Sport Aircraft (LSA)	(See Note 2)	(See Note 2)	N/A	(See Note 2)	N/A
Manned Free Balloons	✓	✓	N/A	✓	N/A
Aircraft Engines	✓	✓	N/A	✓	N/A
Propellers	✓	✓	N/A	✓	N/A
Aircraft in Special Classes (such as, but not limited to):					
Airships	✓	✓	N/A	✓	N/A
Gliders	✓	✓	N/A	✓	N/A
Powered Lift	✓	✓	N/A	✓	N/A
Very Light Aeroplane	✓	✓	N/A	✓	N/A
Aircraft type certificated in the restricted category	✓ (See Note 1)	✓ (See Note 1)	N/A	✓	N/A
TSO Articles	N/A	N/A	✓ (Also needs a COP production approval)	N/A	N/A
Articles: Replacement or Modification Articles for the above airplanes, rotorcraft, balloons, aircraft engines, propellers, special class aircraft, and articles.	N/A	N/A	N/A	N/A	✓ (Also needs a COP production approval)

Note 1: Aircraft certified in the restricted category for purposes of agricultural, forest and wildlife conservation (including aerial dispensing of liquids), aerial surveying, patrolling, weather control, aerial advertising, and other special purpose operations as determined by the Authorities.

Note 2: Eligibility for operational approval by TCCA may be considered under IPA 2.1.3.

Table 2
Summary of Canada SoD Products and Articles Eligible for Approval by ANAC

PRODUCT	TCCA Type Certificates & Amendments (See Note 1)	TCCA Supplemental Type Certificates (See Note 1)	TCCA CAN-TSO & Appliances	Repair Design Approvals (See Note 3)	Part Design Approvals
Airplanes in the following categories:					
Normal	✓	✓	N/A	✓	N/A
Utility	✓	✓	N/A	✓	N/A
Aerobatic	✓	✓	N/A	✓	N/A
Commuter	✓	✓	N/A	✓	N/A
Transport	✓	✓	N/A	✓	N/A
Very Light Aeroplanes	✓	✓	N/A	✓	N/A
Rotorcraft in the following categories:					
Normal	✓	✓	N/A	✓	N/A
Transport	✓	✓	N/A	✓	N/A
Manned Free Balloons	✓	✓	N/A	✓	N/A
Aircraft Engines	✓	✓	N/A	✓	N/A
Propellers	✓	✓	N/A	✓	N/A
Aircraft in Special Classes (such as, but not limited to):					
Airships	✓	✓	N/A	✓	N/A
Gliders	✓	✓	N/A	✓	N/A
Powered Lift	✓	✓	N/A	✓	N/A
Aircraft type certificated in the restricted category	✓ (See Note 2)	✓ (See Note 2)	N/A	✓	N/A
TSO Articles	N/A	N/A	✓ (Also needs a CAR 561 production approval)	N/A	N/A
Articles: Replacement or Modification Parts for the above airplanes, rotorcraft, balloons, aircraft engines, propellers, special class aircraft, and articles.	N/A	N/A	N/A	N/A	✓ (Also needs a CAR 561 production approval)

Note 1: For Canadian products, the certificate designations of Type Certificate (TC) and Type Approval (TA) are interchangeable, and Supplemental Type Certificate (STC) and Supplemental Type Approval (STA) are interchangeable.

Note 2: Aircraft certified in the restricted category for the purposes of agricultural, forest and wildlife conservation (including aerial dispensing of liquids), aerial surveying, patrolling, weather control, aerial advertising, and other special purpose operations, as determined by the Authorities.

Note 3: The designation Repair Design Approval (RDA) and Repair Design Certificate (RDC) are interchangeable.

SECTION III DESIGN APPROVAL PROCEDURES

3.1 General

- 3.1.1 The principles and procedures of this Section apply to the acceptance or validation of the initial design approval of each other's civil aeronautical products and articles, of subsequent design changes to those products and articles, and approval of design data used in support of repairs.
- 3.1.2 These procedures rely on the high degree of mutual confidence and trust between ANAC and TCCA and establish the process for implementing the acceptance of each other's compliance determinations and approvals on civil aeronautical products and articles. The procedures in this section are not intended to diminish the responsibilities of either Authority or their right to type design information.
- 3.1.3 There are three ways in which products and articles can be accepted or approved by the VA for use within their system:
 - 3.1.3.1 Acceptance (see 3.2 and 3.3);
 - 3.1.3.2 Streamlined Validation (see 3.4, 3.5 and 3.5.5); and
 - 3.1.3.3 Technical Validation (see 3.4, 3.5 and 3.5.6).

3.2 Acceptance Principle

- 3.2.1 Where specific design approvals and articles present relatively low risks compared to the certification of aircraft, aircraft engine, and propellers, ANAC and TCCA concluded that those approvals could benefit from a full and automatic acceptance by each other. Subject to any exception described in 3.3 or exclusion under 3.2.2, the following CA approvals will be accepted by the VA without issuance of its own approval, and no application for validation will be required for:
 - 3.2.1.1 Design Changes by the design approval holder that do not require the VA to issue an amended TC or Type Certificate Data Sheet (TCDS), STC or amended STC (refer to 3.3.1);
 - 3.2.1.2 Minor changes approved under the CA system;
 - 3.2.1.3 OTP/CAN-TSO Design Approvals (refer to 3.3.2);
 - 3.2.1.4 CPAA/PDA (refer to 3.3.3);
 - 3.2.1.5 Repair Design Approvals (refer to 3.3.4); and
 - 3.2.1.6 ANAC Alterations (refer to 3.3.5).
- 3.2.2 ANAC or TCCA, as the VA, may suspend the acceptance of design approval(s) in 3.2.1 where following consultation with the CA there is no mutually acceptable resolution of airworthiness concern(s) identified by the VA on a specific design approval. In this case, the VA can either take action in accordance with Section IV, Continuing Airworthiness, or require validation of the design approval in question.

3.3 Acceptance Procedures for Specific Design Approvals and Articles

The acceptance of CA design approvals identified below shall be implemented by ANAC and TCCA solely on the basis of each other's approval, without the need for submission of an application for validation by the other. An approval originally granted by either ANAC or TCCA as the CA shall be automatically accepted by the other as being equivalent to having granted and issued its own approval.

3.3.1 Design Changes by the Design Approval Holder

For a validation project where a design approval holder introduces a major design change to an approved design, the Basic/Non-Basic application classification criteria detailed in 3.5.2.2 will be applied by the CA, as follows:

- 3.3.1.1 If the application classification is determined to be Basic and does not require the VA to reissue the TC or TCDS, or reissue the STC, then the design change is accepted, and no application is required. In these cases, the CA will approve these design changes in accordance with its own procedures against the certification bases of both the CA and the VA.
- 3.3.1.2 If the application classification is Basic but requires the VA to reissue the TC or TCDS, or reissue the STC, then an application for validation to the VA is required for the design change, and it will be processed by the VA using the Streamlined Validation process detailed in 3.5.5; or
- 3.3.1.3 If the application classification is determined to be Non-Basic, then an application for validation to the VA is required for the design change. Where technical review by the VA is deemed necessary, the procedures of 3.5.6 shall be followed.
- 3.3.1.4 The design changes described in 3.3.1.1 through 3.3.1.3 are to be included in the design approval holder's type design definition, which defines the VA's approved build standard.

3.3.2 OTP/TSO Articles

- 3.3.2.1 ANAC and TCCA share similar certification requirements and procedures leading to the approval of the design and manufacturing of OTP/TSO articles. Through the practice of acceptance, an OTP/TSO article approval issued by ANAC or TCCA is considered equivalent to the other having issued its own approval.
- 3.3.2.2 ANAC and TCCA recognize and agree that an OTP, TCCA Appliance TC, or CAN-TSO approval is an approval of the article's design and production only and does not constitute an approval for installation of the article on any product. The installer must obtain installation approval for use on a product registered under that Authority.
- 3.3.2.3 Where the OTP and TSO standards are at the same revision levels, ANAC or TCCA shall not accept an application from the other Authority for approval of an OTP/TSO article if such article has been

issued an approval, or is eligible for approval by the applicant's Authority.

3.3.2.4 The acceptance of OTP/TSO articles is based on the following conditions and provisions as noted:

- (a) The article meets the applicable OTP or CAN-TSO as evidenced by a statement or declaration of conformity by the approval holder; and
- (b) Any deviations from the applicable OTP or CAN-TSO accepted by ANAC or TCCA are substantiated and have been approved by the Exporting Authority.

3.3.2.5 Marking Requirement

Through acceptance of OTP/TSO articles, ANAC and TCCA also accept each other's identification and marking requirements as being acceptable to their own regulatory requirements, provided such marking is accomplished in accordance with the CA regulations.

3.3.2.6 Provision of OTP/TSO Data for Installation Approval

ANAC or TCCA may find it necessary to obtain additional data on an OTP/TSO article, including those on non-OTP/TSO functions, in order to complete their compliance findings for installation on a product. Upon request, ANAC or TCCA, as the CA for the subject OTP/TSO article, shall support the data request, subject to permission or authorization from the OTP/TSO approval holder to release such data. Any such request from the VA will be limited only to the data that is necessary to establish compliance with the subject installation.

3.3.2.7 Acceptance of Non-OTP/TSO Functions

- (a) ANAC and TCCA will accept, without further validation, data on non-OTP/TSO functions where those functions are integrated into an article when:
 - (1) The non-OTP/TSO functions included in the article have been shown not to interfere with the OTP/TSO functions and/or ability to comply with the OTP/TSO standard;
 - (2) The data provided with the article relative to non OTP/TSO functions is valid data as processed by the CA; and
 - (3) The non-OTP/TSO functions are covered under the OTP or CAN-TSO approval holder's quality system.
- (b) The acceptance of data on non-OTP/TSO functions does not constitute installation approval.
- (c) The CA and VA may agree to mutual cooperation and technical assistance for the evaluation of non-OTP/TSO functions at the

product level before granting OTP or CAN-TSO design approval.

3.3.3 Acceptance of CPAA/PDA

- 3.3.3.1 A CPAA/PDA issued by ANAC or TCCA respectively is considered equivalent to the other Authority having issued its own approval.
- 3.3.3.2 The acceptance of CPAA/PDA is based on the condition that the CPAA/PDA is not issued for a replacement part that:
 - (a) is subject to an airworthiness limitation/critical part;
 - (b) constitutes a change to the type design of the aeronautical product; and
 - (c) creates an airworthiness limitation.

3.3.4 Acceptance of Repair Design Approvals

ANAC and TCCA agree that data generated in the design approval of repairs shall be considered approved by both ANAC and TCCA, regardless of the SoD of the aeronautical product, without further showing provided the approval was granted in accordance with their respective repair design approval procedures. These approval procedures include repair design data approved under the TCCA delegation systems, and repair design approvals granted by:

- (a) ANAC on Block 3 of form F-400-04 (SEGVOO001);
- (b) ANAC through an approval letter;
- (c) A Design Approval Holder (DAH)'s PCP (Profissional Credenciado em Projeto – Accredited Design Professional) accredited by ANAC on a form F-200-06; or
- (d) A DAH's COPj (Certificado de Organização de Projeto – Design Organization Certificate) certified by ANAC on an appropriate form according to its approved Design Assurance System, as required by RBAC 21.239-I.

NOTE: Items (c) and (d) above are limited to repair design approvals not affecting Airworthiness Limitations Section (ALS) of the ICA.

3.3.5 Acceptance of ANAC Alterations

~~ANAC approved or accepted alteration in accordance with RBAC 43 specifically for the aircraft being changed, installed on a product exported from Brazil, regardless of the SoD of the aeronautical product, are considered approved by TCCA at the time of import, without further showing, provided the alteration was granted in accordance with ANAC procedures. TCCA will accept such ANAC alteration data with approvals granted by:~~

- ~~(a) ANAC on Block 3 of form F-400-04 (SEGVOO001); or~~
- ~~(b) ANAC through an approval letter.~~

~~NOTE: An alteration approval in Block 3 of form F-400-04 (SEGV00001) is an ANAC engineering design approval of a major change applicable only to a single serial number or a single product.~~

[An ANAC major alteration performed in accordance with RBAC 43 is the incorporation of a change applicable only to a single serial number or a single product. ANAC approved or accepted alterations installed on a product exported from Brazil, regardless of the SoD of the aeronautical product, are considered approved by TCCA at the time of import, without further showing, provided the technical data in support of alteration was granted approval in either Block 3 or in a document referenced in Block 8 of ANAC Form F-400-04 in accordance with ANAC procedures.]

NOTE: A Block 3 approval is performed directly by ANAC Engineering, while the approval document referenced in Block 8 is performed by an ANAC accredited engineering professional under RBAC 183 or by a certified design organization under RBAC 21 Subpart J-I.]

3.4 Validation Principles

For all other CA design approvals that require the VA to issue a TC, an amended TC or TCDS, STC, or amended STC, the Authorities have established a risk-based threshold influenced by the complexity of the design that will dictate the level of review by the VA. These design approval applications will be classified as Basic or Non-Basic by the CA. Accordingly, the application will be subject to either a Streamlined Validation or Technical Validation by the VA prior to an approval being issued.

3.4.1 In applying these validation principles, the VA demonstrates confidence and trust in the capabilities of the CA, and leverages the procedures detailed below to reduce the resource requirements associated with the validation of CA approved products. The VA's validation program, including development of a work plan where required, will be guided by the following principles:

- 3.4.1.1 The VA will rely on the work done by the CA, to the maximum extent practicable, while still meeting the overall objectives of validation, which includes the CA making a finding of compliance, and on that basis, providing a statement certifying compliance with the VA's certification basis;
- 3.4.1.2 The scope of the VA's technical review is commensurate with the mutually agreed upon risk-based criteria identified in 3.5.2, including the option of accepting the CA approval without any technical involvement;
- 3.4.1.3 The scope of the VA's work plan is intended to be scalable, focused, and approved by its management (see 3.5.6.3); and
- 3.4.1.4 Confidence in the CA's capabilities enables the reduction of VA involvement in validation activities and is maintained through post-validation monitoring and feedback.

3.4.2 Validation Processes

- 3.4.2.1 Streamlined Validation requires application to the VA and will result in the issuance of an approval or acceptance by the VA without any technical involvement.
- 3.4.2.2 Technical Validation requires application to the VA and the activities within a validation program will typically require both technical familiarization and a level of technical involvement that will result in the issuance of an approval by the VA. Where the technical familiarization aspect of the validation program leads to the development and use of a work plan, active management oversight will ensure these common principles and procedures are applied to maximize reliance on the CA's findings/compliance determinations.
- 3.4.2.3 The process of design approval validation is intended to allow the VA to:
 - (a) Familiarize itself with the type design, with emphasis on, but not limited to, unique or novel features;
 - (b) Identify any Additional Technical Conditions required within the VA's certification basis;
 - (c) Develop and execute a management-approved work plan that will define the VA's level of involvement;
 - (d) Rely on the CA to conduct compliance determinations on its behalf, with its certification basis, which will be comprised of the CA's certification basis plus any Additional Technical Conditions applied by the VA; and
 - (e) Issue its own design approval based on the CA making a finding of compliance and, on that basis, providing a statement certifying the type design complies with the VA's certification basis.
- 3.4.3 The satisfactory completion of the validation program is contingent upon the CA providing support to the VA, including its involvement in completion of the work plan, which will facilitate the VA's issuance of a corresponding design approval.
- 3.4.4 The Authorities recognize there may be situations when it is more expeditious to conduct direct communications between the VA and the applicant when information is needed. In such cases, it is the responsibility of the initiator of the contact to inform the CA as soon as possible. Direct communications will be limited to technical questions regarding the product.
- 3.4.5 Applications for ANAC or TCCA approval are intended for civil aeronautical products and articles certified to applicable airworthiness standards. Products and articles that are intended only for military use are not eligible for ANAC or TCCA validation.
- 3.4.6 Brazilian and Canadian design approval holders are required to hold relevant type design information (e.g., type design data, drawings, processes, materials specifications, operating limitations, test plans, test analysis reports, approved

manuals, accepted manuals, and service bulletins) and to make it available to their respective Authority upon request. Data and/or other information to support VA familiarization, as described in 3.4.2.3(a), are to be made available from the design approval holder upon written request from the VA to the CA.

3.5 Design Approval Validation Procedures

3.5.1 General

- 3.5.1.1 ANAC TCs may be issued under the provision of RBAC 21.29 for Canadian SoD products that are to be imported into Brazil.
- 3.5.1.2 TCCA TCs may be issued under the provision of CAR 521 for Brazilian SoD products that are to be imported into Canada
- 3.5.1.3 A STC for a product, irrespective of the product's SoD, issued by ANAC or TCCA as the CA for the design change may be issued a STC by the other in accordance with either RBAC 21.117 or CAR 521 as applicable.
- 3.5.1.4 An application for a design approval from an applicant must be submitted by the CA to the VA if:
 - (a) The product or design change is within the scope of these Implementation Procedures as provided in 2.2;
 - (b) For TCs: The product has been issued an ANAC or TCCA TC, or an application for type certification has been made to the CA; and
 - (c) For STCs: When ANAC or TCCA as the CA for the STC, or an application for an STC has been received from the applicant.

3.5.2 Classification of Applications for Validation

The classification of an application by the CA will determine the process and nature of review to be completed by the VA. The CA will classify all applications for validation of a design approval as follows:

3.5.2.1 Classification Criteria for initial Validation of TCs

All applications for validation of an initial design approval will be classified using the Basic/Non-Basic criteria detailed immediately below. Initial design approval applications classified as Basic by the CA will benefit from streamlined processing by the VA.

- (a) Basic: The following products are eligible for application for initial TC as Basic and processed using Streamline Validation detailed in 3.5.5, except where the certification basis includes new or amended (i.e. not previously applied) Exemptions, Special Conditions, or ELOS/ESF;
 - (1) Reciprocating engines for which Brazil or Canada is the SoD, and
 - (2) Propellers for which Brazil or Canada is the SoD.

- (b) Non-Basic: All other initial applications for TC validation, including restricted category aircraft, will be classified as Non-Basic and processed by the VA using the Technical Validation process detailed in 3.5.6.

3.5.2.2 Classification Criteria for Design Changes

- (a) Design changes made to a Brazil or Canada SoD reciprocating engines and propellers, either through an amended TC or changes through an STC, will be classified as Basic and processed by the VA using the Streamlined Validation process of 3.5.5, except where such design changes required issuance of new or amended (i.e. not previously applied) Exemptions, Special Conditions, or ELOS/ESF. In such a case, the application will be classified as Non-Basic.
- (b) Design changes made by a TC holder, or changes an STC holder makes on its own STC, will be classified as either major or minor in accordance with the applicable CA regulations, RBAC 21.93, CAR 521.152, or CAR 521.154 as appropriate, and these design change classifications are accepted by the VA without further review.

NOTE: Minor changes are automatically accepted under 3.2.

- (c) For major design changes by the design approval holder, review the procedures in 3.3.1 to determine whether the change is eligible to be accepted without review.
- (d) To facilitate the VA's processing and review of an application for major design changes, the CA will classify the application as either Basic or Non-Basic using the design change specific criteria detailed here:
 - (1) Basic: When the features of a design change are not described or captured by the Non-Basic design change criteria below, the application will be classified as Basic and processed by the VA.
 - (2) Non-Basic: Applications for validation of design changes that meet one or more of the following criteria will be classified as Non-Basic and processed by the VA:
 - (i) Changes requiring new or amended Special Conditions, ELOS/ESF, or Exemptions to the CA's or VA's existing certification basis;

NOTE: "new or amended" is considered relative to the baseline certification basis of the product or STC being changed.
 - (ii) Design changes determined as Significant under the CA's applicable Changed Product Rule provisions in RBAC 21.101 or CAR 521.158;

- (iii) Changes affecting compliance with any existing Additional Technical Conditions (reference 1.12.2 in Definitions section) on the VA's certification basis;
- (iv) Changes affecting compliance with an AD issued by the VA or affecting compliance with an AD issued by a third Party and adopted by the VA; or
- (v) Other design changes that in the opinion of the CA merit technical involvement by the VA including, but not limited to, changes involving use of unusual methods of compliance not previously applied by either the CA or VA, new technology or new application of existing technology, or specific operational or special purpose requirements by the VA.

NOTE: An application for design change approval that seeks to add an aircraft make and model to an STC will be classified by the CA based on the scope of the change, using the design change criteria above.

3.5.3 Application Process

3.5.3.1 All applications must be submitted electronically by the CA to the VA. An application for purposes of these Implementation Procedures consists of the following three items: a cover letter from the CA to the appropriate VA office (see Appendix A); the specified VA application form duly completed by the applicant DAH; and the DAH's data package. The CA office submitting an application shall identify in the letter its project manager/officer responsible for processing the application and communicating and coordinating with its VA counterpart until the validation is concluded. The assigned CA project manager/officer will ensure that the submitted application contains the following:

- (a) The classification of the application should be clearly identified by the CA (on the title page or in the cover letter) as Basic or Non-Basic using either the TC approval classification criteria as defined in 3.5.2.1, or the design change approval classification criteria as defined in 3.5.2.2 as applicable for the particular project. For design change applications classified as Non-Basic, the CA should clearly identify the specific design change criteria that resulted in their decision;
- (b) A copy of the CA's design approval document, if available, that identifies the certification basis upon which the CA's design approval was based. In the absence of a TCDS, the CA should submit the document that defines the certification basis;

NOTE: The CA should confirm that design approval holder information, including legal name and address, is accurate, up

to date, and matches the information detailed on issued documents prior to sending the application through to the VA.

- (c) For applications classified as Basic, a statement in the CA's cover letter certifying that the design complies with the VA's certification basis for the product;
- (d) Date of application, when required, to the CA and the applicant's requested date for VA approval; and

NOTE: For TC or Amended TC validations, the date of application to the CA will be used to determine the applicable amendment level of the associated design standards.

- (e) Technical data to enable the VA to complete the applicable review including but not limited to the following:
 - (1) Certification plan or equivalent, and to include a compliance checklist to the VA's certification basis;
 - (2) Approved Manuals or changes to Approved Manuals as applicable;
 - (3) Master Documentation List/Master Drawing List;
 - (4) Maintenance/Repair Manual Supplements;
 - (5) Weight and Balance data; and
 - (6) Instructions for Continued Airworthiness (ICA).

3.5.3.2 If known at the time of application, the application must also contain the following:

- (a) A description of all novel or unusual design features known to the applicant or the CA;
- (b) All known or expected exemptions, special conditions, or equivalent level of safety findings;
- (c) All Issue Papers raised during the CA's certification activities;
- (d) Information on any VA customer(s) and associated delivery schedules; and
- (e) Any additional data/information for known in-service issues to understand continuing airworthiness implications and how they have been addressed.

3.5.3.3 Restricted Category applications may be accepted for special purpose operations as determined by the Authorities. Surplus military aeronautical products are not eligible for validation under these Implementation Procedures.

3.5.4 Acknowledgement of Application

3.5.4.1 The VA will notify the CA within ten (10) working days of receipt of application. The validation process begins with the

acknowledgement by the VA of the formal application submitted by the CA.

- (a) The VA office receiving the application shall identify their project manager/officer responsible for processing the application and coordinating the validation with their counterpart. The assigned VA project manager/officer will review the application package in 3.5.3.1 and 3.5.3.2 and request any missing information within thirty (30) working days of receipt of application.
- (b) Communication shall be initiated and maintained between the assigned project managers/officers of the CA and VA for the submitted application until the validation is concluded.

3.5.4.2 The VA will accept the CA's application classification as provided and initiate processing of the application through the Streamlined Validation or Technical Validation process as described below. However, if the VA has concerns over the classification of the application, the VA and CA shall engage in a technical consultation per 3.5.4.3 below.

3.5.4.3 Where the VA has concern over the classification of an application, the project managers/officers of the CA and VA should initiate technical consultation in accordance with the procedures below. The technical consultation is intended to achieve a mutual understanding of the CA's rationale for its classification and the cause of concern by the VA. The project managers/officers shall formally document the technical consultation and the resulting conclusion, as such documentation is required to be submitted under (d) below as feedback for the Maintenance of Confidence provisions of 1.6.

- (a) The CA and VA project managers/officers shall provide each other with the information relevant to the technical consultation. At a minimum, the technical consultation documentation should contain the following:
 - (1) Validation project information (description);
 - (2) VA rationale or cause of concern;
 - (3) CA rationale/justification for the classification; and
 - (4) CA final position.
- (b) Where the CA determines that their classification is consistent with the Implementation Procedures criteria, the VA shall proceed with processing the application as originally classified by the CA.
- (c) Where the CA determines that reclassification of the application is appropriate, the CA application shall be subsequently amended to indicate the revised classification.

- (d) The project manager/officer of the CA shall provide the explanation of their final position in the technical consultation document and forward a copy to the VA project manager/officer.
- (e) The project managers/officers of the CA and VA shall forward the concluded technical consultation document to their respective focal points for these Implementation Procedures as identified in Appendix A.

3.5.5 Streamlined Validation Process

- 3.5.5.1 Design approval applications classified as Basic will use a Streamlined Validation process where the VA accepts the certification and design data provided by the CA as the basis upon which the VA will either issue or accept a design approval.
- 3.5.5.2 The VA will accept the CA's design approval, including acceptance of any CA approved manuals, after the CA makes a finding of compliance and, on that basis, provides a certifying statement that the design complies with the VA's certification basis for the product.
- 3.5.5.3 Once the data requirements for the Streamlined Validation process have been met and the administrative review of the application file has been completed, the VA shall issue the corresponding design approval or letter of acceptance, as appropriate, within twenty (20) working days following completion of the review under 3.5.4.1(a).
- 3.5.5.4 The VA will transmit the design approval or letter of acceptance issued under 3.5.5.3 above to the Applicant with concurrent notification to the CA.

3.5.6 Technical Validation Process

Guided by the validation principles detailed in 3.4, the VA will process Non-Basic applications in accordance with the applicable steps of this section to establish compliance with their own certification basis, leading to issuance of the corresponding VA design approval. It is envisioned that in certain cases, a CA's design approval and supporting data provided at the time of submission may already be sufficient for the VA to establish compliance with its certification basis. Where such compliance can be established during the VA's initial review of the application package, and the VA deems no further action is required, the VA may at this point conclude the technical validation process and proceed directly to the issuance of its validation design approval. In such cases, a work plan in accordance with 3.5.6.3 is not required. However, where the VA determines that further validation activities are required, it is incumbent on the VA to establish an initial work plan early in the validation program schedule that the CA and applicant can use for planning purposes. The following sequence of events will culminate in the issuance of the VA's design approval.

3.5.6.1 Technical Familiarization

- (a) The VA may establish a project team as required to complete its validation program. The VA and CA will promptly notify each other of their respective Project Managers, who will be responsible to coordinate the technical familiarization integral to developing the work plan.
- (b) The VA will notify the CA of the technical familiarization activity necessary to gain sufficient familiarity and knowledge of the type design and, where appropriate, data and processes in support of continuing airworthiness. The CA will arrange any technical familiarization meetings between the VA, the DAH, and the CA.
- (c) A technical familiarization activity should not prevent the VA from proceeding with their approval when there are no aspects of the affected Non-Basic criteria identified by the CA that require a discussion and resolution.
- (d) The VA will use the technical familiarization activities to develop and propose the certification bases for both airworthiness and environmental standards, and as necessary adjust the intended VA's level of involvement for purposes of finalizing the initial work plan.
- (e) The objectives of technical familiarization can only be fully satisfied when the applicant or CA has presented to the VA the following information:
 - (1) An overview of the proposed design, intended operational use and, if applicable, relation to previously approved products;
 - (2) Identification and review of certification issues raised by the CA that the applicant was required to address as part of the compliance showing to the specific aspects of the CA's certification basis (see 3.5.3.2 (c));
 - (3) A proposed certification basis, including analysis of potential differences; and
 - (4) Any design features that have met the Non-Basic classification criteria of 3.5.2.
- (f) The VA will focus its attention during technical familiarization on understanding the general compliance methodologies used or to be used by the applicant, including assumptions, boundary conditions, and critical parameters of that methodology.
- (g) Further details, including review of test plans or other compliance documents, test witnessing, or other details of the compliance demonstration, are deferred until the review items

are identified in the work plan and approved by VA management.

- (h) Another aspect of technical familiarization is determining if the product needs to be flown by the VA as part of the validation program. Any elements of the VA's certification basis that require the VA to fly the product will be identified in the work plan. VA flight tests are typically conducted for all new TC validations and may also be conducted for design changes that meet the Non-Basic criteria.

3.5.6.2 Establishing Certification Basis

For the purpose of establishing the VA's certification basis, the application date that determined the applicable standards applied by the CA for the issuance of a CA design approval will be applied.

- (a) The applicable airworthiness standards may be supplemented with the following requirements:
 - (1) Either Authority may require the applicant to comply with additional requirements in the interest of safety. These requirements may include actions deemed necessary for continuing airworthiness as a result of service history and actions taken by either Authority to correct unsafe conditions;
 - (2) The VA may develop ELOS findings, Special Conditions, and/or Exemptions based on a review of the CA's certification basis. The VA will work closely with the CA in the development of its certification basis by providing the CA and the applicant with an opportunity to comment on the proposal; or
 - (3) The VA may adopt as part of its certification basis any CA Special Conditions, Exemptions or ELOS findings that it finds appropriate in order to minimize duplication of certification basis documentation already specified by the CA.
- (b) Applicants for a TC or STC must also comply with the applicable Environmental Standards

3.5.6.3 Development and Approval of the Work Plan

- (a) Guided by the validation principles in 3.4, the Non-Basic criteria detailed in 3.5.2 and knowledge of the product gained through technical familiarization, the VA will develop its initial and final work plan to define the scope and depth of VA level of involvement.

- (b) The work plan is intended to be scalable, i.e. commensurate with the scope and/or complexity of the initial design or design change approval being validated. However, as stated in 3.5.6, there may be situations wherein the VA deems the validation of certain design changes does not warrant developing a work plan for reasons of either its familiarity based on previous validation experiences of the same or similar nature, or where sufficient information is available from the data submitted. Where this is the case, the VA may, at its discretion, conclude the technical validation process without a work plan and proceed directly to issuance of its validation design approval. Accordingly, the VA will notify the CA of this decision.
- (c) The VA will identify in the initial work plan its level of involvement based only on those design change features that resulted in the Non-Basic classification of the application. The identification will include any requirement to conduct flight-testing as determined during the technical familiarization phase (see 3.5.6.1(h)). The work plan should also state the VA's expectations. These expectations should be limited to the level of effort the VA would exert if it were finding compliance itself. Changes to the work plan are provided for in 3.5.6.4(b)(2).
- (d) For a new TC application, however, the Non-Basic criteria of 3.5.2.2(d)(2) can be used as guidelines to assist in focusing the VA's level of involvement in the work plan. The level of involvement can be expanded upon mutual agreement between CA and VA.
- (e) Flight test requirements in the work plan are to be supported by both Authorities as follows, including, but not limited to:
 - (1) Providing the VA flight test representatives with sufficient familiarity with the product whenever needed and justified by the risk-based level of involvement, so as to facilitate VA operational approvals and/or develop any special flight characteristics training requirements;
 - (2) Providing the VA with necessary exposure to the type design, so as to support continuing airworthiness of the VA registered fleet; and
 - (3) Identifying to the CA for resolution any potential compliance issues not previously identified by the validation team.

NOTE: The CA will coordinate with the applicant to determine availability of the product and schedule flights identified in the VA work plan.

- (f) The work plan will be approved by the VA's management and communicated to the CA for acknowledgement and seeking

assistance during the validation activities. The VA will rely on the CA to make findings of compliance on its behalf to the maximum extent practicable.

3.5.6.4 Implementation of the Work Plan

(a) Work Plan Data Requests

The VA will make written requests to the CA for technical data in support of, and related to, the areas of VA level of involvement identified in the work plan.

(b) Design Review

- (1) In addition to the initial familiarization meeting and technical data review, the VA will determine whether any other technical meetings are necessary to ensure effective implementation of the work plan. Technical meetings will normally be arranged through the CA and where appropriate have representatives from both Authorities in attendance.
- (2) The work plan may be revised if during the design review, the VA identifies a need to change their level of involvement. Any changes to the VA's work plan will be approved by management and should be appropriately communicated to both the CA and applicant.
- (3) The VA shall not generate a new issue paper on a subject already addressed by the CA with which the VA concurs.
- (4) VA issue papers will be coordinated through the CA. Such coordination will expedite the timely and mutually acceptable resolution of certification issues. The VA will incorporate the CA's and the applicant's position in all of the VA originated issue papers.

(c) Flight Testing

- (1) As the VA gains more knowledge from the validation activity, it can be envisaged in certain cases that the flight test requirement, earlier identified in the work plan, may have no aspects or issues that need or require resolution with the CA or applicant before issuing the validation approval. This could be the case, for example, if the nature of the flight testing shifts from a validation purpose to that of familiarization flights for purposes of, but not limited to, continued airworthiness, to facilitate operational approval, and/or develop special flight characteristics training requirements. When this is the case, the VA may, at its discretion, request familiarization flights in lieu, and notify the CA and applicant accordingly of this decision.

- (2) Familiarization flights should not prevent the VA from issuing the validation approval when there are no other conditions requiring flight tests. The validation program can be concluded by the VA without completing the familiarization flights, provided there is agreement with the CA on a definitive schedule to complete the familiarization flights.
- (3) The CA will remain responsible for coordinating with both the VA and applicant on the availability of the product, and for scheduling the familiarization flights, respecting the timelines of the agreement established above.

(d) Approved Manuals

- (1) The CA approves all manuals unless the VA specifies its involvement to approve certain manuals as documented in the work plan.
- (2) VA request for changes to approved manuals associated with the design changes will be made through the CA, and the approval of the manual will be made by the CA.
- (3) Change requests to manuals must be directly related to work plan areas of VA involvement.
- (4) Stand-alone changes to approved manuals shall be dealt with as any other design change according to the Acceptance, Streamlined Validation, or Technical Validation procedures, as applicable.

3.5.6.5 Completion of Technical Validation

Once the VA is satisfied that the Technical Validation is completed, the work plan activities are concluded and compliance with the VA's certification basis has been established, the VA can proceed with either the issuance of the corresponding design approval, or notify the CA of its acceptance, as applicable.

3.5.7 Concurrent Design Approval Procedures

- 3.5.7.1 ANAC and TCCA may agree to undertake concurrent design approval projects covered by the scope of these Implementation Procedures. A common certification basis should be an objective of a concurrent approval process.
- 3.5.7.2 The Authorities will utilize the Validation Principles and Work Plan elements, described in 3.4 and 3.5.6.3 respectively, to identify their levels of involvement leading to the issuance of design approvals. This process will ensure that the responsibilities for a single SoD Authority are retained.

3.5.8 Procedures for Split Design/Production Projects

ANAC and TCCA recognize that some joint venture projects of their aviation industries may involve products designed under one Authority's jurisdiction and manufactured under the other Authority's jurisdiction. In such cases, ANAC and TCCA will work together to develop an arrangement defining their regulatory responsibilities to ensure accountability under Annex 8 to the Chicago Convention. Such special arrangements will address the continued airworthiness responsibilities of SoD and the SoM and will be documented in accordance with Section IX of these Implementation Procedures.

3.5.9 Evaluation of Operational and/or Maintenance Aspects

It is envisioned that these Implementation Procedures will extend its scope in the future to include other relevant areas such as, but not limited to, Maintenance Review Board reports, Master Minimum Equipment List, Operational Configuration, Pilot Training and Licensing Requirements. Until such time these Implementation Procedures are revised to formally accommodate those areas, the BMT may under Section VIII or IX establish interim or transitional arrangements intended for project-specific applications or as a general process for evaluating and/or accepting each other's approvals.

SECTION IV CONTINUING AIRWORTHINESS

4.1 General

- 4.1.1 In accordance with Annex 8 to the Chicago Convention, the SoD or SoDM is responsible for resolving in-service safety issues related to design or production. The CA will provide applicable information that it has found to be necessary for mandatory modifications, required limitations and/or inspections to the other Authority to ensure continuing airworthiness of the product or article. Each Authority will review and normally accept the corrective actions taken by the CA.
- 4.1.2 At the request of the VA, the CA will assist in determining what action is considered necessary for the continuing airworthiness of the product or article. The VA, as Authority of the SoR, retains sole authority for decisions on final actions to be taken for products or articles under their jurisdiction. ANAC and TCCA will strive to resolve differences.
- 4.1.3 ANAC and TCCA recognize the importance of the routine sharing of data on continuing airworthiness as a means to assist in the identification and resolution of emerging airworthiness issues. ANAC and TCCA will share such data with each other to assist in their respective oversight of continuing airworthiness.
- 4.1.4 The VA has the right to seek information from the CA, which includes but is not limited to, design data and findings of compliance. Additionally, once the design is validated, the CA will provide any mandatory continuing airworthiness information necessary to ensure continuing airworthiness of the product registered in the jurisdiction of the importing State.
- 4.1.5 ANAC and TCCA will ensure active communication between specific focal points for regular feedback and communicating continuing airworthiness issues on products certified by either ANAC or TCCA and validated by the other. The extent of this engagement will be commensurate with the continuing airworthiness activities associated with the product.

4.2 Failures, Malfunctions and Defects (FM&D) and Service Difficulty Reports (SDR)

- 4.2.1 ANAC and TCCA agree to perform the following functions, where appropriate, for the products and articles for which it is the CA:
 - 4.2.1.1 Tracking of FM&D reports/SDR and accident/incidents;
 - 4.2.1.2 Evaluating FM&D reports/SDR and accident/incidents;
 - 4.2.1.3 Investigating and resolving all suspected unsafe conditions; and
 - 4.2.1.4 Advising the other Authority of all known unsafe conditions and the necessary corrective actions (see 4.2.5).
 - 4.2.1.5 Upon request, providing the other Authority with the following:
 - (a) Reports of FM&D/SDR and accidents/incidents;

- (b) Status of investigations into FM&D/SDR and accidents/incidents;
 - (c) Copies of final reports or final assessments, as applicable, reached in its investigation into FM&D/SDR; and
 - (d) Copies of final reports of investigation into accidents/incidents in accordance with Annex 13 to the Chicago Convention.
- 4.2.1.6 Making a reasonable effort to resolve issues raised by the other Authority concerning matters of safety for products registered in their State.
- 4.2.2 ANAC and TCCA, as Authorities for the SoR, agree to perform the following functions:
 - 4.2.2.1 Advise the CA of FM&D/SDR and accidents/incidents which are believed to be potentially unsafe conditions;
 - 4.2.2.2 Support the CA in investigations of unsafe conditions and their occurrences; and
 - 4.2.2.3 Advise the CA, if as a result of investigations made by the VA into FM&D/SDR and accidents/incidents it has determined it will make corrective actions mandatory.
- 4.2.3 For continuing airworthiness issues related to investigations of Safety Recommendations, Service Difficulty Reports, accidents or incidents on the imported products, parts, or articles, the Authority for the SoR can directly request information from the design approval holder after informing the CA of the investigation.
- 4.2.4 Copies of FM&D/SDR reports from Brazil and Canada can be requested from the addresses listed in Appendix A.
- 4.2.5 Unsafe Condition and Airworthiness Directives (AD)
 - 4.2.5.1 ANAC (under RBAC 39) and TCCA (under Part V of the CARs) agree to perform the following functions for the products, articles, and design changes for which they are the CA:
 - (a) Issue an AD whenever the Authority determines that an unsafe condition exists in a type certificated product or article, and is likely to exist or develop in a type certificated product or article of the same type design. This may include a product that has an aircraft engine, propeller, or article installed on it and the installation causes the unsafe condition to that product.
 - (b) Ensure that the following information is provided to the other Authority in support of the AD or directly from the approval holder:
 - (1) The number of aircraft, aircraft engines, and propellers world-wide needing corrective action;
 - (2) A statement on the availability of parts, if applicable; and

- (3) An estimate of the number of labor hours and the cost of parts required for the corrective actions.
 - (c) Issue a revised or superseding AD when determined that any previously issued AD was incomplete or inadequate to fully correct the unsafe condition.
 - (d) Provide timely notification to the VA of the unsafe condition and the necessary corrective actions by providing a copy of the AD at the time of publication to the address referenced in Appendix A. Additionally, upon request by the VA, the CA will arrange for copies of all relevant service bulletins referenced in the AD, as well as other supporting documentation, to be forwarded to ANAC Continuing Airworthiness Technical Branch (SAR/GTAC) or to the TCCA Continuing Airworthiness Division of the National Aircraft Certification Branch, as appropriate.
 - (e) In the case of emergency airworthiness information, ensure special handling so that the other Authority is notified immediately.
 - (f) Advise and assist the VA in defining the appropriate actions to consider in the issuance of its own AD.
 - (g) Provide sufficient information to the VA for its use in making determinations as to the acceptability of an AMOC to ADs.
 - (h) Maintain a web-based database of ADs that can be accessed by the VA.
- 4.2.5.2 ANAC and TCCA recognize that they may disagree as to the finding of an unsafe condition and propose to issue a unilateral AD. In such a case, the VA should consult with the CA prior to issuing a unilateral AD
- 4.2.5.3 ANAC and TCCA, as VAs, agree to respond quickly to the issuance of an AD by the CA in making its own determination of the need for issuing its own AD that addresses all unsafe conditions on affected products or articles certified, approved or otherwise accepted by the VA.
- 4.2.5.4 ANAC and TCCA, as CAs, will share information on any changes that affect 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 continuing airworthiness of the aircraft. ANAC and TCCA may issue an AD for limitation changes, considered an unsafe condition (such as, but not limited to reduced life limit).

4.3 Alternative Methods/Mean of Compliance (AMOC) to an AD

- 4.3.1 If the CA issues an AMOC of general applicability to an existing AD for its own SoD products, the CA will notify the VA of the decision.
- 4.3.2 An AMOC of general applicability issued by the CA for its SoD products is considered automatically accepted by the VA without the need for further approval, unless otherwise determined differently by the VA.
- 4.3.3 The CA, upon request by the VA, will provide sufficient information to assist in the VA's determination of the acceptability of an AMOC request on an AD issued by the CA for its SoD products, or on an AD issued unilaterally by the VA.

SECTION V ADMINISTRATION OF DESIGN APPROVALS

5.1 General

This section addresses procedures for the transfer, surrender, revocation, suspension, termination, or withdrawal of a design approval.

5.1.1 For ANAC, RBAC 21.47(c) requires that each transferor must first notify the appropriate ANAC office before a TC transfer can be performed. For TCCA, CAR 521, as applicable to the design approval, requires TCCA's review and acceptance of SoD responsibilities for any TC held by a non-Canadian person that is to be transferred to a Canadian person. Early coordination with both Authorities is, therefore, necessary for TC and STC transfers.

5.1.2 Notwithstanding the regulatory differences outlined above, in both countries the type design data are the property of the design approval holder.

5.2 Transfer of TCs and STCs

ANAC and TCCA will administer the transfer of TCs/STCs only where an applicant agrees to assume responsibility for both an ANAC and TCCA TC/STC (as applicable) and the affected operating fleet. The following paragraphs outline the procedures to be followed for effective transfers between Brazil and Canada, or internally within the same country. The administration of DAH responsibilities between ANAC and TCCA as it applies to a DAH under the direct jurisdiction of the other is addressed in Section VIII.

5.2.1 Transfer of a TC/STC with a change in SoD

- 5.2.1.1 Early coordination between the current TC/STC holder and its Authority, together with the proposed TC/STC holder and its Authority is essential. The transferring Authority will notify the receiving Authority of the proposed transfer and include information about current production status. All information related to the transfer of a TC/STC, including technical documentation, will be in the English language.
- 5.2.1.2 Upon notification of a change in ownership of a TC/STC holder to a new holder in the other country, the transferring Authority's responsible geographic office will notify the receiving Authority's responsible office as listed in Appendix A. An arrangement may be developed to identify each Authority's responsibilities throughout the transfer process.
- 5.2.1.3 The transferring Authority will transfer to the receiving Authority the International Civil Aviation Organization (ICAO) SoD responsibilities for TCs and STCs within the scope of these Implementation Procedures. The receiving Authority will not assume ICAO SoD functions for models or design changes that have not been found to meet their certification requirements.
- 5.2.1.4 If the receiving Authority does not already have a corresponding TC/STC, the new holder will have to apply to their Authority for a new TC/STC. The transferring Authority will provide support to establish

acceptance of the receiving Authority's TC/STC as showing compliance with the applicable certification requirements of the receiving Authority. This would include providing a certifying statement that the product meets new SoD certification requirements. Upon acceptance, the receiving Authority will issue their TC/STC.

- 5.2.1.5 If the receiving Authority already has a corresponding TC, but that TC does not include all of the models being transferred, the transferring Authority will, if requested, provide support to establish acceptance of the additional model(s) as showing compliance with the applicable certification requirements. This support would include providing a certifying statement that the model meets the new SoD certification requirements. Upon acceptance, the receiving Authority will place the additional model on its TC.
- 5.2.1.6 For STCs, if the original STC does not include a specific certificated model of the product listed on the new STC, the applicability of an STC issued by the receiving Authority will only include those models for which a TC has been certified or validated by the receiving Authority.
- 5.2.1.7 The transfer of the ICAO SoD responsibilities for the TC/STC to the receiving Authority will be considered complete when the receiving Authority confirms all necessary data have been transferred to the new holder, and the new holder is able to perform the responsibilities required of a design approval holder.
- 5.2.1.8 The transferring Authority will reissue a TC/STC in the name of the new holder after the receiving Authority issues its TC/STC, unless the new holder does not wish to maintain the original SoD approval.
- 5.2.1.9 If the new SoD's TC only covers a partial list of models from the transferring Authority's original TC, and the new holder does not apply for approval of those additional models, the existing holder will continue to hold the data for those additional models, and the transferring Authority will continue to fulfill its SoD responsibilities for those additional models.
- 5.2.1.10 Upon transfer, or a mutually agreed-upon date, the receiving Authority in carrying out SoD functions will comply with the requirements of Annex 8 to the Chicago Convention for affected products. For TCs/STCs, the receiving Authority will notify the transferring Authority and all affected ICAO Contracting States (i.e. States of Registry) of the change in SoD responsibility and identify the new TC/STC holder, upon completion of all applicable procedures described above.
- 5.2.1.11 The transfer of the SoD responsibilities per Annex 8 of the Chicago Convention has to be agreed upon by both Authorities. If agreement cannot be reached between the two Authorities, then the CA may

revoke the certificate and notify the concerned ICAO States that there is no longer a design approval holder.

5.2.2 Transfer of TCs and STCs with no change in SoD

- 5.2.2.1 Where there is no change in the SoD, the CA will notify the VA when a TC/STC validated by the VA is successfully transferred to a new design approval holder within the country of the CA.
- 5.2.2.2 The CA shall provide the VA with a statement confirming the ability of the new holder to fulfill the regulatory responsibilities assigned to a design approval holder. The CA shall assist the VA in facilitating the reissuance of the validated TC/STC to the new holder.
- 5.2.2.3 The VA, upon completion of its review, will issue a TC/STC in the name of the new design approval holder, and notify the CA accordingly.

5.2.3 Transfer of TCs and STCs to a Third Country

When a TC or STC is to be transferred to a third State, the CA will notify the VA of the transfer and may provide any needed technical assistance to the VA.

5.3 Surrender of TCs or STCs

- 5.3.1 If a certificate holder surrenders a TC or STC issued by either ANAC or TCCA, the CA will immediately notify the other in writing of the action. For ANAC, notification will be to the Aeronautical Product Design Certification Branch (GCPP) as listed in Appendix A. For TCCA, notification will be to the National Aircraft Certification Branch at the address given in Appendix A.
- 5.3.2 ANAC or TCCA, as the CA, will accomplish all actions necessary to ensure continuing airworthiness of the products affected by the surrendered TC or STC, until such time as:
 - 5.3.2.1 The surrendered TC or STC is reissued to a new holder when that new holder demonstrates competence to fulfill the necessary obligations; or
 - 5.3.2.2 ANAC or TCCA revokes the TC or STC. Prior to revocation, ANAC or TCCA will notify the other of the pending action.

5.4 Revocation or Suspension of TCs or STCs

- 5.4.1 In the event that an Authority revokes or suspends a TC or STC of a product manufactured in its country, that Authority shall immediately inform the other. The VA, upon notification, will conduct an investigation to determine if action is required. If the revocation or suspension was for cause and the VA concurs with the CA's certificate action, the VA will initiate revocation or suspension of its TC or STC.
- 5.4.2 Alternatively, the VA may decide to assume continuing airworthiness responsibilities if there is sufficient information for it to support the continuing airworthiness of the fleet within its jurisdiction. In this case, the CA should

obtain and provide type design data upon request by the VA. Final certificate action is at the sole discretion of the VA.

- 5.4.3 Either Authority may revoke its TC or STC if the continuing airworthiness responsibilities would cause an undue burden for that Authority.

5.5 Surrender, Withdrawal, or Change of Holder of a TSO/CAN-TSO Design Approval

5.5.1 Surrender

If an OTP or a CAN-TSO design approval holder elects to surrender their TSO design approval, ANAC or TCCA shall immediately notify the other in writing of the action.

5.5.2 Withdrawal

If an OTP or CAN-TSO design approval is withdrawn, ANAC or TCCA shall immediately notify the other in writing of the action. The CA shall inform the VA when an unsafe condition has been identified. In the event of a withdrawal of an OTP or a CAN-TSO design approval for non-compliance, the CA shall investigate all non-compliances for corrective action and shall notify the VA of the corrective action. The CA still has responsibility for the continuing airworthiness of those OTP or CAN TSO articles manufactured under its authority.

5.5.3 Change of Holder of OTP/CAN-TSO Design Approval

Upon notification of a change of holder of OTP or CAN-TSO design approval, the CA shall notify the VA.

SECTION VI

[Reserved]

SECTION VII

[Reserved]

SECTION VIII TECHNICAL ASSISTANCE BETWEEN AUTHORITIES

8.1 General

- 8.1.1 Upon request and after mutual agreement, and as resources permit, ANAC and TCCA may provide technical assistance to each other when significant activities are conducted in either Brazil or Canada.
- 8.1.2 Every effort should be made to have these certification tasks performed locally on each other's behalf. These technical assistance activities will help with regulatory surveillance and oversight functions at locations outside of the requesting Authority's country. These supporting technical assistance activities do not relieve the requesting Authority of the responsibilities for regulatory control, environmental certificate, and airworthiness approval of products and articles manufactured at facilities located outside of the requesting Authority's country.
- 8.1.3 ANAC and TCCA will use their own policies and procedures when providing such technical assistance to the other, unless other special arrangements are agreed upon. Types of assistance may include, but are not limited to, the following:

8.1.3.1 Certification Support

- (a) Approving test plans;
- (b) Witnessing tests;
- (c) Performing compliance inspections;
- (d) Reviewing reports;
- (e) Obtaining data;
- (f) Verifying/determining compliance;
- (g) Monitoring the activities and functions of designees or approved organizations; and
- (h) Conducting investigations of service difficulties.

8.1.3.2 Conformity and Surveillance Support

- (a) Conformity inspections/Certification for design approvals;
- (b) Witnessing the first article inspection of parts;
- (c) Monitoring the controls on special processes;
- (d) Monitoring the activities and functions of designees or approved organizations; and
- (e) Conducting investigations of service difficulties.

8.1.3.3 VA Requirements for DAH Responsibilities

Any additional assistance needed to support or implement responsibilities assigned by the VA regulations to a DAH under the jurisdiction of the CA. See further explanation in 8.5.

8.1.3.4 Technical Training

Any additional assistance needed to support the technical implementation of this agreement and any other training needs the Authority may have.

8.2 Witnessing of Tests for Design Approval

- 8.2.1 ANAC or TCCA may request assistance in the witnessing of tests from the other Authority.
- 8.2.2 Only Authority-to-Authority requests are permissible and neither ANAC nor TCCA will respond to a test witnessing request made directly from the design approval applicant. Witnessing of tests will be conducted only after consultations and agreement between ANAC and TCCA on the specific work to be performed. A written request for witnessing of tests will be provided.
- 8.2.3 Unless otherwise delegated, approval of the design approval applicant's test plans, test procedures, test specimens, and hardware configuration remains the responsibility of the CA. Establishing the conformity of each test article prior to the conduct of the test is the responsibility of the design approval applicant.
- 8.2.4 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 the Authority receiving such requests, these activities may be delegated to be performed by authorized designees, delegates or approved organizations, as applicable.
- 8.2.5 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 TCCA, as appropriate.
- 8.2.6 ANAC or TCCA requests for conformity of the test set-up and/or witnessing of tests shall be sent to the appropriate ANAC or TCCA office with geographic responsibility for the location of the test. ANAC requests for test witnessing may be sent electronically. ANAC and TCCA offices are listed in Appendix A.
- 8.2.7 Upon completion of test witnessing on behalf of the requesting Authority, ANAC or TCCA will send a report stating that the test was conducted in accordance with approved test plans, noting any deviations, and confirming the test results as well as any other documentation, as notified by the requesting Authority.

8.3 Compliance Determinations

- 8.3.1 ANAC or TCCA may also request that specific compliance determinations be made associated with the witnessing of tests or other activities. Such statements of compliance will be made to the airworthiness or environmental standards of the requesting Authority.
- 8.3.2 ANAC's or TCCA's statements of compliance will be formally communicated to the requesting ANAC or TCCA office.

8.4 Other Requests for Assistance or Support

ANAC or TCCA may request other types of technical assistance in addition to those outlined in 8.1.3. Each request will be handled on a case-by-case basis, as resources permit. Each written request will 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 special arrangement may be needed.

8.5 VA Requirements for Foreign Design Approval Holders

TCCA or ANAC, as a VA, has regulatory requirements requiring a foreign DAH to fulfill certain administrative procedures and technical actions intended for the continuing airworthiness of imported products. Where the regulatory requirements of the CA and the VA are the same or equivalent, the VA will rely on the CA's oversight and enforcement of that requirement on behalf of the VA. Where the requirements are unilateral for the VA, the CA and the VA shall consult each other on the appropriate action to be taken in order for the affected DAH to respond or comply with the applicable VA requirement.

8.6 Protection of Proprietary Data

Both Authorities recognize that data submitted by a design approval holder is the intellectual property of that holder, and release of that data by ANAC or TCCA is restricted. ANAC and TCCA agree that they will not copy, release, or show proprietary data obtained from either Authority to anyone other than an ANAC or TCCA employee without written consent of the design approval holder or other data submitter. This written consent should be obtained through the Authority having jurisdiction over the design approval holder and provided to the other Authority.

8.7 Lei de Acesso à Informação (LAI) Requests

8.7.1 ANAC often receives requests from the public under the Lei de Acesso à Informação (LAI) (Lei Federal n° 12.527/2011) to release information which ANAC may have in its possession. Each record ANAC has in its possession must be disclosed under the LAI unless a LAI exemption applies to that record. One exemption is for trade secrets, and financial or commercial information that is confidential or privileged. Design approval holders' data may include trade secrets or other information that is confidential because release of the information would damage the competitive position of the holder or other person.

8.7.2 When ANAC receives a LAI request related to a product or article of an ANAC approval holder or applicant who is located in Canada, ANAC will request TCCA assistance in contacting the ANAC approval holder or applicant to help determine what portions of that information may qualify for exemption under the criteria above and to ask them to provide factual information justifying use of the exemption.

8.8 Access to Information and Privacy (ATIP) Act Requests

8.8.1 The ATIP office in Transport Canada often receives requests from the public under the Access to Information and Privacy Act to release information which TCCA may have in its possession. Each record TCCA has in its possession must be disclosed under the ATIP Act unless an exemption applies to that

record. Subject to Subsection 20(1) of the Act, which pertains to third party information, the ATIP office shall refuse to disclose any records requested under this Act that contains:

- (a) trade secrets of a third party;
- (b) financial, commercial, scientific, or technical information that is confidential information supplied to TCCA by a third party and is treated consistently in a confidential manner by the third party;
- (c) information the disclosure of which could be reasonably expected to prejudice the competitive position of a third party; and
- (d) information the disclosure of which could reasonably be expected to interfere with contractual or other negotiations of a third party.

8.8.2 If the ATIP Office intends to disclose any record requested under this Act, or any part thereof, that contains or that TCCA has reason to believe might contain information related to (a), (b), (c) and (d), a notice must be given to the third party under Subsection 27(1) with a statement that they have twenty (20) days after the notice is given to make representations to the ATIP Office that has control of the record as to why the record or part thereof should not be disclosed. When the ATIP Office receives a request related to a product of a TCCA approval holder or applicant who is located in Brazil, the ATIP Office will contact the TCCA approval holder or applicant to solicit their position on what portions of that information should be excluded under the criteria above.

8.9 Accident/Incident and Suspected Unapproved Parts Investigation Information Requests

8.9.1 When either ANAC or TCCA needs information for the investigation of service incidents, accidents, or suspected unapproved parts involving a product or article imported under these Implementation Procedures, the request for the information should be directed to the appropriate Authority. In turn, upon receipt of the request for information, the CA will ensure that the requested information is provided in a timely manner.

8.9.2 In case of an incident/accident, ANAC and TCCA will cooperate to address urgent information needs. Following an incident/accident, upon receipt of a request for urgent information, ANAC or TCCA will provide the requested information. ANAC and TCCA will establish individual focal points to respond to each other's questions and ensure that timely communication occurs. ANAC or TCCA may request information directly from a manufacturer if immediate contact with the appropriate focal points cannot be made. In such cases, notification of this action will be made as soon as possible. Either ANAC or TCCA, as applicable, will assist in ensuring that their manufacturer provides requested information expeditiously.

SECTION IX SPECIAL ARRANGEMENTS

9.1 General

- 9.1.1 It is anticipated that situations may arise that have not been specifically addressed in these Implementation Procedures but are within the scope of the MOU. Where such a situation arises, it will be reviewed by the respective ANAC Head of Airworthiness and the TCCA Director of Standards, and they will mutually agree to an arrangement to address the situation.
- 9.1.2 Where a situation is unique, with little possibility of repetition, the arrangement will be of limited duration. However, if a situation has anticipated new technology, or management developments that could lead to further repetitions, then these Implementation Procedures will be revised accordingly by ANAC and TCCA.
- 9.1.3 Arrangements shall be developed and administered by the focal points for these Implementation Procedures, listed in Appendix A. Special arrangements will be posted on both ANAC and TCCA websites for public viewing, as appropriate.

SECTION X *AUTHORITY*

10.1 General

10.1.1 These Implementation Procedures enter into force as specified in 1.11.1.

10.1.2 ANAC and TCCA agree to the provisions of these Implementation Procedures as indicated by the signature of their duly authorized representatives.

Brazilian National Civil Aviation Agency

Transport Canada Civil Aviation

*Original signed by **

*Original signed by **

Roberto José Silveira Honorato
Head of Airworthiness Department

Stacey Mason
Director, Standards Branch

Date: June 12th, 2023

Date: June 12th, 2023

** Original signed copy filed with ANAC/SAR/GTNI.*

APPENDIX A ADDRESSES

The designated focal point offices for these Implementation Procedures are:

For ANAC

Airworthiness Standards and Innovation Technical Branch (Gerência Técnica de Normas e Inovação – GTNI)

Airworthiness Department (Superintendência
de Aeronavegabilidade – SAR)

Brazilian Civil Aviation Agency (Agência
Nacional de Aviação Civil – ANAC)

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For TCCA

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330 Sparks Street (AARTC)
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E-mail: [TC.InternationalArrangements-
Ententesinternationales.TC@tc.gc.ca](mailto:TC.InternationalArrangements-Ententesinternationales.TC@tc.gc.ca)

ANAC Offices

Contact Point for Aircraft Certification Issues: GTPR

Contact Point for Operational Airworthiness Issues: GTAC

Contact Point for Airworthiness Directives and Alternative Means of Compliance: GTAC

Contact Point for TC/STC Applications: GTPR

Headquarter: Brasilia

Setor Comercial Sul – Qd 09 – Lote C Ed. Pq Cidade Corporate – Torre A – Andares 01 a 07

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SAR

Airworthiness Department (Superintendência de Aeronavegabilidade – SAR)

sar@anac.gov.br

GTNI

Airworthiness Standards and Innovation Technical Branch (Gerência Técnica de Normas e Inovação – GTNI)

gtni.sar@anac.gov.br

Regional Office :São José dos Campos Address:

Rua Dr. Orlando Feirabend Filho, 230 - Centro Empresarial Aquarius - Torre B - Andares 14 a 18, Parque Residencial Aquarius

São José dos Campos – SP, CEP: 12.246-190 – Brazil

GTCO

Technical Branch for Organizations Certification and Inspection (Gerência Técnica de Certificação de Organizações e Inspeção – GTCO)

gtco.sar@anac.gov.br

GTAC

Continuing Airworthiness Technical Branch (Gerência Técnica de Aeronavegabilidade Continuada – GTAC)

gtac.sar@anac.gov.br

FM&D/SDR Reports: pac@anac.gov.br

GCPP

Aeronautical Products Design Certification Branch (Gerência de Certificação de Projeto de Produto Aeronáutico – GCPP)

gcpp.sar@anac.gov.br

GTEN

Product Engineering Technical Branch (Gerência Técnica de Engenharia de Produto - GTEN)

gten@anac.gov.br

CESS

Electronics Systems and Software Coordination (Coordenadoria de Sistemas Eletroeletrônicos e Software – CESS)

CEMP

Mechanical Systems and Propulsion Coordination (Coordenadoria de Sistemas Mecânicos e Propulsão – CEMP)

CEEI

Structures and Interiors Coordination (Coordenadoria de Estruturas e Interiores – CEEI)

GTEV

Flight Engineering Technical Branch (Gerência Técnica de Engenharia de Voo – GTEV)

gtev@anac.gov.br

CEVIS

Aeronautics, Flight Tests and Systems Integration Coordination (Coordenadoria de Aeronáutica, Ensaios em Voo e Integração de Sistemas – CEVIS)

CAOA

Aircraft Operational Assessment Coordination (Coordenadoria de Avaliação Operacional de Aeronaves – CAO A)

GTPR

Certification Programs Technical Branch (Gerência Técnica de Programas de Certificação – GTPR)

gtpr@anac.gov.br

CPCT

Type Certification Programs Coordination (Coordenadoria de Programas de Certificação de Tipo – CPCT)

cpct@anac.gov.br

CCST

Supplemental Type Certification Coordination (Coordenadoria de Certificação Suplementar de Tipo – CCST)

ccst@anac.gov.br

CDNT

Drones and New Technologies Coordination (Coordenadoria de Drones e Novas Tecnologias – CDNT)

cdnt.gcphp@anac.gov.br

ANAC Departments contact information can also be found at:
<https://www.gov.br/anac/pt-br/acesso-a-informacao/institucional/quem-e-quem>

Contact information of areas under SAR can also be found at:
<https://www.gov.br/anac/pt-br/acesso-a-informacao/institucional/quem-e-quem/gerencias/gerencias-da-sar>

TCCA Offices

Key Contacts for these Implementation Procedures

Contact Point for Aircraft Certification Issues

Aircraft Certification Standards – International Arrangements (AARTC)

Standards Branch

Transport Canada Civil Aviation

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Ottawa, ON K1A 0N5

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Fax: 1-613-996-9178

E-mail: TC.InternationalArrangements-Ententesinternationales.TC@tc.gc.ca

Contact point for Operational Airworthiness Issues

Operational Airworthiness Division (AARTM)

Standards Branch

Transport Canada Civil Aviation

330 Sparks Street, 4th Floor

Place de Ville, Tower C

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Fax: 1-613-952-3298

Contact Point for Airworthiness Directives and Alternative Means of Compliance

Continuing Airworthiness Division (AARDG)

National Aircraft Certification Branch

Transport Canada Civil Aviation

159 Cleopatra Drive

Ottawa, ON K1A 0N5

Tel: 1-888-663-3639

Fax: 1-613-996-9178

E-mail: TC.AirworthinessDirectives-Consignesdenavigabilite.TC@tc.gc.ca

Contact Point for TC Applications

All applications for new or amended TC's are to be submitted electronically to:

For Business Aircraft - TC.LargeBusinessAircraft-GrosAvionsdaffaire.TC@tc.gc.ca

For Commercial Aircraft - tc.largetransport.tc@tc.gc.ca

National Aircraft Certification Branch
Chief, Project Management (AARDE)
Transport Canada Civil Aviation
159 Cleopatra Drive
Ottawa, ON K1A 0N5
Tel: 1-888-663-3639

Contact Point for STC and Other Airworthiness Applications **Regional Offices**

All STC applications are to be submitted electronically to:

TC.CivAv.STC.CTS.AvCiv.TC@tc.gc.ca.

Atlantic Region

Regional Manager Aircraft Certification
Moncton Regional Office
95 Foundry Street
Moncton, NB E1C 5H7
Tel: 1-800-305-2059
Fax: 1-855-726-7495

Quebec Region

Regional Manager Aircraft Certification
Dorval Regional Office
700 Leigh Capréol Place
Dorval, QC H4Y 1G7
Tel: 1-514-633-3316
Fax: 1-514-633-3958

Ontario Region

Regional Manager Aircraft Certification
Ontario Regional Office
4900 Yonge Street, 4th Floor
Toronto, ON M2N 6A5
Tel: 1-416-952-0674
Fax: 1-877-822-2129

Prairie and Northern Region**Regional Manager Aircraft Certification**

Calgary Regional Office

800, 1601 Airport Road NE, 8th Floor

Calgary, AB T2E 6Z8

Tel: 1-403-292-5007

Fax: 1-888-463-0521

Regional Manager Aircraft Certification

Winnipeg Regional Office

344 Edmonton Street, 2nd Floor

Winnipeg, MB R3B 2L4

Tel: 1-204-299-7408

Pacific Region**Regional Manager Aircraft Certification**

Transport Canada Regional Office

2010-7445 132 Street

Surrey, BC, V3W 1J8

Tel: 1-604-666-5599

Fax: 1-855-618-6288

APPENDIX B LIST OF REFERENCE DOCUMENTS

B.1 ANAC Reference Documents

1. Brazilian Civil Aviation Regulations (RBAC) 21 – Aeronautical Products and Articles Certification
Subpart A – General
Subpart B – Type Certificates
Subpart C – Provisional Type Certificates
Subpart D – Modifications to Type Certificates
Subpart E – Supplemental Type Certificates
Subpart F – Production under a Type Certificate
Subpart G – Production Organization Certification
Subpart H – Airworthiness Certificates
Subpart I – Provisional Airworthiness Certificates
Subpart J-I – Design Organization Certificate
Subpart K – Articles Approval and Production
Subpart L – Export Airworthiness Approval
Subpart N – Acceptance of Aircraft Engines, Propellers and Articles: Import
Subpart O – Articles Approval under Technical Standard Order and Production
2. RBAC 23, 25, 26, 27, 29, 31, 33, 34, 35, 36, 38, 39, 43, 45, 91, and 183;
3. Supplemental Instruction 21-004 - Approval of Major Changes and Technical Data for Major Changes in aircraft with Brazilian marks, or that will have Brazilian marks;
4. Supplemental Instruction 21-010 - Procedures for approval of foreign civil aeronautical products and import of any civil aeronautical product;

NOTE: All referenced documents and other ANAC documents can be found at:

<https://www.anac.gov.br/assuntos/legislacao/legislacao-1/rbha-e-rbac>

<https://www.anac.gov.br/assuntos/legislacao/legislacao-1/iac-e-is>

B.2 TCCA Reference Documents

1. Part II of the CARs – Aircraft Identification and Registration and Operation of a Leased Aircraft by a Non-Registered Owner
 - a. Subpart 1 – Identification of Aircraft and Other Aeronautical Products
2. Part V of the CARs (partial listing of applicable subparts to these Implementation Procedures):

- a. Subpart 0 – General
- b. Subpart 1 – Annual Airworthiness Information Report
- c. Subpart 7 – Flight Authority and Certificate of Noise Compliance
- d. Subpart 9 – Export Airworthiness Certificates
- e. Subpart 21 – Approval of the Type Design or a Change to the Type Design of an Aeronautical Product, consisting of:
 - i. Division I – General
 - ii. Division II – Type Certificates
 - iii. Division III – Canadian Technical Standard Order (CAN-TSO) Design Approvals
 - iv. Division IV – Changes to a Type Design
 - v. Division V – Supplemental Type Certificates
 - vi. Division VI – Repair Design Approvals
 - vii. Division VII – Part Design Approvals
 - viii. Division VIII – Responsibilities of a Design Approval Document Holder
 - ix. Division IX – Service Difficulty Reporting
 - x. Division X – Airworthiness Directives
 - xi. Division XI – Foreign Aeronautical Products
- f. Subpart 49 – Amateur Built Aircraft
- g. Subpart 61 – Manufacture of Aeronautical Products
- h. Subpart 71 – Aircraft Maintenance Requirements

APPENDIX C List of Special Arrangements

[Reserved]

APPENDIX D Cross-reference of Standards

Product	ANAC Regulations	TCCA Standards AWM Chapter
Aircraft Emissions	RBAC 34 Fuel venting and exhaust RBAC 36 Noise RBAC 38 Airplane CO2 emissions	AWM 516 (adopted ICAO Annex 16)
Gliders & Powered Gliders	RBAC 21.17(b)	AWM 522 (adopted CS-22)
Small Airplanes (Normal, Utility, Aerobatic, & Commuter)	RBAC 23	AWM 523
Very Light Airplanes	RBAC 21.17(b)	AWM 523 – VLA (adopted JAR-VLA)
Light Sport Aircraft	RBAC 21.190	----
Transport Category Airplanes	RBAC 25	AWM 525
Continued Airworthiness and Safety Improvements for Transport Category Airplane	RBAC 26	(refer to AWM Chapter 525 amended to reflect FAR amendments 25-xxx)
Normal Category Rotorcraft	RBAC 27	AWM 527
Transport Category Rotorcraft	RBAC 29	AWM 529
Manned Free Balloons	RBAC 31	AWM 531
Aircraft Engines	RBAC 33	AWM 533
Propellers	RBAC 35	AWM 535
Articles & Parts	RBAC 21, Subparts K and O	AWM 537
Airships	RBAC 21.17(b)	AWM 541
Amateur Built Aircraft	RBAC 21.191(g)	AWM 549
Aircraft Equipment & Installation	----	AWM 551

APPENDIX E DOCUMENTS SUPERSEDED OR CANCELLED

[Reserved]

APPENDIX F LIST OF ACRONYMS

AD	Airworthiness Directive
AFM	Aircraft Flight Manual
ALS	Airworthiness Limitations Section
ANAC	Agência Nacional de Aviação Civil (National Civil Aviation Agency)
AMOC	Alternative Methods/Mean of Compliance
ATIP	Access to Information and Privacy Act (Canada)
AWM	Airworthiness Manual
BMT	Bilateral Management Team
CAN-TSO	Canadian Technical Standard Order
CA	Certificating Authority
CAR	Canadian Aviation Regulations
COP	Certificado de Organização de Produção (Production Organization Certificate)
COPj	Certificado de Organização de Projeto (Design Organization Certificate)
CPAA	Certificado de Produto Aeronáutico Aprovado (Certificate of Approved Aeronautical Product)
DA	Diretriz de Aeronavegabilidade (Airworthiness Directive)
DAH	Design Approval Holder
EA	Exporting Authority
ELOS/ESF	Equivalent Level of Safety or Finding of Equivalent Safety
FCAR	Ficha de Controle de Assuntos Relevantes (Relevant Subjects Control Form)
FM&D	Failures, Malfunctions and Defects
GTNI -	Gerência Técnica de Normas e Inovação (Airworthiness Standards and Innovation Technical Branch)
IA	Importing Authority
ICA	Instructions for Continued Airworthiness
ICAO	International Civil Aviation Organization
IP	Issue Paper
IS	Instrução Suplementar (Supplemental Instruction)
LAI	Lei de Acesso à Informação (Law for Access to Information)
LSA	Light Sport Aircraft
MOC	Method of Compliance
MOU	<i>Memorandum of Understanding Between the Transport Canada Civil Aviation and the National Civil Aviation Agency of Brazil for the Promotion of Civil Aviation Safety</i> , dated November 16, 2018.
MPR	Manual de Procedimento (Procedures Manual)
OTP	Ordem Técnica Padrão (Technical Standard Order)
PCP	Profissional Credenciado em Projeto (Accredited Professional in Design)

PDA	Part Design Approval
RBAC	Requisitos Brasileiros de Aviação Civil (Brazilian Civil Aviation Regulations)
RDA	Repair Design Approval
SDR	Service Difficult Reports
SoD	State of Design
SoDM	State of Design Modification
SoM	State of Manufacture
SoR	State of Registry
STC	Supplemental Type Certificate
TC	Type Certificate
TCCA	Transport Canada Civil Aviation
TSOA	Technical Standard Order Approval
VA	Validating Authority
VLA	Very Light Airplanes