

**Implementation Procedures on Certification
between**

CIVIL AERONAUTICS ADMINISTRATION (CAA) OF TAIWAN

AND

**AGÊNCIA NACIONAL DE AVIAÇÃO CIVIL (ANAC), BRAZIL
(NATIONAL CIVIL AVIATION AGENCY, BRAZIL)**

**Issue 0
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1 Introduction

This Implementation Procedures on Certification has been agreed upon between the National Civil Aviation Agency of Brazil, hereinafter referred to as ANAC, and the Civil Aeronautics Administration of Taiwan, hereinafter referred to as the CAA.

The ANAC and the CAA (*hereinafter referred to as the Parties*) have agreed as follows.

- 1.1 The Parties have agreed to this Implementation Procedures with regard to
 1. Airplanes, parts and appliances for these airplanes designed and manufactured by Embraer (or its subcontractors), which confirms that the ANAC is prepared to support the CAA as airworthiness authority of the importing country.
 2. TSO articles that are manufactured in the territory represented by the CAA, which confirms that the CAA is prepared to support the ANAC as airworthiness authority of the importing country.
 3. Delegation to the other Party, when deemed necessary, for performing routine surveillance and oversight of suppliers of the production approval holder(s) that located in the territory represented by the other Party.
- 1.2 The Parties will work in accordance with the procedures of this Implementation Procedures from the date at which it has been signed by the Parties, until it is revised by mutual arrangement of the Parties or replaced by some other Arrangement or terminated by one of the Parties.
- 1.3 Any existing agreement or other (technical) Arrangement for acceptance of airworthiness and environmental approval might remain in force except when this Implementation Procedures is operating to fulfil obligations with the ANAC and/or the CAA as airworthiness authority of the importing country. In the event of any inconsistency between existing agreement or other (technical) Arrangement and this Implementation Procedures, the Parties should resolve such inconsistency in writing.

2 General

The Parties have determined that the rules, standards, practices, procedures and system for the approval and monitoring of design, production organisations and continued airworthiness of the other Party are an acceptable alternative to its own regulations.

Therefore, and without prejudice to the obligation of each Party under its own regulations, the purpose of this Implementation Procedures is:

- 2.1 To eliminate redundant review of reports, duplication of inspections, tests and test demonstrations, evaluations and approvals, thereby enabling maximum acceptance of one Party's findings to the other Party.
- 2.2 The Parties recognises the designee approval system as part of the overall aircraft certification system. Findings made pursuant to this Implementation Procedures by the designee approval system of one Party are given the same validity as those made directly by the other Party. The Parties understand that there may be occasional situations where, upon prior communication to the other Party, each Party may interact directly with an individual designee of the other Party. In advance of designees travelling to the territory of the other Party to make findings of compliance and/or perform conformity inspections, each Party will coordinate designee activities with the other Party.
- 2.3 The Parties will jointly review this Implementation Procedures from time to time and may amend it as appropriate by written agreement.

3 Definitions

The definitions listed below apply to this Implementation Procedures. The definitions apply for this document and are not always consistent with other Regulation from the CAA (CAR) and Brazilian Aviation Regulations (RBHA) definitions.

- 3.1 **"Approved by the Authority"** means the approval, acceptance, authorisation, certification or licensing of the organisation, person, airplane, part or appliance or document either directly or in accordance with a delegation procedure.
- 3.2 **"Airworthiness Standards"** means regulations governing the design and performance of civil aeronautical products, parts, and appliances.
- 3.3 **"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, aircraft engine, or propeller.
- 3.4 **"Certification Review Items (CRI)"** means a major certification subject and may be raised in the following cases:

1. To record the process followed to define and record the content of the CAA Certification Basis identifying the nature of each requirement.
2. To develop and administer CAA Special Conditions
3. To administer new CAA policies, e.g. means of compliance, interpretations.
4. To administer equivalent safety findings or exemptions.
5. To identify the CAA LOID items.
6. To deal with novel and unusual design features.
7. To record the application of new requirements of CAA, if different from the requirements of the ANAC.
8. To record controversial subjects.
9. To list specific design changes required for compliance with the CAA certification basis defined by the importing Authority.

Note: The corresponding ANAC document is called "Ficha de Controle de Assunto Relevante" (FCAR)

- 3.5 **"Critical Component"** means a part for which a replacement time, inspection interval or related procedure is specified in the Airworthiness Limitations Section of the manufacturer's Maintenance Manual or Instructions for Continued Airworthiness, or when failure analysis shows that the component must achieve and maintain a particular high level of integrity if hazardous effects are not to occur at a rate in excess of extremely remote.
- 3.6 **"DAL"** the acronym of Design Approval Letter is an ANAC approval for a foreign manufactured product which has been found to meet a specific TSO.
- 3.7 **"Design-related Operational Requirements"** means operational or environmental requirements related to design features of an airplane or data on its design relating to its operation or maintenance that make it eligible for a particular kind of operation.
- 3.8 **"Equivalent Level of Safety"** means a finding that alternative action taken provides a level of safety equal to that provided by the requirements for which equivalency is being sought.
- 3.9 **"Exemption"** means a grant of relief from requirements of a current regulation when processed through the appropriate regulatory procedure by the ANAC or the CAA and found to have a level of safety at least equal to the regulation for which the relief is granted.

- 3.10 **"List of Important Differences of the CAA (LOID)"** means the list of conditions in the Certification Basis of CAA, which are different from the ANAC Certification Basis. The LOID is necessary to account for all important differences between the applicable certification regulations of the ANAC and the CAA implementing rules, airworthiness standards and acceptable means compliance. A difference will be considered as important if its application may affect design or will require additional compliance demonstrations.
- 3.11 **"Special Condition"** means an additional airworthiness standard prescribed by the ANAC or the CAA 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 the Parties find necessary to establish a level of safety equivalent to that established in the applicable regulations.
- 3.12 **"Standard Parts"** A standard part is a part or material that conforms to an established industry, to an FAA/JAA/EASA parts TSO, or to government-published specifications.
- 3.13 **"Supplier"** means a person at any tier who contacts to provide a part, appliance, special process, or service to a product manufacturer to be incorporated into the manufacture of a product, part, of appliance.
- 3.14 **"TSO"**, the acronym of Technical Standard Order, is issued by the cognizant authority and is a minimum performance standard for specified articles (articles means materials, parts, processes, or appliances) used on civil aircraft.

Note: The corresponding ANAC document is called "Ordem Técnica Padrão" (OTP)

- 3.15 **"TSOA"**, the acronym of Technical Standard Order Authorization is a design and production approval issued to the manufacturer of an article which has been found to meet a specific TSO.

Note: The corresponding ANAC documents are Attestation of Approved Aeronautical Product (APAA) and related production approval for product manufactured under a OTP.

- 3.16 **"Type Design Approval"** means granting a certificate, approval or acceptance by or on behalf of the Authority for the type design of an airplane.

- 3.17 **"Validation"** means the importing territory's process for type certification or equivalent of a product certificated by either the ANAC or the CAA.

4 Scope

This Implementation Procedures covers under the provisions set forth in the following paragraphs and appendix:

- 4.1 the CAA's acceptance of new and used airplanes produced by EMBRAER company for which the CAA has issued a Type Validation Certificate, and new parts and appliances for these airplanes.
- 4.2 the CAA's acceptance and the validation thereto of Supplemental Type Certificates issued by ANAC for the EMBRAER airplane family listed in Appendix A of this Implementation Procedures.
- 4.3 the ANAC's acceptance of CAA Airworthiness Approval Tags, Authorized Release Certificate or equivalent documents for new appliances manufactured in the territory represented by the CAA and that have been found to meet the performance standard of an applicable FAA/EASA Technical Standard Order (TSO) under an ANAC design approval letter (DAL).
- 4.4 the ANAC's acceptance of CAA Airworthiness Approval Tags, Authorized Release Certificate or equivalent documents for replacement and modification parts designed and manufactured in territory represented by CAA by the holder of the ANAC design approval letter (DAL).

Note: An ANAC Design Approval Letter does not constitute an installation approval for the appliance on an aircraft. The installer must obtain installation approval from their national civil aviation authority for use on an aircraft registered under that authority.

- 4.5 the ANAC's delegation to the CAA for performing routine surveillance and oversight of suppliers of the ANAC production approval holders that located in the territory represented by the CAA, if deemed required.

5 Continued Airworthiness

- 5.1 ANAC is prepared to undertake the responsibilities for support of the continuing airworthiness of the airplanes identified in

Appendix A that these are in accordance with ICAO Annex 8, Part II.

- 5.2 All relevant design and production information, drawings and test reports, including inspection records for the airplanes tested, of the aircraft models as identified in Appendix A, shall be held by the design or production approval holders at the disposal of the ANAC and shall be retained in order to provide the information necessary to ensure the continued airworthiness of the airplanes. This information is available from the design or production approval holders via the ANAC upon request from the CAA.
- 5.3 The CAA is prepared to undertake the responsibilities for support of the continuing airworthiness of the TSO articles that have entitled CAA TSO Authorization.

6 Mutual Cooperation and Assistance

- 6.1 In respect of airplanes designed and manufactured by manufacturer(s) located in the territory represented by the ANAC, and in respect of TSO articles designed and manufactured by manufacturer(s) located in the territory represented by the CAA, the certified Authority shall on request assist the other Authority in determining whether the design of major changes, or repairs made under the control of the jurisdictional Authority, comply with its applicable airworthiness and environmental standards.
- 6.2 The ANAC and the CAA recognise that revision by one Party to its regulations, policies, procedures, statutory responsibility, organisational structure, production quality control oversight, or delegation system may affect the basis and the scope of this Implementation Procedures. Accordingly, upon notice of such changes by the other Party, each Party may request a meeting to review the need for amendment to this document.
- 6.3 The ANAC and the CAA agree to meet as necessary to review this Implementation Procedures and its continued validity. The frequency of these meetings will be mutually agreed by both authorities, and will depend on the number and significance of the issues to be discussed between the authorities.
- 6.4 When either the ANAC or the CAA needs information for the investigation of service incidents, accidents, or suspected unapproved parts involving an airplane or a TSO article imported under this Implementation Procedures, the request for information should be directed to the appropriate office of the Parties. In turn, upon receipt of the request for information from

the other Party, the Party under request should immediately do everything necessary to make sure the requested information is provided in a timely manner. If urgency requires that one Party requests the information directly from the manufacturer located in the territory represented by the other Party because immediate contacts cannot be made with the other Party, the Party that made the said request shall inform the other Party of this action as soon as possible.

- 6.5 Both Parties recognise that data submitted by the manufacturer(s), either located in the territory represented by the ANAC or the CAA, is the property of manufacturer(s), and release of that data by the ANAC or the CAA to any third Party without consent of the manufacturer is restricted. Both Parties commit that they will not copy, release or show proprietary data that obtained from the other Party or from the manufacturer(s) located in the territory represented by the other Party to anyone other than a employee of its own without written consent from the manufacturer(s) or from the other Party. This written consent should be obtained by one Party from the manufacturer(s) through the other Party or from manufacturer(s) directly.

7 Dispute resolution

Any disagreement regarding the interpretation or application of this Implementation Procedures shall be resolved by consultation, in the following order, between:

- 7.1 the branches in charge of the implementation of this Implementation Procedures within the ANAC and the CAA.
For this purpose the following branches are identified herewith (to be communicated in writing between the contracting Parties):

For the CAA: Initial Airworthiness Section, Flight Standard Division

Tel.: 886 (2) 2349-6108
Fax: 886 (2) 2349-6071
Email: clark@mail.caa.gov.tw

For the ANAC: ANAC – Aeronautical Products Certification Branch, GGCP

Tel.: 55 (12) 3941-4600
Fax: 55 (12) 3941-4766
Email: cavc-gr@ifi.cta.br

and/or by the executive agents (or their successors) who signed this Implementation Procedures.

- 7.2 In the case of conflicting interpretations of the laws, airworthiness regulations/standards, requirements, or acceptable means of compliance pertaining to certifications, approvals or acceptance under this Implementation Procedures, the interpretation of the airworthiness authority whose law, regulation/standard, requirement, or acceptable means of compliance is being interpreted shall prevail.

8 Entry into Force

This Implementation Procedures shall enter into force upon signature by all concerned parties of this Implementation Procedures.

For any activity under this Implementation Procedures in accordance with Brazilian or Taiwan's law, any expense is deemed to be supported by the applicant for the TC, STC, VTC, or major change thereof or DAL.

9 Duration and Termination

Either Party may at any time give written notice to the other Party of its decision to terminate this Implementation Procedures. This Implementation Procedures shall terminate twelve months following the date of receipt of the notice by the other Party, unless the said notice of termination has been withdrawn by mutual agreement before the expire of this period.

10 Authorities

The Parties agree to the provisions of this Implementation Procedures as indicated by the signature of their duly authorised representatives.

This Implementation Procedures shall come into force on the later date of signing by both Parties, in duplicate, in English.

Civil Aeronautics Administration (CAA) Taiwan	Agência Nacional de Aviação Civil (ANAC) Brazil
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W. L. Lee

Cláudio

Mr. Wan-Lee Lee
CAA Flight Standard Division,
Director CAA

Mr. Cláudio Passos Simão
Manager, Aeronautical
Products Certification, ANAC

Date: *April 2, 2007*

Date: *May 5, 2007*

Appendix A

Listing of Applicable Airplane

1. Eligible airplane

This Implementation Procedures is applicable to the CAA's acceptance of ANAC export certificates of airworthiness for the following EMBRAER airplane models: ERJ-190 and ERJ-195.