

MEMORANDUM OF UNDERSTANDING ON AIRWORTHINESS

BETWEEN

CIVIL AERONAUTICS ADMINISTRATION (CAA) OF TAIWAN

AND

AGÊNCIA NACIONAL DE AVIAÇÃO CIVIL, BRAZIL

(NATIONAL CIVIL AVIATION AGENCY, BRAZIL)

FOR PROMOTION OF AVIATION SAFETY

The Civil Aeronautics Administration of Taiwan (CAA), legally assigned as the Civil Aviation Authority in the "Taiwan", and the National Civil Aviation Agency, Brazil (ANAC), legally assigned as the Civil Aviation Authority in the "República Federativa do Brasil", hereinafter referred in this document, for convenience, as Authorities:

- Desiring to promote aviation safety and environmental quality;
- Noting common concerns for the safe operation of civil aircraft;
- Recognizing the emerging trend toward multinational design, production, and interchange of civil aeronautical products;
- Desiring to enhance cooperation and increase efficiency in matters relating to civil aviation safety;
- Considering the possible reduction of the economic burden imposed on the aviation industry and operators by redundant technical inspections, evaluations, and testing;
- Recognizing the mutual benefit of improved procedures for the reciprocal acceptance of airworthiness approvals, environmental testing, and development of reciprocal recognition procedures for approval and monitoring of flight simulators, aircraft maintenance facilities, maintenance personnel, airmen, and flight operations;

have agreed as follows:

ARTICLE I

The Authorities agree:

1. To facilitate acceptance by each Authority of the other Authority's
 - (a) Airworthiness approvals and environmental testing and approval of civil aeronautical products for which the Exporting Authority is the authority of the organization responsible for the type design, and
 - (b) Qualification evaluation of flight simulators;
2. To facilitate acceptance by each Authority of the other Authority's of the approvals and monitoring of
 - (a) Maintenance facilities and alteration or modification facilities,
 - (b) Maintenance personnel,
 - (c) Airmen,
 - (d) Aviation, training establishments, and
 - (e) Flight operations;
3. To provide for cooperation in sustaining an equivalent level of safety and environmental objectives with respect to aviation safety.
4. To provide for cooperation and assistance on continuing airworthiness of in-service civil aeronautical products;
5. To provide for cooperation, assistance and exchange of information regarding safety and environmental standards and certification systems; and
6. To provide for cooperation in providing technical evaluations and assistance.

ARTICLE II

For the purpose of this Memorandum:

- A. "Airmen" means pilots, flight engineers, flight radio operators, air traffic controllers and mechanics.

- B. "Airworthiness approval" means a finding that the design or change to a design of a civil aeronautical product meets standards agreed between the Authorities or that a product conforms to a design that has been found to meet those standards, and is in a condition for safe operation.
- C. "Airworthiness Criteria" means all the criteria governing the design, performance, materials, workmanship, manufacture or modification of civil aeronautical products, as prescribed by the Importing Authority to enable it to find that the design, manufacture and conditions of these civil aeronautical products comply with the laws, regulations, standards, and requirements of the Importing Authority concerning airworthiness. This includes airworthiness requirements, their interpretations and means of compliance.
- D. "Alterations or modifications" mean making a change to the construction, configuration, performance, environmental characteristics, or operating limitations of the affected civil aeronautical product.
- E. "Approval of flight operations" means the technical inspections and evaluations conducted by an Authority, using standards agreed between the Authorities, of an entity providing commercial air transportation of passengers or cargo, or the finding that the entity complies with those standards.
- F. "Civil aeronautical product" means any civil aircraft, aircraft engine, or propeller or subassembly, appliance, material, part, or component to be installed thereon.
- G. "Environmental approval" means a finding that a civil aeronautical product complies with standards agreed between the Authorities concerning noise and/or exhaust emissions. "Environmental testing" means a process by which a civil aeronautical product is evaluated for compliance with those standards, using procedures agreed between the Authorities.
- H. "Environmental Criteria" means the criteria governing the design, performance, materials, workmanship, manufacture or modification of civil aeronautical products, as prescribed by the Importing Authority to enable it to find that these civil aeronautical products comply with its laws, regulations, standards, and requirements concerning noise and emissions abatement. This includes

environmental requirements, their interpretations and means of compliance.

- I. "Exporting Authority" means the ANAC, in the case of a civil aeronautical product exported from Brazil to Taiwan; and means the CAA, in the case of a civil aeronautical product exported from Taiwan to Brazil.
- J. "Flight simulator qualification evaluations" means the qualification process by which a flight simulator is assessed by comparison to the aircraft it simulates, in accordance with standards agreed between the designated representatives of the Authorities, or the finding that it complies with those standards.
- K. "Importing Authority" means the CAA, in the case of a civil aeronautical product exported from Brazil to Taiwan; and means the ANAC, in the case of a civil aeronautical product exported from Taiwan to Brazil.
- L. "Maintenance" means the performance of inspection, overhaul, repair, preservation, and the replacement of parts, materials, appliances, or components of a product to ensure the continued airworthiness of that product, but excludes alterations and modifications.
- M. "Monitoring" means the periodic surveillance by an Authority and/or its designated representatives to determine continuing compliance with the appropriate standards.
- N. "Type design" means the description of all characteristics of a civil aeronautical product, including its design, manufacture, limitations and continuing airworthiness instructions, which determine its airworthiness.

ARTICLE III

- A. The Authorities shall conduct technical assessments and work cooperatively to develop an understanding of each other's standards and systems in the following areas:
 - 1. Airworthiness approvals of civil aeronautical products;
 - 2. Environmental approval and environmental testing;

3. Approval and monitoring of maintenance facilities and maintenance personnel;
 4. Approval and monitoring of flight operations and airmen;
 5. Evaluation and qualification of flight simulators; and
 6. Approval and monitoring of aviation training establishments.
- B. When the Authorities agree that the standards, rules, practices, procedures, and systems of both Authorities in one of the technical specialties listed in paragraph (A) of this Article are sufficiently equivalent or compatible to permit acceptance of findings of compliance made by one Authority for the other Authority to the agreed-upon standards, the Authorities shall execute written Implementation Procedures and/or Working Arrangements describing the methods by which such reciprocal acceptance shall be made with respect to that technical specialty.
- C. The Implementation Procedures and/or Working Arrangements shall include, "inter alia", as appropriate, the nature and scope of cooperation program, and the individual and joint responsibilities, along with particular liabilities of each Authority.

ARTICLE IV

According to each national legislation, government budget shall not be considered to cover any approval activities agreed upon this Memorandum for both Authorities. Any expense is supposed to be supported by the applicant.

ARTICLE V

In the case of conflicting interpretations of the airworthiness or environmental criteria or design-related operational requirements prescribed by the Importing Authority, pertaining to certifications, approvals or acceptances under this Memorandum, and after having exhaustively discussed all technical subjects, the interpretation of the Importing Authority shall prevail.

ARTICLE VI

Correspondence and documentation will be prepared and submitted in the English language unless otherwise specified by the Authorities by mutual agreement.

ARTICLE VII

Any disagreement regarding the interpretation or application of this Memorandum or its Implementation Procedures and/or Working Arrangements shall be resolved by consultation between the Authorities.

ARTICLE VIII

This Memorandum shall enter into force upon signature and shall remain in force until terminated by either Authority. Such termination shall be effected by sixty days written notification to the other Authority. Such termination will also act to terminate existing Implementation Procedures and/or Working Arrangements executed in accordance with this Memorandum. This Memorandum may be amended by the written agreement of the Authorities. Individual Implementation Procedures and/or Working Arrangements may be terminated or amended by the Authorities after consultation.

IN WITNESS WHEREOF, the undersigned, being duly authorized representatives of the respective Authorities have signed this Memorandum.

This Memorandum shall come into force on the later date of signing by both authorized representatives, in duplicate, in English.

FOR CIVIL AERONAUTICS
ADMINISTRATION (CAA),

TAIWAN

Original Signed by

Billy, K.C. Chang

FOR NATIONAL CIVIL AVIATION
AGENCY (ANAC),

BRAZIL

Original Signed by

Milton Zuanazzi

Billy, K. C. Chang

Date: *APR. 2. 2007*

Milton Zuanazzi

Date: *5 de maio de 2007*