

SPECIAL ARRANGEMENT OF AIRWORTHINESS

FOR

**ISSUANCE OF TEMPORARY REGISTRATION CERTIFICATE
AND SPECIAL FLIGHT PERMIT
BY CAAC**

BETWEEN

AIRCRAFT AIRWORTHINESS DEPARTMENT OF CAAC (CAAC-AAD)

AND

AIRWORTHINESS SUPERINTENDENCE OF ANAC (ANAC-SAR)


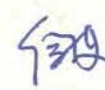
UNDER

THE IMPLEMENTATION PROCEDURE OF AIRWORTHINESS – IPA

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1. GENERAL: BASIS AND OBJECTIVE OF THE SPECIAL ARRANGEMENT

- 1.1. According to section 1.7.2 of the Implementation Procedure of Airworthiness - IPA, the Aircraft Airworthiness Department of CAAC (CAAC-AAD) and the Airworthiness Superintendence of ANAC (ANAC-SAR), can develop solutions in urgent or unique situations - with respect the design approval, certification of airworthiness for export or technical assistance - which has not been specifically addressed in the IPA, but they are covered by the Memorandum of Understanding.
- 1.2. The implementation of the solution could be developed, if necessary, by a special arrangement. Special arrangements developed in cooperation between the Authorities are in Appendix B.
- 1.3. Thus, this document, aims to add the second Special Arrangement to Appendix B of the IPA, approved on 8 September 2011 and with this, the present Special Arrangement, is part of it.

2. SPECIAL ARRANGEMENT B2 TO THE APPENDIX B OF THE IPA

2.1. Introduction

- 2.1.1. This Special Arrangement B2 to Appendix B of the IPA is based on the Action Item nº 2 of the SUMMARY OF MEETING DISCUSSIONS, dated 9 October 2012, between the authorities at the meeting held in October 2012 in São José dos Campos / Brazil.
- 2.1.2. The purpose of this Special Arrangement is to facilitate Harbin Embraer Aircraft Industry Co., Ltd (HEAI) to perform production flight and/or customer acceptance flight for EMB-135 BJ in China.
- 2.1.3. This Special Arrangement should be incorporated permanently to the IPA in the next complete revision that will be submitted the IPA.

2.2. Text of This Special Arrangement B2 to the Appendix B of the IPA

The Appendix B of the Implementation Procedure for Airworthiness - IPA, approved on 8 September 2011, is supplemented by the following text.

B2. SPECIAL ARRANGEMENT FOR THE ISSUANCE OF TEMPORARY REGISTRATION CERTIFICATE AND SPECIAL FLIGHT PERMIT BY CAAC

B2.1. INTRODUCTION

B2.1.1. Newly manufactured aircraft which require to perform production flight tests are not yet considered in complete agreement with the type design and therefore not yet eligible to receive the standard certificate of airworthiness. Technically these aircraft have not yet completed the production process, therefore, can't be declared as fully compliant with its type design.

B2.1.2. According to section 3.2.2., of the Implementation Procedure of Airworthiness – IPA:

- a) if Embraer Production Certificate issued by ANAC (Brazil) has been granted and it was extended to a Harbin Embraer Aircraft Industry Co., Ltd (HEAI) in China, the completed products being exported from HEAI shall be considered as manufactured in Brazil; and
- b) when Embraer Production Certificate issued by ANAC (Brazil) has been granted and it was extended by ANAC to include Harbin Embraer Aircraft Industry Co., Ltd (HEAI) in China, ANAC still remains fully responsible for the regulatory control and airworthiness certification of completed products and parts being exported from that location. In this case, any importing authority may keep the right to familiarize itself with third country manufacturer's production quality system.

B2.1.3. Also according to section 4.1 General, of the Implementation Procedure of Airworthiness – IPA, ANAC-SAR thought that Special Arrangement requested assistance to the CAAC-AAD for the follow activities and procedures for the application and management of the CAAC's temporary registration and special flight permit.

B2.1.4. ANAC-SAR, as necessary, thought it designated system located at HEAI, will give the applicable support to the CAAC-AAD's inspector for the necessary inspection and issue of the CAAC's special flight permit.

B2.1.5. According to People's Republic of China Civil Aviation Law and the requirements of CCAR-21, the EMB-135 BJ aircraft manufactured in HEAI need to obtain temporary registration and special flight permit from CAAC to perform production flight and/or customer acceptance flight in China.



B2.1.6. ANAC-SAR, CAAC-AAD and Embraer understand that the following procedure regarding Chinese temporary registration and Special Flight Permit, shall be performed by HEAI to achieve regulatory compliance.

B2.2. PROCEDURE

Authorities understand that current regulations, issued by ANAC and CAAC, foresee the operation of the production flight at HEAI and therefore define the following procedures that must be followed by HEAI for each aircraft in order to comply with the regulations. The Quality System of HEAI also must document the present procedure.

- a) **Step 1:** HEAI applies the temporary registration to CAAC for EMB-135 BJ aircraft manufactured in China according to CCAR-45 and AP-45-AA-2008-01R3.
- b) **Step 2:** After CAAC issues the temporary registration, HEAI applies the Special Flight Permit to CAAC Northeast Regional Administration for EMB-135 BJ aircraft manufactured in China according to CCAR-21 and AP-21-AA-2008-05R2.
- c) **Step 3:** CAAC Northeast Regional Administration performs inspection for EMB-135 BJ aircraft manufactured in China, and issues Special Flight Permit according to CCAR-21 and AP-21-AA-2008-05R2.
- d) **Step 4:** In order to complete the Production file registration of the aircraft, CAAC Northeast Regional Administration will make a scanned copy of signed Special Flight Permit to ANAC-SAR, by e-mail to: Parts, Production and Inspection, focal point, as indicated in the "List of ANAC Focal Point".
- e) **Step 5:** According RBAC 21.143, HEAI must make the production flight testing according production flight procedure and checkoff list approved by ANAC and a pilot with applicable competency for that flight.
- f) **Step 6:** In addition, HEAI also must make the production flight testing according the limitation contained in the section "operation limitation and permissions", or similar section, of the special flight permit, issue by CAAC.
- g) **Step 7:** Before ANAC issue the Export of Airworthiness Certificate, according section 3.2.5.3., of the Implementation Procedure of Airworthiness – IPA, HEAI need to present to ANAC-SAR, CAAC's non-registration mark document and ANAC's non-registration mark



document, in addition to the applicable requirements of the Subpart L of the RBAC 21.

HEAI will establish procedures for the application and management of the temporary registration and special flight permit in according with the present Special Arrangement.

3. AUTHORITIES SIGNATURES

IN WITNESS WHEREOF, the undersigned, being duly authorized representatives of the respective Authorities have signed the present Special Arrangement, done in duplicate in English and shall come into force on the later date of signing by both Authorities.

Original Signed by

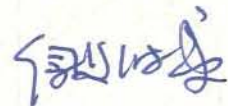


Dino Ishikura
Superintendent,

Airworthiness Superintendence
Agência Nacional de Aviação Civil - Brazil

Date: *19 August* 2013

Original Signed by



Yin Shijun
Director General

Aircraft Airworthiness Certification Department
Civil Aviation Administration of China

Date: *19 August* 2013