

**WORKING ARRANGEMENT**

**BETWEEN**

**THE AIRWORTHINESS DEPARTMENT OF THE NATIONAL  
CIVIL AVIATION AGENCY OF BRAZIL  
(THE FEDERATIVE REPUBLIC OF BRAZIL)**

**AND**

**THE CIVIL AVIATION AUTHORITY OF THE VIETNAM  
(THE SOCIALIST REPUBLIC OF VIETNAM)**

**ON AIRWORTHINESS OF AERONAUTICAL PRODUCTS**





The Airworthiness Department of the National Civil Aviation Agency of Brazil (hereinafter to as the "SAR/ANAC") of the Federative Republic of Brazil and the Civil Aviation Authority of the Socialist Republic of Vietnam (hereinafter to as the "CAAV") jointly referred in this document, for convenience, as the Authorities, considering that:

Each Authority has determined that the standards used by and the system of the other Authority for airworthiness and environmental certification, approval of the civil aeronautical products within the scope of this Arrangement (hereinafter referred to as "Arrangement"), are sufficiently equivalent to its own to make this Arrangement practicable.

## **1 GENERAL**

### **1.1 PURPOSE**

This Arrangement describes the procedures used by the Authorities for implementing the airworthiness approvals and testing procedures for validation of aeronautical products.

In the interest of promoting aviation safety and preservation of the environment each Authority will cooperate to reduce, to the minimum, the economic burden imposed on the Authorities and the Aviation Industries and operators by avoiding redundant technical evaluations, tests and inspections.

### **1.2 BASIS**

This Arrangement is based on the Authorities standards and systems relating to the airworthiness and environmental approvals of civil aeronautical products, where verified and included in the scope of this Arrangement, as sufficiently equivalent or compatible to make this Arrangement practicable.

Both Authorities agree that all information, including technical documentation, exchanged under this Arrangement will be in the English language and by definition will not include confidential data obtained without appropriate permissions of the intellectual property owners.



### 1.3 DEFINITIONS

For the purposes of this Arrangement, the following definitions apply:

- a) "Exporting Authority" means the national organization within the exporting State, charged by the laws of the exporting State with regulating the airworthiness and environmental certification, approval of civil aeronautical products. The exporting airworthiness authority will be referred to herein as the Exporting Authority.
- b) "Importing Authority" means the national organization within the importing State charged by the laws of the importing State with regulating the airworthiness and environmental certification, approval of civil aeronautical products. The importing airworthiness authority will be referred to herein as the Importing Authority.
- c) "Additional Technical Conditions" means the terms notified by the Importing Authority for the acceptance of the type design of an aeronautical product, or for the acceptance of an aeronautical product, to account for differences between the Authorities in:
  - i) "Aeronautical product" adopted or adapted airworthiness standards,
  - ii) special conditions relating to novel or unusual features of the product design which are not covered by the adopted/adapted airworthiness standards,
  - iii) exemptions or equivalent safety findings from the airworthiness standards, and
  - iv) mandatory airworthiness action taken to correct unsafe conditions;
- d) "Aeronautical product" means any civil aircraft, or aircraft engine, propeller, appliance, part or component intended to be a part of or used in an aircraft.
- e) "Type design" means the description of all characteristics of product, including its design, manufacture, limitations, and continued airworthiness instructions, which determine its airworthiness and environmental characteristics.
- f) "Type design approval" means the certification, approval, or acceptance of the type design of a product, by or on behalf of an authority.



- g) "Product airworthiness approval" means the airworthiness certification, approval, or acceptance, as appropriate, by or on behalf of an authority for a particular civil aeronautical product to permit operation or use of the product under the laws, regulations, and standards.
- h) "Airworthiness Standards" means the standards governing the design, performance, materials, workmanship, and manufacture of civil aeronautical products as prescribed by the Importing Authority to enable it to find that the design, manufacture, and condition of these products comply with the laws, regulations, standards, and requirements of the importing State concerning airworthiness.
- i) "Environmental standards" means regulations governing designs with regard to noise characteristics and exhaust emissions of civil aeronautical products.
- j) "Design-related operational requirements" means the operational requirements affecting either the design features of the product or data in the design relating to the operations of the product that make it eligible for a particular kind of operation in a state.
- k) "Manufacturer" means the person who, by ANAC or CAAV regulation, is responsible for determining that all products or parts thereof produced within the quality control system conform to a ANAC or a CAAV - approved design or established government or industry standard and are in a condition for safe operation.

## **2 SCOPE OF COVERAGE**

This Arrangement applies to:

- a) Approval by the CAAV of the type design approval, changes to the type design, and the findings of compliance made by ANAC with the CAAV design-related operational requirements, for civil aeronautical products for which ANAC is Authority for the State of design;
- b) Approval by the CAAV of the airworthiness and environmental certification, approval of civil aeronautical products for which ANAC is the Authority for the State of design or State of manufacture, including both new and used products which were designed or manufactured partially or wholly in a third country;



- c) Cooperation and assistance on the continuing airworthiness of in-services products;
- d) Technical cooperation and assistance, including the exchange of information, towards maintaining sufficiently equivalent airworthiness and environmental standards and certification systems between the Authorities; and
- e) Cooperation in providing technical evaluation assistance to the other Authority.

### **3 WORKING PROCEDURES**

#### **3.1 GENERAL**

The CAAV will recognize the procedures used by ANAC for granting airworthiness and environmental certification to civil aeronautical products to which ANAC is the Authority for the State of design or State of manufacture, so as to give maximum practicable credit for technical evaluations, tests results, inspection, quality assurance system monitoring, conformity statements, conformity records and certificates accepted or issued by ANAC in granting its own domestic certification for such civil aeronautical products. The production regulatory surveillance, when conducted by an Authority other than ANAC, will not contradict the legislation and safety standards of ANAC, applicable to the production approval holder.

#### **3.2 TYPE DESIGN APPROVAL**

3.2.1 If the ANAC certifies to the CAAV that the type design of an aeronautical products, including the design-related operational requirements subject to paragraph 3.2.5, or a change to an aeronautical product type design previously approved by the CAAV, complies with airworthiness and environmental standard prescribed by the CAAV, the CAAV in finding compliance with its own laws, regulations, standards, and requirements for granting type design approval, will give the same validity to the technical evaluations, determinations, tests and inspections made by the ANAC as if it had made them itself.

3.2.2 The CAAV will prescribe the airworthiness and environmental standard for the type design approval of a particular aeronautical product, in terms of the laws, regulations, standards, requirements and certification system applied by the ANAC



in granting its own type design approval together with the Additional Technical Conditions identified by the CAAV.

3.2.3 To this end, the CAAV may:

- a) To become familiar with the aeronautical product to be imported and with the laws, regulations, requirement and certification system applied by the ANAC;
- b) To identify the Additional Technical Conditions which it finds necessary to ensure that the aeronautical product meets the airworthiness and environment standards equivalent to the which would have been required for a similar product designed or manufactured in the CAAV at the time the application Arrangements received for the approval of the product type design by the ANAC; and
- c) To perform such additional analysis and testing as judged necessary.

3.2.4 The airworthiness and environmental standard by the CAAV for type design approval of an aeronautical product will be communicated to the ANAC as soon as practicable after becoming familiar with the design of the product.

3.2.5 The CAAV, on request from the ANAC, will advise the latter of its current design-related operational requirements.

3.2.6 The CAAV will review the aircraft flight manual and aircraft flight manual supplements and, after acceptance, will request the ANAC to approve the flight manual supplements for the Importing aircraft in its behalf to the type design approval of the CAAV.

### **3.3 APPROVAL OF CHANGES TO A TYPE DESIGN**

3.3.1 The ANAC will notify the CAAV of changes in the approved type design that significantly affects the configuration of the aeronautical product that the CAAV has certified, approved or accepted under this Arrangement. Examples of changes that the Contracting Authorities will consider as significantly affecting the approved type design are provided in Appendix 1 of this Arrangement. This procedure will not contradict the applicable legislation of the Authorities.



3.3.2 Following the review of the changes, the CAAV will notify the ANAC of its acceptance, modification or non-acceptance of these changes, if it will not contradict the applicable legislation of the Authorities.

### **3.4 ACCEPTANCE OF PRODUCT AIRWORTHINESS APPROVAL**

3.4.1 If ANAC, or person designated in accordance with ANAC regulations, certifies to CAAV that an aeronautical product has received a type design approval, and that product is in the process of being approved by CAAV, it will be given the same validity to the technical evaluations, determination, tests and inspections made in accordance with ANAC standards, as if CAAV had done them itself on date of the certification by ANAC.

3.4.2 Additional inspections may be made or specified by the CAAV, as it deems necessary, at the time of its airworthiness and environmental certification approval or acceptance of an aeronautical product.

3.4.3 The airworthiness release document for aeronautical product, granted by ANAC or by ANAC approved organization, according to 3.5.1 will be provided in the format of ANAC Export Certificate of Airworthiness, or Airworthiness Approval Tag as applicable.

### **3.5 PRODUCTION OVERVIEW**

3.5.1 By separate mutual arrangement, ANAC will, on behalf of the CAAV;

- a) Monitor the approved design data and quality system for the manufacture or production of aeronautical products, accepted by the Sides, to evaluate the need for improvement, to initiate corrective action and/or to assure conformance to the approved type design, and
- b) Certify conformity of parts and assemblies produced.

3.5.2 CAAV will make available to the ANAC all data, drawings, reports, norms, specifications, instructions, guidelines, policies, and order information necessary to perform the activities referred to in paragraph 3.5.1 a)

3.5.3 By separate mutual arrangement, the CAAV may participate, with the ANAC, in production control and engineering activities as necessary, periodically in quality audits conducted by ANAC.



## **4 MUTUAL COOPERATION AND TECHNICAL ASSISTANCE**

### **4.1 CONTINUING AIRWORTHINESS**

4.1.1 Each Authority will provide full support in analyzing airworthiness aspects of accidents and incidents occurring on civil aeronautical products to which this Arrangement applies and which would raise questions concerning the airworthiness of such products.

4.1.2 The ANAC will, in respect of civil aeronautical products designed or manufactured in its State, specify any appropriate action it deems necessary to correct any unsafe condition that may be discovered after such product is placed in service, including any actions in respect of components designed and/or manufactured by a supplier under contract to a prime contractor.

4.1.3 The ANAC will, in respect of civil aeronautical products designed or manufactured in its State, assist the CAAV in determining any action considered to be necessary by the CAAV for maintaining the continuing airworthiness of such product.

4.1.4 Each Authority will keep the other Authority informed of all mandatory airworthiness modifications, special inspections, special operating limitations or other actions which it deems necessary for maintaining the continuing airworthiness of relevant products designed or manufactured in either States and that have been imported or exported under this Arrangement, or prior to the effective date of this Arrangement.

4.1.5 Each Authority agrees to provide the information on malfunctions, failures and defects and accidents encountered in service when requested by the other Authority.

### **4.2 TECHNICAL ASSISTANCE AND COOPERATION**

4.2.1 At the request of the CAAV, the ANAC will, in respect of civil aeronautical products designed or manufactured in its State, assist the CAAV in determining whether the design of major changes or repairs made under the control of the CAAV comply with the airworthiness and environmental standards under which such product Arrangements originally approved by the ANAC.

4.2.2 Each Authority will make available to the other Authority all its relevant airworthiness and environmental laws, regulations, standards, and requirements, and its system for airworthiness and environmental certification or approval.



4.2.3 Each Authority will, to the maximum extent practicable, ensure that the other Authority is notified of proposed significant revisions to its standards and system for airworthiness and environmental certification or approval, that may affect the terms of this Arrangement; offer the other Authority an opportunity to comment; and give due consideration to the comments made by other Authority on the proposed revisions.

4.2.4 By mutual consent and upon request, each Authority will, as practicable, provide technical evaluation and assistance to the other Authority.

4.2.5 Both Authorities may undertake joint type design approval projects in respect of products covered by this Arrangement when it is in the interest of both Authorities and the applicant for the type design approval.

## **5 INTERPRETATION**

In the case of conflicting interpretations of laws, the airworthiness or environmental regulations / standards / criteria or design-related operational requirements or acceptable conformity assessment methods relating to certification, approval or adoption under this Arrangement, it will prevail the interpretation of the Authority whose laws, regulations, standards, requirements or methods of conformity assessment are being interpreted.

This Arrangement is not an international treaty and does not create rights and obligations governed by international law.

As a working level document between the national bodies authorized to certify the aeronautical products this document is by all means subject to the relevant national legislation of the Authorities and can never contradict any stipulation established in the relevant national legislation.

The Authorities agree that the present Arrangement is not subject matter of an international treaty but is subjects to the relevant legislation of the Federative Republic of Brazil and the Socialist Republic of Vietnam and cannot contradict any of their provisions.

## **6 ACCOUNTABILITY**



## 6.1 ORGANIZATIONAL CHANGES

The Authorities will advise each of any significant change to their organization affecting the Authority and implementation of the provisions of this Arrangement, including the persons identified in paragraph 7.

## 6.2 AMENDMENTS

The both Authorities will jointly review this Arrangement from time to time and amend it as appropriate by written arrangement.

## 7 COMMUNICATIONS

Communications between the Authorities, regarding the subjects covered by this Arrangement, will be forwarded to the address indicated below:

ANAC address: Superintendência de Aeronavegabilidade-SAR  
Agência Nacional de Aviação Civil - ANAC  
Setor Comercial Sul - Quadra 09 - Lote C -  
Edifício Parque Cidade Corporate Torre A -  
Asa Sul, Brasília - DF, 70308-200

E-mail: [Air.agreements@anac.gov.br](mailto:Air.agreements@anac.gov.br)

Phone: +55 61 3314-4852

CAAV address: The Flight Safety Standard of Department  
(Civil Aviation Authority of Viet Nam)

119 Nguyen Son Street, Long Bien District  
Ha Noi, VietNam

E-mail: [hmtan@caa.gov.vn](mailto:hmtan@caa.gov.vn)  
[trongtm@caa.gov.vn](mailto:trongtm@caa.gov.vn)

Phone: (+84). 4.38722394

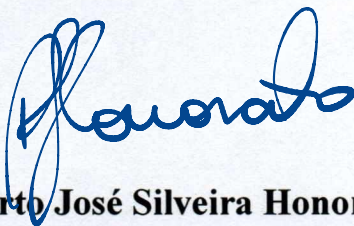
Fax: (+84). 04.38271933



This Arrangement will come into effect on the date of its signature by both Authorities and will remain in effect until terminated or superseded.

The application of the Arrangement will be carried out by each Authority under the provisions of the legislation of its state and other relevant norms. ANAC and CAAV agree to the provisions of this Arrangement as indicated by the signature of their duty authorized representatives.

Original Signed by

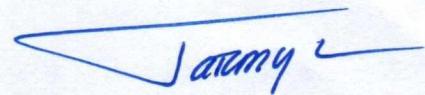


**Roberto José Silveira Honorato**

Head of the Airworthiness  
Department

Airworthiness Department of the  
National Civil Aviation Authority of  
the Federative Republic of Brazil

Original Signed by



**Mr. Ta Minh Trong**

Deputy Director – Flight Safety Standard  
Department  
In charge of Airworthiness Division

The Civil Aviation Authority  
of the Socialist Republic of Vietnam



## APPENDIX - 1

### EXAMPLES OF CHANGES THAT SIGNIFICANTLY AFFECT THE APPROVED TYPE DESIGN

The following changes are considered to significantly affect the type design approved by the Importing Authority.

- a) Significant changes to the cabin interior configuration;
- b) Having an effect on the Importing Authority type certification basis;
- c) Involving new interpretation of the requirements;
- d) Introduction of configurations characteristics or aircraft limitations (e.g. weight or thrust increases or the introduction of new take-off or landing configurations) not previously approved by the Importing Authority.
- e) Modifications which would result in changes to the Importing Authority Type Certificate Data Sheet;
- f) Modifications which would result in changes to the Limitations Section of the AFM;
- g) Modifications which result in aircraft configurations not addressed in the Importing Authority's accepted Flight Manual (including supplements);
- h) Modifications which result in changes to the Airworthiness Limitations of the Instructions for Continued Airworthiness;
- i) Modifications which have an impact on any Additional Technical Conditions prescribed by the Importing Authority;
- j) Other modifications considered necessary by the Importing Authority or the Exporting Authority.

Note: A method of compliance would be considered to be "novel" if it had not been applied previously in a similar context by both authorities.