

TECHNICAL ARRANGEMENT ON AIRWORTHINESS
BETWEEN
THE AVIATION REGISTER OF THE INTERSTATE AVIATION COMMITTEE
AND
THE AEROSPACE TECHNICAL CENTER

The Aviation Register of the Interstate Aviation Committee (IAC-AR) of the Commonwealth of Independent States (CIS), and the Aerospace Technical Center (CTA), a branch of the Research and Development Department of the Air Ministry of the Federative Republic of Brazil, assigned as the branches responsible for all type certification and export approvals, referred in this document, for convenience, as the Type Certification Authorities, considering:

- the Memorandum of Understanding on Airworthiness between the IAC and the DAC signed on 04 November 1997; and
- that each Type Certification Authority has determined that the standards used by and the system of the other party for airworthiness and environmental certification, approval or acceptance of the civil aeronautical products, referred in item 2 below, are sufficiently equivalent to its own;

have agreed on the following:

1. DEFINITIONS:

For the purpose of this Arrangement:

(a) *Additional Technical Conditions* means the terms notified by the Type Certification Authority of the Importing Party for the acceptance of the type design of a civil aeronautical product to account for differences between the CIS and the Federative Republic of Brazil in:

- (i) adopted airworthiness and environmental standards;
- (ii) special conditions relating to novel or unusual features of the civil aeronautical product design which are not covered by the adopted airworthiness and environmental standards;
- (iii) application of exemptions from, or equivalent safety findings to, the adopted airworthiness and environmental standards;
- (iv) design-related operational requirements; and
- (v) mandatory airworthiness actions taken to correct unsafe conditions.

(b) *Airworthiness Criteria* means criteria governing the design, performance, materials, workmanship, manufacture or modification of civil aeronautical products as prescribed by the Type Certification Authority of the Importing Party to enable it to find that the design, manufacture and condition of these products comply with the laws, regulations, standards, and requirements of the Type Certification Authority of the Importing Party concerning airworthiness.

(c) *Applicable requirements* means those airworthiness requirements which are effective on the date of the application for certification of the civil aeronautical product by the Type Certification Authority of the Importing Party, or such airworthiness requirements as the Type Certification Authority of the Importing Party finds acceptable in the particular case.

(d) *Civil Aeronautical Product* (herein also referred to as “product”) means any civil aircraft, or aircraft engine, propeller, appliance, material, part or component to be installed thereon, new or used.

(e) *Civil Aviation Authority* means the Interstate Aviation Committee (IAC-AR) of the Commonwealth of Independent States (CIS), and the Department of Civil Aviation (DAC) of the Air Ministry of the Federative Republic of Brazil.

(f) *Design-Related Operational Requirements* means the operational or environmental requirements affecting either the design features of the civil aeronautical product or data on the design relating to the operation of the product that make it eligible for a particular kind of operation in the CIS or in the Federative Republic of Brazil.

(f) *Environmental Criteria* means criteria governing the design, performance, materials, workmanship, manufacture or modification of civil aeronautical products, as prescribed by the Type Certification Authority of the Importing Party to enable it to find that these products comply with its laws, regulations, standards and requirements concerning noise and emissions abatement.

(h) *Exporting Party* means the party exporting type design, modifications thereof, or a civil aeronautical product under the provisions of this Technical Arrangement. (i) *Importing Party* means the party importing type design, modifications thereof, or a civil aeronautical product under the provisions of this Technical Arrangement.

(j) *Modification* means making a change to the type design.

(k) *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.

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2. SCOPE OF COVERAGE:

(a) Each Type Certification Authority will develop and will employ procedures for granting airworthiness and environmental certification or acceptance of civil aeronautical products by the other so as to give maximum practicable credit for technical evaluations, tests results, inspections, conformity statements, marks of conformity and certificates accepted or issued by or on behalf of the Type Certification Authority of the Exporting Party in granting its own domestic certification of such civil aeronautical products; and

(b) In the interest of promoting aviation safety and preservation of the environmental, each Type Certification Authority will cooperate to reduce, to the minimum, the economic burden imposed on each Civil Aviation Authority's aviation industry and operators by avoiding redundant technical evaluations, tests and inspections.

(c) The civil aeronautical products eligible under this Technical Arrangement will be established in the Appendix to this document, signed by both Type Certification Authorities and revised, as necessary, by mutual agreement of these authorities.

(d) It is recognized that the Type Certification Authority of the Exporting Party is responsible, along with their respective liabilities, for the primary certification of the products, mentioned on paragraph (c) above and exported to the other country, regarding compliance with the airworthiness criteria and regarding conformity with the approved type design.

3. PROCEDURES FOR:

3.1. Type Design Approval

(a) If the Type Certification Authority of the Exporting Party, applying its own certification system, certifies to the Type Certification Authority of the Importing Party that the type design of a civil aeronautical product, or a change to a civil aeronautical product type design previously approved by the Type Certification Authority of the Importing Party, complies with airworthiness and environmental criteria prescribed by the Type Certification Authority of the Importing Party, the Type Certification Authority of the Importing Party shall, in finding compliance with its applicable requirements for granting type design approval, give the same validity to the technical evaluations, determinations, tests and inspections made by the Type Certification Authority of the Exporting Party as if it had made them itself.

(b) The Type Certification Authority of the Importing Party shall prescribe the airworthiness and environmental criteria for the type design approval of a particular civil aeronautical product, in terms of the laws, regulations, standards, requirements and certification system applied by the Type Certification Authority of the Exporting Party in granting its own type design approval together with the additional technical conditions identified by the Type Certification Authority of the Importing Party.

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(c) To this end, the Type Certification Authority of the Importing Party shall have the right:

- (i) To become familiar with the civil aeronautical product to be imported and with the laws, regulations, standards, requirements and certification system applied by the Type Certification Authority of the Exporting Party,
- (ii) To identify the additional technical conditions which it finds necessary to ensure that the civil aeronautical product meets the applicable requirements of the Type Certification Authority of the Importing Party; and
- (iii) To perform such additional analysis and minimum testing as judged necessary.

(d) The airworthiness and environmental criteria specified by the Type Certification Authority of the Importing Party for its type design approval of a civil aeronautical product shall be communicated to the Type Certification Authority of the Exporting Party as soon as practicable after becoming familiar with the design of the product.

(e) The Type Certification Authority of the Importing Party, on request from the Type Certification Authority of the Exporting Party, shall advise the Type Certification Authority of the Exporting Party of its current design-related operational requirements.

(f) If by mutual consent between the authorities, the Type Certification Authority of the Exporting Party certifies to the Type Certification Authority of the Importing Party that the design of the civil aeronautical product or data on the design relating to the operations of such product comply with those design-related operational requirements prescribed by the Type Certification Authority of the Importing Party, the Type Certification Authority of the Importing Party, in finding compliance with its own operational requirements, shall give the same validity to the technical evaluations, determinations, tests and inspections made by the Type Certification Authority of the Exporting Party as if it had made them itself.

3.2. Acceptance of Product Airworthiness Certification

- (a) If the Type Certification Authority of the Exporting Party certifies to the Type Certification Authority of the Importing Party that a civil aeronautical product, for which a type design approval has been issued or is in the process of being issued by the Type Certification Authority of the Importing Party, conforms in construction to a type design description notified by the Type Certification Authority of the Importing Party and is in a condition for safe operation, the Type Certification Authority of the Importing Party shall give the same validity to the technical evaluations, determinations, tests and inspections made by the Type Certification Authority of the Exporting Party as if it had made them itself on the date of the certification by the Type Certification Authority of the Exporting Party.

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(b) Additional inspections may be made or specified by the Type Certification Authority of the Importing Party, as it deems necessary, at the time of its airworthiness and environmental certification, approval or acceptance of a civil aeronautical product.

3.3. Continuing Airworthiness

(a) The Type Certification Authorities shall cooperate in analyzing airworthiness aspects of accidents and incidents occurring on civil aeronautical products to which this Arrangement applies and which are such as would raise questions concerning the airworthiness of such products.

(b) The Type Certification Authority of the Exporting Party shall, in respect of civil aeronautical products designed or manufactured in its country, specify any appropriate action it deems necessary to correct any unsafe condition of the type design that may be discovered after the 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.

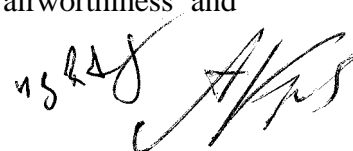
(c) The Type Certification Authority of the Exporting Party shall, in respect of civil aeronautical products designed or manufactured in its country, assist the Type Certification Authority of the Importing Party in determining any action considered to be necessary by the Type Certification Authority of the Importing Party for maintaining the continuing airworthiness of such product.

(d) Each Type Certification Authority shall keep the other fully 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 CIS or the Federative Republic of Brazil, that have been imported or exported under this Arrangement.

3.4. Mutual Cooperation and Assistance

(a) At the request of the Type Certification Authority of the Importing Party, the Type Certification Authority of the Exporting Party shall, in respect of civil aeronautical products designed or manufactured in its country, assist the Type Certification Authority of the Importing Party in determining whether the design of major changes or repairs made under the control of the Type Certification Authority of the Importing Party comply with the airworthiness and environmental standards under which such product was originally approved by the Type Certification Authority of the Exporting Party.

(b) Each Type Certification Authority shall keep the other fully informed of all its relevant airworthiness and environmental laws, regulations, standards and requirements, and of its system for airworthiness and environmental certification or approval.

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(c) Each Type Certification Authority shall, to the maximum extent practicable, ensure that the other is notified of proposed significant revisions to its standards and system for airworthiness and environmental certification or approval; it shall, to the maximum extent practicable, offer the other authority an opportunity to comment; and it shall give due consideration to the comments made by other authority on the proposed revisions.

(d) Amendments to certification procedures for civil aeronautical products covered by this document shall be implemented by mutual agreement through an exchange of letters between the Type Certification Authorities.

4. IMPLEMENTATION:

This Technical Arrangement shall be implemented in accordance with procedures and conditions agreed by the Director of the "Instituto de Fomento e Coordenação Industrial" of CTA and the Senior Vice Chairman of IAC-AR and set out in a schedule of Implementation Procedures.

5. DURATION:

(a) This Technical Arrangement, or any amendment to its text, shall go into effect upon the date of signature by both Type Certification Authorities and shall remain in force for 3 (three) years and may be extended upon mutual agreement of the authorities.

(b) This Arrangement may be terminated at any time upon written agreement between the Type Certification Authorities. In this case, the authorities agree to consult each other, three months in advance, to ensure termination on the most economical and equitable terms.

Done at Moscow, on 06 November 1997.


V. Sushko

Chairman

Aviation Register of the Interstate Aviation Committee


Maj. Brígido Arreguín

Director

Aerospace Technical Center

**APPENDIX TO THE TECHNICAL ARRANGEMENT ON
AIRWORTHINESS BETWEEN IAC-AR AND CTA**

Eligible Civil Aeronautical Products

1. All civil aeronautical products designed and manufactured in CIS.
2. All civil aeronautical products designed and manufactured in Brazil.

Date: 30 March 2005.

Vladimir V. Bespalov
Chairman
Aviation Register of the Interstate Aviation Committee

Maj Brig do Ar Ademar Siqueira Viana
Director
Aerospace Technical Center