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# ***MAINTENANCE IMPLEMENTATION PROCEDURES***

Under the  
Agreement for the Promotion of Aviation Safety  
Between  
The Government of the United States of America  
and  
The Government of Brazil

Signed November 5, 2018

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## Revision and History Log

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## CHAPTER I—GENERAL

### 1.0 Purpose

- (a) This document sets forth the implementation procedures for the approval and monitoring of maintenance and alteration facilities and maintenance personnel (Maintenance Implementation Procedures (MIP)) pursuant to the Agreement between the Government of the United States of America and the Government of the Federative Republic of Brazil for Promotion of Aviation Safety (Bilateral Aviation Safety Agreement), also known as “the Agreement,” signed on March 22, 2004. Under the MIP, the Federal Aviation Administration (FAA) and the National Civil Aviation Agency of Brazil (ANAC) (collectively, the “Authorities,” and individually, an “Authority”) will pursue mutual cooperation and technical assistance in evaluating and accepting each other's maintenance organization systems. These actions include recommendations for FAA and ANAC initial certification, renewal of certification, certificate amendments, continued monitoring of maintenance and alteration facilities.
- (b) The objective of the MIP, in accordance with the Agreement, is to outline the terms and conditions under which the FAA and the ANAC can accept each other's inspections and evaluations of maintenance facilities based in the United States (U.S.) and its territories and in the Federative Republic of Brazil (Brazil) with regard to findings of compliance. As a result, the United States and Brazil would reduce redundant regulatory oversight without adversely affecting aviation safety.

### 1.1 Authorization

The authorization for the MIP is Article III of the Agreement. In that respect, the FAA and the ANAC have assessed each other's standards and systems relating to the certification of repair stations/maintenance organizations that perform maintenance and alterations on civil aeronautical products. As a result, the systems were considered sufficiently equivalent or compatible to permit acceptance of findings of compliance made by one Authority for the other Authority.

## 1.2 Entry into Force and Termination

(a) The MIP shall enter into force on the date of the last written notice in which an Authority informs the other upon completion of the internal procedures of the Maintenance Agreement Guidance necessary for the effective implementation of the MIP. The MIP shall remain in force until it is terminated, which may be terminated upon sixty (60)-days' written notice by either the FAA or the ANAC. Termination of the MIP will not affect the validity of activity conducted thereunder prior to termination.

(i) The written notice to be exchanged between the Authorities should be signed by, and addressed to, the points of contact identified in paragraph 1.6(d) and contain, at the minimum, the following statement:

*"The <Civil Aviation Authority> states that it has completed all the internal procedures necessary for the effective implementation of the Maintenance Implementation Procedures signed between the FAA and the ANAC on <date>, as well as the development of all necessary guidance material and training of personnel.*

*Considering the provision of the paragraph 1.2 of the MIP, the <Civil Aviation Authority> states by the means of this written notice that the Maintenance Implementation Procedures may enter into force."*

(ii) Upon the issuance and receipt of the last written notice, the Authorities shall make public the effectiveness of this Maintenance Implementation Procedures, and inform their respective regulated entities.

(b) The MIP shall remain in effect contingent upon the Agreement remaining in effect, unless it is otherwise terminated in accordance with paragraph 1.2(a) above.

(c) Upon the entry into force of the MIP, a maintenance facility that is certificated by the FAA as a Title 14 of the Code of Federal Regulations (14 CFR) part 145 repair station, and certificated by the ANAC as a Brazilian Regulation of Civil Aviation (RBAC) 145 maintenance organization, must comply within 2 years with all the requirements of the MIP.

### 1.3 Amendments

- (a) The MIP may be amended by mutual consent of the FAA and the ANAC. The MIP may also be supplemented by appendices. The details of any such amendment or appendix shall be recorded and signed by the representatives of the office identified in paragraph 1.6(d), or their designees.
- (b) Suggestions for improvement are encouraged and may be addressed to the designated FAA or ANAC technical implementation offices that are identified in the Maintenance Agreement Guidance between the Federal Aviation Administration and the National Civil Aviation Agency of Brazil, also known as the FAA-ANAC Maintenance Agreement Guidance (FAA-ANAC MAG).
- (c) The FAA and the ANAC recognize that revisions by either Authority to its organization, regulations, procedures, or standards may affect the basis on which the MIP is executed. Accordingly, each Authority shall advise the other of plans for such changes at the earliest possible opportunity and in accordance with any statutory or regulatory requirement, and discuss the extent to which such planned changes affect the basis of the MIP. If consultations result in an agreement to amend the MIP, the Authorities shall seek to ensure that such an amendment enters into force at the same time as, or as soon as possible after, the entry into force or implementation of the change that prompted such amendment.
- (d) In the event the Agreement is modified, the FAA and the ANAC shall consider amending the MIP to reflect those modifications.

### 1.4 FAA and ANAC Responsibilities

- (a) Under the terms of the MIP, the ANAC, on behalf of the FAA, will:
  - (i) Provide recommendations or endorsements to the FAA for initial certification, renewal, and amendment to repair station certifications made pursuant to 14 CFR part 145 of RBAC 145 maintenance organizations located in Brazil;
  - (ii) Perform surveillance and provide reports regarding the continued compliance with the requirements set forth in the MIP and the procedures outlined in the FAA-ANAC MAG by RBAC 145 maintenance organizations located in Brazil;
  - (iii) Approve the FAA supplement to the Maintenance Organization Manual (MOM) as described in the MIP and the procedures outlined in the FAA-ANAC MAG; and

- (iv) Comply with the procedures as specified in the FAA-ANAC MAG.
- (b) Under the terms of the MIP, the FAA, on behalf of the ANAC, will:
  - (i) Provide recommendations or endorsements to the ANAC for initial certification, renewal, and amendment to RBAC 145 maintenance organization certification of 14 CFR part 145 repair stations located in the United States;
  - (ii) Perform surveillance and provide reports regarding the continued compliance with the requirements set forth in the MIP and the procedures outlined in the FAA-ANAC MAG by 14 CFR part 145 repair stations located in the United States;
  - (iii) Approve the ANAC supplement to the Repair Station Manual (RSM) as described in the MIP and the procedures outlined in the FAA-ANAC MAG; and
  - (iv) Comply with the procedures as specified in the FAA-ANAC MAG.

## 1.5 Applicable Requirements

- (a) The primary Brazilian civil aviation legislation is the Brazilian Aeronautical Code, Law 7565/1986. The Law 11182/2005 creates and empowers the National Civil Aviation Agency of Brazil (i.e., the ANAC) as the responsible authority for the regulation and oversight of the civil aviation activities. The technical standards are established by the ANAC in the form of the Brazilian Regulations of Civil Aviation (Regulamentos Brasileiros de Aviação Civil (RBAC)) and are explained in auxiliary documents, such as the Supplemental Instruction (Instrução Suplementar (IS)), Procedure Manual (Manual de Procedimento (MPR)), and policy files.
- (b) The legal standards for safety regulation by the FAA are contained in Title 49 of the United States Code (49 U.S.C.) and 14 CFR. They are also explained in ancillary documents and procedures, such as FAA Orders, policy memoranda, and Advisory Circulars (AC).

## 1.6 Communications and Cooperation

- (a) The FAA and the ANAC shall exchange a list of points of contact for the various technical aspects of the MIP. This list, which shall be included in the FAA-ANAC MAG, will be updated as necessary.



- (b) All communications between the Authorities, including technical documentation provided for review or approval as detailed in the MIP, shall be in the English language.
- (c) When urgent or unusual situations develop, each Authority's contact shall communicate and ensure that the appropriate immediate actions are taken.
- (d) The designated offices for the technical coordination and implementation of the MIP are:

(1) For the FAA:                      Flight Standards Service  
                                                 Aircraft Maintenance Division (FS-300)  
                                                 950 L'Enfant Plaza, S.W.  
                                                 Washington, DC 20024  
                                                 USA  
                                                 Telephone: +1-202-267-1675  
                                                 Fax: +1-202-267-1813

(2) For the ANAC :                      National Civil Aviation Agency of Brazil  
                                                 Airworthiness Department - SAR  
                                                 Setor Comercial Sul, Quadra 09,  
                                                 Lote C, Ed Parque Cidade  
                                                 Corporate – Torre A – CEP 70308-200,  
                                                 Brasilia/DF – Brasil

## 1.7 Interpretations and Resolution of Disagreements

- (a) In the case of conflicting interpretations between the FAA and the ANAC regarding the laws, regulations/standards, requirements, or acceptable means of compliance pertaining to certifications, approvals, or acceptance under the MIP, the interpretation of the Authority whose laws, regulations, standards, requirements, or acceptable means of compliance are being interpreted will prevail.
- (b) In accordance with Article IV of the Agreement, any disagreement regarding the interpretation or application of the MIP shall be resolved by consultation between the FAA and the ANAC. If appropriate, resolution of such disagreements will be recorded as an amendment or appendix to the MIP, in accordance with paragraph 1.3 above.

## 1.8 Definitions

For purposes of the MIP and notwithstanding definitions contained in 14 CFR or the RBAC requirements, the following definitions apply:

- (a) "Alteration" means making a change to the construction, configuration, performance, environmental characteristics, or operating limitations of the affected civil aeronautical product.
- (b) "Aviation Authority" (Authority) means a responsible government agency or entity that exercises aviation safety oversight over regulated entities and determines compliance with applicable standards, regulations, and other requirements within its jurisdiction. For purposes of the MIP, the FAA is the Authority for the United States of America and the ANAC is the Authority for the Federative Republic of Brazil.
- (c) "Civil aeronautical product" means any civil aircraft, aircraft engine, or propeller or subassembly, appliance, material, part, or component to be installed thereon.
- (d) "Data approved by the FAA" means data that is approved by the FAA Administrator or the Administrator's designated representative.
- (e) "Data approved by the ANAC" means data that is approved by the ANAC or by a person approved by the ANAC to make such approvals.
- (f) "Maintenance" means inspection, overhaul, repair, preservation, and the replacement of parts, but excludes preventive maintenance.
- (g) "Maintenance Agreement Guidance (MAG)" means the document that sets forth the procedures and activities as agreed between the FAA and the ANAC and contains the instructions to implement the MIP under the Bilateral Aviation Safety Agreement (BASA).
- (h) "Maintenance Organization Manuals (MOM)": For the purpose of the MIP and the MAG, the MOM means the set of manuals that include the MOM, Quality Control Manual (MCQ), and the maintenance organization training program.
- (i) "Monitoring" means the periodic surveillance by the FAA and the ANAC to determine continuing compliance with the appropriate standards.

- (j) "Overhaul" means a process that ensures the aeronautical article is in complete conformity with the applicable service tolerances specified in the type certificate holder's or equipment manufacturer's instructions for continued airworthiness (ICA), or in the data that is approved or accepted by the FAA or the ANAC. No person may describe an article as being overhauled unless it has been at least disassembled, cleaned, inspected, repaired as necessary, reassembled, and tested in accordance with the above-specified data.
- (k) "Regulated entity" means any natural or legal person whose civil aviation safety and environmental testing and approval activities are subject to the statutory and regulatory jurisdiction of one or both of the Authorities.
- (l) "Repair Station Manual (RSM)": For the purpose of the MIP and the MAG, the RSM means the set of manuals that include the RSM, Quality Control Manual (QCM), and the Repair Station Training Program.
- (m) "Special Conditions" means the requirements of either 14 CFR parts 43 and 145 or in RBAC 43 and 145 that have been found, based on a comparison of the regulatory maintenance systems, not to be common to both systems. Requirements such as these are significant enough that they must be addressed. The Special Conditions are contained in Appendix 1 (FAA Special Conditions and ANAC Special Conditions) of the MIP.

## CHAPTER II—RECIPROCAL ACCEPTANCE OF FINDINGS OF COMPLIANCE

### 2.0 General

- (a) The FAA and the ANAC agree, subject to the terms of the MIP, to accept each other's inspections and monitoring of repair stations/maintenance organizations for findings of compliance with their respective requirements as the basis for the issuance and continued validity of certificates.
- (b) The certificate issued by an Authority under the MIP shall not exceed the scope of the ratings and limitations contained in the certificate issued by the other Authority, unless specified by a Special Condition, referenced in the MIP, Appendix 1.
- (c) Maintenance and alterations performed on a civil aeronautical product under the regulatory control of the ANAC may be accomplished and that product returned to service by a repair station under the FAA's oversight in accordance with the provisions of these Maintenance Implementation Procedures.
- (d) Maintenance and alterations performed on a civil aeronautical product under the regulatory control of the FAA may be accomplished and that product returned to service by a RBAC 145 maintenance organization under ANAC's oversight, in accordance with the provisions of these Maintenance Implementation Procedures.

### 2.1 FAA Certificates

- (a) Without prejudice to the FAA Administrator's discretion under 14 CFR part 145, a maintenance organization may be issued an FAA certificate and operations specifications if it has been:
  - (i) Certificated for maintenance by the ANAC in accordance with the RBAC 145,
  - (ii) It complies with the conditions set forth in the MIP, including the FAA Special Conditions set forth in Appendix 1 of the MIP, and
  - (iii) The ANAC has issued a recommendation or endorsement to the FAA for certification.
- (b) The FAA certificate shall only cover additional fixed locations or line maintenance authorizations located within Brazil.

- (c) Any maintenance facility located in Brazil that was certificated by the FAA prior to the date of entry into force of the MIP, but that does not hold an RBAC 145 maintenance organization certificate, may continue to exercise the privileges of its 14 CFR part 145 certificate with the understanding that the FAA will continue independent regulatory oversight, certificate renewal, and continued monitoring.
- (d) Any maintenance facility located in Brazil that was certificated by the FAA prior to the date of entry into force of the MIP and also holds an RBAC 145 maintenance organization certificate may continue to exercise the privileges of its 14 CFR part 145 certificate until the date of validity of that certificate. After the expiration of the certificate, the repair station must apply for certificate renewal in compliance to all the requirements of the MIP.
- (e) Any maintenance facility located in Brazil that is issued an initial repair station certificate under 14 CFR part 145, but that does not hold an RBAC 145 maintenance organization certificate, after the date of entry into force of the MIP may exercise the privileges of its 14 CFR part 145 certificate with the understanding that the FAA will continue independent regulatory oversight, certificate renewal, and continued monitoring.

Note: The secondary bases under the RBAC 145 maintenance organization certificate will be addressed as either additional fixed locations, satellites, or line maintenance authorizations under the 14 CFR part 145 repair station certificate.

## 2.2 ANAC Certificates

- (a) A 14 CFR part 145 repair station will be eligible for an ANAC certificate and operations specifications if it meets the following requirements:
  - (i) It has been certificated for maintenance by the FAA in accordance with 14 CFR part 145,
  - (ii) It complies with the conditions set forth in the MIP, including the ANAC Special Conditions set forth in Appendix 1, and
  - (iii) The FAA has issued a recommendation or endorsement to the ANAC for certification.
- (b) The ANAC certificate shall only cover secondary bases located within the United States.

- (c) Any maintenance facility located in the United States that was certificated by the ANAC prior to the date of entry into force of the MIP may continue to exercise the privileges of its RBAC 145 certificate until the date of validity of that certificate. After the expiration of the certificate, the maintenance organization must apply for certificate renewal in compliance to all the requirements of the MIP.
- (d) Any maintenance facility located in the United States that applies for an initial certification under an RBAC 145 maintenance organization on or after the date of entry into force of the MIP must comply with all the requirements of the MIP.

Note: The additional fixed locations, satellites, or line maintenance authorization under the 14 CFR part 145 repair station certificate will be addressed as secondary bases under the RBAC 145 maintenance organization certificate.

### 2.3 Independent Inspections

The FAA and the ANAC may conduct independent inspections of repair stations/maintenance organizations when specific safety concerns warrant it. The FAA and the ANAC agree to coordinate with each other regarding any independent inspections.

### 2.4 Emergency and Non-routine Maintenance

The FAA and the ANAC agree that emergency or non-routine maintenance may be performed outside the territories specified in the MIP in order to maintain an aircraft or component, subject to prior approval. In accordance with the FAA-ANAC MAG, each Authority shall grant approval for emergency or non-routine maintenance.

## **CHAPTER III—MUTAL COOPERATION AND TECHNICAL ASSISTANCE**

### **3.0 Periodic Meetings**

The FAA and the ANAC shall meet at least once a year to discuss the MIP. The frequency of these meetings will depend on the resources available to each Authority, as well as the significance of any outstanding issues. The topics to be discussed may include:

- (a) Developing, approving, and revising detailed guidance to be used for processes covered by the MIP;
- (b) Sharing information on major safety issues and developing action plans to address them;
- (c) Ensuring the consistent application of the MIP; and
- (d) On-going projects, changes in their own organizations, any revisions to their requirements, technical assistance requests, or any other matters relating to the MIP.

### **3.1 Information**

The FAA and the ANAC shall provide information and assistance regarding the maintenance and alterations to be performed under the terms of the MIP. The FAA and the ANAC also shall develop and circulate appropriate publications through established methods in their respective countries to:

- (a) Inform the public of the terms of the MIP and any amendments or appendices; and
- (b) Outline the regulatory requirements and special requirements necessary for persons to perform work under the terms of the MIP.

### 3.2 Technical Assistance

The FAA and the ANAC agree to provide technical assistance to each other, upon request, to further the purposes and objectives of the MIP. The FAA and the ANAC may decline to provide such technical assistance due to lack of resource availability, because the activity is not within the scope of the MIP, or there is no regulatory involvement with the maintenance facility. Such areas of assistance may include, but are not limited to:

- (a) Conducting and reporting on investigations at the request of the other Authority.
- (b) Obtaining and providing data for reports where requested.

### 3.3 Exchange of Information

The FAA and the ANAC shall provide each other with regulations, policies, guidance, practices, and interpretations relevant to the MIP, and shall ensure that such documents are updated in a timely manner. In addition, any FAA or ANAC proposal to issue or amend such documents shall be provided to the other Authority for the opportunity to review prior to the amendment being effected, consistent with their national laws and administrative procedures.

### 3.4 Notification of Investigation or Enforcement Action

- (a) The FAA and the ANAC agree, subject to applicable laws and regulations, to provide mutual cooperation and assistance in any investigation or enforcement proceedings of any alleged or suspected violation of any laws or regulations under the scope of the MIP. In addition, each Authority shall notify the other promptly of any investigation when mutual interests are involved.
- (b) The FAA and the ANAC agree to notify each other of non-compliances with regulations and Special Conditions set forth in the MIP in accordance with the FAA-ANAC MAG. The Authorities will also notify each other promptly of any investigation into non-compliance that could result in a certificate suspension or penalty. The notification will be sent to the other Authority's point of contact identified in paragraph 1.6(d). The FAA and the ANAC agree that non-compliances will be corrected in a timely manner.



- (c) The FAA and the ANAC retain the right to take enforcement action. However, in some cases, an Authority may choose to review a remedial action taken by the other Authority. The enforcement consultation process under the MIP will be subject to a regular joint review by the FAA and the ANAC.
- (d) The FAA and the ANAC agree to notify each other in the event of a revocation or suspension of a repair station's 14 CFR part 145 certificate or a maintenance organization's RBAC 145 certificate.

### 3.5 Protection of Propriety Data and Requests for Information

- (a) The FAA and the ANAC recognize that the information related to the MIP submitted by a regulated entity or other person may contain intellectual property, trade secrets, confidential business information, proprietary data, or other data held in confidence by that regulated entity, other person or another person (restricted information). Unless required by law, neither Authority shall copy, release, or show information identified as restricted to anyone other than an employee of that Authority without prior written consent of the person or entity possessing confidentiality interests in the restricted information.
- (b) Requests from the public for information referred to in paragraph 3.5(a), including access to documents, shall be addressed in accordance with the applicable laws and regulations of the Authority receiving such requests. An Authority receiving a request for such information supplied by the other Authority, or its regulated entities, shall consult with that Authority prior to releasing such information. The FAA and the ANAC shall provide assistance to each other in responding to these requests, as necessary.

### 3.6 Accident/Incident Investigation Requests

When the FAA or the ANAC needs information regarding repair stations/maintenance organizations related to the investigation of accidents or incidents involving civil aeronautical products, the request for such information should be directed to the technical points of contact that are identified in the FAA-ANAC MAG. In turn, upon receipt of the request for information, the other Authority will provide the requested information in a timely manner.

### 3.7 Unimpeded Access

For purposes of surveillance and inspections, each Authority shall assist the other with gaining unimpeded access to regulated entities subject to its jurisdiction, to include contractor and subcontractor, certificated or non-certificated.

## CHAPTER IV—TRANSFER PROVISIONS, CONTINUED CONFIDENCE, AND FEES

### 4.0 Transfer Provisions

The FAA and the ANAC agree that the transfer of approvals of repair stations/maintenance organizations on the date of entry into force of the MIP shall be accomplished in accordance with the following transfer provisions:

- (a) The FAA and the ANAC must complete training or briefings of their respective personnel regarding procedures relating to the MIP, the Special Conditions, and the FAA-ANAC MAG prior to the transfer.
- (b) The activities of inspecting, monitoring, and surveillance of qualified repair stations/maintenance organizations can commence once a sufficient number of staff have completed the training or briefing to provide oversight of the repair stations/maintenance organizations transferred in accordance with the MIP.
- (c) The transfers of activities of inspecting, monitoring, and surveillance should take place within 2 years of the date of the entry into force of the MIP.

### 4.1 Continued Confidence

The FAA and the ANAC shall continue to demonstrate effective oversight according to agreed procedures defined in the FAA-ANAC MAG.

- (a) In particular, the FAA and the ANAC shall:
  - (i) Perform sampling inspections on each other's systems.
  - (ii) Have the right to participate in each other's quality audits and sampling inspections.
  - (iii) Ensure that regulated entities provide access to the FAA and the ANAC for audits and inspections.
  - (iv) Make available the reports from quality audits and sampling inspections applicable to the MIP.
  - (v) Make the appropriate personnel available to participate in the sampling inspection.
  - (vi) Make available the repair stations'/maintenance organizations' records and inspection reports, including completed enforcement actions.

- (vii) Provide interpretive assistance where necessary at their office during the review of an internal maintenance organizations' records and documentation.
  - (viii) Assist each other in closure of any findings from the inspection.
  - (ix) Ensure that any sampling inspections are identified and based on risk analysis and objective criteria, without prejudice to the discretionary power of the Authorities.
- (b) The FAA and the ANAC shall notify each other at the earliest opportunity in the event that either Authority is not able to meet a requirement in this paragraph. If either the FAA or the ANAC believes that technical competency is no longer adequate, the Authorities shall consult and propose an action plan, including any necessary rectification activities, in order to address deficiencies.
- (c) In the event that the FAA and the ANAC do not rectify deficiencies within the timeframe specified in the action plan, either Authority may address the matter during their periodic meetings, as specified in paragraph 3.0 of the MIP.
- (d) When the FAA or the ANAC intends to suspend acceptance of findings or approvals, it shall promptly notify the other Authority, if applicable.

#### 4.2 Fees

Each Authority shall endeavor to ensure that fees imposed on applicants and regulated entities for certification and approval-related services under the MIP are just, reasonable, commensurate with the services, and in accordance with the applicable law or regulatory requirements.

## CHAPTER V—AUTHORITY

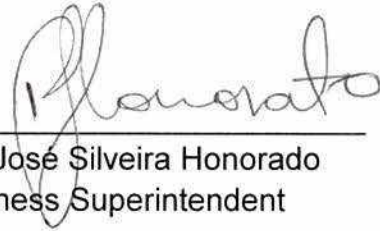
The FAA and the ANAC agree to the provisions of the MIP as indicated by the signature of their duly authorized representatives.

Federal Aviation Administration  
(FAA)

A handwritten signature in black ink, appearing to read "Timothy W. Shaver", written over a horizontal line.

Timothy W. Shaver  
Director, Office of Safety Standards

National Civil Aviation Agency of Brazil  
(ANAC)

A handwritten signature in black ink, appearing to read "Roberto José Silveira Honorado", written over a horizontal line.

Roberto José Silveira Honorado  
Airworthiness Superintendent

## **APPENDIX 1—SPECIAL CONDITIONS**

### **1.0 FAA Special Conditions Applicable to Brazil-based RBAC 145 Maintenance Organizations**

To be certificated in accordance with 14 CFR part 145 and pursuant to the terms of the MIP, an RBAC 145 maintenance organization shall comply, and ANAC shall verify compliance, with all of the following Special Conditions.

- (1) The applicant for a 14 CFR part 145 repair station certificate shall submit an application in a format acceptable to the FAA. The application for both initial and renewed FAA certification must include:
  - (a) A statement demonstrating that the FAA repair station certificate and/or rating is necessary for maintaining or altering U.S.-registered aeronautical products or foreign-registered aeronautical products operated under the provisions of 14 CFR, and
  - (b) A list of maintenance functions, previously accepted by the ANAC, to be contracted/sub-contracted to perform maintenance on U.S. civil aeronautical products; and
  - (c) A valid RBAC 145 maintenance organization certificate held by the applicant and issued in accordance with the most current RBAC 145.
- (2) The FAA may deny the application for a certificate in accordance with 14 CFR § 145.51(e).
- (3) The RBAC 145 maintenance organization shall provide a supplement (in English) to its MOM (i.e., the FAA supplement) that is approved by the ANAC on behalf of the FAA and maintained at the RBAC 145 maintenance organization and at the ANAC. Once approved by the ANAC, the FAA supplement shall be deemed approved by the FAA. All revisions to the FAA supplement must be approved by the ANAC. The FAA supplement to the MOM shall include the following:
  - (a) A signed and dated statement by the Responsible Manager that obligates the RBAC 145 maintenance organization to comply with the MIP.
  - (b) A summary of its quality system, which shall also cover the FAA Special Conditions.

- (c) Procedures for initial and recurrent training to ensure that management, supervisors, inspectors, and return-to-service personnel are thoroughly familiar with applicable FAA regulations, the MIP requirements, and the FAA-ANAC MAG.
  - (d) Procedures to seek approval for any changes to the following:
    - (i) Line maintenance authorizations.
    - (ii) Additional fixed locations.
    - (iii) Change of ownership.
    - (iv) Any changes to the FAA operation specifications.
    - (v) Satellite Stations.
  - (e) Procedures to ensure that the certificate holder does not employ former FAA employees who had direct oversight of the RBAC 145 maintenance organization in the preceding 2 years in accordance with 14 CFR § 145.160.
- (4) To continue to be approved in accordance with 14 CFR part 145, pursuant to the terms of the MIP, the RBAC 145 maintenance organization must comply with the following:
- (a) Allow the FAA, or the ANAC on behalf of the FAA, unimpeded access to inspect it for continued compliance with the requirements of RBAC 145 and these Special Conditions (i.e., 14 CFR part 145);
  - (b) The RBAC 145 maintenance organization must continue to comply with RBAC 145 and the FAA Special Conditions; and
  - (c) Investigations and enforcement by the FAA may be undertaken in accordance with the FAA rules and directives. The RBAC 145 maintenance organization must cooperate with any investigation or enforcement action.
- (5) When regulatory compliance is maintained, the FAA may renew the RBAC 145 maintenance organization's FAA certificate 12 months after the initial certification and every 24 months thereafter.

- (6) A rebuilt aircraft engine to be installed on a U.S.-registered aircraft must retain its identity, including the serial number and historical records.
- (7) For RBAC 145 maintenance organizations holding 14 CFR part 145 certificates that perform maintenance on aircraft operated under 14 CFR parts 121 or 135, the maintenance organizations must acknowledge receipt of the 14 CFR part 121 or part 135 operator notification of its authority or prohibition to carry hazardous materials in accordance with 14 CFR § 145.206.
- (8) If the RBAC 145 maintenance organization holding a 14 CFR part 145 repair station certificate has the capability to perform maintenance on aircraft operated under 14 CFR parts 125 or 129 (Operating under U.S. registry), then that maintenance would be performed pursuant to 14 CFR § 145.205(b) or (c), as applicable.
- (9) The 14 CFR part 145 repair station must hold a valid RBAC 145 maintenance organization certificate issued in accordance with the most current RBAC 145. The FAA certificate may not exceed the scope of the ratings and limitations of the RBAC 145 maintenance organization certificate, unless specified in the FAA-ANAC MAG.

## 2.0 ANAC Special Conditions Applicable to U.S.-based Repair Stations

To be certificated in accordance with RBAC 145, and pursuant to the terms of these Maintenance Implementation Procedures, 14 CFR part 145 repair stations shall comply, and FAA shall verify compliance, with all of the following Special Conditions:

- (1) The 14 CFR part 145 repair station shall submit an application in a format acceptable to the ANAC. The application for both initial and renewed ANAC certification must include:
  - (a) A statement demonstrating that the ANAC maintenance organization's certificate and/or rating is necessary for maintaining or altering Brazilian-registered aeronautical products or foreign-registered aeronautical products operated under the provisions of ANAC RBACs.
  - (b) A list of maintenance functions, previously approved by the FAA, to be contracted/sub-contracted to perform maintenance on Brazilian civil aeronautical products.
  - (c) A valid 14 CFR part 145 repair station certificate held by the applicant and issued in accordance with the most current 14 CFR part 145.

- (2) The 14 CFR part 145 repair station shall provide a supplement in English to its repair station manual (the ANAC supplement) that is approved by the FAA on behalf of the ANAC and maintained at the 14 CFR part 145 repair station and at the FAA. Once approved by the FAA, the supplement must be deemed approved by the ANAC. All revisions to the supplement must be approved by the FAA. The ANAC supplement to the repair station manual must include the following:
- (a) A signed and dated statement by the Accountable Manager that obligates the organization to comply with the MIP.
  - (b) A summary of its quality system which must also cover the ANAC Special Conditions.
  - (c) Procedures for initial and recurrent training to ensure that management, supervisors, inspectors, and return to service personnel are thoroughly familiar with the applicable ANAC regulations, MIP requirements, and MAG procedures.
  - (d) Procedures to seek approval for any changes to the following:
    - (i) Secondary bases approvals.
    - (ii) Change of ownership.
    - (iii) Change of the organization name.
    - (iv) Any changes to the ANAC Operation Specifications.
  - (e) Procedures to ensure that the repair station will keep records of the maintenance services performed, and the training of personnel, for at least 5 years.
- (3) To continue to be certificated in accordance with RBAC 145, pursuant to the terms of these Maintenance Implementation Procedures, the 14 CFR part 145 repair station must comply with the following:
- (a) Allow the ANAC, or the FAA on behalf of the ANAC, unimpeded access to inspect it for continued compliance with the requirements of 14 CFR part 145 and these Special Conditions (i.e., RBAC 145);
  - (b) The 14 CFR part 145 repair station must continue to comply with 14 CFR part 145 and the ANAC Special Conditions; and
  - (c) Investigations and enforcement by the ANAC may be undertaken in accordance with the ANAC rules and directives and the 14 CFR part 145 repair station must cooperate with any investigation or enforcement action.



- (4) When regulatory compliance is maintained, the ANAC may renew the ANAC certificate every 24 months thereafter.
- (5) The applicant for an RBAC 145 maintenance organization certificate must hold a valid 14 CFR part 145 repair station certificate in compliance with the most current 14 CFR part 145. The ANAC certificate must not exceed the scope of the ratings and limitations of the 14 CFR part 145 repair station approval, unless as specified in the MAG.
- (6) The 14 CFR part 145 repair station must have personnel qualified who are able to read and understand the Portuguese language whenever it is necessary to accomplish tasks on Brazilian-registered aeronautical products.
- (7) The 14 CFR part 145 repair station must provide the ANAC with periodic reports listing the personnel of the 14 CFR part 145 repair station designated to work under the RBAC 145 maintenance organization certificate, and the maintenance services performed in the period. The frequency of the reports must be in accordance to the MAG.
- (8) The 14 CFR part 145 repair station must establish, implement, and maintain a Safety Management System (SMS) in a form acceptable to the ANAC.