
IMPLEMENTATION PROCEDURES

FOR

AIRWORTHINESS

COVERING

DESIGN APPROVAL, PRODUCTION ACTIVITIES,
EXPORT AIRWORTHINESS APPROVAL,
POST DESIGN APPROVAL ACTIVITIES, AND
TECHNICAL ASSISTANCE BETWEEN AUTHORITIES

Under the Agreement between
The Government of the United States of America
and
The Government of New Zealand
For Promotion of Aviation Safety

REVISION A

JUNE 8, 2006

TABLE OF CONTENTS

SECTION I GENERAL

1.0	Authorization	1
1.1	Purpose.....	1
1.2	Principles	1
1.3	Changes in Authority Aircraft Certification Systems	2
1.4	Authority Meetings	3
1.5	Applicable National Requirements, Procedures, and Guidance Material	3
1.6	Interpretations	3
1.7	Amendments and Points of Contact	3
1.8	Entry Into Force and Termination	4
1.9	Definitions	4

SECTION II SCOPE OF THESE IMPLEMENTATION PROCEDURES

2.0	General	9
2.1	Products, Parts, and Appliances Manufactured in the Country of the Exporting Authority Accepted for Import under these Implementation Procedures	9
	BASA	
2.1.0	New Zealand Acceptance of FAA Export Certificates of Airworthiness.....	9
2.1.1	New Zealand Acceptance of FAA Airworthiness Approval Tags ..	9
2.1.2	U.S. Acceptance of CAA Export Certificates of Airworthiness	9
2.1.3	U.S. Acceptance of CAA Airworthiness Authorised Release Certificates	10
2.1.4	Acceptance of Standard Parts	10
2.1.5	Airworthiness Certification	10
2.2	Acceptance of Used Aircraft.....	11
2.2.0	Acceptance of Used Aircraft Being Exported (Returned) to the State of Design.....	11
2.2.1	Acceptance of Used Aircraft Manufactured in Third Countries.....	11
2.3	Provisions for Design Change Approvals	11

TABLE OF CONTENTS

2.3.0	New Zealand Acceptance, as the Basis for CAA Design Approval, of FAA-approved Design Approvals	11
2.3.1	New Zealand Acceptance, without Further Investigation, of FAA-approved Design Data	11
2.3.2	U.S. Acceptance, as the Basis for FAA Design Approval, of CAA Design Approvals.....	12
2.3.3	U.S. Acceptance, without Further Investigation, of CAA-approved Design Data	12
2.4	Provisions for Environmental Testing and Approvals	12
2.4.0	New Zealand Acceptance of FAA Findings for Environmental Requirements.....	12
2.4.1	U.S. Acceptance of CAA Findings for Environmental Requirements.....	13
2.5	Provisions for Technical Assistance	13
2.6	Provisions for Special Arrangements	13
2.7	Summary Tables	13

SECTION III ESTABLISHED WORKING PROCEDURES

3.0	Design Approval Procedures.....	16
3.0.0	General	16
3.0.1	Application for U.S. Type Certification.....	17
3.0.2	Design Approval Procedures for New Zealand Type Acceptance Certificates	22
3.0.3	Design Approval Procedures for U.S. Supplemental Type Certificates	24
3.0.4	Design Approval Procedures for New Zealand Supplemental Type Certificates	26
3.0.5	Design Approval Procedures for FAA Letters of Technical Standard Order (TSO) Design Approval	26
3.0.6	Design Approval Procedures for New Zealand Technical Standard Order Design Approval	27
3.0.7	Joint Design Approval Procedures	27

TABLE OF CONTENTS

3.1	Production and Surveillance Activities	28
3.1.0	Production Quality System	28
3.1.1	Surveillance of Production Approval Holders	28
3.1.2	Extensions of Production Approvals	29
3.1.3	Product Production Approval Based on a Licensing Agreement..	29
3.1.4	Supplier Surveillance - Outside the Exporting Country	29
3.1.5	Multi-National Consortia	30
3.2	Export Airworthiness Approval Procedures	31
3.2.0	General	31
3.2.1	FAA Acceptance of CAA Export Airworthiness Certificates and Authorized Release Certificates	31
3.2.2	CAA Acceptance of FAA Export Certificates of Airworthiness and Authorized Release Certificates	34
3.2.3	Additional Requirements for Imported Products, Parts, and Appliances	37
3.3	Post Design Approval Procedures	38
3.3.0	Continued Airworthiness	38
3.3.1	Design Changes	42
3.3.2	Approval of Design Data Used In Support of Repairs	44
3.3.3	Administration of Design Approvals	45

SECTION IV TECHNICAL ASSISTANCE BETWEEN AUTHORITIES

4.0	General	52
4.1	Witnessing of Tests During Design Approval	52
4.2	Conformity Certifications During Design Approval	53
4.3	Airworthiness Certificates	54
4.4	Protection of Proprietary Data and Freedom of Information Act (FOIA) Requests	55
4.4.0	Protection of Proprietary Data	55
4.4.1	FOIA Requests	55

TABLE OF CONTENTS

4.4.2	OIA Requests	55
4.5	Accident/Incident and Suspected Unapproved Parts Investigation Information Requests	56
<u>SECTION V</u>	<u>SPECIAL ARRANGEMENTS</u>	57
<u>SECTION VI</u>	<u>AUTHORITY</u>	57
APPENDIX A	List of Addresses for FAA Headquarters Offices, FAA Mike Monroney Aeronautical Center, FAA Aircraft Certification Service Directorates, FAA Manufacturing Inspection Offices, and FAA Aircraft Certification Offices	A-1
APPENDIX B	List of Addresses for CAA and Department of Civil Aviation	B-1
APPENDIX C	List of Referenced Documents.....	C-1
APPENDIX D	List of Special Arrangements	D-1

IMPLEMENTATION PROCEDURES

for

Design Approval, Production Activities, Export Airworthiness Approval, Post Design Approval Activities, and Technical Assistance Between Authorities

SECTION I GENERAL

- 1.0 Authorization. These Implementation Procedures are authorized by Article III of the Agreement between the Government of the United States of America and the Government of New Zealand for the Promotion of Aviation Safety, dated March 26, 2002, also known as the Bilateral Aviation Safety Agreement, or “BASA executive agreement.” In accordance with Article III, the Federal Aviation Administration (FAA) and the Civil Aviation Authority of New Zealand (CAA) have determined that the aircraft certification systems of each authority for the design approval, production approval, airworthiness certification, and continuing airworthiness of civil aeronautical products, parts, and appliances are sufficiently similar in structure and performance to support these Implementation Procedures.
- 1.1 Purpose. The purpose of this document is to define the civil aeronautical products, parts, and appliances eligible for import into the United States and New Zealand (See *Section II - Scope*), and to define the interface requirements and activities between the authorities for the import and continued support of those civil aeronautical products.
- 1.2 Principles. These Implementation Procedures address the performance of design, production, airworthiness, and related certification functions, and are based on a high degree of mutual confidence in the FAA’s and CAA’s technical competence and regulatory capabilities to perform these tasks within the scope of these Implementation Procedures. The FAA and CAA, as importing civil airworthiness authorities, shall give the same validity to the certification made by the other, as the exporting civil airworthiness authority, as if the certification had been made by the FAA or CAA in accordance with its own applicable laws, regulations, and requirements. Also, when a finding is made by one authority in accordance with the laws and regulations of the other authority and with these Implementation Procedures, that finding is given the same validity as if it were made by the other authority. Therefore, the fundamental principle of these Implementation Procedures is to maximize the use of the exporting civil airworthiness authority’s aircraft certification system to ensure that the airworthiness standards of the importing civil airworthiness authority are satisfied.
- 1.2.0 The FAA and CAA agree that all information, including technical documentation, exchanged under these Implementation Procedures will be in the English language.

1.2.1 The FAA and CAA mutually recognize each other's delegation, designee and organizational approval systems as part of their overall aircraft certification systems. Findings made pursuant to these Implementation Procedures through these systems are given the same validity as those made directly by the authority, except where stated otherwise herein. The FAA and CAA understand that there may be occasional situations where, upon prior notification to the other authority, either authority may interact directly with an individual designee of the other country. In advance of designees or representatives of delegated organizations traveling to the United States or New Zealand to witness tests, to perform conformity inspections, and/or to make determinations of compliance, the FAA or CAA will notify its designee activities to the other authority. This notification may be through electronic means, and should be provided as reasonably in advance as possible.

1.3 Changes in Authority Aircraft Certification Systems.

1.3.0 These Implementation Procedures are based upon sufficiently similar aircraft certification systems being in place at the time of signing. Therefore, the importing and exporting authorities shall promptly keep each other informed of significant changes within those systems, including, but not limited to:

- (a) statutory responsibilities;
- (b) organizational structure (e.g., key personnel, management structure, technical training, office location);
- (c) significant revisions to airworthiness and environmental standards and procedures;
- (d) production quality control system oversight of newly initiated out-of-country production; or
- (e) delegated functions or the kinds of organizations to which functions have been delegated.

1.3.1 The FAA and CAA recognize that revision by either authority to its regulations, policies, procedures, statutory responsibility, organizational structure, production quality control system oversight, or delegation system may affect the basis and the scope of these Implementation Procedures. Accordingly, upon notice of such changes by one authority, the other authority may request a meeting to review the need for amendment to these Implementation Procedures.

1.4 Authority Meetings. The FAA and CAA agree to meet as necessary to review these Implementation Procedures and their continued validity. The frequency of these meetings will be mutually agreed by both authorities, and will depend on the number and significance of the issues to be discussed between the authorities. Every effort should be made to alternate the location of these meetings between the United States and New Zealand.

1.5 Applicable National Requirements, Procedures, and Guidance Material.

1.5.0 The FAA's standards for airworthiness and environmental certification are contained in the Code of Federal Regulations (CFR), Title 14, Parts 21, 23, 25, 27, 29, 31, 33, 34, 35, and 36, and FAA Technical Standard Order (TSO) standards. The FAA also uses Certification Specifications (CS)-22 and CS-VLA for certain special class aircraft. Guidance material, policy, and procedures are contained in FAA Advisory Circulars, Orders, Notices and Policy Memoranda.

1.5.1 The CAA's standards for airworthiness and environmental certification are contained in the Civil Aviation Rules (CAR) Part 21 and CAR Part 21 Appendix C and New Zealand Technical Standard Order (NZTSO) standards. Guidance material, policy, and procedures are contained in CAA Advisory Circulars, CAA Surveillance Policy, and CAA Aircraft Certification Unit Procedures contained in the Airlines Group Quality Manual.

1.6 Interpretations. In the case of conflicting interpretations of the laws, airworthiness or environmental regulations/standards, requirements, or acceptable means of compliance pertaining to certifications, approvals, or acceptance under these Implementation Procedures, the interpretation of the civil airworthiness authority whose law, regulation/standard, requirement, or acceptable means of compliance is being interpreted shall prevail.

1.7 Amendments and Points of Contact.

1.7.0 These Implementation Procedures may only be amended by the written mutual consent of the FAA and CAA. Such amendments shall be made effective by signature of the duly authorized representatives of the FAA and the CAA.

1.7.1 The designated offices for the technical implementation of these Implementation Procedures are:

For the FAA:

Aircraft Certification Service
International Policy Office (AIR-40)
Federal Aviation Administration
800 Independence Avenue, SW
Washington, DC 20591
USA
Telephone: 1-202-385-8940
Fax: 1-202-493-5144

For the CAA:

Aircraft Certification Unit
Civil Aviation Authority
Aviation House
10 Hutt Road
Petone
Lower Hutt
New Zealand
Telephone: 64-4-560-9400
Fax: 64-4-569-2024

1.7.2 The designated offices for administrative coordination of these Implementation Procedures are:

For the FAA:

Assistant Administrator for
International Aviation (API-1)
Federal Aviation Administration
800 Independence Ave., SW
Washington, DC 20591
USA

Telephone: 1-202-385-8857
Fax: 1-202-267-5032

For the CAA:

General Manager Government Relations
Civil Aviation Authority
Aviation House
10 Hutt Road
Petone
Lower Hutt
New Zealand

Telephone: 64-4-560-9400
Fax: 64-4-569-2024

1.8 Entry Into Force and Termination. These Implementation Procedures shall enter into force upon signature and shall remain in force until terminated by either party. Either the FAA or CAA may terminate these Implementation Procedures upon sixty days written notice to the other party. Termination will not affect the validity of activity conducted under these Implementation Procedures prior to termination.

1.9 Definitions. For the purposes of these Implementation Procedures the following definitions are provided. Additional definitions can be found in Article II of the BASA executive agreement.

- (a) "Acceptable Technical Data" means the list of technical data including drawings, instructions or other data required for product certification, approvals, and authorizations contained in New Zealand CAR Part 21 Appendix D. This data includes U.S. Type Certificates (TCs) and Supplemental Type Certificates (STCs).

- (b) “Additional Technical Condition” means a requirement of the importing country that is in addition to the applicable airworthiness requirements of the exporting country in which the product, part, or appliance was manufactured or that may be prescribed to provide a level of safety equivalent to that provided by the applicable airworthiness requirements for the importing country.
- (c) “Airworthiness Standards” means standards governing the design and performance of civil aeronautical products, parts, and appliances.
- (d) “Appliance” means any instrument, mechanism, equipment, part, apparatus, appurtenance, or accessory, including communications equipment, that is used or intended to be used in operating or controlling an aircraft in flight, and is installed in or attached to the aircraft.
- (e) “Article” means, for New Zealand, any material, part, process or appliance.
- (f) “Civil Aeronautical Product” or “Product” means each civil aircraft, aircraft engine, or propeller.
- (g) “Critical Component” means a part for which a replacement time, inspection interval, or related procedure is specified in the Airworthiness Limitations section of the manufacturer’s maintenance manual or Instructions for Continued Airworthiness.
- (h) “Environmental Approval” means an approval issued when a civil aeronautical product has been found to comply with standards concerning noise, fuel venting, and/or exhaust emissions.
- (i) “Environmental Standards” means standards governing designs with regard to noise characteristics, fuel venting, and exhaust emissions of civil aeronautical products.
- (j) “Environmental Testing” means a process by which a civil aeronautical product is determined to comply with environmental standards.
- (k) “Equivalent Level of Safety Finding” means a finding that alternative action taken provides a level of safety equal to that provided by the requirements for which equivalency is being sought.
- (l) “Exemption” means a grant of relief from requirements of a current regulation when processed through the appropriate regulatory procedure by the FAA or CAA, and found to have a level of safety at least to the regulation for which the relief is granted.

- (m) “Export” means the process by which a product, part or appliance is released from a civil aviation authority’s regulatory system for subsequent use by another country.
- (n) “Exporting Civil Airworthiness Authority” or “Exporting Authority” means the national organization within the exporting State, charged by the laws of the exporting State, to regulate the airworthiness and environmental certification, approval, or acceptance of civil aeronautical products, parts, and appliances.
- (o) “Familiarization” means the process whereby the importing authority obtains information and experience on a product designed in the exporting State in order to: prescribe additional technical conditions for that product; mandate corrective airworthiness action in the event that the product experiences service difficulties during its operation in the importing State; and ensure development of appropriate maintenance, operating, and pilot type rating information (if applicable) for the product.
- (p) “Finding” means a determination of compliance/non-compliance as the result of an airworthiness authority’s review, investigation, inspection, test, and/or analysis.
- (q) “Import” means the process by which an exported product, part or appliance is accepted by a country’s civil aviation authority for its own use and subsequently placed under that authority’s regulatory system.
- (r) “Importing Civil Airworthiness Authority” or “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, or acceptance of civil aeronautical products, parts, and appliances.
- (s) “Issue Paper” means a document representing an item that requires resolution prior to the issuance of the U.S. or New Zealand TC or STC.
- (t) “Licensing Agreement” means a commercial contract between a Type Certificate (TC) or Supplemental Type Certificate (STC) holder and a Production Approval Holder (or applicant) formalizing the rights and duties of both parties to use the design data for the purpose of manufacturing the product or part.
- (u) “Maintenance” means the performance of inspection, overhaul, repair, preservation, and the replacement of parts or appliances of a product, but excludes preventive maintenance.
- (v) “Manufacturer” means the person who, by FAA regulation or CAA rule, is responsible for determining that all products or parts thereof produced within

the quality system conform to an FAA or CAA-approved design or established government or industry standard and are in a condition for safe operation.

(w) “Multi-National Consortium” means a group of manufacturers from multiple countries who have agreed to form a single company for production of a particular product.

(x) “New Aircraft” means an aircraft that is still owned by the manufacturer, distributor, or dealer, if there is no intervening private owner, lease, or time sharing arrangement, and the aircraft has not been used in any pilot school and/or other commercial operation.

(y) “Person” means an individual, firm, partnership, corporation, company, association, joint stock association, or governmental entity, and includes a trustee, receiver, assignee, or other similar representative of any of them.

(z) “Priority Part” means each part or assembly in an FAA or CAA approved design, that, if it were to fail, could reasonably be expected to cause an unsafe condition in an aircraft, aircraft engine, or propeller.

(aa) “Product” see (f) Civil Aeronautical Product.

(bb) “Production Quality System” means a systematic process that meets the production quality requirements of the exporting authority and ensures that products, parts, and appliances will conform to the approved design and will be in a condition for safe operation.

(cc) “Special Condition” means an additional airworthiness standard(s) prescribed by the FAA or CAA when the airworthiness standards for the category of product do not contain adequate or appropriate safety standards due to novel or unusual design features. Special Conditions contain such safety standards as the FAA or CAA finds necessary to establish a level of safety equivalent to that established in the applicable regulations.

(dd) “Standard Part” means a part that is manufactured in complete compliance with an established government or industry-accepted specification, which contains design, manufacturing, and uniform identification requirements. The specification must include all information necessary to produce and conform the part, and must be published so that any party may manufacture the part.

(ee) “Supplier” means a person or organization at any tier contracted to furnish aviation products, parts, appliances, components, materials, or services.

(ff) “Used Aircraft” means each aircraft that is not a new aircraft, as defined in paragraph (u) above.

(gg) "Validation" means the importing authority's process of type certification (for FAA) or type acceptance (for CAA) of a product certificated by either the FAA or CAA, as exporting authorities.

SECTION II SCOPE OF THESE IMPLEMENTATION PROCEDURES

- 2.0 General. These Implementation Procedures cover the products, parts, and appliances identified below, their approvals, and the provisions set forth in the following paragraphs.
- 2.1 Products, Parts, and Appliances Manufactured Under the Regulatory System of the Exporting Authority Accepted for Import Under These BASA Implementation Procedures.
- 2.1.0 New Zealand Acceptance of FAA Export Certificates of Airworthiness for the Following Products:
- (a) new and used aircraft;
 - (b) new aircraft engines; and
 - (c) new propellers.
- 2.1.1 New Zealand Acceptance of FAA Authorized Release Certificates (Airworthiness Approval Tags) for the Following Appliances and Parts:
- (a) new appliances;
 - (b) new parts that are eligible for installation in a product or appliance which has been granted a CAA design approval and that conform to either CAA approved design data or CAA Acceptable Technical Data. This includes:
 - (1) Replacement parts for all products and appliances, regardless of the State of Design; and
 - (2) Modification parts for all products and appliances, regardless of the State of Design.
- 2.1.2 U.S. Acceptance of CAA Export Airworthiness Certificates for the Following Products:
- (a) new and used airplanes for which the CAA is the authority of the State of Design and that have both a seating configuration of nine seats or less (excluding pilot seats) and a maximum certificated takeoff weight of 12,500 pounds or less.
 - (b) [Reserved]

2.1.3 U.S. Acceptance of CAA Airworthiness Authorised Release Certificates for the Following Appliances and Parts:

- (a) new appliances that meet the performance standards of a U.S. TSO under an FAA letter of TSO design approval;
- (b) new replacement parts that conform to FAA-approved design data and are eligible for installation in a New Zealand aircraft or appliance that has been granted an FAA design approval, and;
- (c) new modification parts that conform to FAA approved design data and are eligible for installation in an airplane which has been granted an FAA design approval for the following:
 - (1) products for which New Zealand is State of Design for both the product and the design change; and
 - (2) 14 CFR part 23 and part 25 category airplanes for which the United States is State of Design for the airplane, and New Zealand is State of Design for the design change.

2.1.4 Acceptance of Standard Parts.

- (a) CAA Acceptance of Standard Parts. The CAA shall accept Standard Parts for all products, parts, and appliances covered under these Implementation Procedures when they conform to established New Zealand or U.S. industry or government specifications, or to an FAA parts TSO (e.g., TSO C148, C149, or C150).
- (b) FAA Acceptance of Standard Parts. The FAA shall accept Standard Parts for all products, parts, and appliances covered under these Implementation Procedures when they conform to established U.S. or New Zealand industry or government specifications, or to a CAA parts New Zealand Technical Standard Order (NZTSO).

2.1.5 Airworthiness Certification. These Implementation Procedures for design approval apply to such aircraft type designs to be type certificated by the FAA and CAA for standard category airworthiness certification. For the FAA, standard airworthiness certificates are issued in the normal, utility, acrobatic, commuter, and transport categories of aircraft, as well as for manned-free balloons and special classes of aircraft which include airships, very light aircraft (VLA), gliders, and other non-conventional aircraft. For the CAA, standard airworthiness certificates are issued for aircraft that are type certificated in the normal, utility and acrobatic categories. Aircraft for which a special airworthiness certificate is issued by the FAA or a restricted or special category airworthiness certificate is issued by the CAA will be dealt with on a

case-by-case basis through the special arrangements provision in Section V of this document.

2.2 Acceptance of Used Aircraft.

2.2.0 Acceptance of Used Aircraft Being Exported (Returned) to the State of Design.

In addition to the used aircraft identified in paragraphs 2.1.0 and 2.1.2, the FAA and NZCAA will also accept Export Certificates of Airworthiness for a used aircraft being exported (returned) to the United States or New Zealand, as the State of Design for that aircraft.

2.2.1 Acceptance of Used Aircraft Manufactured in Third Countries. These Implementation Procedures also apply to the acceptance of Export Certificates of Airworthiness for aircraft within the scope of paragraph 2.1 which have been manufactured and/or assembled in third countries and are subsequently exported from New Zealand to the United States or vice versa. This paragraph shall only apply when bilateral agreements/arrangements for this purpose have been formalized between these third countries and both the FAA and CAA, covering the same class of products.

2.3 Provisions for Design and Design Change Approvals.

2.3.0 New Zealand Acceptance, as the Basis for CAA Design Approval, of the Following FAA Design Approvals:

- (a) TCs and Amended TCs for products for which the United States is the State of Design;
- (b) Supplemental Type Certificates for all products, regardless of the State of Design; and
- (c) Other FAA-approved major design changes (as identified in Section III, paragraph 3.3.1.0) for products, parts, and appliances for which the United States is the State of Design.

2.3.1 New Zealand Acceptance, without Further Investigation, of the Following FAA-approved Design Data:

- (a) FAA-approved or accepted design data used in support of repairs (as identified in Section III, paragraph 3.3.2) for products, parts, and appliances regardless of the State of Design, and
- (b) FAA Technical Standard Order Authorizations (TSOAs).

2.3.2 U.S. Acceptance, as the Basis for FAA Design Approval, of the Following CAA Design Approvals:

- (a) TCs and Amended TCs for small airplanes for which New Zealand is the State of Design;
- (b) Supplemental Type Certificates for small airplanes for which New Zealand is the State of Design;
- (c) Certain Supplemental Type Certificates as defined in paragraph 3.0.3 for airplanes for which the United States is State of Design;
- (d) NZTSO Design Approvals with certifying statements of compliance to FAA Technical Standard Orders for appliances (articles); and
- (e) Other CAA-approved design changes (as identified in Section III, paragraph 3.3.1) for small airplanes and appliances for which New Zealand is the State of Design.

2.3.3 U.S. Acceptance, without further investigation, of the Following CAA-approved Design Data:

- (a) CAA-approved design data used in support of repairs (as identified in Section III, paragraph 3.3.2) for small airplanes, parts, and appliances for which New Zealand is the State of Design; and
- (b) CAA-approved design data used in support of repairs (as identified in Section III, paragraph 3.3.2) for 14 CFR part 23 and part 25 category airplanes for which the United States is the State of Design.

2.4 Provisions for Environmental Testing and Approvals.

2.4.0 New Zealand Acceptance of FAA Findings for the following Environmental Requirements:

- (a) Noise certification requirements under CFR 36 for subsonic transport category large airplanes and subsonic turbojet powered airplanes;
- (b) Noise certification requirements under CFR 36 for propeller-driven small airplanes and propeller-driven commuter category airplanes;
- (c) Noise certification requirements under CFR 36 for helicopters; and
- (d) Fuel venting and exhaust emissions certification requirements under CFR 34 for turbine powered airplanes.

2.4.1 U.S. Acceptance of CAA Findings for the following Environmental Requirements: [Reserved.]

- 2.5 Provisions for Technical Assistance. The scope of all technical assistance activities between the FAA and CAA are specified in Section IV.
- 2.6 Provisions for Special Arrangements. These Implementation Procedures provide for designated officials within the FAA and CAA to make special arrangements -- with respect to design approval, production activities, export airworthiness approval, post design approval, or technical assistance -- in unique situations which have not been specifically addressed in these Implementation Procedures, but which are anticipated by the BASA. All special arrangements between the authorities are listed in Appendix D.
- 2.7 Summary Tables. The following tables summarize the design approvals and new products designed and manufactured in the United States or New Zealand that are eligible for import under these Implementation Procedures. (These tables do not show third countries product eligible for import.)

Table 1
Summary of U.S. Products, Appliances, and Parts and Associated FAA Approvals
Eligible for Import into New Zealand.

<u>Products, Appliances, & Parts</u>	Type Certificate, and Amendments	Supplemental Type Certificate	Technical Standard Order Authorization	Parts Manufacturer Approval
Airplanes in the following categories:				
Normal	√	√	Not Applicable	Not Applicable
Utility	√	√	N/A	N/A
Acrobatic	√	√	N/A	N/A
Commuter	√	√	N/A	N/A
Transport	√	√	N/A	N/A
Rotorcraft in the following categories:				
Normal	√	√	N/A	N/A
Transport	√	√	N/A	N/A
Balloons	√	√	N/A	N/A
Engines	√	√	N/A	N/A
Propellers	√	√	N/A	N/A
Aircraft in Special Classes:				
Airships	√	√	N/A	N/A
VLA	√	√	N/A	N/A
Gliders	√	√	N/A	N/A
Powered Lift	√	√	N/A	N/A
Appliances	N/A	N/A	√	N/A
Replacement and Modification Parts for the above airplanes, rotorcraft, balloons, engines, propellers, special class aircraft, and articles / appliances	√ Note: Produced under production approval.	√ Note: Produced under production approval.	√	√

Note: Aircraft type certificated in the primary, provisional, and restricted categories will be dealt with on a case-by-case basis through the special arrangement provision in Section V.

Note: This table does not show third countries' aircraft eligible for import into New Zealand from the United States. See paragraph 2.2.

Table 2
Summary of New Zealand Products, Appliances, and Parts and Associated CAA
Approvals Eligible for Import into the United States.

Notes 1 & 2 Products, Parts, & Appliances	Type Certificate, and Amendments	Supplemental Type Certificate	NZ Technical Standard Order Design Approvals	Manufacturing Organisation Approval
Airplanes in the following categories:				
Normal	√ Note 3	√ Note 3	Not Applicable	√
Utility	√ Note 3	√ Note 3	N/A	√
Acrobatic	√ Note 3	√ Note 3	N/A	√
Commuter	Note 3	√Note 3	N/A	N/A
Transport	Note 3	√/Note 3	N/A	N/A
Rotorcraft in the following categories:				
Normal	N/A	N/A	N/A	N/A
Transport	N/A	N/A	N/A	N/A
Balloons	N/A	N/A	N/A	N/A
Engines	N/A	N/A	N/A	N/A
Propellers	N/A	N/A	N/A	N/A
Aircraft in Special Classes:				
Airships	N/A	N/A	N/A	N/A
VLA	N/A	N/A	N/A	N/A
Gliders	N/A	N/A	N/A	N/A
Powered Lift	N/A	N/A	N/A	N/A
Appliances	N/A	N/A	√	√
Replacement and Modification Parts for the above airplanes and articles / appliances	√ Note: Produced by an approved Manufacturing Organisation.			

Note 1: Airplanes type certificated in the restricted category will be dealt with on a case-by-case basis through the special arrangement provision in Section V.

Note 2: This table does not show third countries' aircraft eligible for import into the United States from New Zealand. See paragraph 2.2.

Note 3: Certain design changes are also accepted for U.S. State of Design airplanes, see paragraph 2.3

SECTION III ESTABLISHED WORKING PROCEDURES

3.0 DESIGN APPROVAL PROCEDURES

3.0.0 General.

(a) The FAA, as importing authority, will normally conduct certification activities using a validation process on a product in order to make a finding of compliance and issue its design approval. The validation process is initiated by an application and normally entails a familiarization briefing by the applicant, the establishment of the certification basis by the FAA, a technical information exchange in the form of data, specialist meetings on technical compliance and/or the development of issue papers, establishment of the scope of delegation to the CAA, compliance determinations, and finally, the issuance of the design approval. The design approval issued by the FAA is based to the maximum extent practicable on the technical evaluations, tests, inspections, and compliance determinations made by the CAA.

(b) The expectation is that, with only a few exceptions, the determinations of compliance with the FAA's requirements would be made by the CAA, as delegated by the FAA. The FAA is able to make findings of compliance, without further showing, based upon statements of compliance by the CAA. Since the CAA must understand the FAA's position on all the items for which the CAA will be making determinations of compliance, both authorities shall ensure that they communicate adequately on these items. Both authorities will meet to discuss certification/validation issues before meeting together with the applicant. Also, the FAA will seek the CAA's opinions before significant issues are resolved and, accordingly, may postpone a meeting with the applicant to discuss and resolve technical issues until the CAA is adequately represented. Working in accordance with the principle that communications should occur authority-to-authority, correspondence will be answered through and coordinated with the CAA.

(c) The CAA will, as the importing authority, conduct an acceptance process to facilitate type acceptance and the importation of aircraft on the basis of a TC issued by the FAA. This assessment is conducted in accordance with CAR 21 Subpart B and Advisory Circular AC 21-1, *Product certification – Type certificate and type acceptance certificates*.

(d) The FAA and CAA also recognize that direct communications between the importing authority and the applicant are sometimes necessary. Direct communications should be limited to technical questions regarding the product (familiarization). The exporting authority should be informed on the outcome of these discussions. Close cooperation between the importing and the exporting

authorities is necessary to provide for effective management of the validation process and for the most cost effective utilization of resources.

(e) The FAA does not normally issue a design approval for a product manufactured outside the United States, except for an aircraft to be U.S.-registered or an engine, propeller, appliance, or part to be incorporated into the design of a U.S.-registered aircraft or U.S.-manufactured product. Therefore, New Zealand applicants for U.S. design approval should provide the FAA with evidence that the product, part, or appliance will be imported into the United States, or will be installed on a U.S.-registered or U.S.-manufactured product.

3.0.1 Design Approval Procedures for U.S. Type Certificates.

3.0.1.0 Application for U.S. Type Certification.

(a) An application for a U.S. TC, in accordance with 14 CFR § 21.15, from an applicant in New Zealand should be sent to the CAA. Applications may be submitted for products with a New Zealand TC, or for products where application for type certification has been made to the CAA. The CAA should ensure the application has the following information:

- (1) The New Zealand TC and Type Certificate Data Sheet (TCDS), if available, a definition of the national airworthiness and environmental standards upon which the CAA design approval was (or is to be) based, and the amendment level of the U.S. airworthiness and environmental standards the CAA believes to be satisfied by its own standards; and
- (2) The applicant's requested date for U.S. type certification.

(b) Also, the application should contain the following, if known at the time of application:

- (1) A description of all novel or unusual design features known to the applicant or CAA at the time of application which might necessitate issuance of FAA special conditions under 14 CFR § 21.16, or which might require a special review of acceptable means of compliance;
- (2) All known or expected exemptions or equivalent level of safety findings relative to the CAA's national airworthiness standards for design approval that might affect compliance with the applicable U.S. airworthiness and environmental standards; and
- (3) Available information on U.S. market potential, including specific customers and U.S. content of the product, if known.

(c) The CAA should forward the application to the appropriate FAA Aircraft Certification Service Directorate, based on the class and category of product. Appendix A contains a list of addresses for the FAA Aircraft Certification Service Directorates.

(d) If the application is for a product that is of a level of complexity that has not been previously certificated by the CAA, the CAA should notify the FAA. This notification should be made as soon as the CAA becomes aware of this type of pending application, so that the FAA may plan the scope of its validation program.

3.0.1.1 Familiarization Meeting.

(a) The CAA will arrange a familiarization meeting between the FAA, CAA, and the applicant to discuss the validation process, the approved or proposed New Zealand certification basis, and all novel or unusual features of the product.

(b) At this meeting the FAA will work to establish the U.S. type certification basis and the means of compliance for the product under application by determining the U.S. airworthiness and environmental standards that would be applied to a similar product if it were to be produced in the United States. The extent to which these activities are accomplished at the meeting will depend on the FAA's familiarity with the product and applicant, the applicant's familiarity with the FAA's process and, in general, the overall preparedness of all parties.

(c) For simple projects or less complex products, technical familiarization may be streamlined if agreed by both FAA and CAA.

3.0.1.2 Establishment of Project Certification Team. An important consideration that should be addressed at the familiarization meeting is the composition of the Project Certification Team. The composition of the team should include specialist representation to cover the technology level of the certification project. The FAA and CAA will mutually agree on a plan to ensure adequate compliance finding capability. The FAA and CAA will promptly notify each other of its respective Project Managers.

3.0.1.3 Establishment of U.S. Type Certification Basis.

(a) New TCs. The FAA will develop the certification basis using:

- (1) For type designs that do not hold an approval from the CAA, the applicable airworthiness standards in effect on the date the application is made to the FAA; or

- (2) For type designs that hold an approval from the CAA, the applicable airworthiness standards in effect on the date the application was made to the CAA for a New Zealand TC.

(b) Additional requirements.

- (1) In general, the FAA may require the applicant to comply with additional technical conditions in the interest of safety. These requirements may include actions deemed necessary for continued safe operation in the United States as a result of service history and actions taken by the CAA to correct unsafe conditions.
- (2) The FAA will review all novel and unusual design features for development of special conditions. The FAA will work closely with the CAA in the development of special conditions and exemptions providing the CAA and the applicant an opportunity to comment on the proposal.

(c) Environmental (Type) Certification Basis. The regulatory basis for compliance with 14 CFR Parts 34 and 36 is the amendment in effect on the date of application to the FAA for certification. An applicant for a TC or STC must show that the aircraft meets the applicable airworthiness standards, special conditions, fuel venting and exhaust emission standards of 14 CFR Part 34 and the noise standards of 14 CFR Part 36.

3.0.1.4 Compliance to U.S. (Type) Certification Basis. The CAA should review the FAA's proposed U.S. type certification basis and notify the FAA Project Manager of the proposed compliance option. The FAA may accept either the U.S. type certification basis, or the New Zealand type certification basis plus all FAA additional technical conditions.

(a) If the findings of compliance are to the applicable U.S. airworthiness and environmental standards, the FAA will not need to develop additional technical conditions.

(b) If the findings of compliance are to the CAA standards, the FAA will start the process of developing additional technical conditions to cover FAA additional requirements. The FAA will coordinate with the CAA in the development of additional technical conditions to allow each authority to benefit from the technical expertise of the other, and to understand how to make determinations of compliance to meet the FAA's airworthiness and environmental standards.

3.0.1.5 Data Submittal & Design Review. In order to find compliance with Additional Technical Conditions, special conditions, or equivalent levels of safety, the FAA may make written requests for data to the CAA. The CAA, in

responding to such requests, should verify that the data provided has been reviewed and, if required, approved by the CAA. Compliance documentation (e.g., certification test plans and reports, flight test plans and reports, system safety assessments, data substantiation reports) should be complete and detailed enough for the respective authorities to determine whether compliance has been made to the regulations.

3.0.1.6 Technical Meetings.

(a) In addition to the initial familiarization meeting, other technical meetings may be necessary to ensure that any additional technical conditions that have been communicated to the CAA are well understood, and that any outstanding technical issues are resolved. These meetings should be held as early as possible in the certification process in order to permit timely design changes. All technical meetings will normally be arranged through the CAA and will normally have both authorities' representatives in attendance.

(b) Early in the program, based on the known design and information presented in the familiarization and technical meetings, the FAA will identify the areas in which further FAA activity will be required (e.g. review of required data, reports, tests and test witnessing, areas of concern or special emphasis). The anticipated level of activity by the FAA will be documented in writing. This written arrangement may be revised if the initial design definition is incomplete or subsequent design changes are made.

(c) The CAA will keep the FAA informed of the progress of its type certification program on a periodic basis. The CAA should notify the FAA Project Manager as soon as possible of all additional novel or unusual design features, and all other design features that might cause or have caused the CAA to develop a special condition or to make an equivalent level of safety finding.

3.0.1.7 Issue Papers.

(a) The FAA will prepare issue papers that identify the certification basis and other items such as unique import requirements, acceptable means of compliance, equivalent levels of safety findings, and special conditions. However, when the FAA's and CAA's positions are equivalent, the CAA's issue papers may be used directly by the FAA in lieu of an FAA issue paper. Nevertheless, the FAA must still process its own issue papers that address equivalent levels of safety or special conditions.

(b) The FAA will coordinate all issue papers and changes to issue papers with the CAA. Such coordination will expedite the timely and mutually acceptable resolution of certification issues.

3.0.1.8 Environmental Testing and Approval Procedures.

(a) The FAA is authorized to make findings of compliance to 14 CFR Parts 34 and 36 based upon FAA witnessed tests, conducted in accordance with FAA-approved test plans, and based upon FAA review and approval of all data and compliance demonstration reports submitted via the CAA.

(b) Environmental Testing and Approval Process. In the absence of any FAA delegation to CAA, the process for environmental testing and approvals includes the following:

- (1) Environmental (noise, fuel venting, and exhaust emissions) certification compliance demonstration plans must be submitted to the FAA for review, comment, and subsequent approval prior to undertaking certification testing.
- (2) Information and data must be supplied to the FAA in order to conduct a finding in accordance with the Noise Control Act of 1972 (P.L. 92-574). The FAA, before issuing an original TC for an aircraft of any category, must assess the extent of noise abatement technology incorporated into the type design and determine whether additional noise reduction is achievable. This examination must be initiated as soon as possible after the application for type certification in each original type certification project and reflect noise reduction potentials that become evident during the design and certification process.
- (3) Information and data must be supplied to the FAA in order to conduct an evaluation and audit of the measurement and analysis methods and practices, and data correction procedures of the applicant for aircraft noise certification under 14 CFR Part 36, Subpart B and/or Subpart H.
- (4) Compliance demonstration aircraft noise test plans and engine exhaust emissions test plans to be used for demonstrating U.S. environmental certification compliance must be submitted to the FAA for review and comment, and subsequent approval not less than 90 days prior to commencing testing.
- (5) Proposed equivalent procedures to be used by the applicant during testing, data processing, data reduction, and data analysis must be specifically identified to the FAA and approved in advance by the FAA as part of items (1) and (4).
- (6) FAA personnel, or FAA designated engineering representatives must witness compliance demonstration tests. Prior to the start of

testing it is necessary to ensure the conformity of the test article (aircraft or engine configuration) to that identified in the FAA approved compliance demonstration test plans.

- (7) Compliance demonstration reports must be submitted to the FAA for review and comment and subsequent approval prior to type certification approval.

3.0.1.9 Final Certification Meeting/Issuance of the U.S. Type Certificate. Upon issuance of the New Zealand TC and demonstrated compliance with the U.S. Type Certification Basis, the CAA shall forward a certifying statement to the FAA, in accordance with 14 CFR § 21.29, along with all additional requested materials. The FAA, upon receipt and review of the documents, will prepare the TC and TCDS and forward them to the CAA for transmittal to the applicant. A final meeting would only be necessary if there are areas of further discussion or if the sharing of information would be beneficial.

3.0.1.10 Evaluation of Operational and Maintenance Aspects. The FAA has established Aircraft Evaluation Groups (AEGs), located at the product-accountable Directorates. The AEGs are responsible for the operational and maintenance aspects of the type certification process. The AEGs will conduct Boards, as appropriate, to review the following items on New Zealand products prior to their entry into U.S. operations: Maintenance Review Board (MRB) Report and associated Instructions for Continued Airworthiness documentation; Operational configuration; Pilot training and licensing requirements; and the formulation and approval of a Master Minimum Equipment List (MMEL). The AEG will be invited to participate in the familiarization meeting by the FAA Project Manager, and will generate issue papers as appropriate to the type design. Compliance with AEG requirements is not required at the time of the issuance of the U.S. TC, but to avoid operational suitability problems, applicants are encouraged to complete AEG requirements early in the project.

3.0.2 Design Approval Procedures for New Zealand Type Acceptance Certificates.

(a) A New Zealand TC is issued under the provisions of CAR 21 Subpart B for a product that meets the applicable design standards of CAR Part 21 Appendix C.

(b) The CAA does not issue a TC for a product manufactured outside New Zealand. Imported products are covered by a type acceptance certificate (TAC) issued under the provisions of CAR Part 21 Subpart B for products that meet the applicable design standards of CAR Part 21 Appendix C. For the purpose of interpretation, a New Zealand type acceptance of an FAA-approved type design is considered a CAA-approved type design.

3.0.2.0 Application for New Zealand Type Acceptance Certification. Type Acceptance Certification is carried out in accordance with CAR § 21.41 and § 21.43. An application for a New Zealand TAC from an applicant in the U.S. should be sent to the FAA Aircraft Certification Office responsible for the applicant's geographic area. Type acceptance can be independent of the importation and New Zealand certification of an aircraft or product covered by the referenced U.S. TC. Aircraft covered by a U.S. TC in the standard category are accepted as meeting CAR § 21.41. Type acceptance involves an application on CAA Form 24021/05 and supply of the information specified in CAR §21.43. Additional data may be required for large aircraft, as detailed in CAA Advisory Circular 21-2, *Product certification – airworthiness certificates in the Standard and Restricted categories.*

3.0.2.1 Familiarization Meeting. A familiarization meeting is not a requirement for a TAC application but the CAA may hold a meeting where it considers it appropriate.

3.0.2.2 Establishment of Project Certification Team. Establishment of a project certification team is not a requirement for a TAC, but the CAA may establish a team where it considers it appropriate.

3.0.2.3 Establishment of New Zealand Type Certification Basis.

(a) New Type Acceptance Certificates. The CAA establishes the certification basis using the standards specified in CAR Part 21 Appendix C, effective on the date the application was made for the U.S. TC.

(b) Additional Requirements. Additional requirements in the form of special conditions may be prescribed by the Director under CAR 21.23 where the product has novel or unusual design features or the intended use of the product is unconventional.

(c) Environmental (Type) Certification Basis. The CAA noise and emission standards for standard category aircraft are prescribed in CAR Part 21 Appendix C and are effective on the date the application was made for the U.S. TC. These include:

(1) Noise Standards.

- (i) The applicable chapter of ICAO Annex 16 Volume I for all aircraft except after 30 September 2002 subsonic turbo-jet and turbo-fan powered airplanes which must comply with the standards prescribed in Chapter 3 of Annex 16 Volume I; or;
- (ii) The higher standard where it has been specified on the aircraft TC, noise certificate or equivalent document; or

(iii) A set of acceptable airworthiness design standards as advised by the CAA.

(2) Emission Standards.

(i) The applicable chapter of ICAO Annex 16 Volume II; or

(ii) A set of acceptable airworthiness design standards as advised by the CAA.

3.0.2.4 Data Submittal & Design Review. Each applicant for the issue of a TAC shall provide the data required by CAR § 21.43.

3.0.2.5 Technical Meetings. The CAA convenes technical meetings where it considers it necessary for issue of a TAC.

3.0.2.6 Issue Papers. The CAA prepares issue papers as it considers it necessary for issue of a TAC.

3.0.2.7 Environmental Testing and Approval Procedures.

(a) Existing certification. The FAA shall provide evidence that the aircraft type meets the applicable aircraft noise and engine emission standards contained in CAR Part 21 Appendix C.

(b) New Zealand Certification Environmental Testing and Approval Procedures. [Reserved]

3.0.2.8 Final Certification Meeting/Issuance of the New Zealand Type Acceptance Certificate. The CAA does not require a final certification meeting prior to issuance of the TAC. On issuance of the TAC, CAA will notify the FAA product-accountable directorate.

3.0.2.9 Evaluation of Operational and Maintenance Aspects. The CAA does not require evaluation of operational and maintenance aspects for issue of a TAC.

3.0.3 Design Approval Procedures for U.S. Supplemental Type Certificates.

(a) For New Zealand State of Design airplanes.

U.S. STCs may be issued under the provisions of 14 CFR § 21.117 for approval of major changes to the type design of an airplane which has been validated by the FAA, when the CAA is the authority of the State of Design for both the airplane and the design change, and the CAA has issued the STC.

(b) For U.S. State of Design airplanes.

- (1) U.S. STCs may be issued under the provisions of 14 CFR § 21.117 for approval of major changes to the type design for reconfiguration of the passenger cabin and crew rest compartments of U.S. State of Design airplanes which have been type certificated by the FAA, when the CAA is the State of Design for the design change and the CAA has issued the STC.
- (2) As part of its involvement in the issue of the U.S. STC, the FAA may retain certain compliance determinations for changes in the following areas:
 - (i) Electrical equipment and wiring installations,
 - (ii) Avionics systems,
 - (iii) Communications systems, and
 - (iv) In-flight Entertainment systems.

For such projects, FAA Aircraft Certification Offices will contact the FAA Aircraft Certification Service International Policy Office (AIR-40) for additional guidance.

(c) The FAA will develop the STC certification basis in accordance with FAA Order 8110.4, *Type Certification*, 14 CFR Section 21.93 (b) and (c), and 14 CFR § 21.115. An applicant for an STC must also show that the airplane meets the airworthiness standards, special conditions, fuel venting and exhaust emission standards of 14 CFR Part 34 and the noise standards of 14 CFR Part 36.

(d) New Zealand applicants shall submit an STC application to the CAA with a request that the application and required information be forwarded to the FAA Office responsible for the original FAA validation or certification of the airplane. Appendix A contains a list of addresses for the FAA Offices.

(e) Each application should contain the following information:

- (1) A description of the change, together with the make and model of the airplane;
- (2) A copy of the New Zealand STC and certification basis;
- (3) The applicant's requested date for issuance of the U.S. STC;
- (4) A description of all novel or unusual design features which might necessitate issuance of FAA special conditions; and
- (5) All exemptions or equivalent level of safety findings granted by the CAA for the New Zealand STC.

(f) The basic design approval procedures for U.S. Type Certification (paragraph 3.0.1 above) should be used for STCs, but both authorities may agree to streamline these procedures based on the magnitude and complexity of the design change.

(g) The following documentation will be required, as applicable, for review by the FAA during the STC approval process:

- (1) Compliance checklist;
- (2) Aircraft Flight Manual (AFM) Supplement;
- (3) Master documentation list/master drawing list;
- (4) Manufacturing and installation instruction drawings;
- (5) Maintenance/repair manual supplements;
- (6) Weight and balance data; and
- (7) Instructions for Continued Airworthiness.

(h) The FAA will issue an STC when compliance with the applicable U.S. airworthiness requirements has been verified and the CAA has made a compliance statement.

3.0.4 Design Approval Procedures for New Zealand Supplemental Type Certificates.

(a) New Zealand STCs are issued under the provisions of CAR Part 21 Subpart E for approval of major changes to the type design of an aircraft type that has been type accepted by the CAA.

(b) U.S. STCs are designated acceptable technical data under CAR Part 21 Appendix D, subject to the specified conditions, without further showing.

3.0.5 Design Approval Procedures for FAA Letters of Technical Standard Order (TSO) Design Approval.

3.0.5.0 Application.

(a) The FAA only issues a Letter of TSO Design Approval for appliances of a kind for which a minimum performance standard has been published in an FAA TSO. All New Zealand applicants for an FAA letter of TSO design approval shall make application through CAA with a request that the application and required information be forwarded to the Los Angeles Aircraft Certification Office, at the address indicated in Appendix A. The CAA should contact the

FAA for the latest FAA technical policy and procedures related to the TSO performance standard.

(b) The FAA will consider recognition of other performance standards as the basis for a new TSO design standard after the standard is evaluated by the FAA, and published for public comment. A New Zealand applicant with a NZTSO that is based on a performance standard other than an FAA TSO should make a request for approval of this performance standard through the CAA to the Technical Programs and Continued Airworthiness Branch (AIR-120), Engineering Division, FAA headquarters. Once the alternative performance standard has been approved and published by the FAA, the application process for the approval of the appliance itself follows paragraph (a) above.

3.0.5.1 Issuance of a Letter of TSO Design Approval. The FAA may issue the appropriate form of TSO design approval, within the scope of these Implementation Procedures, to the applicant after:

(a) Receipt of all the required data/documentation pertaining to the proper installation, performance, operation, and maintenance of the TSO appliance;

(b) Receipt of other specific technical data, as jointly agreed between the CAA and the FAA, needed to demonstrate compliance with a TSO standard (e.g., a first-of-a-kind TSO);

(c) Receipt and approval of all proposed deviations; and

(d) Receipt of a certifying statement from the applicant through the CAA, with certification by the CAA that the performance of the appliance complies with the applicable FAA TSO or other accepted standards of the FAA, which provide an equivalent level of safety.

3.0.5.2 Installation Approval. An FAA Letter of TSO Design Approval does not constitute an installation approval for the TSO appliance on a product. The installer must obtain installation approval from their civil airworthiness authority for use on a product that is under the authority's regulatory control.

3.0.6 Design Approval Procedures for New Zealand Technical Standard Order Design Approval. [Reserved]

3.0.7 Joint Design Approval Procedures. The FAA and CAA may undertake concurrent type certification/validation and other design approval projects with respect to products covered by the Scope of these Implementation Procedures when it is in the interest of both authorities and their aviation industries. The FAA and CAA will mutually agree on procedures for such projects under the special arrangements provision of Section V.

3.1 PRODUCTION AND SURVEILLANCE ACTIVITIES

3.1.0 Production Quality System. All products, appliances, and parts exported under the provisions of these Implementation Procedures shall be produced in accordance with a production quality system that ensures conformity to the approved design of the importing authority and ensures that completed products are in a condition for safe operation. This production quality system covers the fabrication of products, appliances, and parts within and outside of the country of export. When these fabrication and/or production activities occur outside of the county of export, the associated products or parts shall be considered as being manufactured in the exporting country.

3.1.1 Surveillance of Production Approval Holders.

3.1.1.0 The FAA and CAA, as exporting authorities, shall conduct regulatory surveillance of production approval holders and their suppliers in accordance with the exporting authority's specific policies, practices, and/or procedures. Both ongoing and scheduled evaluations should be conducted to verify that the production approval holder is in continual compliance with their approved production quality system, manufacturing products, appliances, and parts which fully conform to the approved design, and are in a condition for safe operation. The exporting authority should verify the correction of all deficiencies.

3.1.1.1 Production surveillance includes the surveillance of manufacturers and their suppliers who may be fabricating prototype or pre-production parts for products that are still undergoing type certification. The manufacturer or its approved supplier must produce these parts, with the concurrence of the exporting authority, using an existing approved production quality system for similar type certificated products. The approved production quality system must ensure the prototype or pre-produced parts are properly controlled so that a final determination of airworthiness can be undertaken prior to export.

3.1.1.2 FAA production approval and supplier surveillance programs are described in FAA Order 8120.2, *Production Approval and Certificate Management Procedures*, Advisory Circular 21-20, *Supplier Surveillance Procedures*, and FAA Order 8100.7, *Aircraft Certification Systems Evaluation Program*.

3.1.1.3 CAA production approval and supplier surveillance programs are described in CAR Part 21, Subpart O - *New Zealand Technical Standard Authorisations* and CAR Part 21, Subpart P- *New Zealand Parts Manufacturing Approval Authorisations*, CAR Part 148, *Aircraft Manufacturing Organisations - Certification*, AC 148-1, *Aircraft Manufacturing Organisations and CAA Surveillance Policy*.

3.1.2 Extensions of Production Approvals.

3.1.2.0 When a production approval has been granted or extended by the FAA or CAA, as exporting authorities, to include manufacturing sites and facilities in each other's countries or in a third country, the exporting authority remains fully responsible for the surveillance and oversight of these manufacturing sites and facilities.

3.1.2.1 The FAA is responsible for surveillance and oversight of U.S. production approval holders located in New Zealand. Routine surveillance and oversight may be performed by the CAA on behalf of the FAA through the provisions of Section IV. The CAA is responsible for surveillance and oversight of CAA production approval holders located in the United States. Routine surveillance and oversight may be performed by the FAA on behalf of the CAA through the provisions of Section IV.

3.1.2.2 The FAA or CAA may seek assistance from the civil airworthiness authority of a third country in the undertaking of FAA or CAA regulatory surveillance and oversight functions when a production approval has been granted or extended in that third country. This should be done only when an arrangement for technical assistance has been formalized between the FAA or CAA and the civil airworthiness authority of the third country.

3.1.3 Product Production Approval Based on a Licensing Agreement. Either the FAA or CAA can grant a production approval for a product (i.e., aircraft, aircraft engine, or propeller) in its respective country based on design data obtained through a licensing agreement with a type design holder in the other country (i.e., licensing the rights to use the design data of a type certificated product). In this case, the authority granting that production approval shall ensure the establishment of adequate manufacturing processes and quality system procedures to ensure that each product conforms to the approved licensed design data. There must also be procedures to ensure that all changes to be introduced into the design by the licensee are approved. These design changes shall be submitted to the TC holder who shall obtain approval from its authority using normal procedures. These product production approvals based on a licensing agreement will be addressed on a case-by-case basis under the Special Arrangements provision of Section V.

3.1.4 Supplier Surveillance - Outside the Exporting Country.

3.1.4.0 The FAA and CAA, as exporting authorities, shall include in their regulatory surveillance and oversight programs a means of surveilling production approval holders' suppliers who are located outside the exporting country. This surveillance and oversight shall be equivalent to that program for domestic suppliers. This surveillance activity will assist the FAA and CAA in

determining conformity to approved design and whether the parts are safe for installation on type certificated products.

3.1.4.1 The FAA is responsible for surveillance and oversight of U.S. production approval holders' suppliers located in New Zealand. Routine surveillance and oversight may be performed by the CAA on behalf of the FAA through the provisions of Section IV. The CAA is responsible for surveillance and oversight of CAA production approval holders' suppliers located in the United States. Routine surveillance and oversight may be performed by the FAA on behalf of the CAA through the provisions of Section IV.

3.1.4.2 The FAA or CAA may seek assistance from a third country civil airworthiness authority, at the supplier's location, in the undertaking of FAA or CAA regulatory surveillance and oversight functions of suppliers to production approval holders of the exporting country. This should only be done when an arrangement for technical assistance has been formalized between the FAA or CAA and the civil airworthiness authority of the third country.

3.1.4.3 The production approval holder may not use a supplier in a country where the authority of the production approval holder is denied unimpeded access, by either the supplier or the supplier's civil airworthiness authority, to the supplier's facility to perform surveillance activities. The production approval holder also may not use a supplier located in a country if that country denies entry to the authority of the production approval holder.

3.1.5 Multi-National Consortia.

3.1.5.0 Multi-national consortia may be issued approvals for the design and production of products, appliances and/or parts in either the United States or New Zealand. These consortia clearly define one responsible design and production approval holder, for the purposes of regulatory accountability, located in the exporting country. There may be, however, suppliers to the approval holder(s) that are located both domestically and in other countries that produce parts for use in the final product that is to be exported.

3.1.5.1 The FAA and CAA, as exporting authorities, shall continue to conduct regulatory surveillance and oversight of the domestic design and production approval holder, and should emphasize surveillance and oversight of priority parts suppliers. The exporting authority shall use its regulatory surveillance and oversight programs to best enable it to determine that consortia suppliers are producing parts that conform to the approved design and are in a condition for safe operation.

3.2 EXPORT AIRWORTHINESS APPROVAL PROCEDURES

3.2.0 General. The FAA, as the exporting authority, issues Export Certificates of Airworthiness for completed aircraft, aircraft engines, and propellers. The FAA issues authorized release certificates (airworthiness approval tags) for appliances and parts. The CAA issues Export Airworthiness Certificates for completed aircraft. The CAA issues either Export Airworthiness Certificates or authorized release certificates for engines and propellers. The CAA issues authorized release certificates for appliances and parts.

3.2.1 FAA Acceptance of CAA Export Airworthiness Certificates and Authorised Release Certificates.

(a) The FAA's requirements and procedures for import are described in 14 CFR Part 21 Subparts H and N, FAA Order 8130.2, *Airworthiness Certification of Aircraft and Related Products*, and Advisory Circular 21-23, *Airworthiness Certification of Civil Aircraft, Engines, Propellers, and Related Products Imported to the United States*.

(b) The CAA's process for issuing Export Airworthiness Certificates is described in CAR Part 21, Subpart L, and in the *Aircraft Certification Unit Procedures*.

3.2.1.0 New Airplanes.

(a) Except as provided in paragraph 3.2.1.4, the FAA shall accept CAA Export Airworthiness Certificates (CAA Form 2136) on small new airplanes, as identified in Section II, only when the CAA certifies that each airplane:

- (1) Conforms to a type design approved by the FAA, as specified in the FAA's TC data sheet, and any additional STCs approved by the FAA;
- (2) Is in a condition for safe operation, including compliance with applicable FAA Airworthiness Directives, as notified; and
- (3) Meets all additional requirements prescribed by the FAA, as notified.

(b) Each airplane exported to the United States with CAA airworthiness approval will have a CAA Form 2136, Export Airworthiness Certificate. The CAA Form 2136 should contain the following statement: "The [INSERT AIRPLANE MODEL] covered by this certificate conforms to the type design approved under U.S. TC Number [INSERT TC NUMBER AND TCDS REVISION LEVEL], and is found to be in a condition for safe operation," and/or any other "import requirements" text as specified in the U.S. TC data sheet.

3.2.1.1 New Appliances.

(a) Each new appliance exported to the United States with CAA airworthiness approval will have a CAA Form One, Authorised Release Certificate – Airworthiness Approval Tag. The FAA shall accept CAA Form One on new appliances, as identified in Section II when the CAA certifies, by the issuance of CAA Form One, that each appliance:

- (1) Conforms to the design approved by the FAA, as specified in the FAA Letter of TSO Design Approval;
- (2) Is safe for installation and complies with applicable FAA Airworthiness Directives, as notified;
- (3) Is marked in accordance with paragraph 3.2.3.0(a) of these Implementation Procedures; and
- (4) Meets all additional requirements prescribed by the FAA, as notified.

3.2.1.2 New Modification and/or Replacement Parts.

(a) Each new part exported to the United States with CAA airworthiness approval will have a CAA Form One, Authorised Release Certificate – Airworthiness Approval Tag. The FAA shall accept these CAA authorised release certificates on new modification and/or replacement parts identified in Section II, only when the CAA certifies, by the issuance of Form One, that each part:

- (1) Is eligible for installation in a product or appliance that has been granted an FAA design approval;
- (2) Conforms to FAA-approved design data and is safe for installation;
- (3) Is marked in accordance with paragraph 3.2.3.0(a) of these Implementation Procedures; and
- (4) Meets all additional requirements prescribed by the FAA, as notified.

(b) The FAA must be provided evidence of direct shipment authorizations extended to approved suppliers. If a part is shipped under direct ship authorization, the CAA's authorised release certificates must indicate that the production approval holder has authorized direct shipment. This indication may be a supplemental "remark" entry on the authorised release certificate indicating the authorization to the supplier for direct shipment of parts from the supplier's location.

3.2.1.3 Used Airplanes for which there has been a Design Approval Granted by the FAA.

(a) The FAA shall accept CAA Export Airworthiness Certificates on used Part 23 small airplanes for which either the United States or New Zealand is the State of Design, and on Part 25 transport airplanes for which the United States is the State of Design, as identified in Section II, for import into the United States for airworthiness certification when the CAA certifies that each used airplane:

- (1) Conforms to the FAA-approved type design as specified in the FAA's TC data sheet, and any additional STCs approved by the FAA, as notified;
- (2) Is in a condition for safe operation, including compliance with all applicable Airworthiness Directives issued by the FAA, as notified;
- (3) Has been properly maintained using CAA-approved procedures and methods during its service life (evidenced by logbooks and maintenance records);
- (4) Meets all additional requirements prescribed by the FAA, as notified; and
- (5) The CAA Export Airworthiness Certificate includes the statement in paragraph 3.2.1.0(b).

(b) The FAA shall also accept the CAA's Export Airworthiness Certificates for used small airplanes manufactured in a third country when that country has a bilateral agreement/arrangement with both the FAA and the CAA covering the same class of product, and the conditions of paragraph 3.2.1.3(a)(1)-(5) have been met.

(c) The FAA may also request inspection and maintenance records that include, but are not limited to:

- (1) The original or certified true copy of the Export Airworthiness Certificate issued by the CAA;
- (2) Records which verify that all overhauls, major changes, and repairs were accomplished in accordance with approved data; and
- (3) Maintenance records and log entries which substantiate that the used aircraft has been properly maintained throughout its service life to the requirements of an approved maintenance program.

3.2.1.4 Export Airworthiness Certificate Exceptions. The CAA shall notify the FAA's geographic-responsible Manufacturing Inspection Office (MIO) prior to issuing an Export Airworthiness Certificate in which a non-compliance to the FAA-approved type design is to be noted under the "Exceptions" section of the

Export Airworthiness Certificate. Addresses for all FAA MIOs are listed in Appendix A. This notification should help to resolve all issues concerning the aircraft's eligibility for an FAA airworthiness certificate. A written acceptance from the FAA is required before the issuance of the CAA Export Airworthiness Certificate.

3.2.2 CAA Acceptance of FAA Export Certificates of Airworthiness and Authorized Release Certificates.

(a) The CAA's requirements and procedures for import are described in CAR, Part 21, *Certification of Products and Parts*, Subpart B, Advisory Circulars 21-1 *Type certificates and type acceptance certificates*, 21-2 *Airworthiness certificates in the standard and restricted categories* and 20-2 *Acceptability of parts*, and the *Aircraft Certification Unit Procedures*.

(b) The FAA's process for issuing export certificates is described in 14 CFR Part 21 and FAA Order 8130.2, *Airworthiness Certification of Aircraft and Related Products*, FAA Order 8130.21, *Procedures for Completion and Use of the Authorized Release Certificate*, FAA Form 8130-3, *Airworthiness Approval Tag*, and FAA Advisory Circular 21-2, *Export Airworthiness Approval Procedures*.

3.2.2.0 New Aircraft, Aircraft Engines, and Propellers.

(a) Except as provided in paragraph 3.2.2.4, CAA shall accept FAA Export Certificates of Airworthiness on new aircraft, aircraft engines and propellers, as identified in Section II, only when the FAA certifies that each aircraft, aircraft engine and propeller:

- (1) Conforms to an FAA-approved type design and type accepted by the CAA under CAR Part 21 Subpart B. (Accepted types are listed in CAA AC 21-1.2);
- (2) Is in a condition for safe operation, including compliance with applicable FAA and CAA Airworthiness Directives, as notified;
- (3) Meets all additional requirements prescribed by the CAA, as notified; and
- (4) Has undergone a final operational check (only for aircraft engines and propellers).

(b) Each aircraft, aircraft engine, and propeller exported to New Zealand with FAA airworthiness approval will have an FAA Form 8130-4, *Export Certificate of Airworthiness*, issued in accordance with the requirements of 14 CFR Part 21, Subpart L.

(c) For aircraft, the FAA Export Certificate of Airworthiness, Form 8130-4, should contain a statement such as: “The [INSERT AIRCRAFT MODEL] covered by the certificate conforms to the type design approved under U.S. TC Number [INSERT TC NUMBER AND TCDS REVISION LEVEL], and is found to be in a condition for safe operation,” and/or any other “importing requirements” text as specified in the CAA Type Certificate Data Sheet.

(d) For aircraft engines and propellers, the FAA Export Certificate of Airworthiness should contain a statement such as: “The [INSERT AIRCRAFT ENGINE OR PROPELLER] covered by this certificate conforms to the type design approved under FAA TC Number [INSERT TC NUMBER AND TCDS REVISION LEVEL], is found to be in a condition for safe operation and has undergone a final operational check,” and/or any other “import requirements” text as specified in the CAA Type Certificate Data Sheet.

3.2.2.1 New Appliances. Each new appliance exported to New Zealand with FAA airworthiness approval will have an Authorized Release Certificate, FAA Form 8130-3, *Airworthiness Approval Tag*. The CAA shall accept FAA airworthiness approval tags on new appliances, as identified in Section II when the appliance complies with 14 CFR Part 21, Subpart L.

3.2.2.2 New Modification and/or Replacement Parts.

(a) Each part exported to New Zealand with FAA airworthiness approval will have an Authorized Release Certificate, FAA Form 8130-3, *Airworthiness Approval Tag*. The CAA shall accept these FAA authorized release certificates on new modification and/or replacement parts when the FAA certifies, by the issuance of FAA Form 8130-3, that each part:

- (1) Is eligible for installation in a product that has been issued a CAA design approval or is type accepted or in an appliance which has been granted an FAA design approval;
- (2) Conforms to CAA-approved design data or acceptable technical data (contained in CAR Part 21 Appendix D) and is safe for installation;
- (3) Is marked in accordance with paragraph 3.2.3.1(a) of these Implementation Procedures; and
- (4) Meets all additional requirements prescribed by the CAA, as notified.

3.2.2.3 Used Aircraft for Which There Has Been a Design Approval Granted by the CAA.

(a) The CAA shall accept FAA Export Certificates of Airworthiness on used aircraft for which either the United States or New Zealand is the State of

Design, as identified in Section II, for import into New Zealand for airworthiness certification when the FAA certifies that each used aircraft:

- (1) Conforms to the CAA-approved type design or where the CAA has granted a type acceptance, and any additional STCs approved by the FAA or CAA, as notified;
- (2) Is in condition for safe operation, including compliance with all FAA Airworthiness Directives and CAA Airworthiness Directives, as notified;
- (3) Has been properly maintained using FAA-approved procedures and methods during its service life (evidenced by logbooks and maintenance records);
- (4) Meets all additional requirements prescribed by the CAA, as notified; and
- (5) The FAA Export Certificate of Airworthiness includes the statement in paragraph 3.2.2.0(c).

(b) The CAA shall also accept the FAA Export Certificate of Airworthiness for used aircraft manufactured in a third country when that country has a bilateral agreement/arrangement with the FAA and the CAA covering the same class of product, and the conditions of paragraph 3.2.2.3(a)(1-5) have been met.

(c) The CAA may also request inspection and maintenance records that include, but are not limited to:

- (1) The original or certified true copy of the Export Certificate of Airworthiness issued by the civil aviation authority of the country of manufacture;
- (2) Records which ensure that all overhauls, major changes, and repairs were accomplished in accordance with approved data; and
- (3) Maintenance records and log entries which substantiate that the used aircraft has been properly maintained throughout its service life to the requirements of an approved maintenance program.

3.2.2.4 Export Certificate of Airworthiness Exceptions. The FAA shall notify CAA's Aircraft Certification Unit prior to issuing an Export Certificate of Airworthiness in which noncompliance to the CAA-approved type design or to the New Zealand type-accepted design is to be noted under the "Exceptions" section of the Export Certificate of Airworthiness. This notification should help to resolve all issues concerning the aircraft's eligibility for a CAA airworthiness

certificate. A written acceptance from the CAA is required before the issuance of the FAA Export Certificate of Airworthiness.

3.2.3 Additional Requirements for Imported Products, Parts, and Appliances. The following identifies those additional requirements which must be complied with as a condition of acceptance for products, parts, or appliances imported into the United States or New Zealand, or for use on either a U.S.- or New Zealand-registered aircraft.

3.2.3.0 U.S. Requirements.

(a) Identification and Marking.

- (1) Aircraft, aircraft engines, and propellers must be identified as required in 14 CFR § 45.11.
- (2) Each critical component of a product must be identified with a part number (or equivalent) and serial number (or equivalent) in accordance with 14 CFR § 45.14.
- (3) Each appliance of a design approved by an FAA letter of TSO design approval must be marked in accordance with the requirements in 14 CFR Part 21, Subpart O, and all additional marking requirements specified in the particular TSO.
- (4) Each replacement or modification part must be marked with the part number, serial number if applicable, and the manufacturer's name, symbol, or trademark. In addition, information concerning the model designation of the type certificated product for which the part is eligible for installation must be furnished.

(b) Instructions for Continued Airworthiness. Each aircraft, aircraft engine, and propeller must be accompanied by instructions for continued airworthiness and manufacturer's maintenance manuals having airworthiness limitation sections, as prescribed in 14 CFR § 21.50.

(c) Maintenance Records. Each aircraft, including the aircraft engine, propeller, rotor, or appliance, must be accompanied by maintenance records equivalent to those specified in 14 CFR § 91.417.

3.2.3.1 New Zealand Requirements.

(a) Identification and Marking.

- (1) Aircraft, aircraft engines, and propellers must be identified as required in CAR Part 21 Subpart Q.

- (2) Each critical component of a product must be identified with a part number (or equivalent) and serial number (or equivalent) in accordance with CAR § 21.811.
- (3) Each appliance of an FAA design approval must be marked in accordance with the requirements in 14 CFR Part 21, Subpart O and CAR § 21.621, § 21.805, and § 21.813, respectively, and all additional marking requirements specified in the particular TSO or NZTSO.
- (4) Each part to be used as a replacement or modification part must be marked with the part number, serial number if applicable, and the manufacturer's name, symbol or trade mark. In addition, information concerning the model designation of the type certificated product for which the part is eligible for installation must be furnished.

(b) Instructions for Continued Airworthiness. Each aircraft, aircraft engine, and propeller must be accompanied by instructions for continued airworthiness and manufacturer's maintenance manuals having airworthiness limitation sections, as prescribed in the airworthiness standards under which the product was type certificated.

(c) Maintenance Records. Maintenance records equivalent to those specified in CAR § 91.627 must accompany each aircraft, including the aircraft engine, propeller, rotor, or appliance.

3.3 POST DESIGN APPROVAL PROCEDURES

3.3.0 Continued Airworthiness

3.3.0.0 General.

(a) The exporting authority is responsible as the State of Design (under International Civil Aviation Organization (ICAO) Annex 8) for resolving in-service safety issues related to design or production. The exporting authority shall provide applicable information which it has found to be necessary for mandatory modifications, required limitations and/or inspections to the importing authority to ensure continued operational safety of the product, part, or appliance. The importing authority will review and normally accept the corrective actions taken by the exporting authority in the issuance of its own mandatory corrective actions.

(b) At the request of the importing authority, the exporting authority shall assist the importing authority in determining what action is considered necessary by the importing authority for the continued operational safety of the product, part, or appliance. The decision as to the final action to be taken with

respect to the products, parts, or appliances under the jurisdiction of the importing authority lies solely with the importing authority.

3.3.0.1 Malfunctions, Failures, and Defects Reports.

(a) The FAA and CAA agree to perform the following functions for the products, parts, and appliances for which it is the State of Design:

- (1) Tracking of Malfunctions, Failures, and Defects (MF&D) reports and accident/incidents.
- (2) Evaluating MF&D and accident/incidents.
- (3) Investigating and resolving all suspected unsafe conditions.
- (4) Advising the importing authority of all unsafe conditions and the necessary corrective actions (see paragraph 3.3.0.2 below).
- (5) Upon request, providing the importing authority with the following:
 - (i) Reports of MF&D and accidents/incidents;
 - (ii) Status of investigations into MF&D and accidents/incidents;
 - (iii) Copies of conclusions reached in its investigation into MF&D; and
 - (iv) Copies of conclusions reached in investigations into accidents/incidents in accordance with ICAO Annex 13.
- (6) Making a reasonable effort to resolve issues raised by the importing authority concerning matters of safety for products registered in the importing country.

(b) The FAA and CAA, as importing authorities, agree to perform the following functions:

- (1) Advising the exporting authority of MF&D and accidents/incidents which are believed to be potentially unsafe conditions occurring on the products and appliances which are imported from the country of the exporting authority.
- (2) Supporting the exporting authority in investigations of unsafe conditions and their occurrences on the imported aircraft.
- (3) Advising the exporting authority, if as a result of investigations made by the importing authority into MF&D and accidents/incidents, it has determined that it will make corrective actions mandatory.

(c) Copies of FAA MF&D reports are available from the FAA Mike Monroney Aeronautical Center, Delegation & Airworthiness Programs Branch. Copies of FAA MF&D reports are also available on the Mike Monroney Aeronautical Center Internet web site at <http://av-info.faa.gov/isdr>. Copies of CAA MF&D reports are available from the Manager Safety Analysis, Civil Aviation Authority at the address listed in Appendix B.

3.3.0.2 Unsafe Condition and Mandatory Continuing Airworthiness Actions.

(a) The FAA (under 14 CFR Part 39) and CAA (under CAR Part 39) agree to perform the following functions for the products, parts and appliances for which it is the State of Design (exporting authority):

- (1) Issuing a mandatory continuing airworthiness action (Airworthiness Directive) whenever the authority determines that an unsafe condition exists in a type certificated product or appliance, and is likely to exist or develop on a type certificated product or appliance of the same type design. This may include a product or appliance that has another product, part, or appliance installed on it and the installation causes the unsafe condition. The contents of such a mandatory continuing airworthiness action should include, but are not limited to, the following:
 - (i) Make, model, and serial numbers of affected aircraft, aircraft engines, propellers, appliances, and parts;
 - (ii) Description of the unsafe condition, reasons for the mandatory action, and its impact on the overall aircraft and continued operation;
 - (iii) Description of the cause of the unsafe condition (e.g., stress corrosion, fatigue, design problem, quality control, unapproved part);
 - (iv) The means by which the unsafe condition was detected and, if resulting from in-service experience, the number of occurrences; and
 - (v) Corrective actions and corresponding compliance times, with a list of the relevant manufacturer's service information including reference number, revision number and date.
- (2) Ensuring that the following information is provided to the other authority as part of the mandatory continuing airworthiness action or directly from the approval holder:
 - (i) The number of aircraft worldwide needing corrective action;
 - (ii) A statement on the availability of parts; and

- (iii) An estimate of the number of labor hours and the cost of parts required for the corrective actions. (For New Zealand, this data is usually included in the manufacturer's service bulletin.)
 - (3) Issuing a revised or superseding mandatory continuing airworthiness action whenever the exporting authority finds any previously issued mandatory continuing airworthiness action was incomplete or inadequate to fully correct the unsafe condition.
 - (4) Notifying the importing authority of the unsafe condition and the necessary corrective actions by submitting a copy of the mandatory continuing airworthiness action at the time of publication to the address referenced in 3.3.0.1(c) above. Additionally, the exporting authority shall arrange for copies of all relevant service bulletins referenced in the mandatory action, as well as other supporting documentation, to be forwarded to the appropriate focal point in the product-responsible FAA Directorate or the CAA Aircraft Certification Unit, as appropriate.
 - (5) In the case of emergency airworthiness action, the exporting authority should ensure special handling so that the importing authority is notified immediately.
 - (6) Advising and assisting the importing authority in defining the appropriate actions for the importing authority to take in the issuance of its own mandatory continuing airworthiness action.
 - (7) Providing sufficient information to the importing authority for its use in making determinations as to the acceptability of alternative means of compliance to mandatory continuing airworthiness actions.
 - (8) On a quarterly basis, providing the importing authority with a summary index list of mandatory continuing airworthiness actions issued by the exporting authority for products and appliances exported to the country of import
- (b) The FAA and CAA recognize that they may disagree as to the finding of an unsafe condition. In that case, it is expected that the importing authority will normally consult with the authority of the State of Design (exporting authority) prior to issuing its own airworthiness directive.
- (c) The FAA and CAA, as importing authorities, agree to respond quickly to the issuance of a mandatory continuing airworthiness action by the exporting authority in making its own determination of the need for issuing its own similar mandatory continuing airworthiness action that addresses the unsafe condition

on affected products or appliances certified, approved or otherwise accepted by the importing authority.

3.3.1 Design Changes

3.3.1.0 Procedures for Changes to a U.S. Type Certificate.

(a) Major changes (e.g., model changes, product improvements, etc.) to a type design, sought by the TC holder, may be issued as amendments to the TC issued under the provisions of 14 CFR § 21.29 or otherwise approved by the FAA. A certification procedure similar to that described in paragraph 3.0.1 shall be applied, but adjusted as appropriate for the magnitude and complexity of the design change. The FAA retains the right to determine if the proposed change is so substantial that a new TC is required for the changed type design.

(b) To assist the FAA in determining its level of activity with a specific design change, the CAA should notify the FAA of each major type design change proposed by the TC holder that would affect:

- (1) The AFM,
- (2) The Approved Airworthiness Limitations,
- (3) The TC Data Sheet,
- (4) The Master Minimum Equipment List,
- (5) A Certification Maintenance Requirement, or
- (6) Any other specific changes identified by the FAA.

Based on this information, the FAA will determine whether the changes can be considered approved by the FAA upon CAA's approval under its normal procedures.

(c) The CAA must notify the FAA whenever the certification basis of a proposed change includes a requirement where the FAA may exercise discretion in making the finding. This includes findings of equivalent level of safety, additional technical conditions, special conditions, and other requirements where the FAA exercises its judgment in making the finding.

(d) Major changes to a type certificated design (aircraft, aircraft engines, and propellers) which are not great enough to require new application for a TC may also be approved through the issuance of a U.S. STC. Procedures for the issuance of a U.S. STC are found in paragraph 3.0.3.

(e) Minor design changes made by the TC holder shall be considered approved by the FAA upon approval by the CAA under its normal procedures.

(f) As specified in 14 CFR § 21.93, for the purpose of complying with 14 CFR Part 34, each voluntary change in the type design of an airplane or engine that may increase fuel venting or exhaust emissions is an “emissions change,” requiring further demonstration of compliance. Likewise, for the purpose of complying with 14 CFR Part 36, each voluntary change in the type design of an aircraft that may increase the noise levels of that aircraft is an “acoustical change,” requiring further demonstration of compliance. The FAA retains all findings of acoustical or emissions change under 14 CFR 21.93 (b) and (c).

3.3.1.1 Procedures for Changes to a New Zealand Type Acceptance Certificate.

(a) Changes to a CAA-approved type design covered by a type acceptance certificate may include but are not limited to changes to type acceptance category, type design, flight manual, operating limitations, TC data sheet or any special conditions prescribed on the type acceptance certificate. Such changes under CAR § 21.95(a) may require the issuance of a new type acceptance certificate under CAR § 21.95 (b). The certification procedure described in paragraph 3.0.2 shall be applied.

(b) Where the approval of new type acceptance certificate required by CAR § 21.95(a) is required, the application shall include evidence that the FAA has approved the change to its TC in accordance with the applicable airworthiness requirements.

(c) Changes to an approved type design (aircraft, aircraft engines, and propellers) which are not great enough to require new application for a type acceptance certificate may also be approved through the issuance of a New Zealand STC. Procedures for the issuance of a New Zealand STC are found in paragraph 3.0.4.

3.3.1.2 Procedures for Changes to a Supplemental Type Certificate. The FAA and the CAA agree to follow the procedures in paragraphs 3.3.1.0 and 3.3.1.1 to the extent applicable. Where unique situations may occur, the FAA and CAA will consult with each other on the specific process to be applied.

3.3.1.3 Procedures for Changes to a Flight Manual. The FAA and CAA may delegate the review and signature of revisions to flight manuals, supplements and appendices, on behalf of each other, in order to facilitate their timely approval. The exporting authority will review minor revisions on behalf of the importing authority, and will ensure that the data meets the importing authority’s requirements. Significant revisions must be submitted to the

importing authority for review and acceptance before any signature on behalf of the importing authority. For an individual certification project, the exporting authority will consult with the importing authority when it decides which revisions are significant and which are minor.

3.3.1.4 FAA Noise and Emissions Requirements for Changes to a Type Design (TC/STC) by Any Person. For the purpose of complying with 14 CFR Part 34, each voluntary change in the type design of an airplane or engine that may increase fuel venting or exhaust emissions is an "emissions change," requiring further demonstration of compliance. Likewise, for the purpose of complying with 14 CFR Part 36, each voluntary change in the type design of an aircraft that may increase the noise levels of that aircraft is an "acoustical change," requiring further demonstration of compliance. The FAA retains all findings of acoustical or emissions change under 14 CFR § 21.93(b) and (c).

3.3.1.5 Procedures for Changes to an FAA Letter of TSO Design Approval. Major changes to a TSO design require re-substantiation of the new design and re-issuance of the Letter of TSO Design Approval, and shall be done in accordance with the procedures in paragraph 3.0.5. For minor changes which remain within the scope of the Letter of TSO Design Approval, the FAA will not require prior notification and will rely on the CAA determination of compliance. The CAA will ensure that the holder of the Letter of TSO Design Approval notifies the FAA issuing office of minor changes.

3.3.2 Approval of Design Data Used In Support of Repairs.

3.3.2.0 General. Design data used in support of repairs on products as defined by the Scope of these Implementation Procedures (Section II) must be approved or accepted, as appropriate, by the exporting authority (State of Design). Design data approved by the exporting authority in accordance with the procedures set forth below is considered to be approved by the importing authority providing it meets the acceptability criteria of the importing authority. The CAA accepts data subject to the requirements of CAR Part 21 Appendix D. The FAA accepts repair data approved in accordance with changes in support of repairs as identified in paragraph 2.3.3(a).

(a) FAA as Exporting Authority. Design data used in support of repairs will be approved in accordance with FAA Order 8110.4, *Type Certification Process*, and FAA Order 8110.37, *Designated Engineering Representative (DER) Guidance Handbook*. Minor repairs are made in accordance with "acceptable" data, in accordance with 14 CFR Part 43.

(b) CAA as Exporting Authority.

- (1) Design data used in support of repairs will be approved in accordance with CAR Part 21 Subpart M – *Repairs*, which requires repairs to be treated as design changes and approved in accordance with CAR Part 21 Subparts C, D or E or the approval of technical data under CAR §21.505.
- (2) When exporting a used airplane where the United States is the State of Design, the CAA must, in addition to the requirements described in paragraph 3.2.1.3, review the data approved by the Instrument of Delegation holder and provide a certifying statement along with the aircraft maintenance records that states:

“The data identified in this document have been examined and were approved under the authority of the Civil Aviation Authority of New Zealand. Additional maintenance requirements that must be incorporated into the aircraft maintenance program are identified within the approved data.”

3.3.3 Administration Of Design Approvals.

3.3.3.0 Certificate Transfers General. The U.S. regulations allow the transfer of a U.S. TC or STC, followed by notification to the FAA. The New Zealand CARs permit the transfer of a New Zealand TC or STC to a person or an organisation as specified in CAR 21.27 and 21.121 respectively. Except as provided in paragraph 3.3.3.1, a New Zealand TC may only be issued or transferred to the holder of a design organization certificate issued under CAR Part 146. Similarly, a New Zealand STC may only be transferred to an organisation or person acceptable to the Director of the CAA. Therefore, early coordination between the applicants and both authorities is necessary for TC and STC transfers. The following paragraphs outline the procedures to be followed for effective TC transfers.

3.3.3.1 Transfer of U.S. Type Certificate to a Person in New Zealand. The CAA does not normally issue TCs for products not intended to be manufactured in New Zealand. However, a situation may arise in which it is practical to consider the transfer of the State of Design responsibilities between the U.S. and New Zealand. Early coordination between the U.S. TC holder and the FAA with the proposed TC holder and the CAA is essential. The FAA shall notify the CAA of the proposed transfer and include information about current production status. The following process describes the steps necessary for transfer of a U.S. TC to a person in New Zealand:

- (a) Upon transfer of the U.S. TC, or at an agreed-upon date, the CAA will become responsible for complying with the requirements of ICAO Annex 8 to

the Chicago Convention, *Airworthiness of Aircraft*, for affected products, and will notify all ICAO member countries of the change in State of Design responsibility, upon completion of the procedures described below.

(b) The FAA may transfer to the CAA the ICAO State of Design responsibilities for TCs only for products within the scope of these Implementation Procedures. The CAA will not assume ICAO State of Design responsibilities for models that have not been found to meet the CAA certification requirements.

(c) Upon notification of a transfer by a U.S. TC holder to a person in New Zealand, the FAA Office that issued the TC will notify the CAA and establish procedures to transfer the ICAO State of Design responsibilities for the TC to New Zealand. Each transfer will be accomplished on a case-by-case basis through the provisions of a special arrangement under Section V that identifies each authority's responsibilities in the transfer process.

(d) If a corresponding New Zealand TC already exists for the product, the transfer of ICAO State of Design responsibilities will apply to all models listed on that New Zealand TC. For any FAA-certificated model not listed on the New Zealand TC, the FAA will, if requested, provide support to establish acceptance of the additional model as showing compliance with the applicable CAA certification requirements. This support would include the FAA's statement of compliance that the model meets the New Zealand certification requirements. Upon acceptance, the CAA will place the additional model on the New Zealand TC.

(e) If the transferee of the TC applies for a New Zealand TC, the FAA will provide support to establish acceptance of the U.S. TC as showing compliance with the applicable certification requirements of the CAA. This would include the FAA's statement of compliance that the product meets the CAA's certification requirements. Upon acceptance, the CAA will issue the New Zealand TC.

(f) The transfer of the ICAO State of Design responsibilities for the TC to the CAA will be considered complete when the CAA confirms that all necessary data has been transferred to the new holder, and the new holder is able to perform the responsibilities required of a TC holder.

(g) The FAA will reissue a TC in the name of the transferee after confirmation from the CAA that the transfer is complete.

(h) If the transferee does not hold and does not apply for a New Zealand TC, or if the transferee's New Zealand TC covers only some models covered by the U.S. TC and the transferee does not apply for an additional approval, the FAA will not transfer ICAO State of Design responsibilities for the applicable

models to the CAA. The FAA will continue to fulfill ICAO State of Design responsibilities for those models only as long as an undue burden is not placed on the FAA.

3.3.3.2 Transfer of New Zealand Type Certificate to a Person in the United States.

(a) Upon transfer of the New Zealand TC, or at an agreed-upon date, the FAA will become responsible for complying with the requirements of ICAO Annex 8 to the Chicago Convention, *Airworthiness of Aircraft*, for affected aircraft, and will notify all ICAO member countries of the change in State of Design responsibility, upon completion of the procedures described below.

(b) The CAA will transfer to the FAA the ICAO State of Design responsibilities for TCs only for products within the scope of these Implementation Procedures. The FAA will not assume ICAO State of Design responsibilities for models that have not been found to meet the FAA certification requirements.

(c) Upon notification of a transfer by a New Zealand TC holder to a person in the United States, the CAA will notify the FAA Office responsible for the new holder and establish procedures to transfer the ICAO State of Design responsibilities for the TC to the United States. Each transfer will be accomplished on a case-by-case basis through the provisions of a special arrangement under Section V that identifies each authority's responsibilities in the transfer process.

(d) If a corresponding U.S. TC already exists for the product, the transfer of ICAO State of Design responsibilities will apply to all models listed on the U.S. TC. For any CAA-certificated model not listed on the U.S. TC, the CAA will, if requested, provide support to establish acceptance of the additional model as showing compliance with the applicable FAA certification requirements. This support would include the CAA's statement of compliance that the model meets the FAA certification requirements. Upon acceptance, the FAA will place the additional model on the U.S. TC.

(e) If the transferee of the TC applies for a U.S. TC, the CAA will provide support to establish acceptance of the New Zealand TC as showing compliance with the applicable certification requirements of the FAA. This would include the CAA's statement of compliance that the product meets the FAA's certification requirements. Upon acceptance, the FAA will issue the U.S. TC.

(f) The transfer of the ICAO State of Design responsibilities for the TC to the FAA will be considered complete when the FAA confirms that all necessary

data have been transferred to the new holder, and the new holder is able to perform the responsibilities required of a TC holder.

(g) The CAA will reissue a TC in the name of the transferee after the U.S. TC issuance, unless the new holder does not wish to maintain CAA approval.

(h) If the transferee does not hold and does not apply for a U.S. TC, or if the transferee's U.S. TC covers only some models covered by the New Zealand TC and the transferee does not apply for an additional approval, the CAA will not transfer ICAO State of Design responsibilities for the applicable models to the FAA. The CAA will continue to fulfill ICAO State of Design responsibilities for those models provided that an undue burden is not placed on the CAA.

3.3.3.3 Transfer of U.S. Supplemental Type Certificate to a Person in New Zealand.

(a) The CAA will become responsible for complying with the requirements of ICAO Annex 8 to the Chicago Convention, *Airworthiness of Aircraft*, for affected products.

(b) An STC will only be transferred to a person that is acceptable to the Director of Civil Aviation of New Zealand. The FAA may transfer to the CAA the ICAO State of Design responsibilities for STCs, as identified in paragraph 2.3.1(b), for New Zealand products that are eligible for import into the United States. The CAA will not assume ICAO State of Design responsibilities for changes to products that have not been found to meet the CAA certification requirements.

(c) Upon notification of a transfer by a U.S. STC holder to a person in New Zealand, the FAA Office that issued the STC will notify the CAA and establish procedures to transfer the ICAO State of Design responsibilities for the STC to the CAA. Each transfer will be accomplished on a case-by-case basis through the provisions of a special arrangement under Section V that identifies each authority's responsibilities in the transfer process.

(d) If a corresponding New Zealand STC already exists for the changed product, the transfer will apply to the model listed on that New Zealand STC.

(e) If the transferee of the STC applies for a New Zealand STC, the FAA will provide support to establish acceptance of the U.S. STC as showing compliance to the applicable certification requirements of the CAA. This would include the FAA's statement of compliance that the changed product meets the CAA's certification requirements. Upon acceptance, the CAA will issue the New Zealand STC.

(f) The transfer of the ICAO State of Design responsibilities for the STC to the CAA will be considered complete when the CAA confirms that all

necessary data have been transferred to the new holder and the new holder is able to perform the responsibilities required of an STC holder.

(g) The FAA will only reissue an STC in the name of the transferee after the CAA has issued a New Zealand STC when it is for a New Zealand product that is eligible for import into the United States. If the transferee does not wish to maintain FAA approval, the FAA will not reissue the STC.

(h) If the CAA has not issued the corresponding TC or type acceptance certificate for the product being changed, or if the transferee does not hold and does not apply for a New Zealand STC for the same design change, the FAA will not transfer ICAO State of Design responsibilities for the applicable models to the CAA. The FAA will continue to fulfill ICAO State of Design responsibilities for the STC provided that an undue burden is not placed on the FAA.

3.3.3.4 Transfer of New Zealand Supplemental Type Certificate to a Person in the United States.

(a) The FAA will become responsible for complying with the requirements of ICAO Annex 8 to the Chicago Convention, *Airworthiness of Aircraft*, for affected products.

(b) The CAA may only transfer to the FAA the ICAO State of Design responsibilities for STCs for New Zealand products that are eligible for import into the United States. The FAA will not assume ICAO State of Design responsibilities for changes that have not been found to meet the FAA certification requirements.

(c) Upon notification of a transfer by a New Zealand STC holder to a person in the United States, the CAA will notify the FAA Office responsible for the new holder and establish procedures to transfer the ICAO State of Design responsibilities for the STC to the FAA. Each transfer will be accomplished on a case-by-case basis through a special arrangement that identifies each authority's responsibilities in the transfer process.

(d) If a corresponding U.S. STC already exists for the changed product, the transfer will be applied to the model listed on that U.S. STC.

(e) If the transferee of the STC applies for a U.S. STC, the CAA will provide support to establish acceptance of the New Zealand STC as showing compliance with the applicable certification requirements of the FAA. This would include the CAA's statement of compliance that the changed product meets the FAA's certification requirements. Upon acceptance, the FAA will issue the U.S. STC.

(f) The transfer of the ICAO State of Design responsibilities for the STC to the FAA will be considered complete when the FAA confirms that all necessary data have been transferred to the new holder and the new holder is able to perform the responsibilities required of an STC holder.

(g) The CAA will only reissue an STC in the name of the transferee after the FAA has issued a U.S. STC, unless the transferee does not wish to maintain CAA approval.

(h) If the FAA has not issued the corresponding TC for the product being changed, or if the transferee does not hold and does not apply for a U.S. STC for the same design change, the CAA will not transfer ICAO State of Design responsibilities for the applicable models to the FAA. The CAA will continue to fulfill ICAO State of Design responsibilities for the STC provided that an undue burden is not placed on the CAA.

3.3.3.5 Surrender of Type Certificate or Supplemental Type Certificate. If a certificate holder elects to surrender a TC or STC issued by either the FAA or CAA, the authority of the State of Design shall immediately notify the other in writing of the action. For the CAA, notification shall be to the FAA's product-responsible directorate as listed in Appendix A. For the FAA, notification shall be to the CAA at the address given in Appendix B. The FAA or CAA, as State of Design, shall accomplish all actions necessary to ensure continued airworthiness of the product until such time as:

(a) The TC or STC is reissued to a new holder when that new holder demonstrates competence to fulfill the necessary obligations; or

(b) The FAA or CAA terminates the TC or STC. Prior to termination, the FAA or the CAA shall notify the other of the pending cancellation.

3.3.3.6 Revocation or Suspension of Type Certificate or Supplemental Type Certificate.

(a) In the event the CAA revokes or suspends a TC or STC of a product for which the CAA is the authority of the State of Design, it should immediately inform the FAA product-responsible Directorate in writing. The FAA, upon notification, will conduct an investigation to determine if action is required in the United States. If the revocation or suspension was "for cause" and the FAA concurs with the CAA's certificate action, the FAA will initiate revocation or suspension of the U.S. TC or STC. The FAA may decide to assume continued airworthiness responsibilities if there is sufficient information for it to support the continued operational safety of the fleet in the United States. In this case the CAA should obtain and provide type design data as requested to the FAA. Final certificate action is at the sole discretion of the FAA. The FAA may

revoke the U.S. TC or TCSTC if the continued airworthiness responsibilities would cause an undue burden for the FAA.

(b) In the event the FAA revokes or suspends a TC or STC of a product for which the FAA is the authority of the State of Design, the FAA product-responsible Directorate should immediately inform the CAA in writing. The CAA, upon notification, will revoke the type acceptance certificate. As U.S. STCs are considered acceptable technical data and not issued a New Zealand STC, the CAA will notify all potentially affected New Zealand operators. The CAA may decide to assume continued airworthiness responsibilities if there is sufficient information for it to support the continued operational safety of the fleet in New Zealand. In this case the FAA should obtain and provide type design data as requested to the CAA. Final action relating to the revocation of the U.S. STC is at the sole discretion of the CAA. For an STC, the CAA will advise potentially affected operators of the change in acceptability.

3.3.3.7 Surrender or Withdrawal of FAA TSO Design Approval.

(a) Surrenders. If an FAA TSO Authorization or Letter of Design Approval holder elects to surrender the TSO design approval, the FAA will immediately notify the CAA in writing of the action. The CAA shall accomplish all actions necessary to ensure continued airworthiness of the appliance until such time as the TSO design approval is formally withdrawn by the FAA and notified to the CAA.

(b) Withdrawals.

- (1) The FAA shall immediately notify the CAA in writing of the withdrawal of an FAA TSO Authorization. The FAA shall accomplish all actions necessary to ensure continued airworthiness of the appliance produced under an FAA TSO Authorization.
- (2) The FAA shall immediately notify the CAA in writing if it intends to withdraw a Letter of Design Approval. The FAA will coordinate with the CAA any further actions, as necessary. In the event of withdrawal of a TSO Letter of Design Approval "for cause," the FAA will notify the CAA in writing of any proposed corrective action. The FAA still has responsibility for the continued airworthiness of those TSO articles manufactured under its authority.

3.3.3.8 Surrender or Withdrawal of NZTSO Design Approval. [Reserved]

SECTION IV TECHNICAL ASSISTANCE BETWEEN AUTHORITIES

4.0 General. Upon request and after mutual acceptance, the FAA and CAA may provide technical assistance to each other when significant activities are conducted in either the United States or New Zealand. These technical assistance activities will help to avoid the undue burden imposed on the exporting authority in the undertaking of its regulatory surveillance and oversight functions of locations outside of the country of export. These supporting technical assistance activities shall in no way relieve the exporting authority of the responsibilities for regulatory control and airworthiness certification of products, parts, and appliances manufactured at facilities located outside the exporting country. Each authority will use its own policies and procedures when providing technical assistance to the other authority, unless other special arrangements are agreed upon. Types of assistance may include, but are not limited to, the following:

(a) Determination of Compliance.

- (1) Witnessing tests;
- (2) Performing compliance and conformity inspections;
- (3) Reviewing reports; and
- (4) Obtaining data.

(b) Surveillance and Oversight.

- (1) Witnessing of first article inspection of parts;
- (2) Monitoring the controls on special processes;
- (3) Conducting sample inspections on production parts;
- (4) Monitoring the activities and functions of designees or approved organizations;
- (5) Conducting investigations of service difficulties; and
- (6) Evaluating/surveilling of production quality systems.

4.1 Witnessing of Tests During Design Approval.

(a) The airworthiness authority of the country in which a design approval applicant is located may request assistance in the witnessing of tests from the airworthiness authority of the country in which a design approval applicant's supplier is located.

(b) Only authority-to-authority requests are permissible and authorities will not respond to a test witnessing request from the manufacturer or supplier. All requests will be in writing. Witnessing of tests will be conducted only after consultations between the two airworthiness authorities on the specific work to be performed and agreement has been obtained from the airworthiness authority in the country in which the supplier is located. The airworthiness authority of the country in which the design approval applicant is located makes the written request for witnessing of tests.

(c) Approval of the design approval applicant's test plans, test procedures, test specimens, and hardware configuration remains the responsibility of the airworthiness authority of the country in which the design approval applicant is located. Establishing the conformity of each test article prior to the conduct of the test is the responsibility of the design approval applicant.

(d) Requests for witnessing of tests must be specific enough to provide for identification of the location, timing, and nature of the test to be witnessed. The requesting authority must provide an approved test plan at least two weeks prior to each scheduled test.

(e) CAA requests for witnessing of tests should be sent in writing to the appropriate FAA Aircraft Certification Office. For tests associated with a current CAA certification or FAA validation program, the requests should be sent to the FAA Aircraft Certification Office responsible for the U.S. applicant. For tests associated with a New Zealand certification program only, the requests should be sent to the FAA Aircraft Certification Office that has geographic responsibility for the State in which the tests will take place. FAA Offices are listed in Appendix A. The FAA requests for witnessing of tests will be sent in writing to the CAA Aircraft Certification Unit at the address listed in Appendix B.

(f) Upon completion of test witnessing on behalf of the requesting authority, the FAA or CAA will send a report stating that the test was conducted in accordance with approved test plans and confirming the test results, as well as any other documentation as notified by the requesting authority.

4.2 Conformity Certifications During Design Approval.

(a) The airworthiness authority of the country in which a design approval applicant is located may request conformity certifications from the airworthiness authority in the country in which the design approval applicant's supplier is located for prototype parts produced by that supplier.

(b) Only authority-to-authority requests are permissible and authorities will not respond to a conformity certification request from the manufacturer or supplier. All requests will be in writing. Certifications will be conducted only after consultations between the two airworthiness authorities on the specific work to be performed, and agreement has been obtained from the airworthiness authority in the country in which

the supplier is located. Requests for conformity certifications should be limited to prototype parts that are of such complexity that they cannot be inspected by the manufacturer or its airworthiness authority prior to installation in the final product. Conformity certifications may require the development of a working procedure based on the complexity of the requested certifications. At the discretion of the authority in receipt of such requests, conformity certifications may be delegated to authorized designees or approved organizations.

(c) The CAA requests for conformity certifications should be sent in writing to the appropriate FAA Office. For conformity certifications associated with a current CAA certification or FAA validation program, the requests should be sent to the FAA Aircraft Certification Office responsible for the U.S. applicant. For conformity certifications associated with a New Zealand certification program only, the requests should be sent to the FAA Directorate Manufacturing Inspection Office that has geographic responsibility for the U.S. State in which the conformity certification will take place. FAA Offices are listed in Appendix A. FAA requests for conformity certifications will be sent on a completed FAA Form 8120-10, *Request for Conformity*, to the CAA Aircraft Certification Unit at the address listed in Appendix B.

(d) Upon completion of all conformity inspections conducted on behalf of the requesting authority, the FAA or CAA will complete and return all documentation to the requesting authority, as notified. The airworthiness authority of the country in which the supplier is located will note all deviations from the requirements notified by the design approval applicant's airworthiness authority on the conformity certification for the particular part. Any nonconformity described as a deviation should be brought to the attention of the FAA or CAA for evaluation and disposition. The FAA or CAA should receive a report stating the disposition required on each deviation before an FAA Form 8130-3 or CAA Form One is issued.

(e) Neither conformity certification on prototype parts, nor inspections on production parts, should be construed as being an export airworthiness approval, since a conformity certification does not constitute an airworthiness determination. Airworthiness determinations remain the responsibility of the design/production approval holder and the airworthiness authority of the country in which the holder is located.

4.3 Airworthiness Certificates. There may be certain programs and conditions that warrant technical assistance from each authority for the issuance of standard airworthiness certificates so that aircraft may be placed directly into operation from the site of manufacture. The importing authority may seek assistance from the exporting authority in the final processing and delivery of an airworthiness certificate when the aircraft has completed its manufacturing cycle, and has subsequently been granted an Export Certificate of Airworthiness by the exporting authority. This will require the development of a special procedure between the exporting and importing authorities to mitigate all undue regulatory burdens.

4.4 Protection of Proprietary Data, and Freedom of Information Act (FOIA) and Official Information Act 1982 (OIA) Requests.

4.4.0 Protection of Proprietary Data. Both authorities recognize that design information data submitted by a design approval holder is the intellectual property of that holder, and disclosure or release of that information data by the FAA or CAA is restricted. The FAA agrees, subject to the provisions of the FOIA, and the CAA agrees, that subject to the provisions of the OIA, they will not disclose copy, release, or show proprietary data information obtained from either authority to anyone other than an FAA or CAA employee without written consent of the design approval holder or other data submitter. The FAA or CAA should obtain this written consent from the design approval holder through the authority of the country in which the holder is located and will be provided to the other authority.

4.4.1 FOIA Requests. The FAA often receives requests from the public under the United States Freedom of Information Act (FOIA) to release information that the FAA may have in its possession. Each record the FAA has in its possession must be disclosed under the FOIA unless a FOIA exemption applies to that record. One exemption is for trade secrets, and financial or commercial information that is confidential or privileged. Design approval holders' data may include trade secrets or other information that is confidential because release of the information would damage the competitive position of the holder or other person. When the FAA receives a FOIA request related to a product, part, or appliance of an FAA approval holder or applicant who is located in New Zealand, the FAA will request the CAA's assistance in contacting the FAA approval holder or applicant to help determine what portions of that information may qualify for exemption under the criteria above and to ask them to provide factual information justifying use of the exemption. If the approval holder or applicant consents to the release of information, the CAA must provide the written consent to the FAA. If release is objected to, the CAA must furnish a statement of the reasons to the FAA.

4.4.2 OIA Requests. The CAA often receives requests from the public under the New Zealand Official Information Act of 1982 (OIA) to release information, which the CAA may have in its possession. All information the CAA has in its possession must be disclosed unless a ground for withholding that information under the OIA applies. Design approval holders' data may include trade secrets or other information that is confidential, or information that would damage the commercial position of the holder or other person if released. When the CAA receives an OIA request related to a product, part, or appliance of a CAA approval holder or applicant who is located in the United States, the CAA will request the FAA's assistance in contacting the CAA approval holder or applicant to help determine what portions of that information may be withheld under the OIA and to ask them to provide factual information justifying withholding. If the approval holder or applicant consents to the release of

information, the FAA must provide the written consent to the CAA. If release is objected to, the FAA must furnish a statement of the reasons to the CAA. Such objection is not a ground for withholding information under the OIA.

- 4.5 Accident/Incident and Suspected Unapproved Parts Investigation Information Requests. When either the FAA or CAA needs information for the investigation of service incidents, accidents, or suspected unapproved parts involving a product, part, or appliance imported under these Implementation Procedures, the request for the information should be directed to the appropriate office of the exporting authority. In turn, upon receipt of the request for information, the exporting authority should immediately do everything necessary to make sure the requested information is provided in a timely manner. If urgency requires that either the FAA or CAA requests the information directly from the manufacturer because immediate contacts cannot be made with the exporting authority, the importing authority shall inform its counterpart authority of this action as soon as possible. CAA requests for information should be directed to the Small Airplane Directorate. FAA requests for information should be directed to the CAA Safety Investigation Unit.

SECTION V SPECIAL ARRANGEMENTS

- 5.0 It is anticipated that urgent or unique situations will develop which have not been specifically addressed in these Implementation Procedures, but which are within the scope of the BASA. When such a situation arises, the respective FAA Aircraft Certification Service Director and the CAA Manager Aircraft Certification shall review it, and a procedure shall be developed to address the situation. The FAA and the CAA in a separate working procedure shall mutually agree upon the procedure. If it is apparent that the situation is unique, with little possibility of repetition, then the working procedure shall be of limited duration. However, if the situation has anticipated new technology or management developments that could lead to further repetitions, then the FAA and the CAA shall revise these Implementation Procedures accordingly.
- 5.1 It should be noted that, when the unique or urgent situation falls within the responsibility of an FAA Aircraft Certification Service Directorate Manager, that Manager will be responsible for developing the necessary procedures with the CAA. The special arrangements co-developed between the authorities are listed in Appendix D.

SECTION VI AUTHORITY

The FAA and CAA agree to the provisions of these Implementation Procedures as indicated by the signature of their duly authorized representatives.

FEDERAL AVIATION ADMINISTRATION
DEPARTMENT OF TRANSPORTATION
UNITED STATES OF AMERICA

CIVIL AVIATION AUTHORITY OF
NEW ZEALAND

By Original Signed by John Hickey

By Original Signed by Stephen Douglas

Title Director, Aircraft Certification
Service

Title General Manager
Government Relations

Date June 8, 2006

Date June 8, 2006

APPENDIX A

List of Addresses for

FAA Headquarters Offices, FAA Mike Monroney Aeronautical Center,
FAA Aircraft Certification Service Directorates, FAA Manufacturing Inspection Offices,
and FAA Aircraft Certification Offices

FAA Headquarters - Aircraft Certification Service

International Policy Office

Mailing Address

AIR-40
Room 600W
c/o Wilbur Wright Building
800 Independence Avenue, SW
Washington, DC 20591

Telephone: 1-202-385-8940

Fax: 1-202-493-5144

Office Address

AIR-40, Room 600W
600 Independence Ave, SW
Washington, DC 20202

Aircraft Engineering Division

AIR-100
800 Independence Avenue, SW
Washington, DC 20591

Telephone: 1-202-267-9580

Fax: 1-202-267-5340

Production & Airworthiness Division

AIR-200
800 Independence Avenue, SW
Washington, DC 20591

Telephone: 1-202-267-8361

Fax: 1-202-267-5580

FAA Headquarters - Environmental Policy and Regulations

Office of Environment and Energy

AEE-1
800 Independence Avenue, SW
Washington, DC 20591

Telephone: 1-202-267-3576
Fax: 1-202-267-5594

FAA Headquarters – Administrative Coordination

Assistant Administrator for International Aviation (API-1)

6th Floor, East
c/o Wilbur Wright Building
800 Independence Avenue, SW
Washington, DC 20591

Telephone: 1-202-385-8857
Fax: 1-202-267-5032

FAA Mike Monroney Aeronautical Center - Contact Point for FAA Airworthiness Directives

Mailing Address

Delegation and Airworthiness
Programs Branch
AIR-140
P.O. Box 26460
Oklahoma City, OK 73125

Telephone: 1-405-954-4103
Fax: 1-405-954-4104

Office Address

Delegation and Airworthiness
Programs Branch
AIR-140
ARB, Room 304
6500 S. MacArthur Blvd.
Oklahoma City, OK 73169

FAA Aircraft Certification Service Directorates

Engine and Propeller Directorate

ANE-100

Regulatory and policy responsibility for all aircraft engines, propellers, and auxiliary power units.

12 New England Executive Park
Burlington, MA 01803

Telephone: 1-781-238-7100
Fax: 1-781-238-7199

Rotorcraft Directorate

ASW-100

Regulatory and policy responsibility for normal and transport category rotorcraft.

2601 Meacham Blvd.
Fort Worth, TX 76137-4298

Telephone: 1-817-222-5100
Fax: 1-817-222-5959

Small Airplane Directorate

ACE-100

Regulatory and policy responsibility for:

1. Airplanes weighing less than 12,500 pounds and having passenger configurations of 9 seats or less,
2. Commuter airplanes weighing 19,000 pounds or less, with passenger configurations of 19 seats or less, and
3. Gliders, airships, manned free balloons, and VLA.

901 Locust
Room 301
Kansas City, MO 64106-2641

Telephone: 1-816-329-4100
Fax: 1-816-329-4106

Transport Airplane Directorate

ANM-100

Regulatory and policy responsibility for all transport category airplanes.

1601 Lind Avenue, SW
Renton, WA 98055-4056

Telephone: 1-425-227-2104
Fax: 1-425-227-1100

FAA Manufacturing Inspection Offices

Engine and Propeller Directorate Manufacturing Inspection Office

For the States of: Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia.

ANE-180

12 New England Executive Park
Burlington, MA 01803

Telephone: 1-781-238-7180

Fax: 1-781-238-7199

Rotorcraft Directorate Manufacturing Inspection Office

For the States of: Arkansas, Louisiana, New Mexico, Oklahoma, and Texas.

ASW-180

2601 Meacham Blvd.
Fort Worth, TX 76137-4298

Telephone: 1-817-222-5180

Fax: 1-817-222-5136

Small Airplane Directorate Manufacturing Inspection Office

For the States of: Alabama, Alaska, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Carolina, North Dakota, Ohio, South Carolina, South Dakota, Tennessee, and Wisconsin.

ACE-180

Room 301
Kansas City, MO 64106-2641

Telephone: 1-816-329-4180

Fax: 1-816-329-4157

Transport Airplane Directorate Manufacturing Inspection Office

For the States of: Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming.

ANM-108

1601 Lind Avenue, SW
Renton, WA 98055-4056

Telephone: 1-425-227-2108

Fax: 1-425-227-1100

FAA Aircraft Certification Offices

Boston Aircraft Certification Office

ANE-150
12 New England Executive Park
Burlington, MA 01803

Telephone: 1-781-238-7150
Fax: 1-781-238-7199

Boston Engine Certification Office

ANE-140
12 New England Executive Park
Burlington, MA 01803

Telephone: 1-781-238-7140
Fax: 1-781-238-7199

New York Aircraft Certification Office

ANE-170
1600 Stewart Avenue
Suite 410
Westbury, NY 11590

Telephone: 1-516-228-7300
Fax: 1-516-794-5531

Atlanta Aircraft Certification Office

ACE-115A
One Crown Center
1895 Phoenix Boulevard, Suite 450
Atlanta, GA 30349

Telephone: 1-770-703-6035
Fax: 1-770-703-6097

Chicago Aircraft Certification Office

ACE-115C
2300 East Devon Avenue
Room 323
Des Plaines, IL 60018

Telephone: 1-847-294-7357
Fax: 1-847-294-7834

Wichita Aircraft Certification Office

ACE-115W
1801 Airport Road
Room 100, Mid-Continent Airport
Wichita, KS 67209

Telephone: 1-316-946-4106
Fax: 1-316-946-4107

Anchorage Aircraft Certification Office

ACE-115N
222 West 8th Avenue,
Anchorage, AK 99513

Telephone: 1-907-271-2669
Fax: 1-907-271-6365

Seattle Aircraft Certification Office

ANM-100S
1801 Lind Avenue, SW
Renton, WA 98055-4056

Telephone: 1-425-917-6400
Fax: 1-425-917-6590

Denver Aircraft Certification Office
ANM-100D
Technical Operations Center (TOC)
26805 E. 68th Avenue, Room 214
Denver, CO 80249
Telephone: 1-303-342-1080
Fax: 1-303-342-1088

Los Angeles Aircraft Certification Office
ANM-100L
3960 Paramount Blvd.
Lakewood, CA 90712
Telephone: 1-562-627-5200
Fax: 1-562-627-5210

Fort Worth Airplane Certification Office
ASW-150
2601 Meacham Blvd.
Fort Worth, TX 76137-4298
Telephone: 1-817-222-5150
Fax: 1-817-222-5960

Fort Worth Rotorcraft Certification Office
ASW-170
2601 Meacham Blvd.
Fort Worth, TX 76137-4298
Telephone: 1-817-222-5170
Fax: 1-817-222-5960

Fort Worth Special Certification Office
ASW-190
2601 Meacham Blvd.
Fort Worth, TX 76137-4298
Telephone: 1-817-222-5189
Fax: 1-817-222-5136

APPENDIX B

List of Addresses for Civil Aviation Authority of New Zealand

CAA Offices

Civil Aviation Authority of New Zealand

Aviation House

10 Hutt Road

Petone

Lower Hutt

New Zealand

Postal Address:

PO Box 31 441

Lower Hutt

New Zealand

Telephone: 64-4-560 9400

Fax: 64-4-569 2024

APPENDIX C

List of Referenced Documents

FAA Referenced Documents

1. Code of Federal Regulations, Title 14, Parts 21-36, 39, 43, 45, 91, and 183
2. FAA Advisory Circular 21-23, *Airworthiness Certification of Civil Aircraft, Engines, Propellers, and Related Products Imported into the United States*
3. FAA Order 8110.4, *Type Certification*
4. FAA Order 8110.37, *Designated Engineering Representative (DER) Guidance Handbook*
5. FAA Order 8130.2, *Airworthiness Certification of Aircraft and Related Products*
6. FAA Order 8130.21, *Procedures for Completion and Use of the Authorized Release Certificate, FAA Form 8130-3, Airworthiness Approval Tag*
7. FAA Advisory Circular 21-2, *Export Airworthiness Approval Procedures*
8. ICAO Annex 8, *Airworthiness of Aircraft*
9. FAA Order 8120.2, *Production Approval and Certificate Management Procedures*
10. FAA Order 8100.7, *Aircraft Certification Systems Evaluation Program*
11. FAA Advisory Circular 21-20, *Supplier Surveillance Procedures*
12. Authorized Release Certificate, FAA Form 8130-3, *Airworthiness Approval Tag*
13. FAA Form 8130-4, *Export Certificate of Airworthiness*
14. FAA Form 8120-10, *Request for Conformity*

CAA Referenced Documents

1. Civil Aviation Act 1990
2. Civil Aviation Rules Parts 21, 26, 39, 43, 146 and 148
3. CAA Advisory Circular 21-1, *Product certification – Type certificate and type acceptance certificates*
3. CAA Advisory Circular 21-1.2, *Product certification – Type certificates and type acceptance certificates – Appendix 2 to AC21-1A*
4. CAA Advisory Circular 21-2, *Product certification – airworthiness certificates in the Standard and Restricted categories*
5. CAA Advisory Circular 20-2, *Acceptability of parts*
6. CAA Surveillance Policy
7. CAA Aircraft Certification Unit Procedures

Other Referenced Documents

1. ICAO Annex 8, *Airworthiness of Aircraft*
2. ICAO Annex 16, *Environmental Protection*

APPENDIX D

List of Special Arrangements

1. Name of Special Arrangement:

Date of Issue:

2. Name of Special Arrangement:

Date of Issue:

3. Name of Special Arrangement:

Date of Issue: