

IMPLEMENTATION PROCEDURES

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 Brazil
For Promotion of Aviation Safety

Amendment 2
to
Revision 1

February 12, 2016

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CHAPTER 1: PURPOSE AND GENERAL PROVISIONS

The purpose of this document is to amend the Implementation Procedures for Design Approval, Production Activities, Export Airworthiness Approval, Post Design Approval Activities, and Technical Assistance Between Authorities to allow for the export of new and used products to each other's country when a third country is the State of Design or the State of Manufacture, provided there is a bilateral agreement/arrangement between the third country and the importing country for the class of product to be exported.

This amendment has been developed in accordance with Section I paragraph 1.7.0 of the U.S./Brazil Bilateral Aviation Safety Agreement (BASA) Implementation Procedures (IP) for Design Approval, Production Activities, Export Airworthiness Approval, Post Design Approval Activities, and Technical Assistance Between Authorities, dated September 8, 2006. This amendment will be incorporated into the implementation procedures at the next revision.

CHAPTER 2: AMENDMENT

2.1.0 Brazilian Acceptance of FAA Export Certificates of Airworthiness for the Following Products:

- (a) Unchanged
- (b) Delete (*note: incorporated into 2.1.1 below*)
- (c) Delete (*note: incorporated into 2.1.1 below*)

See Summary Table 1, at the end of this Section, for listing of the classes and categories of U.S. products and associated approvals eligible for import into Brazil.

2.1.1 Brazilian Acceptance of FAA Authorized Release Certificate for the following Engines, Propellers, Appliances and Parts:

- (a) Unchanged
- (b) Unchanged
- (c) New and used aircraft engines; and
- (d) New and used propellers

2.1.2 U.S. Acceptance of ANAC Export Certificates of Airworthiness or equivalent airworthiness approval document for the Following Products:

- (a) Unchanged

- (b) new and used rotorcraft of Brazilian State of Manufacture and U.S. or third country State of Design when that third country has a bilateral agreement with the United States and an arrangement with Brazil resulting in validation or acceptance (exempted under RBAC 21.29) covering the same class of product; and
- (c) new and used engines and propellers of Brazilian State of Manufacture and U.S. or third country State of Design when that country has a bilateral agreement with the United States and an arrangement with Brazil covering the same class of product, which possesses a validated ANAC and FAA Type Design.

Note: Acceptance of aircraft manufactured in a country or territory other than its State of Design requires either the development of a Special Arrangement per Section V of these Implementation Procedures or FAA review and acceptance of an existing arrangement established between the State of Design and State of Manufacture.

See Summary Table 2, at the end of this Section, for listing of the classes and categories of Brazilian products and associated approvals eligible for import into the United States.

2.1.3 U.S. Acceptance of ANAC Authorized Release Certificates for the Following Appliances and Parts:

- (a) Unchanged
- (b) Unchanged
 - (1) Unchanged
 - (2) Unchanged
 - (i) Unchanged
 - (ii) Unchanged
- (c) new replacement parts for rotorcraft specified in 2.1.2.6 that conform to FAA-approved design data

2.2 Acceptance of Used Products Manufactured Outside the Country of the Exporting Authority. These Implementation Procedures also apply to:

- (a) U.S. acceptance of ANAC Export Certificates of Airworthiness for used aircraft, engines and propellers, for which the United States or a third country is the State of Design that are subsequently exported from Brazil to the United States; and

- (b) Brazilian acceptance of FAA Export Certificate of Airworthiness for used aircraft, or FAA Authorized Release Certificate for engines and propellers, for which Brazil or a third country is the State of Design, that are subsequently exported from the United States to Brazil.

These provisions shall only apply for products of a third country when bilateral agreements/arrangements for this purpose have been formalized between any third countries and both the FAA and ANAC, covering the same class of products.

3.2 EXPORT AIRWORTHINESS APPROVAL PROCEDURES

3.2.0 Unchanged

3.2.1 FAA Acceptance of ANAC Export Certificates of Airworthiness or equivalent airworthiness approval document and Authorized Release Certificates.

- (a) Unchanged

- (b) Unchanged

3.2.1.0 New Aircraft, Engines and Propellers

- (a) Except as provided in paragraph 3.2.1.4, the FAA shall accept ANAC Export Certificates of Airworthiness or equivalent airworthiness approval document on new aircraft, engines and propellers as identified in Section II, only when the ANAC certifies that each item:

- (1) Unchanged

- (2) Unchanged

- (3) Unchanged

- (b) Each aircraft, engine and propeller exported to the United States with ANAC airworthiness approval will have an ANAC Form F-100-12, *Export Certificate of Airworthiness*, or ANAC Form F-100-01, *Authorized Release Certificate (Airworthiness Approval Tag)*, issued in accordance with the requirements of the RBAC 21 Subpart L.

- (c) The ANAC Form F-100-12 or ANAC Form F-100-01 should contain the following statement: “The [INSERT AIRPLANE , ROTORCRAFT, ENGINE OR PROPELLER MODEL] covered by this certificate conforms to the type design approved under U.S. Type Certificate Number [INSERT TYPE CERTIFICATE 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. Type Certificate Data Sheet

(d) For rotorcraft of U.S. or third country State of Design as identified in Section II, paragraph 2.1.2 (b), the ANAC Form F-100-12 should also contain the following statement in the additional information block: “This rotorcraft was assembled by _____ in Brazil, based on a licensing agreement with _____.” As part of their process, the ANAC will verify, prior to export, that the kit used for assembly meets the FAA type design.

3.2.1.2 New Modification and/or Replacement Parts.

(a) Unchanged

(1) Unchanged

(2) Unchanged

(3) Unchanged

(4) Unchanged

(b) Unchanged

3.2.1.3 Used Products for Which There Has Been a Design Approval Granted by the FAA.

(a) The FAA shall accept Export of Certificates of Airworthiness or equivalent airworthiness approval document on used aircraft for as identified in Section II for import into the United States for airworthiness certification when the ANAC certifies that each used aircraft:

(1) Unchanged

(2) Unchanged

(3) Unchanged

(4) Unchanged

(5) Unchanged

(b) The FAA shall also accept Export Certificates of Airworthiness or equivalent airworthiness approval document on used rotorcraft as identified in Section II for import into the United States for airworthiness certification when the ANAC certifies that each used rotorcraft

(1) Unchanged

(2) Unchanged

(3) Unchanged

(4) Unchanged

(5) Unchanged

(c) The FAA shall accept Export Certificates of Airworthiness or equivalent airworthiness approval document on used engines and propellers as identified in Section II for import into the United States for airworthiness certification when the ANAC certifies that each used engine and propeller:

(1) Conforms to the FAA-approved type design as specified in the FAA's type certificate data sheet, and any additional supplemental type certificates 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, altered, and operated using 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 ANAC Export Certificate of Airworthiness or equivalent airworthiness approval document includes the statement in paragraph 3.2.1.0(c).

(d) The FAA shall also accept ANAC's Export Certificate of Airworthiness or equivalent airworthiness approval document for used aircraft, engines and propellers of third country State of Design and Manufacture when that country has a bilateral agreement with the United States and an arrangement with Brazil covering the same class of product, and the conditions of paragraph 3.2.1.3(a)(1)-(5) have been met. If ANAC is not in a position to assess whether or not the used aircraft satisfies the above conditions, it will inform the FAA accordingly.

(e) The FAA may also request inspection and maintenance records which include, but are not limited to: the original or certified true copy of the Export Certificate of Airworthiness or equivalent airworthiness approval document issued by the ANAC; records which verify that all overhauls, major changes, and major repairs were accomplished in accordance with approved data; and maintenance records and log entries which substantiate that the used aircraft, engines and propellers have been properly maintained throughout their service life to the requirements of an approved maintenance program.

3.2.2.3 Used Products for Which There Has Been a Design Approval Granted by the ANAC or Used Aircraft Exempted of Such Approval per RBHA 21.29.

- (a) Unchanged
- (b) The ANAC shall also accept the FAA Export Certificate of Airworthiness for used aircraft and FAA Authorized Release Certificate for used engines and propellers manufactured in a third country when that third country has a bilateral agreement with the United States and civil aeronautical products certification procedures agreed with the ANAC covering the same class of product, and the conditions of paragraph 3.2.2.3(a)(1)-(5) have been met.
- (c) ANAC shall accept Authorized Release Certificates (FAA Form 8130-3) on used engines and propellers as identified in Section II for import into Brazil for airworthiness certification when the FAA certifies that each used engine and propeller:
 - (1) Conforms to the ANAC-approved type design as specified in ANAC's type certificate data sheet, and any additional supplemental type certificates approved by ANAC, as notified;
 - (2) Is in a condition for safe operation, including compliance with all applicable Airworthiness Directives issued by ANAC, as notified;
 - (3) Has been properly maintained, altered, and operated using approved procedures and methods during its service life (evidenced by logbooks and maintenance records);
 - (4) Meets all additional requirements prescribed by ANAC, as notified; and
 - (5) The FAA Authorized Release Certificate includes the statement in paragraph 3.2.2.0(d).
- (d) ANAC may also request inspection and maintenance records which include, but are not limited to: the original or certified true copy of the Export Certificate of Airworthiness issued by the FAA; verifying records which ensures that all overhauls, major changes, and major repairs were accomplished in accordance with approved data; and maintenance records and log entries which substantiate that the used aircraft, engines and propellers have been properly maintained throughout their service life to the requirements of an approved maintenance program.

CHAPTER 3: AUTHORITY

The FAA and ANAC agree to the amendment of these Implementation Procedures for Airworthiness, as indicated by the signature of their duly authorized representatives.

FEDERAL AVIATION
ADMINISTRATION

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Table 1

Summary of U.S. (State of Design) Products, Appliances, and Parts and Associated FAA Approvals Eligible for Import into Brazil

Products, Appliances, & Parts	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
Manned Free 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 certified 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.

Table 2
Summary of Brazilian (State of Design) Products, Appliances, and Parts and Associated ANAC Approvals Eligible for Import into the United States

Products, Parts, & Appliances	Type Certificate, and Amendments (CT)	Supplemental Type Certificate (CST)	Attestation of Approved Aeronautical Product/ Technical Standard Order Authorization (APAA/OTP)	Attestation of Approved Aeronautical Product/Parts Manufacturer Approval (APAA/PAA)
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	N/A	N/A
Transport	N/A	N/A	N/A	N/A
Manned Free Balloons	✓	✓	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
VLA	✓	✓	N/A	N/A
Glanders	✓	✓	N/A	N/A
Powered Lift	N/A	N/A	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 certified 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: CT – Certificado de Tipo; CST – Certificado Suplementar de Tipo; APAA – Atestado de Produto Aeronáutico Aprovado; and OTP – Ordem Técnica Padrão

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

* New and used rotorcraft, engines and propellers of Brazilian State of Manufacture and U.S. or third country State of Design are permitted for import into the United States per paragraph 2.1.2 (b) and (c)