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IMPLEMENTATION PROCEDURES

FOR

AIRWORTHINESS AND ENVIRONMENTAL  
CERTIFICATION

Covering

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

Under the Agreement between  
The Government of the United States of America  
and  
The Government of the Federative Republic of Brazil  
For Promotion of Aviation Safety

**Revision 2, dated September 17, 2018**

And

**Amendment 1, dated September 9, 2019**

This is a combined version of IPA Revision 2 incorporates Amendment 1. For any differences between this version and the original signed documents, the original documents take precedent.

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# IMPLEMENTATION PROCEDURES

for

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

## SECTION I    GENERAL

### 1.1 Authorization

These Implementation Procedures for Airworthiness (hereinafter “Implementation Procedures” or “IPA”) are authorized by Article III of the Agreement between the Government of the United States of America (U.S.) and the Government of the Federative Republic of Brazil (Brazil) for Promotion of Aviation Safety, dated March 22, 2004, also known as the Bilateral Aviation Safety Agreement (BASA), or “BASA Executive Agreement.” In accordance with Article III of the Executive Agreement, the Federal Aviation Administration (FAA) and National Agency for Civil Aviation (ANAC) (individually, the “Authority,” and collectively, the “Authorities”) have determined that the standards, rules, practices, procedures, and systems of each Authority for the design approval, production approval, airworthiness approval, and continuing airworthiness of the civil aeronautical products and articles identified in this document, are sufficiently equivalent or compatible in structure and performance to support these Implementation Procedures. These Implementation Procedures replace the previously signed IPA dated September 8, 2006 and Amendments 1 and 2, signed February 22, 2011 and February 12, 2016, respectively.

### 1.2 Purpose

The purpose of these Implementation Procedures is for the FAA and ANAC to define the procedures for approving the design of civil aeronautical products and articles eligible for import into the U.S. and Brazil as Importing States (see Section II, Scope), the process for obtaining eligibility for import, and the means for providing continued support of those civil aeronautical products and articles after import.

### 1.3 Principles

1.3.1 These Implementation Procedures are based on standards, rules, practices, procedures, continuous communication, and systems compatibility and mutual confidence in the partner’s certification system and technical competence to perform regulatory functions within the scope of these Implementation Procedures. The FAA and ANAC, when acting as the Authority for the importing State, shall give the same validity to the certification made by the other, as the Authority for the exporting State, as if the certification was made in accordance with its own applicable laws, regulations, and requirements. 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 Certificating Authority’s

(CA's) aircraft certification system to ensure that the airworthiness and environmental requirements of the Validating Authority (VA) are satisfied.

1.3.2 The FAA and ANAC are committed to the elimination of duplication of work and to the exclusive retention of findings of compliance when acting as the VA or Authority for the Importing State.

1.3.3 The FAA and ANAC mutually recognize and accept each other's delegation or designee systems as part of their respective aircraft certification systems. To the maximum extent permitted by these Implementation Procedures and each Authority's laws, regulations, standards, policies, and procedures, the findings, compliance determinations and approvals made through these systems are given the same validity as those made directly by either the FAA or ANAC.

1.3.3.1 The FAA and ANAC understand there may be occasional situations where, upon prior notification to the other authority, either authority may interact directly with a non-governmental individual who is recognized by the other Authority as either an individual designee (FAA or ANAC) or authorized representative of an organizational designee (FAA or ANAC) or a member of a design or production organization (ANAC).

1.3.3.2 The FAA and ANAC understand there may be specific projects for which they will not routinely notify the other of such individuals' activities in advance of any of those persons traveling to the U.S or Brazil to witness tests, to perform conformity inspections, and/or to make determinations of compliance.

1.3.3.3 In advance of designees or representatives of delegated organizations traveling to the United States or Brazil to witness tests, to perform conformity inspections, and/or to make determinations of compliance, the FAA or ANAC 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.

1.3.3.4 The FAA and ANAC agree that all information, including technical documentation, exchanged under these Implementation Procedures will be in the English language. The Authority will ensure that any translated documents will have the same legal interpretation as the original documents.

#### 1.4 Changes in the Authority Aircraft Certification Systems

1.4.1 These Implementation Procedures are based upon sufficiently similar Authority certification systems being in place at the time of signing. Therefore, the FAA and ANAC will keep each other informed of significant changes within those systems, such as changes in:

- (a) Statutory responsibilities;
- (b) Organizational structure (e.g., key personnel, management structure, technical training, office location);
- (c) Revisions to airworthiness, certification, and environmental standards and procedures;

- (d) Production quality system oversight, including oversight of out-of-country production of products and articles; or
- (e) Delegated functions or the kinds of organizations to which functions have been delegated, and those mechanisms of the system that manage their interfaces, such as changes to delegated functions.

1.4.2 The FAA and ANAC recognize that revision by either Authority to its regulations, policies, procedures, statutory responsibility, organizational structure, production quality system oversight, or delegation system may affect the basis and 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.

1.4.3 Subject to each Authority's laws, regulations, policies, and procedures, the FAA and ANAC will notify each other of relevant draft policy and guidance material and will consult on new or proposed changes to airworthiness and environmental standards.

## 1.5 Governance

1.5.1 To the extent permitted by the respective laws and regulations of the governments of the U.S. and Brazil, the governance of these Implementation Procedures shall be undertaken by a Bilateral Management Team (BMT) consisting of management representatives from both the FAA and ANAC. The BMT shall be responsible for the effective functioning, implementation, and continued validity of these Implementation Procedures, including revisions and amendments thereto.

1.5.2 The BMT shall be headed jointly by the Executive Director of the FAA Aircraft Certification Service and the ANAC Airworthiness Superintendent, and shall develop and adopt internal governing procedures.

1.5.3 The BMT shall establish and maintain a Bilateral Validation Improvement Roadmap (VIR) with the purpose to gradually reduce duplicative efforts between the Authorities in the activities of certification and validation of aircraft, allowing for the recognition of activities performed by the Certifying Authority to the maximum extent practicable. The VIR may also drive amendments and revisions to these Implementation Procedures as necessary for the accomplishment of its objectives.

## 1.6 Continued Maintenance of Confidence

1.6.1 A provision of the BASA Executive Agreement states that these Implementation Procedures shall be subject to periodic evaluations. There is an obligation placed on the FAA and ANAC, as executive agents of the BASA, to ensure that both Authorities remain capable of carrying out the obligations contained in these Implementation Procedures beyond the period of initial assessment that resulted in the original version of these Implementation Procedures. The periodic evaluations will focus on the equivalency or compatibility of the respective standards, rules, practices, procedures, and systems as prescribed by the BASA Executive Agreement, and maintaining the high degree of mutual confidence in the FAA's and ANAC's technical competence and ability to perform regulatory functions within the scope of these Implementation Procedures.

- 1.6.2 The BMT shall define the activities required to promote continued understanding and compatibility in each other's systems and to preserve the high degree of mutual confidence between the FAA and ANAC. The BMT shall agree on the procedures and processes constituting such activities, and require the conduct of such activities on a regular basis. For this purpose, the FAA and ANAC shall assign focal points who will be responsible for monitoring the activity and reporting findings arising from the conduct of such activities to the Authorities. This oversight model will cover at least the following elements:
- 1.6.2.1 A desktop sampling audit process to verify project classification post-validation; the sampling system should include provisions for optional sampling visits based on the results of the desktop exercise;
  - 1.6.2.2 The FAA and the ANAC will track the milestones outlined in 3.5.4 as well as the time from application to VA approval of all approval types covered under the scope of this agreement. Additional metrics may be tracked. Periodic review of these metrics will take place at a frequency consistent with that established under 1.6.2; and
  - 1.6.2.3 Findings resulting from the sampling system audits performed by one Authority will be shared with the other. Resolution and follow-up of these findings will be agreed upon between the FAA and the ANAC. The results will be presented during regular bilateral meetings. Any concerns deriving from the results obtained during the audits are to be discussed during those bilateral meetings.

## 1.7 Applicable National Requirements, Procedures, and Guidance Material.

- 1.7.1 The FAA's standards for aircraft airworthiness and environmental certification include, but are not limited to, Title 14 of the Code of Federal Regulations (14 CFR), parts 21, 23, 25, 26, 27, 29, 31, 33, 34, 35, and 36. The FAA also uses European Aviation Safety Agency (EASA) Certification Specifications (CS)-22, CS-VLA (Very Light Aircraft), Joint Aviation Requirements (JAR)-22, and JAR-VLA for some special class aircraft. Additional regulations are included in Airworthiness Directives (ADs). Guidance material, policy, and procedures are contained in FAA Advisory Circulars (AC), Orders, Notices, and Policy Memoranda.

**Note:** 14 CFR parts 34 and 36 make direct references to ICAO Annex 16, Volumes I and II, and the associated ICAO Environmental Technical Manual.

- 1.7.2 ANAC's standards for aircraft airworthiness and environmental certification include, but not limited to, Regulamento Brasileiro de Aviação Civil – RBAC (Brazilian Regulation for Civil Aviation) 21, 23, 25, 26, 27, 29, 31, 33, 34, 35 and 36. Guidance materials, policy and procedures are contained in ANAC Instruções Suplementares - IS (Supplemental Instructions), Manuais de Procedimento – MPR (Procedure Manuals), Diretrizes de Aeronavegabilidade – DA (Airworthiness Directives), and Policy Memoranda.

## 1.8 Interpretations and Resolution of Conflicts

- 1.8.1 In the case of conflicting interpretations between the FAA and ANAC regarding 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 aviation authority whose laws, regulations, standards, requirements, or acceptable means of compliance are being interpreted shall prevail.

1.8.2 The FAA and ANAC agree to resolve issues through consultation or any other mutually agreed-upon means. Issues that cannot be satisfactorily resolved at the working level should be expeditiously raised to the respective managements of the FAA and ANAC, on a progressive level, until a resolution is reached. If input from the BMT is necessary to achieve resolution, the points of contact identified in paragraph 1.10.3 shall be responsible for the preparation and presentation of the unresolved issue to the BMT. To resolve conflicts, the FAA and ANAC shall use the processes listed in paragraph 1.8.3.

1.8.3 Resolution of Conflicts Process

1.8.3.1 When an FAA project manager (PM) and an ANAC project certification manager (PCM) cannot agree on an issue, the issue shall be raised to their respective managers for resolution. If the managers cannot reach agreement, the issue will be raised to the next level of management for resolution. This process shall continue up through one level of management below the BMT. If resolution has not been achieved by this point, the issue should be raised to the BMT. The BMT may choose to address the issue directly, or may task the issue to the responsible FAA and ANAC representatives of the Certification Authorities Group (CAG) under the Certification Management Team (CMT).

1.8.3.2 The FAA and ANAC representatives on the CAG should be utilized whenever possible to resolve issues that could lead to standardization or harmonization of policy and help to prevent the issue from arising on future projects. The FAA and ANAC representatives on the CAG should work to provide harmonized feedback to the PM and PCM on the application of regulatory or guidance material applicable to the specific project without delaying the issuance of the approval.

1.8.3.3 If the FAA and ANAC representatives of the CAG determine that it is not appropriate for them to decide an issue, the issue can be elevated back to the BMT.

1.8.3.4 Issues elevated to the BMT will be reviewed and a determination will be made on how to address the conflict.

1.8.3.5 If the issue raised is related to noise certification, the FAA and ANAC Noise Control Specialists will be consulted.

- 1.8.3.6 Issues that are worked through the resolution of conflicts process between the FAA and ANAC should be evaluated to determine if coordination to the CMT is appropriate. The CMT consists of the Federal Aviation Administration - FAA, European Aviation Safety Agency - EASA, Transport Canada Civil Aviation - TCCA and the Brazilian Agência Nacional de Aviação Civil – ANAC and is chaired by the Directors of each Authority's certification group. Coordination to the CMT should be considered if resolution of the issue would help to harmonize how all four Authorities address the issue in a consistent manner on future projects. Where harmonization is not possible, the differences should be clearly identified. The CMT strives to work certification issues common to all four Authorities in a collaborative manner to provide harmonized solutions that work for each Authority. Therefore, when a certification issue requires resolution at the policy level to standardize or harmonize among all four Authorities, it is recommended that the issue be elevated through the CMT structure.

## 1.9 Cooperation on Investigation or Enforcement Action

- 1.9.1 The FAA and the ANAC will, when relevant, notify each other promptly of any investigation and subsequent closure action for a non-compliance that falls within the scope of these Implementation Procedures. The notification will be sent to the other Authority's point of contact identified in Appendix A to these Implementation Procedures. The sharing of information shall be subject to the laws and regulations of the U.S. and Brazil that govern the disclosure or sharing of the requested information.
- 1.9.2 The FAA and the ANAC agree to mutual cooperation and mutual assistance in the investigation of any alleged or suspected violations of U.S. or Brazil laws or regulations. Both Authorities will cooperate in sharing information needed for any investigation or enforcement action including its closure.

## 1.10 Revisions, Amendments, and Points of Contact.

- 1.10.1 These Implementation Procedures may be revised or amended by mutual consent of the FAA and ANAC. Such revisions or amendments will be made effective by signature of the duly authorized representative of the FAA and ANAC at the Bilateral Airworthiness Management Team (BMT).
- 1.10.2 Minor revisions and administrative/editorial changes to these procedures may be made by the focal points identified in 1.10.3 after mutual consultation.
- 1.10.3 The designated focal points for these Implementation Procedures are:
- 1.10.3.1 For the FAA: Aircraft Certification Service International Division (AIR-400);
  - 1.10.3.2 For ANAC: Gerência Técnica de Processo Normativo – Superintendência de Aeronavegabilidade – GTPN (Airworthiness Standards and Rulemaking Technical Branch – Airworthiness Department).
- 1.10.4 Contact information for the identified offices is in Appendix A.

## 1.11 Effective Date, Termination, and Cancellations

- 1.11.1 Effective Date

These Implementation Procedures will enter into force on July 31, 2019, and will be used for new validation projects initiated after that date.

#### 1.11.2 Termination

Either the FAA or ANAC may terminate these Implementation Procedures by providing sixty (60) days written notice to the other party. Termination will take effect at the expiry of the sixty (60) days and will not affect the validity of activities conducted under these Implementation Procedures prior to termination.

#### 1.11.3 Cancellations

In accordance with Article V of the BASA Executive Agreement dated March 22, 2004, the documents identified in Appendix E are superseded and canceled without prejudice to approvals granted or obtained during the periods those documents were in effect. The applicable provisions contained in the Appendix E documents have been incorporated in this revision of these Implementation Procedures.

### 1.12 Definitions

Notwithstanding the definitions set forth in Title 14 of the Code of Federal Regulations and in the Brazilian Regulations for Civil Aviation (RBAC), for purposes of these Implementation Procedures, the following definitions shall apply. Additional definitions can be found in Article II of the BASA Executive Agreement. If there is any inconsistency between the definitions in these Implementation Procedures and those of Article II of the BASA Executive Agreement, the definitions in these Implementation Procedures shall prevail.

- 1.12.1 “Acceptance” means the certificating authority (CA) has granted an approval or finding of compliance and the validating authority (VA) will accept that approval or finding as satisfactory evidence that a product, article, and/or design complies with the VA’s applicable standards and will not issue its own equivalent approval.
- 1.12.2 “Acoustical Change” means any voluntary change in the type design of an aircraft or an aircraft engine that may result in an increase in the noise emission levels of that aircraft. (Ref. 14 CFR section 21.93(b)).
- 1.12.3 “Additional Technical Condition” is a requirement of the importing State that is in addition to the applicable airworthiness and environmental requirements of the State of Design (SoD) or that may be prescribed:
  - 1.12.3.1 For airworthiness requirements, that provides a level of safety equivalent to that provided by the applicable airworthiness requirements of the importing State.
  - 1.12.3.2 For environmental requirements, that provides noise, fuel venting, and exhaust emission levels no greater than those provided by the applicable environmental requirements of the importing State.
- 1.12.4 “Aircraft Flight Manual (AFM)” means an authoritative document prepared for each aircraft type by the type certificate (TC) holder and approved by the CA. Its required content is specified in the appropriate design standards.

- 1.12.5 “Airworthiness Approval” means a document issued by the FAA or ANAC for an aircraft, aircraft engine, propeller, or article which certifies that the aircraft, aircraft engine, propeller, or article conforms to its approved design and is in a condition for safe operation.
- 1.12.6 “Airworthiness Directives (AD)” means legally enforceable rules issued by the FAA in accordance with 14 CFR part 39 or legally enforceable rules issued by ANAC accordance with RBAC 39.
- 1.12.7 “Airworthiness Standards” means regulations governing the design and performance of civil aeronautical products and articles.
- 1.12.8 “Appliance” means any instrument, mechanism, equipment, part, apparatus, or accessory, including communications equipment, that is used or intended to be used in operating or controlling an aircraft in flight, is installed in or attached to the aircraft, and is not part of an airframe, aircraft engine, or propeller.
- 1.12.9 “Approved Manuals” means manuals, or sections of manuals, requiring approval by the FAA or ANAC as part of a certification program. These include the approved sections of the Flight Manual, the airworthiness limitations section of the Instructions for Continued Airworthiness (ICA), the engine and propeller installation and operating instructions manuals, and the certification maintenance requirements where applicable.
- 1.12.10 “Article” means a material, part, component, process, or appliance.
- 1.12.11 “Certificating Authority (CA)” means the FAA or ANAC, as charged by their laws to fulfill the ICAO responsibilities of a State of Design (SoD) to regulate the design, production, and airworthiness approval and environmental certification of civil aeronautical products and articles originated in their State.
- 1.12.12 “Certification Basis” consists of the applicable airworthiness and environmental requirements established by a CA or VA as the basis by which the type design of a civil aeronautical product, or a change to that type design, was approved or accepted. The certification basis may include, special conditions, equivalent level of safety findings, and exemptions or deviations, when determined to apply to the type design.
- 1.12.13 “Civil Aeronautical Product” or “product” means each civil aircraft, aircraft engine, or propeller.
- 1.12.14 “Compliance Determination” means the determination by either the FAA’s system or ANAC’s system that the applicant has demonstrated compliance with identified individual airworthiness and environmental standards.
- 1.12.15 “COP - Certificado de Organização de Produção” is the production certificate issued by ANAC to a person that allows the production of a product or article in accordance with its approved design and approved quality system.
- 1.12.16 “CPAA – Certificado de Produto Aeronáutico Aprovado” refers to the ANAC certificate that indicates approval of Technical Standard Order (TSO) articles, or parts of an aeronautical product. The CPAA is the ANAC similar document to the Parts Manufacturer Approval (PMA) and the Technical Standard Order Authorization (TSOA) of FAA system; however, the CPAA does not include the

production or installation approval. Production approval is issued under a COP (see 1.12.16)

- 1.12.17 “Critical Part” means a part identified as critical by the design approval holder, the CA, or by the VA during the product type validation process. Typically, these include parts for which a replacement time, inspection interval, or related procedure is specified in the airworthiness limitations section or certification maintenance requirements of the manufacturer’s maintenance manual or ICA.
- 1.12.18 “Design Approval” means a type certificate (for FAATC and for Brazil CT) (including amended TCs), supplemental type certificates (for FAA STC and for Brazil CST), (including amendments thereto), repair design approval, the approved article or article design under a PMA, CPAA, TSO authorization, Letter of TSO Design Approval (LODA), or other design approval document.
- 1.12.19 “Deviation” when used with respect to Technical Standard Order (TSO), articles mean a difference from any performance standard of a TSO and requires factors or design features providing an Equivalent Level of Safety (ELOS) to compensate for the standards from which a deviation is requested.
- 1.12.20 “Emissions Change” means any voluntary change in the type design of an aircraft or aircraft or engine that may result in an increase in fuel venting or a change to the exhaust emissions.
- 1.12.21 “Environmental Approval” means a civil aeronautical product or article has been found to comply with standards concerning noise, fuel venting, and/or exhaust emissions.
- 1.12.22 “Environmental Standards” means regulations or certification specifications governing designs with regard to noise characteristics, fuel venting, and exhaust emissions of civil aeronautical products and articles.
- 1.12.23 “Environmental Compliance Demonstration” means a process by which the design or change to a design of a civil aeronautical product or article is evaluated for compliance with applicable standards and procedures concerning noise, fuel venting or exhaust emissions.
- 1.12.24 “Equivalent Level of Safety Finding (ELOS)” 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.
- 1.12.25 “Exemption” means a grant of relief from requirements of a current regulation when processed through the appropriate regulatory procedure by the FAA or ANAC, as applicable.
- 1.12.26 “Export” means the process by which a product or article is released from a civil aviation authority’s regulatory system for subsequent use in another civil aviation authority’s regulatory system.
- 1.12.27 “Familiarization” means the process whereby the validating authority obtains information and experience on an aeronautical 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 the development of appropriate maintenance, operating, and pilot type rating information (if applicable) for the product.

- 1.12.28 “Finding” means a determination of compliance or non-compliance as the result of the FAA or ANAC’s review, investigation, inspection, test, and/or analysis.
- 1.12.29 “Import” means the process by which a product or article is accepted into a civil aviation authority’s regulatory system for subsequent use in that civil aviation authority’s regulatory system.
- 1.12.30 “Issue Paper (IP)” or “Ficha de Controle de Assunto Relevante (FCAR)” means a document describing an item that requires disposition prior to the issuance of a U.S. or Brazil TC or STC.
- 1.12.31 “Licensing Agreement” means a commercial agreement between a Design Approval Holder (DAH) and a Production Approval Holder (PAH) (or applicant) formalizing the rights and duties of both parties to use the design data for the purpose of manufacturing the product or article.
- 1.12.32 “Maintenance” means the performance of inspection, overhaul, repair, preservation, and the replacement parts, materials, appliances, or components of a product to assure the continued airworthiness of that product, but excludes alterations or modifications.
- 1.12.33 “Manufacturer” means the person who, by FAA or ANAC regulation, is responsible for determining that all products or parts thereof produced within their quality system conform to an FAA or ANAC-approved design or established government or industry standard and are in a condition for safe operation.
- 1.12.34 “Multi-National Consortium” means a group of companies from multiple countries who have agreed to form a single company for the production of a particular product.
- 1.12.35 “New Aircraft” means an aircraft that is still owned by the manufacturer, distributor, or dealer, or their trustee, 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.
- 1.12.36 “Non-TSO Function” means a function that is not covered by a TSO-approved minimum performance standard, does not support or affect the hosting article’s TSO function(s), and could technically be implemented outside of the TSO article.
- 1.12.37 “Overhauled Engine” means an engine that has been disassembled, cleaned, inspected, repaired as necessary, reassembled, and tested in accordance with approved or acceptable standards and technical data.
- 1.12.38 “Parts Manufacturer Approval (PMA)” for the FAA, means a combined design and production approval issued for modification and replacement articles. It allows a manufacturer to produce and sell these articles for installation on certificated/validated products. For ANAC the equivalent document is the CPAA combined with the COP (see 1.12.16 and 1.12.17).

- 1.12.39 “Person” means an individual, firm, partnership, corporation, company, association, joint stock association, or government entity, and includes a trustee, receiver, assignee, or other similar representative of any of them.
- 1.12.40 “Priority Part” means each part or assembly in an FAA or ANAC approved design, that, if it were to fail, could reasonably be expected to cause an unsafe condition in an aircraft, aircraft engine, or propeller.
- 1.12.41 “Product” see 1.12.14, “Civil Aeronautical Product.”
- 1.12.42 “Production Approval” means a document issued by the FAA to a person that allows the production of a product or article in accordance with its approved design and approved quality system, and can take a form of a production certificate, a PMA, or a TSO authorization.
- 1.12.43 “Production Certificate Extension” means an extension by the FAA or ANAC of a Production Certificate to a facility located in a third country or jurisdiction that has a bilateral agreement with the U.S. or Brazil.
- 1.12.44 “Production Quality System” means a systematic process which meets the requirements of the authority for the State of Manufacture and ensures that products and articles will conform to the approved design and will be in a condition for safe operation.
- 1.12.45 “Rebuilt Engine” means an engine that has been disassembled, cleaned, inspected, repaired as necessary, reassembled, and tested by the production approval holder in accordance with 14 CFR part 43 or RBAC 43.
- 1.12.46 “Restricted Category Aircraft” means an aircraft that meets the airworthiness requirements for special purpose operations if it shows compliance with the applicable noise requirements, shows no feature or characteristic that makes it unsafe when it is operated under the limitations prescribed for its intended use, and/or is the type that has been manufactured in accordance with the requirements of and accepted for use by, an Armed Force of the United States and has been later modified for a special purpose.
- 1.12.47 “Special Condition” means an additional airworthiness standard(s) prescribed by the FAA or ANAC 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 ANAC find necessary to establish a level of safety equivalent to that established in the applicable regulations.
- 1.12.48 “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 person or organization may manufacture the part.
- 1.12.49 “State of Design” means the State or territory having jurisdiction over the authority responsible for the type design and continued airworthiness of the product or article.

- 1.12.50 “State of Manufacture” means the state or territory having regulatory authority over the organization responsible for the production and airworthiness of a civil aeronautical product or article.
- 1.12.51 “State of Registry” (SoR)” means the State on whose register the aircraft is entered.
- 1.12.52 “Supplier” means any person or organization at any tier contracted to furnish engines, propellers, articles, or services.
- 1.12.53 “Technical Standard Order (TSO)” or Ordem Técnica Padrão (OTP) means a minimum performance standard used to evaluate an article. Each TSO covers a certain type of article. When authorized to manufacture an article to a TSO standard, this is referred to as a TSO Authorization for the FAA. For ANAC, in order to manufacture an article to an OTP it is necessary to obtain a CPAA and a COP.
- 1.12.54 “Technical Standard Order Authorization (TSOA)” means a design and production approval issued to the manufacturer of an article that has been found to meet a specific TSO. A TSOA is not an approval to install and use the article in the aircraft. It means that the article meets the specific TSO and the applicant is authorized to manufacture it.
- 1.12.55 “Used Aircraft” means each aircraft that is not a new aircraft, as defined in paragraph 1.12.37 above.
- 1.12.56 “Validating Authority (VA)” means the FAA or ANAC, who are charged by their laws to fulfill the ICAO responsibilities of a State of Registry (SoR) to regulate the design, production, and airworthiness approval and environmental certification of civil aeronautical products and articles imported from the other.
- 1.12.57 “Validation” means the FAA’s or ANAC’s process for issuing an approval of a design certificated by the other.
- 1.12.58 “Work Plan” the scope of the VA’s technical review developed using risk-based criteria. The work plan identifies specific design features, systems, or characteristics of an aeronautical product where the VA will focus its technical review as part of its Technical Validation process. It is endorsed by the VA management and shared with the applicant and the CA.



## SECTION II    SCOPE OF THESE IMPLEMENTATION PROCEDURES

### 2.1 General

- 2.1.1 These Implementation Procedures apply to such aircraft type designs to be type certificated by the FAA and ANAC for standard category airworthiness certification, except as described in paragraphs 2.1.3, 2.3, and Section IX.
- 2.1.2 The FAA and ANAC issue standard airworthiness certificates in the normal, utility, aerobatic, commuter, and transport categories of aircraft, as well as for manned-free balloons and special classes of aircraft which include airships, very light airplanes (VLA), gliders, and other non-conventional aircraft.
- 2.1.3 Except as set forth in paragraph 2.3 concerning restricted category aircraft, aircraft for which a special airworthiness certificate is issued by the FAA or ANAC may be dealt with on a case-by-case basis through the special arrangements provision in Section IX of this document. For Light Sport Category Aircraft (LSA) see FAA requirements 14 CFR 21.190(d) and ANAC requirements RBAC 21.190(d).

### 2.2 Design Approvals and Airworthiness Certification

These Implementation Procedures cover the products and articles identified below, their approvals, and the provisions set forth in subsequent sections.

#### 2.2.1 Design Approvals

- 2.2.1.1 Type Certificates (TCs) and amended TCs for products listed in Table 1 for which the U.S. is the SoD and Table 2 for which Brazil is the SoD;
- 2.2.1.2 Supplemental Type Certificates (STCs) and amended STCs for products as listed in Table 1 and Table 2 that have been issued both an FAA and ANAC type design approval, regardless of SoD, or have been exempted under RBAC 21.29; and
- 2.2.1.3 Note: The list for ANAC exempted aircrafts under RBAC 21.29 can be found at:  
<http://www2.anac.gov.br/certificacao/Produtos/IsentosE.asp?Letr=A>
- 2.2.1.4 Any other CA design changes or data approvals as identified in paragraph 3.3, for products and articles; and
- 2.2.1.5 TSO/OTP and PMA/CPAA approvals, as listed in Tables 1 and 2.

#### 2.2.2 Repair Design Data

CA approved design data used in the support of repairs as identified in paragraph 3.3.3 for products and articles where both the FAA and ANAC have issued a type design approval for the product or it has been exempted under RBAC 21.29.

#### 2.2.3 Export Certificates of Airworthiness/Certificados de Aeronavegabilidade para Exportação – CAE

Aircraft that conform to a Type Design approved under a VA TC including:

- 2.2.3.1 New and used aircraft of the classes and categories listed in Table 1 for which the U.S. is the SoD, and Table 2 for which Brazil is the SoD;
  - 2.2.3.2 New and used aircraft for which a third State is the SoD when that State has a bilateral agreement with the U.S. covering the same class of product, and when the conditions detailed in paragraph 7.2 are satisfied; and
  - 2.2.3.3 For products to be imported into the U.S, the Acceptance of aircraft manufactured in a State or territory other than its SoD requires:
    - (a) Development of a Special Arrangement under Section IX of these Implementation Procedures; or
    - (b) FAA review and Acceptance of an existing arrangement established between the SoD and SoM that can be used to establish compliance. The SoM must have a bilateral agreement with the U.S. covering the same class of product.
- 2.2.4 Authorized Release Certificates or equivalent document/Certificado de Liberacao Autorizada (CLA)
- 2.2.4.1 Aircraft Engines and Propellers that conform to a Type Design approved under a VA TC including:
    - (a) New and used aircraft engines and propellers for which the U.S. is the SoD and the U.S. or Brazil is the SoM;
    - (b) New and used aircraft engines and propellers for which Brazil is the State of Manufacture (SoM), and the U.S. or a third country is the State of Design (SoD), when that third country has a bilateral agreement/arrangement with the U.S. and Brazil covering the same class of product;
    - (c) Rebuilt aircraft engines for which the U.S. is the SoD are accepted by ANAC for import into Brazil, in accordance with requirements of paragraph 7.3; and
    - (d) Acceptance of products manufactured in a State or territory other than its SoD requires either the development of a special arrangement per Section IX of these Implementation Procedures or FAA review and acceptance of an existing arrangement established between the SoD and SoM. For the FAA, the SoM must have a bilateral agreement with the U.S. covering the same class of product.
  - 2.2.4.2 Used and Overhauled Aircraft Engines, Propellers and Articles  
Used and overhauled aircraft engines, used propellers, TSO articles and replacement parts are accepted for import by the FAA and ANAC.
  - 2.2.4.3 Articles that conform to a VA Design Approval
    - (a) TSO articles benefit from Acceptance under these Implementation Procedures, reference paragraphs 3.1.1 and 3.1.2. Each Authority recognizes the other's TSO/OTP design approval as equivalent to its

own, and as detailed in paragraph 3.3, will accept TSO articles solely on the basis of the other's approval and will not issue its own.

**Note:** For the FAA, both TSOA design and production approval are under 14CFR part 21 subpart O. For ANAC, OTP design approval is the CPAA under RBAC 21 subpart O and OTP production approval is the COP under RBAC 21 subpart G.

- (b) For the FAA, TSO-C77/CS-APU auxiliary power units will not benefit from Acceptance and will require validation by the IA, reference Note 2 under Table 2.
- (c) New and used replacement and modification parts, (except for aircraft engines and propellers, reference Table 2 Note 4) that conform to VA approved design data benefit from Acceptance and are eligible for installation in a product or article that has been granted a VA design approval, as follows:
  - (1) Replacement parts manufactured by the original production approval holder for all products and articles, regardless of the SoD;
  - (2) Modification parts manufactured by the original production approval holder for all products and articles, regardless of the SoD; and
  - (3) Parts Manufacturer Approval (PMA) and CPAA

#### 2.2.5 Standard Parts

The FAA and ANAC will accept Standard Parts for all products and articles covered under these Implementation Procedures when the parts conform to established U.S. or Brazilian industry or government specifications.

#### 2.2.6 Environmental Approval

The VA will accept environmental approvals based upon findings made against 14 CFR parts 34 and 36 by the FAA as CA or RBAC 34 and 36 by ANAC as CA, as the basis for establishing compliance with VA environmental requirements.

### 2.3 Special Airworthiness Certification

The FAA and ANAC agree that those aircraft type-certificated in the restricted category that are not eligible for a standard airworthiness certificate will be reviewed in accordance with Section III design approval procedures and eligible for a special airworthiness certificate. Aircraft for which a special airworthiness certificate is to be issued will be dealt with on a case-by-case basis through the Special Arrangements provision in Section IX of these Implementation Procedures.

### 2.4 Provisions for Technical Assistance

The types of technical assistance activities within the scope of these Implementation Procedures between the FAA and ANAC are specified in Section VIII.

### 2.5 Provisions for Special Arrangements

Section XI of these Implementation Procedures provides for designated officials within the FAA and ANAC to make special arrangements - with respect to design approval, production activities, export airworthiness approval, post design approval, or technical assistance - in situations that have not been specifically addressed in these Implementation Procedures, but which are anticipated by the BASA Executive Agreement.

## 2.6 Summary Tables

The following tables summarize the design approvals, products, and articles designed and manufactured in the U.S. or Brazil that are eligible for approval under these Implementation Procedures.

**Table 1**

Summary of U.S. (SoD) Products, Articles, and their Associated FAA Approvals  
Eligible for Approval by ANAC

PRODUCT	FAA Type Certificates & Amendments	FAA Supplemental Type Certificates	FAA Technical Standard Order Authorizations (see Note 2)	FAA Parts Manufacturer Approvals
Airplanes in the following categories:				
Normal	✓	✓	N/A	N/A
Utility	✓	✓	N/A	N/A
Aerobatic	✓	✓	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
Aircraft 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
Aircraft type certificated in the restricted category	(see Note 1)	(see Note 1)	N/A	N/A
TSO Articles (see Note 2)	N/A	N/A	✓	N/A
<b>PARTS:</b>				
Replacement or Modification Parts for the above airplanes, rotorcraft, balloons, aircraft engines, propellers, special class aircraft, and articles.	N/A	N/A	✓	✓

**Note 1:** Aircraft certified in the restricted category for purposes of agricultural, forest and wildlife conservation, aerial surveying, patrolling, weather control, aerial advertising, aerial dispensing of liquids, and other special purpose operations as determined by the Authorities (requires a special arrangement).

**Note 2:** A TSO article approval originally granted by FAA shall be automatically accepted by the ANAC as being equivalent to having granted and issued its own approval.

**Table 2**  
Summary of Brazilian (SoD) Products, Articles, and their Associated ANAC Approvals  
Eligible for Approval by the FAA

PRODUCT	ANAC Type Certificates & Amendments	ANAC Supplemental Type Certificates	ANAC OTP production under COP (see Note 2)	ANAC CCAA production under COP
Airplanes in the following categories:				
Normal	✓	✓	N/A	N/A
Utility	✓	✓	N/A	N/A
Aerobatic	✓	✓	N/A	N/A
Commuter	✓	✓	N/A	N/A
Transport	✓	✓	N/A	N/A
Rotorcraft in the following categories:				
Normal	(see Note 3)	✓ (see Note 5)	N/A	N/A
Transport	N/A	✓ (see Note 5)	N/A	N/A
Manned Free Balloons	✓	✓	N/A	N/A
Aircraft 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
Gliders	✓	✓	N/A	N/A
Powered Lift	✓	✓	N/A	N/A
Aircraft type certificated in the restricted category	(see Note 1)	(see Note 1)	N/A	N/A
TSO Articles (see Note 2)	N/A	N/A	✓	N/A
<b>PARTS:</b>				
Replacement or Modification Parts (for the above airplanes, rotorcraft, balloons, and special class aircraft). (see Note 4)	N/A	N/A	✓	✓

- Note 1:** Aircraft certified in the restricted category for the purposes of agricultural, forest and wildlife conservation, aerial surveying, patrolling, weather control, aerial advertising, aerial dispensing of liquids, and other special purpose operations as determined by the Authorities.
- Note 2:** A TSO article approval originally granted by ANAC shall be automatically accepted by the FAA as being equivalent to having granted and issued its own approval. For the FAA, TSO-C77/CS-APU auxiliary power units will require validation.
- Note 3:** New and used rotorcraft of Brazilian State of Manufacture and U.S. or Third State SoD are permitted for import into the United States. See paragraph 2.2.3.2
- Note 4:** Aircraft engines, propellers, and TSOA articles are not eligible.
- Note 5:** All Brazilian STC applications for part 27 and part 29 products of 3rd Country SoD would be classified as “non-basic”.

## SECTION III    DESIGN APPROVAL PROCEDURES

### 3.1 General

- 3.1.1 The principles and procedures of this Section apply to the Acceptance or validation of the initial design approval of each other's civil aeronautical products and articles, of subsequent design changes to those products and articles, including STCs, and approval of design data used in support of repairs.
- 3.1.2 These Implementation Procedures rely on the high degree of mutual confidence between the FAA and ANAC and establish the process for implementing the Acceptance or validation of each other's compliance determinations and approvals on civil aeronautical products and articles. The procedures in this Section are not intended to diminish the responsibilities of either Authority or their right to type design information.
- 3.1.3 Applications for FAA or ANAC approval are intended for civil aeronautical products and articles. Applications should be sent to the appropriate office as identified in Appendix A. Products and articles that are intended only for military use are not eligible for FAA or ANAC validation under these Implementation Procedures unless the CA has accepted to certify the product or article and there is a civilian and/or public/State use application within the jurisdiction of the importing State (reference Appendix B). In these cases, the FAA and ANAC will consult to determine whether validation is within the scope of these Implementation Procedures or requires a special arrangement under Section IX.
- 3.1.4 The requirement to identify and demonstrate compliance to applicable VA environmental standards is one component of the validation process. The procedures for VA compliance findings to its environmental standards are provided in paragraph 3.6.
- 3.1.5 Certificates and design approvals are accepted or approved by the validating Authority (VA) using one of the following three procedures:
- 3.1.5.1 Acceptance (reference paragraphs 3.2 and 3.3)  
Acceptance of the CA approvals by the VA without issuance of its own approval and therefore no application for validation is required.
- 3.1.5.2 Streamlined Validation (reference paragraphs 3.5 and 3.5.4)  
An approval by the VA without any technical involvement, with the issuance of a VA-approved document.
- 3.1.5.3 Technical Validation (reference paragraphs 3.5.7 and 3.5.8)  
Technical Validation of the certificate or change is performed by the VA using risk-based criteria to define its level of involvement. The VA will issue an approval document.
- Note:** The requirement to identify and demonstrate compliance to applicable VA environmental standards is one component of the validation process. The procedures for VA compliance findings to its environmental standards are provided in paragraph 3.6.

- 3.1.6 The Authorities recognize that there may be situations when direct communications between the VA and the applicant are necessary. In such cases, it is the responsibility of the initiator of the contact to notify the other Authority as soon as possible. Direct communications will be limited to technical questions regarding the product (familiarization) and will be conducted with the awareness and consent of the CA. The CA will be informed of the outcome of these discussions.
- 3.1.7 U.S. and Brazilian design approval holders are required to hold relevant type design information (e.g. type design data, drawings, processes, materials specifications, operating limitations, test plans, test analysis reports, approved manuals, accepted manuals, and service bulletins) and to make it available to their respective Authority upon request. This information is available to the VA from the design approval holders upon request from the CA.

### 3.2 Acceptance Principles

The FAA and ANAC conclude that certain approvals can benefit from mutual Acceptance. There are specific CA approvals (further described in paragraph 3.3) that will be accepted by the VA without issuance of its own approval, and therefore no application for validation is required for:

- 3.2.1 Certain Design Changes by the Design Approval Holder (reference paragraph 3.3.1);
- 3.2.2 TSO/OTP articles (reference paragraph 3.3.2);
- 3.2.3 PMA/CPAA (reference paragraph 7.5); and
- 3.2.4 Design data for repairs and alterations (reference to paragraph 3.3.3).

### 3.3 Acceptance Procedures for Specific Design Approvals and Articles

The Acceptance of the following approvals shall be implemented by the FAA and ANAC based on each other's approval without the need for submission of an application and validation by the other. An approval originally granted by the FAA or ANAC shall be automatically accepted by the other as being equivalent to having granted and issued its own approval. These changes will be available to the VA upon request.

#### 3.3.1 Design Changes by the Design Approval Holder

- 3.3.1.1 Design changes by the TC or STC holder classified as Basic per the criteria in paragraph 3.5.3.1 and that do not require the CA to issue a new or revised TC, TCDS, or STC;

There is no need for application and the design change will be accepted by the VA without any review. In these cases, the CA will approve these design changes in accordance with its own procedures against the certification bases of both the CA and the VA. These design changes are considered approved by the VA, and are included in the design approval holder's type design data and shall be made available to the VA on upon request to the CA.

- 3.3.1.2 Design changes made by the design approval holder, classified as minor in accordance with 14 CFR Section 21.93 (a) and (b) or RBAC 21;



- 3.3.1.3 The design change is approved under the CA's system including the associated approved manuals, in accordance with its own procedures against the certification basis of both the CA and the VA; and
  - 3.3.1.4 These design changes are to be included in the portion of the design approval holder's type design definition that is applicable to the VA.
- 3.3.2 TSO Articles
- 3.3.2.1 The FAA and ANAC share similar certification requirements and procedures leading to the approval of the design and manufacturing of TSO/OTP articles. Through the practice of Acceptance, a TSO/OTP article approval issued by the FAA or ANAC is considered equivalent to the other having issued its own approval, exceptions noted in paragraph 3.3.2.5 below.
  - 3.3.2.2 The FAA and ANAC recognize and agree that each Authority's approval of an article's design and production does not constitute an approval for installation of the article on any product. An FAA TSO authorization is an approval of the articles design and production only, and an FAA letter of TSO design approval (LODA) is an approval of the articles design only. Whereas an ANAC CPAA is approval of the article's design and an ANAC COP is approval of the article's production only. The installer must obtain installation approval for use on a product registered under that Authority.
  - 3.3.2.3 Where the TSO/OTP standards are at the same revision levels, the FAA or ANAC shall not accept an application from a person in the State of the other Authority for approval of a TSO/OTP article if such article has been issued an approval, or is eligible for approval by the applicant's Authority.
  - 3.3.2.4 When the exporting Authority does not have a corresponding TSO or OTP to that of the importing Authority, an applicant may obtain an approval from the exporting Authority using the provisions of 14 CFR section 21.8(d) or RBAC part 21.8 (d). If the exporting Authority's approval is based on assessment of the TSO or OTP of the importing Authority, and the production system and marking requirements are assured by the exporting Authority's approval, then the exporting Authority's approval is eligible for Acceptance.
  - 3.3.2.5 The Acceptance of TSO/OTP articles is based on the following conditions and provisions as noted:
    - (a) The article meets the applicable TSO or OTP as evidenced by a statement or declaration of conformity by the approval holder;
    - (b) Any deviation from the applicable TSO or OTP accepted by the FAA or ANAC are substantiated and have been approved by the Exporting Authority (EA); and
    - (c) The FAA or ANAC retain the right to suspend the privilege of Acceptance of a particular TSO following consultation with each other and where there is no mutually acceptable resolution of airworthiness concerns raised by the Importing Authority (IA).

### 3.3.2.6 Procedures for Changes to Articles by the Design Approval Holder (DAH)

All design changes to articles accepted under the Acceptance Procedures described above, as well as for articles validated under the previous revision of these Implementation Procedures, are managed under the procedures of the CA and automatically accepted by the VA under the terms of Acceptance.

### 3.3.2.7 Acceptance of Non-TSO/OTP Functions

- (a) The FAA and ANAC will accept, without further validation, data on non-TSO functions where those functions are integrated into an existing or proposed article when:
  - (1) The non-TSO/OTP functions included in the article have been shown not to interfere with the TSO/OTP functions and/or ability to comply with the TSO/OTP standard;
  - (2) The data provided with the article relative to non-TSO/OTP functions is valid data as processed by the FAA's or ANAC's system in accordance with the applicable importing Authority policy; and
  - (3) The non-TSO functions are covered under the FAA TSO or ANAC OTP approval holder's quality system.
- (b) The Acceptance of data on non-TSO/OTP functions does not constitute installation approval.
- (c) The CA and VA may agree to mutual cooperation and technical assistance for the evaluation of non-TSO functions at the product level before granting TSO/OTP approval.

### 3.3.2.8 Eligibility for and Validity of LODA/CPAA

- (a) A LODA/CPAA issued prior to this revision of these Implementation Procedures remains valid until surrendered, withdrawn or otherwise terminated by the FAA or ANAC. Unless otherwise directed by the FAA or ANAC, the U.S. or Brazilian holder of the LODA/CPAA may continue to produce the articles in accordance with the FAA or ANAC-approved design, and export those articles to the U.S. or Brazil under Section VII.
- (b) Design changes to an article approved by a LODA/CPAA are subject to the provision of 14 CFR 21.619 or RBAC 21.619, as amended. However, for a major design change requiring a new design approval, an application to the FAA or ANAC for a new TSO/OTP design approval shall be made under 14 CFR 21.603 or RBAC 21.603, as amended, and the provision of paragraph 3.3.2.3 applies. The new TSO/OTP design approval is then governed by the Acceptance procedures of this Section.
- (c) Notwithstanding paragraph 3.3.2.2, there may be exceptional cases where an applicant requests the FAA or ANAC for consideration for

eligibility to apply for a LODA/CPAA under these Implementation Procedures. The eligibility will be determined by the FAA or ANAC, in consultation with the other Authority, on the basis that such request will not place undue burden on the FAA or ANAC in administering the applicable airworthiness requirements of 14 CFR part 21, subpart O or RBAC 21, subpart O. The applicant must submit their request to their Authority who will subsequently forward it to the responsible FAAACO or ANAC office as detailed in Appendix A.

### 3.3.3 Acceptance of Design Data and Recognition of Data Approvals by Designees

#### 3.3.3.1 Acceptance of Design Data in Support of Repairs

The FAA and ANAC agree that data generated in the design approval of repairs shall be considered approved by both the FAA and ANAC, regardless of the SoD of the aeronautical product, without further showing, provided that the approval was granted in accordance with their respective repair design approval procedures. This includes approvals of repair design data approved under the FAA and ANAC delegation systems.

#### 3.3.3.2 Acceptance of Design Data in Support of Alterations

CA- approved or accepted alterations in accordance with 14 CFR part 43 or RBAC 43, installed on a product exported from the U.S. or Brazil, regardless of the SoD of the product, are considered approved by VA at the time of import. The VA will accept such CA alteration data when substantiated via an appropriately executed FAA Form 8110-3, 8100-9, 337 (block 3) or logbook entry, or ANAC form F-400-04 (block 3).

## 3.4 Validation Principles

For CA design approvals that do not meet the Acceptance criteria in paragraph 3.2, there are two validation processes, depending on the basic/non-basic classification:

- (1) Streamlined Validation (applications classified as Basic that require reissuance of certificates or datasheets), and
- (2) Technical Validation (applications classified as Non-Basic).

## 3.5 Procedures for Streamlined Validation and Technical Validation

### 3.5.1 CA Application Responsibilities:

Upon receipt of an application for validation from an applicant, the CA will:

- 3.5.1.1 Assure that the application is eligible for validation referenced in paragraph 3.5.2;
- 3.5.1.2 Verify the applicant classification as Basic or Non-Basic as referenced in paragraph 3.5.3;
- 3.5.1.3 Determine if the application meets the Acceptance criteria detailed in paragraph 3.2, and

3.5.1.4 For projects that are not eligible for Acceptance, prepare the application package for transmittal to the VA (reference paragraph 3.5.4.3), as applicable.

### 3.5.2 Validation Application Eligibility

The CA will consent to receive an application for validation when the product or design change is within the scope of this agreement as referenced in paragraph 2.2.

### 3.5.3 Classification of Applications for Validation

The CA will classify an application for validation as Basic or Non-Basic according to the criteria in this section. The classification determines the process to be followed, and also, for Non-Basic projects, defines the scope of possible VA level of involvement.

#### 3.5.3.1 Basic Classification Criteria

All design approvals that do not meet one or more of the Non-Basic classification criteria in paragraph 3.5.3.2 are classified as Basic, and processed by either the Acceptance process (paragraph 3.2) or the Streamlined Validation process (paragraph 3.5.4).

#### 3.5.3.2 Non-Basic Classification Criteria:

(a) Type Certificates

Application for validation of a TC shall be classified as Non-Basic.

(b) Major Design Changes, including STCs

Application for validation will be classified as Non-Basic when any of the following criteria are impacted:

- (1) Any item in the VA Safety Emphasis Item (SEI) list as referenced in paragraph 3.5.10.4;
- (2) The CA or VA certification basis includes or is anticipated to include a new or amended:
  - a. Exemption;
  - b. Special condition; or
  - c. Equivalent level of Safety (ELOS);

**Note:** New or amended is considered in the context of the project, relative to the baseline certification basis of the product or STC being changed.
- (3) A classification of “significant” has been made by the CA in accordance with FAA 14 CFR 21.101 or RBAC 21.101, as amended;
- (4) An AD is affected that was issued unilaterally by the VA; or an AD is affected that was issued by the VA, and where the VA is the Authority for the SoD for the TC;

- (5) Changes involving the use of a new or different applicable method of compliance from that previously agreed by the CA and the VA;

**Note:** A method of compliance (MOC) would not be considered “new” or “different” if it had been applied previously in a similar context by both the CA and the VA.

- (6) New technology exists;

**Note:** New technology is technology that is new to the VA as a whole, not just new to the VA team members. For example, if technology used by the applicant were new to the VA team but not the VA itself, it would not be considered new. It is the VA management’s responsibility to make sure the VA team members are properly informed of the earlier use of the technology, VA standards and MOC.

- (7) Novel applications of existing technology exist;

**Note:** Novel technology is where a particular technology is being used in a manner that causes the precepts of the technology to be questioned. However, it does not mean that existing technology being applied for the first time to a particular product line is automatically novel. Additionally, novel applies to the VA as a whole, not just to a project being assessed by the specific VA team members.

- (8) A change classified as an acoustical or emissions change per 14 CFR 21.93 or RBAC 21.93;

- (9) Any other design change designated as Non-Basic by the CA

#### 3.5.4 Streamlined Validation Process for Applications Classified as Basic

Applications classified as Basic are managed through the Acceptance process when they meet the criteria referenced in paragraph 3.2, in which no involvement or application occurs. Applications classified as Basic that do not meet the criteria for Acceptance are managed through the Streamlined Validation process described in this section.

##### 3.5.4.1 Streamlined Validation Principles

The VA has a minimum level of involvement in Streamlined Validation projects. In order to accomplish this, the VA will:

- (a) Issue a certificate with minimum administrative involvement from the CA and the applicant;
- (b) Accept the CA's statement that the design complies with the VA certification basis;
- (c) Accept the data provided by the CA, including CA approved and accepted manuals; and
- (d) Accept the classification of Basic determined by the CA, without technical review.

3.5.4.2 If the VA has concerns over the classification of the application, the VA may mark it for review under Continued Maintenance of Confidence provisions defined in paragraph 1.6, but the VA shall proceed with the process as determined by the CA's application classification.

**Note:** All applications for concurrent projects will be classified as Non-Basic.

3.5.4.3 Streamlined Validation Application

Streamlined Validation Application package contents:

- (a) For a design change, including an STC, a high-level description of the change, together with the make and model of the product being changed;
- (b) If affected, a copy of:
  - (1) Changes to the Airworthiness Limitations Section of the Instructions for Continued Airworthiness, and
  - (2) Changes to other Operating Limitations (e.g., Flight Manual).

**Note:** The VA must be aware of any such changes to ensure they are able to perform any necessary mandatory airworthiness activity as required by their system, or to address crew training requirements to support operational introduction. Any additional information the VA needs to fulfill such responsibilities will be requested by the VA within the time frame specified in paragraph 3.5.4.5.

- (c) The date of application to the FAA or ANAC, as applicable.
- (d) A statement that the CA has classified the application as Basic per the Basic criteria as defined in paragraph 3.5.3.1.
- (e) A copy of the CA's TC and TCDS, or STC that identifies the certification basis upon which the CA's design approval was issued. In the absence of a TCDS, the CA should submit the document that defines the CA certification basis.

- (f) If not directly identified in the documentation described in this paragraph, the CA should also provide the reference date used to establish the CA certification basis.
- (g) A statement that the CA certifies that the product has been examined, tested, and found to meet the applicable airworthiness, noise, fuel venting, and emissions requirements of the VA, or their equivalent levels, as defined in the Certification Basis section of the VA TC or STC for the product.

**Note:** In providing the statement required by this paragraph, the CA may choose to either list the pertinent VA standards, or may reference existing VA documentation (e.g., TCDS) that lists those applicable standards.

- (h) In cases where the applicant chooses to voluntarily adopt into the VA certification basis later amendments to airworthiness or environmental standards than those required as described in paragraph 3.5.11, those later amendments for those standards will be identified in the application.

#### 3.5.4.4 VA Review of Application

- (a) The VA will notify the CA within ten (10) working days of receipt of application.
- (b) ANAC, as the VA, will advise the applicant of the applicable fees within ten (10) working days of receipt of the application package. Upon receipt of payment of any applicable fees, ANAC, as the VA, will begin working on the validation project.
- (c) The VA will review the application package and request any missing information in accordance with paragraph 3.5.4.3 within ten (10) working days after notification of receipt of the application.
- (d) The VA will ensure the CA statement of compliance includes identification of the VA certification basis reference.

**Note 1:** The applicable fees for validation processes in Brazil are established under the Law 11.182/2005, available on the ANAC website: <https://www.anac.gov.br/assuntos/legislacao>. The FAA does not assess fees for validation applications.

**Note 2:** ANAC, as the VA, agrees to receive the application package prior to the payment of the fees to advise the applicant on the process for fee payment, as established in item 3.5.4.4 (b). However, if the applicant is already familiar with the Brazilian fee payment process, it may execute the payment prior to submitting the application package to ANAC.

#### 3.5.4.5 VA Issuance of Design Approval

- (a) The VA will issue the corresponding certificate or design approval within twenty (20) working days once the review of the application package has been completed and any applicable fees have been received.
- (b) The VA will issue its certificate or design approval to the Applicant with concurrent notification to the CA.

### 3.5.5 Technical Validation Process for Applications Classified as Non-Basic

Applications classified as Non-Basic are managed through the Technical Validation process described in this section.

#### 3.5.5.1 Non-Basic Validation Application Packages

For concurrent validation projects some elements of the application package will not be known at the time of application; those applications must include all known data as listed in paragraph 3.5.4.3 and submit any missing elements when it becomes available.

- (a) A cover letter which clearly identifies the classification as Non-Basic per the Non-Basic criteria as defined in paragraph 3.5.3.2, and lists the specific criteria(ion) that led to the Non-Basic classification; this list is necessary for the VA to develop the items for VA review in the validation work plan.
- (b) A description of the product in accordance with the following:
  - (1) For a TC, descriptive data defined in 14 CFR 21.15 for applications to the FAA, or **RBAC 21.15** for applications to ANAC; and
  - (2) For design changes including STCs, a detailed description of the design change together with the make and model of the product being changed.
- (c) Copy of the CA's TC and TCDS, or STC that identifies the certification basis upon which the CA's design approval was issued, along with the reference date used to establish the CA certification basis. In the absence of a TCDS, the CA should submit the document that defines the CA certification basis;
- (d) Proposed VA validation program consisting of the following elements. The VA will use this information to assist in the development of the VA work plan:
  - (1) The proposed VA airworthiness standards, special conditions, equivalent safety findings and environmental protection requirements; and
  - (2) The description on how compliance has been or will be demonstrated, with proposed means of compliance, and any selected guidance material. The description of the means of compliance should be sufficient to determine that all necessary data will be collected and compliance can be demonstrated.



- (e) Any additional data/information for known in-service issues to enable understanding of continuing airworthiness implications and how they have been addressed;
- (f) Compliance checklist;
- (g) List of all CA exemptions, deviations, special conditions, equivalent level of safety findings;
- (h) List of all IPs for FAA, or Ficha de Controle de Assunto Relevante for ANAC, raised during the CA's certification activities, that are associated with the applicable non-Basic criteria;
- (i) Brief description of all novel or unusual design features;
- (j) Information on VA customers and delivery schedules;
- (k) Master documentation list or master drawing list which lists all type design drawing, specifications and reports for the TC or for the change;
- (l) Top level drawing of the aircraft or design change. If a top level drawing is not available include a drawing or diagram that shows the overall change;
- (m) Approved manuals or changes to approved manuals as applicable;
- (n) Weight and balance data if not contained in an approved manual;
- (o) Environmental:
  - (1) For a TC, a definition of the noise, fuel venting, and exhaust emissions standards upon which the design approval was based, and the amendment level of VA noise, fuel venting, and exhaust emissions standards that the applicant proposes and the CA believes to be applicable to the VA validation; and
  - (2) For a design change classified as an acoustical or emissions change, per 14 CFR 21.93 or RBAC 21.93, include a copy of the new noise or emission levels as approved by the CA.
- (p) Instructions for continued airworthiness;

### 3.5.6 VA Initial Review and Acknowledgement of non-Basic Application

The VA will accept the CA's classification as provided and initiate processing of the file as described below:

- 3.5.6.1 The VA will notify the CA within ten (10) working days of receipt of application.
- 3.5.6.2 ANAC, as the VA, will advise the applicant of the applicable fees within ten (10) working days of receipt of the application package. Upon receipt of payment of any applicable fees, ANAC, as the VA, will begin working on the validation project.
- 3.5.6.3 The VA will review the application and request any missing information within thirty (30) working days of receipt of the application.

- 3.5.6.4 Non-basic applications will go through the Technical Validation process unless the VA concludes that they require no further level of involvement based solely on review of the application and receipt of applicable fees. In this case, the VA may proceed directly to the issuance of its validation approval (reference paragraph 3.5.8.5).

### 3.5.7 Technical Validation

For projects classified as Non-Basic, a Technical Validation may be performed by the VA, at its discretion, to support issuance of the VA design approval.

- 3.5.7.1 The objective of the Technical Validation process is to provide the VA with sufficient information for it to identify the applicable Non-Basic criteria, and within the scope defined by those applicable criteria, establish its certification basis and acceptable means of compliance.
- 3.5.7.2 The VA may choose to limit the Technical Validation process to a review of the application, proceeding from there directly to issuance of its design approval. Intermediate steps such as a work plan are not required in such cases, as noted in paragraph 3.5.9.1(e).
- 3.5.7.3 Technical Validation can be performed as a sequential or as a concurrent validation.
  - (a) In a sequential validation, the CA has completed its certification, or is well advanced in the certification process, before the applicant requests validation by the VA. In this case, the CA certification basis and acceptable methods of compliance (MOCs) have been established by the CA.

Type design changes, revised operating limitations, or new or revised certification testing or analysis may be required in a sequential program to meet the requirements of the VA, since these requirements may not have been considered during the original CA certification.
  - (b) In a concurrent validation, the applicant requests validation of the product by the VA at the same time as certification by the CA, with the objective to get the CA and the VA approval at the same, or nearly the same time.
    - (1) This approach allows unique VA requirements to be addressed during the design development and initial compliance demonstration.
    - (2) A concurrent validation provides an opportunity for collaborative development of both CA and VA use of exceptions to the latest airworthiness standards, special conditions, exemptions, deviations, equivalent level of safety findings and acceptable MOCs. Additionally, it provides for early identification of areas where jointly agreed solutions are not readily available.

(3) A concurrent validation may use any or all of the following optional provisions:

a. Work Sharing

A work-sharing program may be used in areas where the VA may make compliance determinations on behalf of both the VA and CA. Work sharing may be advantageous when certification activity is occurring within the geographical area of the VA, or when limited CA resources make it advantageous to advance the project by using VA resources. Work sharing can be limited to a single issue or may be utilized extensively throughout the project, and, if agreed, may persist through the life of a program into post-type certification activities. Such work sharing arrangements are a form of technical assistance, as described in Section VIII of these Implementation Procedures.

b. Common Issue Papers (IP) and Ficha de Controle de Assunto Relevante (FCAR)

The CA and the VA may jointly develop and approve IPs or FCARs that are common or identical, as applicable, depending on which authority is the CA, to establish the enveloped FAA and ANAC program certification requirements. Common IP/FCAR can be limited to a single issue, or may be used extensively throughout the project.

c. Single Certification Basis

The CA and VA may elect to jointly develop a single agreed certification basis that satisfies both U.S. and Brazil regulatory requirements.

### 3.5.8 Technical Validation Procedure

3.5.8.1 The VA reviews the application and requests any missing information referenced in paragraph 3.5.5.1.

3.5.8.2 The VA develops a work plan in accordance with paragraph 3.5.9.

3.5.8.3 The CA reviews the VA-proposed work plan and works with the VA and applicant to refine the work plan and complete the work plan elements.

- 3.5.8.4 Once the work plan activities are concluded, the VA will notify the CA, in writing, that it has completed its review of any compliance documents it requested in the work plan, and that it is ready to receive the CA certification statement.
- 3.5.8.5 Upon completion of the CA certification and receipt of the VA statement described in paragraph 3.5.8.4, the CA will provide the following statement to the VA:  
*“The CA certifies that the {specific product type, model, or STC} complies with the {VAs} certification basis as identified in {work plan, issue paper, STC, TCDS, etc., as applicable to the project} dated {date}”.*
- 3.5.8.6 Communication during a validation should be primarily between the CA and VA.
- (a) If the CA is not present in a technical discussion between the VA and the applicant, the CA should be immediately informed of the outcome.
  - (b) The VA will request data through the CA to the applicant.
- 3.5.8.7 The VA shall issue a certificate after successfully completing the work plan activities, receipt of the CA Statement of Compliance and the CA issuance of the SoD approval.

### 3.5.9 Work Plan

#### 3.5.9.1 General

- (a) The work plan establishes the scope and depth of VA involvement, and is used to document the VA certification basis.
- (b) An initial work plan is created by the VA at the beginning of the validation program, based on VA review of the Non-Basic application package.  
**Note:** For FAA, a sample work plan can be found in FAA Order 8110.52.
- (c) In a concurrent project, the initial work plan may evolve over the course of the validation program as the VA gains knowledge during technical familiarization, or as the design presented for validation, including methods of compliance, evolves over the course of the certification program.
- (d) In a sequential program, the VA work plan should be finalized upon completion of technical familiarization (referenced in paragraph 3.5.10.1).

- (e) The VA may choose to have no further level of involvement beyond review of the application package, in which case no work plan is required and the VA will request a certification statement, as referenced in paragraph 3.5.8.4 from the CA to support issuance of the VA design approval.
- (f) As soon as possible, the VA will share the approved work plan with the CA and the applicant so that the CA can prepare its resources for the validation activities. The initial work plan issuance and any subsequent changes that may result in the expansion of the VA's involvement, must be approved by VA management
  - (1) Active management oversight assures that the VA's involvement remains within the criteria for establishing the work plan referenced in paragraph 3.5.9.2.
  - (2) The immediate supervisor of the validation project manager or equivalent may provide the signature on the work plan.
- (g) If the VA includes areas of involvement in the work plan that are not included in the Non-Basic criteria, the CA will question those work plan elements using the issue resolution of conflicts process in paragraph 1.8.3.

Limiting the VA scope of involvement to those elements included in the Non-Basic criteria is critical to ensuring an efficient validation process.

#### 3.5.9.2 Work Plan Contents

- (a) Technical validation may occur as either a concurrent or a sequential process, as described in paragraph 3.5.7.3. The work plan content described below, and the evolution of those contents over the course of a validation project, is described here for certification projects that requires VA involvement beyond simple review of the application. The work plan is intended to ensure the VA receives the information it needs to:
  - (1) Identify the applicable Safety Emphasis Items (SEI); and
  - (2) Identify its certification basis, or, its special conditions, equivalent level of safety findings, exemptions/deviations, and additional noise, fuel venting and emissions requirements relative to the CA certification basis.
- (b) In a sequential program, the VA should be able to finalize its work plan upon completion of technical familiarization (paragraph 3.5.10.1).

- (c) The work plan documents the scope and depth of VA level of Involvement. All other areas shall not be subject to any VA technical review beyond technical familiarization. This means that the CA will verify/determine compliance on behalf of the VA against the VA Certification basis for all areas not specifically identified in the VA work plan.
- (d) The initial VA work plan will include the following elements as applicable:
  - (1) Identification of the applicant;
  - (2) A brief description of the product or change, as provided in the application package;
  - (3) A proposed initial VA certification basis, including the following elements, to the extent that they can be defined based on review of the application:
    - (i) Applicable VA airworthiness standards;
    - (ii) Proposed exemptions special conditions, or equivalent level of safety findings;
  - (4) A list of proposed areas of VA level of involvement, bounded by the applicable Non-Basic criteria;
  - (5) A proposal for technical familiarization activities (see paragraph 3.5.10.1) necessary to achieve a final work plan;
  - (6) Identification of the responsible VA project certification manager and any VA team members identified based on review of the application; and
  - (7) Elements (2) through (6) will be regularly updated by the VA over the course of a validation program. Work plan changes are approved by VA management.

### 3.5.10 Technical Validation Guidelines

#### 3.5.10.1 Technical Familiarization

- (a) The VA will use the Technical Familiarization process to refine and finalize the work plan. The objectives of technical familiarization are to:
  - (1) Establish the VA certification basis, including identification of any additional VA airworthiness, noise, fuel venting and emissions requirements relative to the CA certification basis;
  - (2) Establish the VA scope of level of involvement, limited to the applicable Non-Basic criteria; and
  - (3) Establish the areas, if any, within the identified VA scope of level of involvement, where the VA will review compliance data.
- (b) The objectives of technical familiarization can only be fully satisfied when the applicant or CA has presented to the VA the following information:

- (1) An overview of the proposed type design, intended operational use, and, if applicable, relation to previously approved products;
  - (2) The proposed CA and VA certification basis, including analysis of potential differences; and
  - (3) Any design features or compliance methods that trigger the Non-Basic classification criteria in paragraph 3.5.3.2.
- (c) The VA will focus its attention during technical familiarization on understanding the general compliance methodologies used or to be used by the applicant, including assumptions, boundary conditions and critical parameters of that methodology to verify the Non-Basic criteria that are impacted, to determine if IPs/FCARs are necessary, and to update the work plan, if needed.

Further details, including review of test plans or other compliance documents, test witnessing, or other details of the compliance demonstration are deferred until that depth of review is added to the work plan and approved by VA management.

- (d) When technical familiarization meetings are identified and approved in the VA work plan, those meetings will be arranged by the CA. The CA must be represented at any technical familiarization meetings with the VA and the applicant, unless otherwise agreed between the CA and the VA.
- (e) Familiarization flights are a unique aspect of technical familiarization since, in a concurrent program, they cannot be conducted until late in the project when a flying article is available. Familiarization flights are not to be used to repeat compliance determinations performed by the CA. Rather, they have the following purposes:
- (1) Identify to the CA for resolution any potential compliance issues not previously identified by the validation team in the course of technical familiarization;
  - (2) Provide the VA flight test representatives with sufficient familiarity with the aircraft whenever needed and justified by a risk-based VA Level of Involvement (LOI), to get necessary familiarization with the product that is necessary to validate the MMEL and operational aspects, and to develop any special flight characteristics training requirements; and
  - (3) Familiarize the VA with the type design as necessary to support continued operational safety of the VA registered fleet.
- (f) VA requests for familiarization flights must be identified in the work plan and approved by VA management.
- (1) Familiarization flights should be supported by the CA flight test team to facilitate completion of the objectives described in paragraph (e) above.

- (2) Familiarization flights are typically conducted for all new TC programs that meet the Non-Basic criteria. Familiarization flights may also be conducted for other design change programs having a significant impact on the operational capabilities or limitations, or pilot/aircraft interface.

#### 3.5.10.2 Managing VA Level of involvement and Review of Compliance Data

- (a) The depth of VA level of involvement within each impacted Non-Basic classification element is guided by the procedures and principles provided in this section.
- (b) A VA decision to directly review a compliance document is typically reached through an exchange of information following identification of an applicable Non-Basic criterion. This exchange may take place through additional meetings following technical familiarization, correspondence (in the context of an established IP or FCAR), or other interactions.

A compliance document in this context is any test report or other document that directly supports a determination of compliance.

- (c) The VA will rely, to the maximum extent possible, on the CA to make compliance determinations/verifications on its behalf. VA justification is required for any VA review of a compliance determination/verification, including the review of any compliance document. This justification normally falls into the following general areas:
  - (1) Applicable Non-Basic criteria, when those criteria represent a new issue for the VA, and judgment is required in its application to the project; and
  - (2) Sensitive issues usually associated with an accident or incident on a product with similar design features.
- (d) VA level of involvement in Non-Basic projects (including TC projects), beyond technical familiarization, is limited to the applicable Non-Basic criteria.
- (e) In the case of a Non-Basic change classified by the CA as significant per 14 CFR 21.101 or ANAC RBAC 21.101, as amended, which would otherwise be classified as Basic, the area of VA involvement shall only be to the extent necessary for the VA to establish its certification basis, and to determine if that certification basis triggers any other Non-Basic criteria.



- (f) In the case of new or amended exemption/deviation, SC, ELOS or ESF, if the exemption/deviation, special condition, ELOS or ESF has been applied previously in a similar context and no changes are anticipated for the current projects, VA involvement is limited to the administrative action necessary to extend the applicability or to reissue the exemption/deviation, SC, or ELOS/ESF to the new project.
- (g) A new or different MOC identified under the Non-Basic criteria is intended to ensure awareness of the VA of a new or different MOC, and to allow subsequent applications of the same MOC without further review. The Non-Basic criteria identifying the MOC shall not be used by the VA as a systematic reason for review of compliance documents or data without adequate justification under this paragraph.
- (h) VA review of compliance determinations, including review of any compliance documents, must be identified in the work plan along with the associated justification, and approved by VA management.
  - (1) When the VA requests review of a compliance document according to the procedures in this Section, the VA, at the completion of its review, will provide a written statement to the CA verifying that the document is acceptable for demonstration of compliance to the VA certification basis.

#### 3.5.10.3 Use of IP's and FCAR's

- (a) The VA will identify the applicable Non-Basic criteria during technical familiarization. The VA may use FCARs or IPs, as applicable, to fully develop and document resolution of each of these applicable criteria.
- (b) The VA will not generate an IP or FCAR on a subject which has already been addressed by the CA, is applicable to the validation, and with which the VA concurs. The VA will use the work plan to document decisions to rely on the CA IP or FCAR in these cases.
- (c) The VA will coordinate IPs or FCARs through the CA to the applicant in order to expedite a mutually acceptable resolution with the awareness of both Authorities.
- (d) VA intention to raise IP or FCAR, as applicable, must be documented in the work plan and approved by VA management.

#### 3.5.10.4 Safety Emphasis Items (SEI)

- (a) SEI define areas of VA interest for all products of a certain class. SEI lists must be developed and approved by the appropriate offices within the FAA and ANAC. SEI lists are an integral part of the Non-Basic classification criteria, and a list of SEI for each product class must be available to the public.

- (b) The CA will use the VA SEI list to identify in the application potentially applicable SEI. The VA team will refine and finalize the list of applicable SEI during technical familiarization. SEIs include:
  - (1) New VA standards where the VA or CA has limited past experience with the application to a product, they have an important impact on the whole product or a critical feature, and engineering judgment is required to establish compliance;
  - (2) Airworthiness standards where the VA's and CA's interpretive, advisory, MOC, or guidance materials differ or are insufficient, to an extent that those differences impact the level of safety required by the VA system and could result in VA required changes to the type design or approved manuals. As experience is gained, the VA may choose to reduce the application of this criterion to minimize Non-Basic applications. When interpretive, advisory, MOC, or guidance materials are well understood by both Authorities, full confidence should be given to the CA for determining compliance to those VA SEIs;
  - (3) Standards identified for special emphasis by the VA in a data-driven risk assessment analysis for the product class; and
  - (4) Subjects linked to known safety conditions that the VA has identified, and for which the VA either has taken, or is in the process of taking, airworthiness action;
- (c) The list of SEI shall be frequently revised with the goal of reducing the size of the list through targeted harmonization effort. SEI list revisions are approved by the management responsible for maintenance of the list. The update process shall be subject to BMT monitoring.

#### 3.5.11 Establishment of the VA Certification Basis

The VA will establish the VA certification basis for projects classified as Non-Basic according to paragraph 3.5.3.2, following the Technical Validation procedures described in paragraph 3.5.8.

- (a) The VA shall develop its proposed type certification basis using a reference date corresponding to the date of application to the CA;
- (b) The VA special conditions, ELOS and exemptions will be either adopted from the CA proposal or created as part of the Technical Validation and added to the VA certification basis as applicable;
- (c) CA classification of changes as either significant or non-significant according to 14 CFR 21.101 or ANAC RBAC 21.101, as amended, will be accepted by the VA. For changes classified by the CA as significant, the VA will determine the final VA certification basis for the change, including any exceptions to the standards in effect on the date of application to the CA, notwithstanding (d) and (e) below;

- (d) Applicants for the VA TC, or for a design change classified as an acoustical change according to 14 CFR section 21.93(b) or RBAC 21.93(b), as applicable, need to comply with the noise standards of 14 CFR part 36 or RBAC 36 in effect on the corresponding date of application to the VA;
- (e) Applicants for VA TC, or for a design change classified as an emissions change according to 14 CFR section 21.93(c) or RBAC 21.93(c), as applicable, need to comply with the fuel venting and emissions standards of 14 CFR part 34 or RBAC 34 in effect on corresponding date of application to the VA.

### 3.5.12 Approval of Changes to Approved Manuals

- (a) The CA approves all manuals unless the VA specifies its involvement to approve certain manuals as documented in the work plan.
- (b) VA request for changes to approved manuals associated with the design changes will be made through the CA, and the approval of the manual will be made by the CA.
- (c) Change requests to manuals must be directly related to work plan areas of VA involvement.
- (d) Stand-alone changes to approved manuals shall be dealt with as any other design change according to the Acceptance, Streamlined Validation, or Technical Validation procedures, as applicable.

### 3.5.13 Procedures for Split Design/Production Projects

The FAA and ANAC recognize that some joint venture projects of their aviation industries may involve products designed under one Authority's jurisdiction and manufactured under the other Authority's jurisdiction. In such cases, the FAA and ANAC will work together to develop a management plan defining their regulatory responsibilities to ensure accountability under ICAO Annex 8 to the Chicago Convention, Airworthiness of Aircraft. Such management plans will address the continued airworthiness responsibilities of SoD and the SoM and will be documented in accordance with Section IX of these Implementation Procedures.

### 3.5.14 Evaluation of Operational and/or Maintenance Aspects

#### 3.5.14.1 Evaluation of U.S. Operational and Maintenance Aspects

- (a) The FAA has established Aircraft Evaluation Groups (AEGs). The AEGs are responsible for the operational and maintenance evaluation necessary to support introduction of products into the FAA system.
- (b) The AEG will conduct Boards, as appropriate, to review the following items on Brazilian SoD products prior to entry into U.S. operations: Operational Configuration, Pilot Training and Licensing Requirements; and the formulation and approval of a Master Minimum Equipment List (MMEL).

### 3.5.14.2 Evaluation of Brazilian Operational and Maintenance Aspects

- (a) The ANAC Gerência-Geral de Certificação de Produto Aeronáutico (GGCP) – GGCP inside the Superintendência de Aeronavegabilidade - SAR is responsible for the maintenance aspects of the type certification process. The GGCP will conduct Boards, as appropriate, to review the following items on U.S. products prior to entry into Brazilian operations: Maintenance Review Board (MRB) Report and associated Instructions for Continued Airworthiness (ICA) Documentation; Acceptance of an FAA Master Minimum Equipment List (MMEL).
- (b) The Gerência de Certificação de Organizações de Instrução – GCOI Grupo de Avaliação de Aeronaves (GAA) – GAA inside the Superintendência de Padrões Operacionais - SPO is responsible for the operational aspects of the type certification process. The GAA will conduct Boards, as appropriate, to review the following items on U.S. products prior to entry into Brazilian operations: Operational Configuration, Pilot Training and Licensing Recommendations.
- (c) The ANAC GCOI/SPO/GAA will be invited to participate in the familiarization meeting by the ANAC Program Certification Manager and will generate recommendations as appropriate to the type design.

### 3.5.15 Evaluation of Maintenance Review/Type Board Aspects

- 3.5.15.1 The FAA and ANAC agree that when acting as the CA for an initial issue or a revision of a MRB or MTB process based report, its approval /Acceptance shall be automatically accepted by the VA as being equivalent to having granted and issued its own approval/Acceptance.
- 3.5.15.2 The process referred to as “Acceptance” requires that the VA shall accept the CA’s report approval/Acceptance and shall not issue its own approval/Acceptance, as there is full confidence in each other’s approval/Acceptance system. In this case, an application for Acceptance of a report to the VA shall not be required.

**Note:** In the transition period, for ongoing initial MRB/MTB reports exercises, the planned CA and VA concurrent participation should be maintained until the initial revision is approved/accepted. An exercise is considered to be ongoing, when an application/notification had been received from an applicant before the date when IPA Revision 1 Amendment 2 entered into force. For amendments to living MRB/MTB reports, CA and VA concurrent participation shall be maintained until the approval/Acceptance of the next planned complete MRB/MTB report revision.

3.5.15.3 The Acceptance of Maintenance Steering Group 3rd Task Force (MSG-3) derived MRB/MTB process based reports under these Implementation Procedures is based on the following agreed upon and underlying conditions, that:

- (a) The CA and VA are members of the International MRB Policy Board (IMRBPB);
- (b) The CA and VA commit to implement the latest revision of the International MRB/MTB Process Standards (IMPS) developed and approved by the IMRBPB;
- (c) Acceptance is applicable to all current and future reports issued by the FAA or ANAC;
- (d) Either the FAA or ANAC is the CA for the SoD for the product;
- (e) The product has been issued a TC or validated TC by both parties, or the TC application is being processed;
- (f) The CA shall inform the VA of any application for a new or revised issue of the report;
- (g) The report shall be approved/accepted in accordance with the approval/Acceptance procedures of the CA; the CA approval/Acceptance shall state that the report is also approved/accepted on behalf of the VA under the provisions of these Implementation Procedures;
- (h) For existing legacy products where specific VA requirements are addressed in Appendices/Annexes to the report, the CA approval/Acceptance of these specific requirements shall be coordinated with the VA;
- (i) For existing legacy products where specific VA action items are still open, the closure of these action items by the CA shall be coordinated with the VA;
- (j) Significant changes to MRB/MTB approval/Acceptance procedures shall be communicated by each Authority to the other under the provisions detailed in paragraph 1.4.
- (k) The VA reserves the right to review or sample the CA Approval/Acceptance process and the resultant MRB/MTB reports at any point, in the lifecycle of the product from the MRB/MTB report application, to ensure continued confidence that the agreement is being implemented in accordance with the TIP and that the MRB/MTB report achieves its intended goals. The CA shall make data supporting the report available to the VA on request, bearing in mind that this shall not prevent or delay the CA approval/Acceptance process; and
- (l) That any potential conflict derived from this process shall be resolved in a similar manner as the provisions outlined in paragraph

1.9 but through the appropriate FAA Flight Standards Service and ANAC Flight Standard offices.

3.5.15.4 If processes other than MRB/MTB are used to develop scheduled maintenance interval and/or tasking requirements, those processes shall be managed by the VA office responsible for the product.

### 3.5.16 Instructions for Continued Airworthiness

Acceptance or approval, as appropriate, of instructions for continued airworthiness (ICA), including the Airworthiness Limitations Section (ALS) of the ICA, will be managed by the VA office responsible for the product. The Level of involvement of the VA will be established using the Design Approval Procedures of this Section: the CA reviews the ICA unless the VA specifies its involvement in the Work Plan; stand-alone changes to ICA shall be dealt with as any other design change according to the Acceptance, Streamlined Validation, or Technical Validation procedures, as applicable.

## 3.6 Environmental Compliance Demonstration and Approval Procedures

### 3.6.1 General

3.6.1.1 The FAA and ANAC are authorized to make findings of compliance with 14 CFR parts 34 and 36 and RBAC 34 and 36, respectively, based upon FAA/ANAC-witnessed tests conducted in accordance with FAA/ANAC-approved test plans and based upon FAA/ANAC review and approval of all data and compliance demonstration reports. In the case of noise certification, a mutual finding of noise compliance has to be made after both sides resolve all the issues raised during the certification process. The FAA and ANAC environmental requirements are documented in FAA Order 8110.4, Type Certification and ANAC MPR-101.

3.6.1.2 Information and data must be supplied to the CA in order to make a finding in accordance with Title 49 of the United States Code, Section 44715 (49 U.S.C. 44715) or RBAC 21.93, as applicable. The CA, 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.

3.6.1.3 The National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321 et seq.) requires the FAA to publicly assess and analyze potential environmental consequences of its actions. In order to grant an aircraft type certificate (new, amended, or supplemental) in the absence of noise regulations that are applicable and appropriate to a particular aircraft type, the FAA must prepare an Environmental Assessment, including a decision on whether to prepare a finding of no significant impact or an environmental impact statement. Information and data must be supplied to the FAA in order to prepare the Environmental Assessment.

- 3.6.1.4 Upon request to ANAC, and after mutual agreement, the FAA may authorize environmental findings of compliance to be performed by ANAC on behalf of the FAA. For tests conducted prior to a TC/CT or STC/CST application being made to the FAA, the FAA may accept ANAC approved noise and emissions certification compliance data, provided the data meets the applicable FAA regulations, guidance, and policy material.
- 3.6.1.5 Upon request to the FAA, and after mutual agreement, ANAC may authorize environmental findings of compliance to be performed by the FAA on behalf of ANAC. For tests conducted prior to a TC or STC application being made to ANAC, ANAC may accept FAA approved noise and emissions certification compliance data, provided the data meets the applicable ANAC regulations, guidance, and policy material.
- 3.6.1.6 As specified in 14 CFR 21.93 and RBAC 21.93, for the purpose of complying with 14 CFR part 34 and RBAC 34, each voluntary change in the type design of an airplane or engine that may increase fuel venting, or may change the exhaust emissions is an “emissions change,” requiring further demonstration of compliance. Likewise, for the purpose of complying with 14 CFR part 36 and RBAC 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/ANAC may retain all findings of acoustical or emissions changes under 14 CFR 21.93 (b) and (c) or RBAC 21.93 (b) and (c) as established in the work plan.

### 3.7 Environmental Approval Process

In the absence of any VA request to the CA, the process for environmental compliance determinations and approvals made by the CA includes all or parts of the following:

- 3.7.1 Environmental (noise, fuel venting and exhaust emissions) certification compliance demonstration plans must be submitted to the VA for review, comment, and subsequent approval not less than ninety (90) days prior to undertaking certification testing;
- 3.7.2 Information and data must be supplied to the VA in order to conduct an evaluation of the measurement and analysis methods and practices, and data correction procedures of the applicant for environmental certification under 14 CFR parts 34 and 36 or RBAC 34 and 36;
- 3.7.3 Compliance demonstration tests may be witnessed by the VA personnel or authorized VA designees or delegates, as appropriate. Prior to the start of testing it is necessary to assure the conformity of the test article (aircraft or aircraft engine configuration) to that identified in the approved compliance demonstration test plans;

- 3.7.4 Proposed equivalent procedures to be used by the applicant during testing, data processing, data reduction, and data analysis must be specifically identified to the VA and approved in advance by the VA; and
- 3.7.5 Compliance demonstration reports must be submitted to the VA for review and/or comment and subsequent approval prior to type certification approval.

### 3.8 Changes to a Type Design (TC/STC) Affecting Noise and Emissions

#### Noise and Emissions Requirements for Changes to Type Design

- 3.8.1 Any determination of an acoustical or emissions change, regardless if the type design change is major or minor, requires further demonstration of compliance. The VA will follow the procedures in paragraph 3.7 when making findings of acoustical or emissions change under 14 CFR 21.93(b) & (c) or RBAC 21.93(b) & (c).
- 3.8.2 A technical substantiation must be provided to the VA to determine whether or not the changes may be considered an acoustic or emissions changes for type design changes that:
  - 3.8.2.1 Have any effect on the performance characteristics of the aircraft, (e.g. drag, weight, lift, power, RPM, etc.);
  - 3.8.2.2 Add or modify any externally radiating noise sources, (e.g. APU operation, fuselage distensions, wing extensions, rigging changes, hollow cavities in landing gear or airframe, etc.); and/or
  - 3.8.2.3 Modify the engine(s), nacelle(s), propeller (s), or rotor system.
- 3.8.3 Technical substantiation is not required for type design changes that have no possibility of affecting the noise or emissions certification levels.

### 3.9 Submission of Electronic Data

When a U.S. or Brazilian applicant complies with FAA Order 8000.79 or ANAC's electronic data policy, as applicable, the applicant is considered to have an arrangement acceptable to both the FAA and ANAC for the submission and storage of electronic data as long as the data is in a format that is compatible with the VA's information system. The applicant is responsible for the transmission of the electronic data they consider proprietary to the VA under the guidance of the CA.



## SECTION IV CONTINUING AIRWORTHINESS

### 4.1 General

- 4.1.1 In accordance with ICAO Annex 8 to the Chicago Convention, Airworthiness of Aircraft, the SoD is responsible for resolving in service safety issues related to design or production. The CA, as the Authority of the SoD, will provide applicable information that it has found to be necessary for mandatory modifications, required limitations and/or inspections to the other Authority to ensure continued operational safety of the product or article. Each Authority will review and normally accept the corrective actions taken by the CA in the issuance of its own mandatory corrective actions
- 4.1.2 At the request of either Authority, the CA, as Authority for the SoD, will assist in determining what action is considered necessary for the continued operational safety of the product or article. The VA, as Authority of the SoR, retains sole authority for decisions on final actions to be taken for products or articles under their jurisdiction. The FAA and ANAC will strive to resolve differences.
- 4.1.3 The FAA and ANAC recognize the importance of the routine sharing of Continued Operational Safety (COS) information as a means to assist in the identification and resolution of emerging airworthiness issues. The FAA and ANAC will share their COS data with each other to assist in their respective COS oversight.
- 4.1.4 The VA has the right to seek information from the CA, which includes, but is not limited to, design data and findings of compliance. Additionally, once the design is validated, the CA will provide any mandatory continuing airworthiness information (MCAI) necessary to ensure continuing airworthiness of the product registered in the jurisdiction of the importing State.
- 4.1.5 The FAA and ANAC will ensure active communication between specific focal points, for regular feedback and communicating continuing airworthiness issues on products certified by either the FAA or ANAC and validated by the other. The extent of this engagement will be commensurate with the continuing airworthiness activities associated with the product

### 4.2 Failures, Malfunctions and Defects (FM&D) and Service Difficulty Reports (SDR)

- 4.2.1 The FAA and ANAC agree to perform the following functions for the products and articles for which it is the CA:
  - 4.2.1.1 Tracking of MF&D reports/SDR and accident/incidents;
  - 4.2.1.2 Evaluating MF&D reports/SDR and accident/incidents;
  - 4.2.1.3 Investigating and resolving all suspected unsafe conditions;
  - 4.2.1.4 Advising the validating authority of all known unsafe conditions and the necessary corrective actions (see paragraph 4.3);
  - 4.2.1.5 Upon request, providing the validating authority with the following; and
    - (a) Reports of MF&D/SDR and accidents/incidents;
    - (b) Status of investigations into MF&D/SDR and accidents/incidents;

- (c) Copies of final reports reached in its investigation into M&D/SDR; and
  - (d) Copies of final reports reached in its investigation into accidents/incidents in accordance with Annex 13 to the Chicago Convention.
- 4.2.1.6 Making a reasonable effort to resolve issues raised by the other Authority concerning matters of safety for products registered in their State.
- 4.2.1.7 The FAA and ANAC, as Authorities for the SoR, agree to perform the following functions:
- (a) Advise the CA of FM&D/SDR and accidents/incidents which are believed to be potentially unsafe conditions;
  - (b) Support the CA in investigations of unsafe conditions and their occurrences; and
  - (c) Advise the CA, if as a result of investigations made by the VA into FM&D/SDR and accidents/incidents, it has determined that it will make corrective actions mandatory.
- 4.2.1.8 For COS issues related to investigations of Safety Recommendations, Service Difficulty Reports, accidents or incidents on the imported products, parts, or articles, the Authority for the SoR can directly request information from the design approval holder after informing the CA of the investigation.
- 4.2.1.9 Copies of U.S. and Brazil FM&D/SDR reports can be found at the addresses listed in Appendix A.

### 4.3 Unsafe Condition and Mandatory Continuing Airworthiness Information (MCAI)

- 4.3.1 The FAA (under 14 CFR part 39) and ANAC (under RBAC 39) agree to perform the following functions for the products, articles, and design changes for which they are the CA:
- 4.3.1.1 Issue an MCAI (e.g. AD) whenever the Authority determines that an unsafe condition exists in a type certificated product or article, and is likely to exist or develop in a type certificated product or article of the same type design. This may include a product that has an aircraft engine, propeller, or article installed on it and the installation causes the unsafe condition.
  - 4.3.1.2 Ensure that the following information is provided to the other Authority in support of the MCAI or directly from the approval holder:
    - (a) The number of aircraft, aircraft engines, and propellers world-wide and in the VA's registry needing corrective action;
    - (b) A statement on the availability of parts; and
    - (c) An estimate of the number of labor hours and the cost of parts required for the corrective actions.
  - 4.3.1.3 Issue a revised or superseding AD when determined that any previously issued AD was incomplete or inadequate to fully correct the unsafe condition;

- 4.3.1.4 Provide timely notification to the VA of the unsafe condition and the necessary corrective actions by providing a copy of the AD at the time of publication to the address referenced in Appendix A. Additionally, upon request by the VA, the CA will arrange for copies of all relevant service bulletins referenced in the MCAI, as well as other supporting documentation, to be forwarded to the appropriate focal point in the FAA or ANAC product-responsible department, as appropriate;
  - 4.3.1.5 In the case of emergency airworthiness information ensure special handling so that the other Authority is notified prior to adoption, and provide the FAA or ANAC product-responsible office advance electronic notice of anticipated emergency ADs (including security-sensitive ADs) or other significant safety events;
  - 4.3.1.6 Advise and assist the VA in defining the appropriate actions to take in the issuance of its own AD;
  - 4.3.1.7 Provide sufficient information to the VA for its use in making determinations as to the acceptability of an AMOC to ADs; and
  - 4.3.1.8 Maintain a web-based database of ADs that can be accessed by the VA.
- 4.3.2 The FAA and ANAC recognize that they may disagree as to the finding of an unsafe condition and propose to issue a unilateral AD. In such a case the VA should consult with the CA prior to issuing a unilateral AD.
- 4.3.2.1 The responsible office of the VA shall consult with its counterpart organization.
  - 4.3.2.2 If the CA agrees that the proposed mandatory action is needed, then it shall issue an AD.
  - 4.3.2.3 If the CA disagrees with the proposed mandatory action, it shall notify the VA with its written justification via email. The VA shall review the justification and determine whether or not to continue its AD action.
  - 4.3.2.4 If the decision is to continue with a unilateral AD, the VA shall communicate to the CA that a unilateral AD action shall commence.
- 4.3.3 The FAA and ANAC, as VAs, agree to respond quickly to the issuance of an MCAI (AD) by the CA in making its own determination of the need for issuing its own similar MCAI (AD) that addresses all unsafe conditions on affected products or articles certified, approved or otherwise accepted by the VA.
- 4.3.4 The FAA and ANAC as the CA will share information on any changes that affect operating limitations, life limits, or any other airworthiness limitation, to include manual changes and changes to certification maintenance requirements. These changes should be promptly sent to the VA in order to ensure the continued operational safety of the aircraft. The FAA and ANAC may treat a reduced life limit as an unsafe condition and will accordingly issue an AD. The FAA and ANAC may also issue an AD for other limitation changes if they are considered an unsafe condition.

#### 4.4 Alternative Methods/Mean of Compliance (AMOC) to an AD

- 4.4.1 If the CA issues an AMOC of general applicability to an existing AD for its own SoD products, articles or parts, the CA will notify the VA of the decision.
- 4.4.2 Upon request, the CA will provide sufficient information to the VA for its use in making a determination as to the acceptability of the AMOC. Based on this information, the VA will write an AMOC approval letter for their specific country's operations
- 4.4.3 Upon request by the VA, the CA shall assist in determining the acceptability of specific AMOC requests where the AD is issued by the CA for its own SoD products.

## SECTION V    ADMINISTRATION OF DESIGN APPROVALS

### 5.1 General

This section addresses procedures for the transfer, surrender, revocation, suspension, or withdrawal of a design approval.

- 5.1.1 The regulatory requirements for certificate transfers are equivalent in the U.S. and Brazil. The U.S. and Brazil regulations allow the transfer of a TC/CT followed by notification to the FAA/ANAC. For the FAA/ANAC, 14 CFR section 21.47(c)/RBAC 21.47(c) requires that each transferor must first notify the appropriate FAA ACO/ANAC Office before a TC transfer can be performed. Early coordination with both Authorities is necessary for TC and STC transfers (refer to Appendix B).
- 5.1.2 Notwithstanding the regulatory differences outlined above, in both countries the type design data are the property of the design approval holder.

### 5.2 Transfer of TCs and STCs

The FAA and ANAC will administer the transfer of TCs/STCs only when an applicant agrees to assume responsibility for both an FAA and ANAC TC/STC (as applicable) and the affected operating fleet. The following paragraphs outline the procedures to be followed for effective TC transfers.

- 5.2.1 Transfer of TC/STC with a change in SoD
  - 5.2.1.1 Early coordination between the current TC/STC holder and its Authority, together with the proposed TC/STC holder and its Authority is essential. The transferring Authority will notify the receiving Authority of the proposed transfer and include information about current production status. All information related to the transfer of a TC/STC including technical documentation, will be in the English language
  - 5.2.1.2 Upon notification of a change in ownership of a TC/STC holder to a new holder in the other country, the transferring Authority's responsible office will notify the receiving Authority's responsible office as listed in Appendix A. An arrangement may be developed to identify each Authority's responsibilities throughout the transfer process.
  - 5.2.1.3 The current Authority will transfer to the receiving Authority the ICAO SoD responsibilities for TCs and STCs within the scope of these Implementation Procedures. The receiving Authority will not assume ICAO SoD functions for models or design changes that have not been found to meet their certification requirements. The FAA will follow the transfer process described in FAA Order 8110.52

- 5.2.1.4 If the receiving Authority does not already have a corresponding TC/STC the new holder will have to apply to their Authority for a new TC/STC. The transferring Authority will provide support to establish recognition of the transferring Authority's TC/STC as showing compliance with the applicable certification requirements of the receiving Authority's TC/STC as showing compliance with the applicable certification requirements of the receiving Authority. This would include providing the transferring Authority's statement of compliance that the product meets the new SoD (receiving Authority) certification requirements. Upon mutual agreement, the receiving Authority will issue its TC/STC.
- (a) For any FAA or ANAC certificated model not listed on the new TC, the transferring Authority will, if requested, provide support to establish acceptance of the additional model as showing compliance to the applicable certification requirements. This support would include the current Authority's statement of compliance that the model meets the receiving Authority's certification requirements. Upon acceptance, the new Authority will place the additional model on their TC.
  - (b) For STCs, if the original STC does not include a specific certificated model of the product listed on the new STC, the applicability of the new STC will only include those TCs that have been validated by the receiving Authority. All pre-requisite STCs will be listed on the STC.
- 5.2.1.5 If the receiving Authority already has a corresponding TC, but that TC does not include all of the models being transferred, the transferring Authority will, if requested, provide support to establish recognition of the additional model(s) as showing compliance with the applicable certification requirements. This support would include providing a statement of compliance that the model meets the certification requirements of the new SoD (receiving Authority). Upon mutual agreement, the receiving Authority will place the additional model on its TC.
- 5.2.1.6 For STCs, if the original STC does not include a specific certificated model of the product listed on the new STC, the applicability of an STC issued by the receiving Authority will only include those models for which a TC has been validated by the receiving Authority.
- 5.2.1.7 The transfer of the ICAO SoD responsibilities for the TC/STC to the receiving Authority will be considered complete when the receiving Authority confirms all necessary data have been transferred to the new holder, and the new holder is able to perform the responsibilities required of a design approval holder.
- 5.2.1.8 If the new holder does not have and does not apply for a new SoD TC, or if the Authority for the new SoD's TC covers only some models covered by the transferring Authority's TC and the new holder does not apply for an additional approval, the transferring Authority will continue to fulfill its responsibilities for those models.

- 5.2.1.9 Upon transfer, or a mutually agreed upon date, the receiving Authority in carrying out SoD functions will comply with the requirements of Annex 8 to the Chicago Convention, *Airworthiness of Aircraft*, for affected products. For TCs/STCs, the receiving Authority will notify the transferring Authority and all affected ICAO Contracting States (i.e. States of Registry) as notified by the previous Authority, of the change in SoD responsibility and identify the new TC/STC holder, upon completion of all applicable procedures described above.
- 5.2.1.10 The transfer of the SoD responsibilities per Annex 8 of the Chicago Convention, *Airworthiness of Aircraft*, has to be agreed upon by both Authorities. If agreement cannot be reached between the two Authorities, then the CA may revoke the certificate and notify the concerned ICAO States that there is no longer a design approval holder.
- 5.2.2 Transfer of a TCs and STCs with no change in SoD
  - 5.2.2.1 When there is no change in the SoD, the CA will notify the VA when a TC/STC is successfully transferred to a new design approval holder within the country of the CA.
  - 5.2.2.2 The VA will transfer its TC/STC only when satisfied that the applicant is able to undertake the responsibilities in 14 CFR part 21/ ANAC Part 21, as appropriate, and that the TC/STC has been transferred to the same applicant. The VA may request that the CA provide technical assistance in making the determination that the new TC/STC holder will be able to execute their design approval holder responsibilities.
  - 5.2.2.3 The VA will issue a TC/STC in the name of the new design approval holder after the CA's TC/STC has been issued.
- 5.2.3 Transfer of TCs to a Third State

When a TC or STC is to be transferred to a third State, the CA will notify the VA prior to the transfer and may provide any necessary technical assistance to the VA as needed.

### 5.3 Surrender of TCs or STCs

- 5.3.1 If a certificate holder surrenders a TC or STC issued by either the FAA or ANAC, the CA will immediately notify the other in writing of the action. For the FAA, notification will be to the Airworthiness Department of ANAC in Appendix A. For ANAC, notification will be to the appropriate FAA office at the address listed in Appendix A.
- 5.3.2 The FAA or ANAC, as the CA, will accomplish all actions necessary to ensure continuing airworthiness of the products affected by the surrendered TC or STC, until such time as:
  - 5.3.2.1 The surrendered TC or STC is reissued to a new holder when that new holder demonstrates competence to fulfill the necessary obligations; or
  - 5.3.2.2 The FAA or ANAC revokes the TC or STC. Prior to revocation, the FAA or ANAC will notify the other of the pending action.

#### 5.4 Revocation or Suspension of TCs or STCs

- 5.4.1 In the event that either Authority revokes or suspends a TC or STC of a product manufactured in its country, that Authority shall immediately inform the other. The VA, upon notification, will conduct an investigation to determine if action is required. If the revocation or suspension was for cause and the VA concurs with the CA's certificate action, the VA will initiate revocation or suspension of its TC or STC.
- 5.4.2 Alternatively, the VA may decide to assume continued airworthiness responsibilities if there is sufficient information for it to support the continued operational safety of the fleet within its jurisdiction. In this case, the CA should obtain and provide type design data as requested to the VA. Final certificate action is at the sole discretion of the VA.
- 5.4.3 Either Authority may revoke its TC or STC if the continued airworthiness responsibilities would cause an undue burden for that Authority.

#### 5.5 Surrender or Withdrawal of a TSO Design Approval

##### 5.5.1 Surrender

If an FAA TSOA holder, FAA Letter of Design Approval holder (LODA), or an ANAC "Certificado de Produto Aeronáutico Aprovado/Ordem Técnica Padrão" (CPAA/OTP) holder elects to surrender their LODA, TSOA or CPAA/OTP approval issued by the FAA or ANAC respectively, the FAA or ANAC shall immediately notify the other in writing of the action. The exporting Authority (EA) shall inform the importing Authority (IA) when an unsafe condition has been identified until such time as the TSO/OTP design approval is formally withdrawn by the EA.

##### 5.5.2 Withdrawal

If a TSO/OTP design approval is withdrawn, the FAA or ANAC shall immediately notify the other in writing of the action. Withdrawal of a TSO Authorization means, for the FAA, that a specific authorization letter is withdrawn by the FAA and the approval to manufacture that particular article is terminated. The EA shall inform IA when an unsafe condition has been identified. In the event of a withdrawal of a TSO/OTP design approval for non-compliance, the EA shall investigate all non-compliances for corrective action and shall notify IA of the corrective action. The EA still has responsibility for the continuing airworthiness of those TSO/OTP articles manufactured under its Authority.



## SECTION VI PRODUCTION AND SURVEILLANCE ACTIVITIES

### 6.1 Production Quality System

All products and articles produced in the U.S. or Brazil and exchanged under the provisions of these Implementation Procedures shall be produced in accordance with an approved production quality system that ensures conformity to the approved design and ensures that completed products and articles are in a condition for safe operation. The production quality system addresses the manufacture of associated products and articles within and outside the SoM.

### 6.2 Surveillance of Production Approval Holders

6.2.1 The FAA and ANAC, as Authorities for the SoM, will conduct regulatory surveillance of production approval holders and their suppliers in accordance with each Authority's specific policies, practices, and/or procedures. Both scheduled and random evaluations should be conducted to verify that the production approval holder is in continual compliance with its approved production quality system, and that manufacturing products and articles fully conform to the approved design, and are in a condition for safe operation. The Authority for the SoM should verify the correction of all deficiencies.

6.2.2 The FAA's production approval holder and supplier surveillance programs are described in FAA Order 8120.23, Certificate Management of Production Approval Holders.

6.2.3 ANAC's production approval holder and supplier surveillance programs are described in ANAC MPR-121 Certificação de Organização de Produção (Production Organization Certification) and MPR-221 Vigilância Continuada de Organização de Produção (Production Organization Oversight). Information concerning the application and certification process of products, parts and articles is also found in Information Circular CI 21-005, CI 21-011 and Supplemental Instruction 21-006.

### 6.3 Extensions of Production Approvals

6.3.1 As the Authority for the SoM, the FAA and ANAC may authorize production approval extensions. This includes manufacturing sites and facilities in each other's countries or in a third State. The Authority for the SoM remains responsible for the surveillance and oversight of these manufacturing sites and facilities.

6.3.2 Each Authority for the SoM is responsible for surveillance and oversight of its production approval holders' operations located in the other country. Routine surveillance and oversight may be performed by the FAA or ANAC on each other's behalf through the provisions of Section VIII.

6.3.3 Either Authority for the SoM may seek assistance with regulatory surveillance and oversight functions from the Civil Aviation Authority (CAA) of a third State when a production approval has been granted or extended by formal agreement/arrangement to that third State.

6.3.4 This should be done only when a bilateral arrangement for technical assistance has been formalized between the CAA of the country seeking assistance and the CAA of the third State.

#### 6.4 Production Approvals Based on Licensing Agreement

6.4.1 The Authorities recognize that some business relationships may result in the licensing of data for products or articles designed under one Authority's approval and manufactured under the other Authority's approval. In such cases, the Authorities will work together to develop an arrangement defining their regulatory responsibilities to ensure accountability under ICAO Annex 8 to the Chicago Convention, Airworthiness of Aircraft. Such an arrangement will address the responsibilities of the SoD and the SoM and will be documented in accordance with Section IX of these Implementation Procedures.

6.4.2 For products, either Authority can grant a production approval in its respective State based on design data obtained through a licensing agreement (i.e. licensing the rights to use the design data) with the design approval holder in the other Authority's State, or in a third State to manufacture that product. In this case, the Authority granting that production approval will ensure the establishment of adequate manufacturing processes and quality control 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 production approval holder are approved. These design changes will be submitted to the type design holder who will obtain approval from its Authority using established procedures. These production approvals based on a licensing agreement will be addressed on a case-by-case basis in accordance with Section IX of these Implementation Procedures.

6.4.3 For articles, either Authority may grant a production approval in its respective State based on design data obtained through a licensing agreement (i.e. licensing the rights to use the design data) with the design approval holder in the other State. In this case, the Authority granting production approval must have a validated design approval and will ensure the establishment of adequate manufacturing processes and quality control procedures to ensure that each article 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 production approval holder are approved. These design changes will be submitted to the design approval holder who will obtain approval from its Authority using established procedures.

#### 6.5 Supplier Surveillance – Outside the SoM

6.5.1 The Authority for the SoM shall include in its regulatory surveillance and oversight programs a means of surveillance of persons/suppliers, located outside its State. This surveillance and oversight shall be equivalent to the program for domestic suppliers. This surveillance activity will assist the Authorities in determining conformity to an approved design and if articles are safe for installation on type certificated products.

- 6.5.2 Each Authority for the SoM is responsible for surveillance and oversight of its production approval holders' suppliers located in the other country. Routine surveillance and oversight may be performed by the other Authority through the provisions of Section VIII.
- 6.5.3 Either Authority may request that the other Authority conduct regulatory surveillance on its behalf for facilities located within the other Authority's country. The assisting Authority may either use its own policies, practices and procedures or those of the requesting Authority. Details of this assistance will be documented in a management plan.
- 6.5.4 The Authority for the SoM may seek assistance with regulatory surveillance and oversight functions from the CAA of a third State in which the supplier is located. This may only be done when an agreement/arrangement for this purpose has been formalized between the FAA or ANAC and the CAA of the third State.
- 6.5.5 The production approval holder may not use a supplier in a State where the Authority of the production approval holder is denied unimpeded access, by either the supplier or the supplier's CAA, to the supplier's facility to perform surveillance activities. The production approval holder also may not use a supplier located in a State if that State denies entry to the Authority of the production approval holder.

## 6.6 Multi-National Consortia

- 6.6.1 Approvals may be issued to multinational consortia for the design and production of products and/or articles in either the U.S. or Brazil. These consortia clearly designate one SoD and one SoM, for the purposes of regulatory accountability. There may be domestic and international suppliers to the approval holder(s) that produce parts for use in the final product.
- 6.6.2 The FAA and ANAC shall continue to conduct regulatory surveillance and oversight of the domestic design and production approval holder and should emphasize surveillance and oversight of parts suppliers. Each Authority shall use its regulatory surveillance and oversight programs that best enable it to ensure the consortia suppliers are producing parts that conform to the approved design and are in a condition for safe operation.

## SECTION VII EXPORT AIRWORTHINESS APPROVAL PROCEDURES

### 7.1 General

- 7.1.1 Export Certificates of Airworthiness are issued by the FAA and ANAC for completed aircraft. Authorized Release Certificates (Airworthiness Approval Tags) or equivalent, are issued by the FAA and ANAC for aircraft engines, propellers and articles.
- 7.1.2 The FAA's requirements and procedures for import of aeronautical products are described in 14 CFR part 21, FAA Order 8130.2, and Advisory Circular (AC) 21-23. ANAC's requirements for import of aeronautical products are described in RBAC 21 and IS 21-010, ANAC Procedures for Approval of Imported Civil Aeronautical Products.
- 7.1.3 The FAA's requirements for issuing export airworthiness approvals are contained in 14 CFR part 21, FAA Order 8130.21, and FAA Advisory Circular (AC) 21-2. ANAC's regulations for issuing Export Airworthiness Certificates are described in MPR-131, Certificação de Aeronavegabilidade.

### 7.2 New or Used Aircraft Exported for which a IA Design Approval Has Been Granted

- 7.2.1 Except as provided in paragraph 7.6, the IA will accept an Export Certificate of Airworthiness (for the FAA, Form 8130-4 (Export Certificate of Airworthiness) and for ANAC, Form F-100-12M ( Export Certificate of Airworthiness)) on new aircraft and on used aircraft only if a TC holder exists to support continuing airworthiness of such aircraft, identified in paragraph 2.2.3, when the Exporting Authority (EA) certifies that each aircraft:
  - 7.2.1.1 Conforms to a type design approved by the IA, as specified in the IA's TCDS, and any additional STCs approved by the IA;
  - 7.2.1.2 Has undergone a final operational check;
  - 7.2.1.3 Is in a condition for safe operation, including compliance with applicable IA ADs;
  - 7.2.1.4 Meets all additional requirements prescribed by the IA in paragraph 7.8, as notified; and
  - 7.2.1.5 For Used Aircraft only:
    - (a) Is properly maintained using approved procedures and methods throughout its service life to the requirements of an approved maintenance program as evidenced by logbooks and maintenance records; and
    - (b) Records which verify that all overhauls, major changes and repairs were accomplished in accordance with approved data.

- 7.2.2 Each aircraft imported to the U.S. or Brazil with an EA airworthiness approval will have an Export Certificate of Airworthiness and should contain information equivalent to the following statement: “The [INSERT AIRCRAFT MODEL] covered by this certificate conforms to the type design approved under the TC Number [INSERT TC NUMBER, REVISION LEVEL, AND DATE], and is found to be in a condition for safe operation,” and any other clarifying language as specified in the TCDS. In addition, for aircraft to be imported to Brazil, the FAA Export Certificate of Airworthiness should list all STCs and field approval documents incorporated in the particular aircraft.
- 7.2.3 When a used aircraft produced in the U.S. or Brazil is to be imported into the other country from a third State, the Authority of the original SoD will, upon request, assist the IA in obtaining information regarding the configuration of the aircraft at the time it left the manufacturer. The original SoD Authority will also provide, upon request, information regarding subsequent installations on the aircraft that they have approved.
- 7.2.4 If a used civil aircraft produced in the U.S. or Brazil has been used in military service in either country at any time, the EA will consult with the IA to determine if they will accept such an aircraft.
- 7.2.5 Acceptance of Used Aircraft Being Exported (Returned) to the original SoD
- 7.2.5.1 Either Authority will accept an Export Certificate of Airworthiness on a used aircraft being exported (returned) to the original SoD for the aircraft, when the conditions of paragraph 7.2.1 have been met.
- 7.2.5.2 If the EA is not in a position to assess whether or not the used aircraft satisfies the above conditions, it will inform the IA accordingly.
- 7.2.6 Acceptance of Used Aircraft for which another State is the SoD
- 7.2.6.1 The IA will accept Export Certificates of Airworthiness or equivalent airworthiness approval documents from the EA for used aircraft for which another State is the SoD.
- 7.2.6.2 For used aircraft being imported from Brazil into the U.S., the other State must have a bilateral agreement/arrangement with the U.S. covering the same class of product, and the conditions of paragraph 7.2.1 have been met; and
- 7.2.6.3 If the EA is not in a position to assess whether or not the used aircraft satisfies the above conditions, it will inform the IA accordingly.
- 7.3 New and Used Aircraft Engines and Propellers Exported to the U.S. and New, Used, and Rebuilt Aircraft Engines and Propellers Exported to Brazil
- 7.3.1 Except as provided in paragraph 7.7, the FAA shall accept ANAC’s Authorized Release Certificates, or equivalent, airworthiness document certifying that new and used aircraft engines and propellers exported to the U.S.; and ANAC shall accept the FAA’s Authorized Release Certificates, or equivalent, airworthiness document certifying that new, used, and rebuilt aircraft engines and propellers exported to the Brazil, as identified in paragraph 2.2.4; when the exporting Authority certifies that each product:

- 7.3.1.1 Conforms to a type design approved by the IA, as specified in the IA's TCDS, and any additional STCs accepted by the IA;
  - 7.3.1.2 Has undergone a final operational check;
  - 7.3.1.3 Is in a condition for safe operation, including compliance with applicable IA ADs; and
  - 7.3.1.4 Meets all additional requirements prescribed by the IA in paragraph 7.8
  - 7.3.1.5 For rebuilt aircraft engines being exported to Brazil from the U.S., that the aircraft engine has been rebuilt by the production approval holder and the Total Time Since New (TTSN) is specified in both the technical record of the aircraft engine and the accompanying Authorized Release Certificate, or equivalent.
- 7.3.2 Each aircraft engine and propeller exported to the IA will have an Authorized Release Certificate, or equivalent that identifies the EA's approved design data (TC number). The Authorized Release Certificate will be completed in accordance with FAA Order 8130.21 as amended, or ANAC IS 43.9-002, as amended.
- 7.3.3 For aircraft engines and propellers, the Authorized Release Certificate should contain information equivalent to the following statement: "The [INSERT AIRCRAFT ENGINE OR PROPELLER MODEL] covered by this certificate conforms to the type design approved under the IA's TC Number [INSERT TYPE CERTIFICATE NUMBER, REVISION LEVEL, AND DATE], as available, and is found to be in a condition for safe operation and has undergone a final operational check," and any other clarifying language as specified in the IA's TCDS. In addition, for products to be imported to Brazil, the FAA Authorized Release Certificates (or equivalent document) should list all STCs and field approval documents incorporated in the particular product.

#### 7.4 TSO Articles

Under the Acceptance provisions for TSO articles as detailed in Section III, paragraph 3.3.2, the IA shall accept the EA's Authorized Release Certificate, or equivalent, for articles only when the EA certifies, that the article:

- 7.4.1 Conforms to the TSO/OTP Design Approval, including any accepted non-TSO functions (see paragraph 3.3.2.9) as applicable;
- 7.4.2 Complies with all applicable EA ADs; and
- 7.4.3 Meets all additional requirements prescribed by the IA in paragraph 7.8, as notified.

#### 7.5 Modification and Replacement Parts

- 7.5.1 The IA will accept the EA's Authorized Release Certificates, or equivalent, on modification and/or replacement parts as identified in paragraph 2.2.4.3 only when the EA certifies by issuance of an Authorized Release Certificate, or equivalent, that each part:
  - 7.5.1.1 Conforms to the applicable FAA or ANAC approved design data and is in a condition for safe operation; and

- 7.5.1.2 Meets all additional requirements prescribed by the IA in paragraph 7.8, as notified.
- 7.5.2 When parts are shipped under direct ship authorizations, the accompanying EA's Authorized Release Certificate, or equivalent documentation, must indicate that the responsible manufacturing/production approval holder has authorized direct shipment. This indication may be a supplemental "remark" entry on the Authorized Release Certificate, or equivalent, indicating the authorization to the supplier for direct shipment of parts from the supplier's location.
- 7.5.3 Each part exported to the importing State with the EA's airworthiness approval will have an EA's Authorized Release Certificate or equivalent.

## 7.6 Coordination of Exceptions on an Export Certificate of Airworthiness

- 7.6.1 The EA will notify the IA prior to issuing an Export Certificate of Airworthiness when non-compliance with an IA's approved type design is to be noted on the exporting approval document. This notification should help to resolve all issues concerning the aircraft's eligibility for an airworthiness certificate.
  - 7.6.1.1 FAA: For new aircraft exported to the U.S, this notification should be sent to the responsible FAA Manufacturing Inspection Office (MIO) at the address listed in Appendix A. For used aircraft, this notification should be sent to the responsible FAA Flight Standards District Offices (FSDO) available online at [http://www.faa.gov/about/office\\_org/field\\_offices/fsdo/](http://www.faa.gov/about/office_org/field_offices/fsdo/).
  - 7.6.1.2 ANAC: For new aircraft exported to Brazil, the GGCP should be contacted as detailed in Appendix A. For used aircraft exported to Brazil, the GGAC should be contacted as detailed in Appendix A.
- 7.6.2 In all cases, a written Acceptance of the exceptions from the IA is required before the issuance of the EA's Export Certificate of Airworthiness. A copy of this written Acceptance will be included with the export documentation. This Acceptance does not negate the IA requiring the rectification of these exceptions prior to the issuance of the Certificate of Airworthiness.

## 7.7 Coordination of Exceptions on an Authorized Release Certificate

- 7.7.1 The EA will notify the IA prior to issuing an Authorized Release Certificate for an aircraft engine, propeller, PMA or TSO article, when non-compliance with EA-approved design is to be noted in the "Remarks" block (Block 12) of the Authorized Release Certificate. This notification should help resolve all issues regarding the aircraft engine, propeller, or article's installation eligibility.
- 7.7.2 This notification should be sent to the FAA geographic responsible MIO or ANAC GGAC detailed in Appendix A, as applicable. In all cases, a written Acceptance from the IA is required before the issuance of EA's Authorized Release Certificate. A copy of this written Acceptance will be included with the export documentation.

## 7.8 Additional Requirements for Imported Products and Articles

The following identifies those additional requirements, which must be complied with as a condition of Acceptance for products and articles imported into the U.S. or Brazil, or for use on a U.S. or Brazilian registered aircraft.

#### 7.8.1 Identification and Marking

Aircraft, aircraft engines, propellers and articles must be identified in accordance with the applicable subpart in 14 CFR Part 45 for U.S.-registered aircraft and RBAC 45, Section 45, Subpart B for Brazilian-registered aircraft. Identification plates should have the manufacturer's legal name or as it appears in the approved data of the type design.

#### 7.8.2 Instructions for Continued Airworthiness (ICA)

ICA and maintenance manuals having airworthiness limitation sections must be provided by the design approval holder as prescribed in 14 CFR 21.50 and RBAC 21.50.

#### 7.8.3 Aircraft Flight Manual, Operating Placards and Markings, Weight and Balance Report, and Equipment List

Each aircraft must be accompanied by an approved AFM, including all applicable supplements. The aircraft must also have the appropriate operating placards and markings, a current weight and balance report, and a list of installed equipment.

#### 7.8.4 Logbooks and Maintenance Records

Each aircraft (including the aircraft engine, propeller, rotor, or article) must be accompanied by logbooks and maintenance records equivalent to those specified in 14 CFR 91.417 for U.S.-registered aircraft and RBHA 91, Section 91.417 for Brazilian-registered aircraft. The maintenance records must also show that, for a used aircraft, that aircraft has had a 100-hour inspection, or equivalent, as specified in 14 CFR 21.183(d) for U.S.-registered aircraft and RBAC 21.183(d) for Brazilian-registered aircraft.



## SECTION VIII TECHNICAL ASSISTANCE BETWEEN AUTHORITIES

### 8.1 General

- 8.1.1 Upon request and after mutual agreement, and as resources permit, the FAA and ANAC may provide technical assistance to each other when significant activities are conducted in either the U.S. or Brazil.
- 8.1.2 Every effort should be made to have these certification tasks performed locally on each other's behalf. These technical assistance activities will help with regulatory surveillance and oversight functions at locations outside of the requesting Authority's country. These supporting technical assistance activities do not relieve the Authority of the responsibilities for regulatory control, environmental certificate, and airworthiness approval of products and articles manufactured at facilities located outside of the requesting Authority's country.
- 8.1.3 Excluding procedures in section 8.5 Shared Production and Surveillance and Oversight, the FAA and ANAC will use their own policies and procedures when providing following:
- 8.1.3.1 Certification Support
- (a) Approving test plans;
  - (b) Witnessing tests;
  - (c) Performing compliance inspections;
  - (d) Reviewing reports;
  - (e) Obtaining data;
  - (f) Verifying/determining compliance;
  - (g) Monitoring the activities and functions of designees or approved organizations; and
  - (h) Conducting investigations of service difficulties.
- 8.1.3.2 Conformity and Surveillance Support
- (a) Conformity inspections;
  - (b) Witnessing the first article inspection of parts;
  - (c) Monitoring the controls on special processes;
  - (d) Conducting sample inspections on production parts;
  - (e) Monitoring production certificate extensions;
  - (f) Monitoring the activities and functions of designees approved organizations;
  - (g) Conducting investigations of service difficulties; and

- (h) Evaluating or conducting surveillance of production quality systems including assistance in determining that a supplier complies with purchase order and quality requirements at locations in the U.S. or Brazil.

#### 8.1.3.3 Airworthiness Certification Support

- (a) Assistance in the delivery of airworthiness certificates for aircraft, and
- (b) Determining the original export configuration of a used aircraft.

#### 8.1.3.4 Technical Training

Any additional assistance needed to support the technical implementation of this agreement.

### 8.2 Witnessing of Tests During Design Approval

- 8.2.1 The FAA or ANAC may request assistance in the witnessing of tests from the other Authority.
- 8.2.2 Only Authority-to-Authority requests for witnessing of tests are permissible and neither the FAA nor ANAC will respond to a test witnessing request made directly from the manufacturer or supplier, unless a specific procedure has been jointly agreed upon by both the FAA and ANAC. Witnessing of tests will be conducted only after consultations and agreement between the FAA and ANAC on the specific work to be performed. A written request for witnessing of tests will be provided.
- 8.2.3 Unless otherwise delegated, approval of the design approval applicant's test plans, test procedures, test specimens, and hardware configuration remains the responsibility of the 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.
- 8.2.4 Test witnessing activities may require the development of a working arrangement based on the complexity and frequency of the requested certifications. At the discretion of the Authority receiving such requests, these activities may be delegated to authorized designees, delegates or approved organizations as applicable.
- 8.2.5 Where there is working arrangement, requests for witnessing of individual tests must be specific enough to provide for identification of the location, and timing.
- 8.2.6 Any required conformity inspections to support testing will be accomplished as referenced in paragraph 8.4.
- 8.2.7 FAA requests for conformity may be sent on FAA Form 8120-10, Request for Conformity, and described in the Special Instructions section of the form.
- 8.2.8 ANAC's conformity requests will be sent on a completed ANAC Form F-200-145, Request for Test Witnessing and sent electronically to the applicable office for conformity inspections, geographic MIO Branch, as referenced in Appendix A.

8.2.9 Upon completion of test witnessing on behalf of the requesting Authority, the FAA or ANAC 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. At the discretion of the Authority who was requested to witness the test, a designee or approved organization authorized to witness the test may send the report to the requesting Authority.

### 8.3 Compliance Determinations

The FAA or ANAC may also request that specific compliance determinations be made associated with the witnessing of tests or other activities. Such statements of compliance will be made to the airworthiness or environmental standards of the requesting Authority.

### 8.4 Conformity Inspections during Design Approvals

8.4.1 The CA may request conformity certifications inspections from the Civil Aviation Authority (CAA) in the State in which the design approval applicant's part supplier is located.

8.4.2 Only Authority-to-Authority requests are permissible and Authorities will not respond to a conformity certification request from the manufacturer, supplier or designee, unless a specific procedure has been jointly agreed upon by both the FAA and ANAC. Inspections will be conducted only after consultations between the two Authorities on the specific work to be performed, and agreement has been obtained from the CAA in the State in which the supplier is located. Requests for conformity inspections should be limited to prototype/pre-production parts that are of such complexity that they cannot be inspected by the manufacturer or its CAA after assembly or prior to installation in the final product. Conformity inspections 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 delegated organizations.

8.4.3 FAA requests for conformity certifications inspections will be sent on a completed FAA Form 8120-10, Request for Conformity, to ANAC's GTAI at the address listed in Appendix A. ANAC requests for conformity certifications will be sent to the responsible FAA Manufacturing Inspection Branch (MIO) that has responsibility for the U.S. region in which the conformity certification will take place. FAA offices are listed in Appendix A.

8.4.4 Upon completion of all conformity inspections conducted on behalf of the requesting authority, the FAA or ANAC will complete and return all documentation to the requesting authority, as notified. The CAA of the State in which the supplier is located will note all deviations from the requirements notified by the design approval applicant's CAA on the conformity certification for the particular part. Any nonconformity described as a deviation should be brought to the attention of the FAA or ANAC for evaluation and disposition. The FAA or ANAC should receive a report stating the disposition required on each deviation before an FAA Form 8130-3 or ANAC Form 100-01 is issued.

8.4.5 Neither conformity certification on prototype/pre-production parts, nor inspections on prototype/pre-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 or production approval holder and the CAA of the State in which the holder is located.

## 8.5 Process for Shared Surveillance and Oversight

8.5.1 When requested by the CA, the FAA and ANAC may provide surveillance assistance on behalf of the CA, including Acceptance and any other authorized technical assistance, with suppliers under the quality system of both an FAA-issued and ANAC-issued production approval holder when that supplier is located in the other's territory. Notwithstanding that these Implementation Procedures specify that each Authority will use its own policies and procedures when providing technical assistance to the CA, this procedure provides for shared surveillance performed to the other Authority's policies and procedures.

8.5.2 The required technical Acceptance or assistance responsibilities between Authorities will be specified in a signed and mutually agreed upon management plan.

8.5.3 Any management plan developed to address supplier surveillance as described above should consider including the following elements:

8.5.3.1 If the supplier is also a production approval holder, the supplier oversight may be conducted in conjunction with the CA's scheduled authorization/approval oversight activity. In this case, all requirements of the requested technical assistance and terms of this procedure apply during the surveillance.

8.5.3.2 The Authorities will keep each other informed of any changes in policy, personnel, and resources, as well as the capabilities of those resources, relevant to the activity performed under this procedure.

8.5.3.3 All documents and correspondence relating to technical assistance conducted shall be in English

8.5.3.4 Any non-conformity or violation of regulations governing supplier control will be directed to the CA.

8.5.3.5 The Authorities may elect to do a joint assessment of the supplier when either Authority requests, e.g. for the investigation of significant non-compliances, violations; incidents; accidents; or suspected unapproved parts involving a product or article.

## 8.6 Other Requests for Assistance or Support

The FAA or ANAC may request other types of technical assistance outlined in paragraph 8.1.3. Each request will be handled on a case-by-case basis, as resources permit. Each written request will include sufficient information for the task to be performed and reported back to the requestor. Where the technical assistance is repetitive or long-term, a management plan may be needed.

#### 8.7 Airworthiness Certificates

There may be certain programs and conditions that warrant technical assistance for the issuance of standard airworthiness certificates so that aircraft may be placed directly into operation from the site of manufacture. The IA may seek assistance from the EA in the final processing and delivery of an airworthiness certificate when the aircraft has been manufactured, granted an Export Certificate of Airworthiness by the EA, and entered on the importing State's registry. This will require the development of a management plan between the EA and IA.

#### 8.8 Protection of Proprietary Data

Unless otherwise required by law, both Authorities recognize that data submitted by a design approval holder is proprietary, and release of that data by the FAA or ANAC is restricted. The FAA and ANAC agree that they will not copy, release, or show proprietary data obtained from either Authority to anyone other than an FAA or ANAC employee without written consent of the design approval holder or other data submitter. This written consent should be obtained by the FAA or ANAC from the design approval holder through the CAA of the State in which the holder is located and will be provided to the other Authority.

#### 8.9 Freedom of Information Act (FOIA) Requests and Lei de Acesso à Informação (LAI) Requests

- 8.9.1 The FAA often receives requests from the public under the United States Freedom of Information Act (FOIA) (5 U.S.C.552) 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. Trade secrets and financial or commercial information that is confidential or privileged are examples of criteria that may exempt records from FOIA. 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.
- 8.9.2 When the FAA receives a FOIA request related to a product or article of an FAA approval holder or applicant who is located in Brazil, the FAA will request ANAC assistance in contacting the FAA approval holder or applicant to obtain justification for a determination of what may qualify for exemption under the criteria found in 5 U.S.C. 552.

- 8.9.3 ANAC often receives requests from the public under the Lei de Acesso à Informação (LAI) (Lei Federal nº 12.527/2011) to release information which ANAC may have in its possession. Each record ANAC has in its possession must be disclosed under the LAI unless a LAI 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.
- 8.9.4 When ANAC receives a LAI request related to a product, part, or article of an ANAC approval holder or applicant who is located in the U.S, ANAC will request FAA assistance in contacting ANAC 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 FAA must provide the written consent to ANAC. If release is objected to, a statement of the reasons must be furnished by the FAA to ANAC.

#### 8.10 Accident/Incident and Suspected Unapproved Parts Investigation Information Requests

- 8.10.1 When either the FAA or ANAC needs information for the investigation of service incidents, accidents, or suspected unapproved parts involving a product or article imported under these Implementation Procedures, the request for the information should be directed to the appropriate Authority. In turn, upon receipt of the request for information, the EA will ensure that the requested information is provided in a timely manner.
- 8.10.2 In case of an incident/accident, the FAA and ANAC will cooperate to address urgent information needs. Following an incident/accident, upon receipt of a request for urgent information, the FAA or ANAC will provide the requested information. The FAA and ANAC will establish individual focal points to respond to each other's questions and ensure that timely communication occurs. The FAA or ANAC may request information directly from a manufacturer if immediate contact with the appropriate focal points cannot be made. In such cases, notification of this action will be made as soon as possible. Either the FAA or ANAC, as applicable, will assist in ensuring that their manufacturer provides requested information expeditiously.

## SECTION IX    SPECIAL ARRANGEMENTS

### 9.1 General

- 9.1.1 It is anticipated that situations may arise that have not been specifically addressed in these Implementation Procedures, but are within the scope of the BASA. Where such a situation arises, it will be reviewed by the respective FAA Aircraft Certification Service Manager and the ANAC Aeronautical Products Certification Manager, and they will mutually agree to an arrangement to address the situation. These arrangements shall be developed and administered by the focal points for these Implementation Procedures, listed in Appendix A.
- 9.1.2 Where a situation is unique, with little possibility of repetition, the arrangement will be of limited duration. However, if a situation has anticipated new technology, or management developments that could lead to further repetitions, then these Implementation Procedures will be revised accordingly by the FAA and ANAC.

SECTION X    AUTHORITY

10.1 General

10.1.1 These Implementation Procedures for Airworthiness replace the earlier Implementation Procedures for Airworthiness (IPA) dated September 8, 2008.

10.1.2 The FAA and ANAC 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

Transport Brazil Civil Aviation  
Civil Aviation Secretariat  
Federative Republic of Brazil

This is a combined version of IPA Revision 2 which includes Amendment 1. See original Revision 2 and Original Amendment 1 for signatures.

For any differences between this version and the original signed documents, the original documents take precedent.



## APPENDIX A ADDRESSES

The designated focal point offices for these Implementation Procedures are:

### **For the FAA:**

#### **International Division (AIR-400)**

Aircraft Certification Service  
Federal Aviation Administration  
c/o Wilbur Wright Building, Room 600W1000  
600 Independence Avenue, SW  
Washington, DC 20591  
U.S.A.  
Tel: 1-202-267-0908  
Fax: 1-202-267-1261  
E-mail: [9-AWA-AVS-AIR400@faa.gov](mailto:9-AWA-AVS-AIR400@faa.gov)

### **For ANAC:**

#### **Airworthiness Standards and Rulemaking Office (GTPN)**

Airworthiness Department  
Agência Nacional de Aviação Civil  
Rue Laurent Martins, 209  
Jardim Esplanada  
São José dos Campos – SP-Brazil  
CEP 12.242-431  
Tel: +55 12 3203-6722  
E-mail: [air.agreements@anac.gov.br](mailto:air.agreements@anac.gov.br)

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## **FAA Offices**

### **Key ACO Branches for these Implementation Procedures**

#### **Contact Point for Airworthiness Directives**

##### **Mailing Address**

Continued Operational Safety Policy Section  
AIR-6D1  
P.O. Box 22082  
Oklahoma City, OK 73125  
Tel: 1-405-954-4103  
Fax: 1-405-954-2209  
E-mail: [9-amc-faa-mcai@faa.gov](mailto:9-amc-faa-mcai@faa.gov)

##### **Office Address**

Continued Operational Safety Policy Section  
AIR-6D1  
ARB, Room 304  
6500 MacArthur Blvd.  
Oklahoma City, OK, 73125

#### **FAA Contact Point for Article Approval Applications**

##### Atlanta ACO Branch

AIR-7A0  
1701 Columbia Avenue  
College Park, GA 30349  
Tel: 1-404-474-5500  
Fax: 1-404-474-5606

#### **FAA Contact Points for Type Certificate (TC) and Supplemental Type Certificate (STC) Applications**

## **FAA Policy and Innovation (P&I) Division Branches**

### **Engine and Propeller Standards Branch, AIR-6A0**

- Applications for Engine TCs should be sent to ECO Branch, AIR-7E0.
- Applications for propeller TCs should be sent to the Boston ACO Branch, AIR-7B0.

1200 District Avenue  
Burlington, Massachusetts 01803  
Tel: 1-781-238-7100  
Fax: 1-781-238-7199

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

### **Rotorcraft Standards Branch, AIR-680**

- Applications should be sent to Standards Staff, ASW-110

10101 Hillwood Parkway  
Fort Worth, TX 76177  
Tel: 1-817-222-5100  
Fax: 1-817-222-5959

*Regulatory and policy responsibility for powered lift, normal and transport category rotorcraft.*

### **Small Airplane Standards Branch, AIR-690**

- Applications should be sent to Project Support Section, AIR-692 via email at: [9-ACE-AIR-Import-Validation@faa.gov](mailto:9-ACE-AIR-Import-Validation@faa.gov) OR to the following address:

DOT Building: 901 Locust, Room 301  
Kansas City, MO 64106-2641  
Tel: 1-816-329-4100  
Fax: 1-816-329-4106

*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.*

### **Transport Standards Branch, AIR-670**

- Applications should be sent to the International Section, AIR-676

220 South 216<sup>th</sup> Street  
Des Moines, WA 98198  
Tel: 1-206-231-3154

*Regulatory and policy responsibility for all transport category airplanes.*

## **FAA Headquarters**

### **FAA Headquarters – Certification and Airworthiness (C&A) Division for Aircraft Certification**

International Division: AIR-400  
Aircraft Certification Service  
Wilbur Wright Building  
Room 600W1000, 6<sup>th</sup> Floor  
600 Independence Avenue, SW  
Washington, DC 20591

Tel: 1-202-267-0908  
Fax: 1-202-267-1261  
E-mail: [9-AWA-AVS-AIR400@faa.gov](mailto:9-AWA-AVS-AIR400@faa.gov)

#### Certification Procedures Branch

AIR-600  
950 L'Enfant Plaza North, SW  
Fifth Floor  
Washington, DC 20024

Tel: 1-202-267-1575  
Fax: 1-202-267-6475  
E-mail: [9-AWA-AVS-AIR600@faa.gov](mailto:9-AWA-AVS-AIR600@faa.gov)

### **FAA Systems Oversight (SO) Division for Manufacturing Inspection**

#### New England MIO Branch (for Engine and Propeller)

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

AIR-8A0  
1200 District Avenue  
Burlington, Massachusetts 01803

Tel: 1-781-238-7180  
Fax: 1-781-238-7898

Southwest MIO Branch (for Rotorcraft Manufacturing Inspection)

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

AIR-880

10101 Hillwood Parkway  
Fort Worth, TX 76177

Tel: 1-817-222-5180

Fax: 1-817-222-5136

Central MIO Branch (for Small Airplane Manufacturing Inspection)

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.

AIR-890

DOT Building  
901 Locust, Room 301  
Kansas City, MO 64106

Tel: 1-816-329-4180

Fax: 1-816-329-4157

Northwest MIO Branch (for Transport Airplane Manufacturing Inspection)

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

AIR-870

2200 South 216<sup>th</sup> Street  
Des Moines, WA 98198

Tel: 1-206-231-3664

Fax: 1-206-231-3219

**FAA Headquarters - Environmental Policy and Regulations**

Office of Environment and Energy, AEE-1

800 Independence Avenue, SW  
Washington, DC 20591

Tel: 1-202-267-3576

Fax: 1-202-267-5594

## **Requests to FAA for Conformity Inspections**

For Small Airplane Manufacturing Inspection – Central MIO Branch: [9-ACE-180-FRFC@faa.gov](mailto:9-ACE-180-FRFC@faa.gov)

For Rotorcraft Manufacturing Inspection – Southwest MIO Branch: [9-ASW-180-FRFC@faa.gov](mailto:9-ASW-180-FRFC@faa.gov)

For Engine & Propeller Inspection – New England MIO Branch: [9-ANE-180-FRFC@faa.gov](mailto:9-ANE-180-FRFC@faa.gov)

For Transport Airplane Manufacturing Inspection – Northwest MIO Branch: [9-ANM-108 FRFC@faa.gov](mailto:9-ANM-108-FRFC@faa.gov)

## **FM&D/SDR Reports**

Copies of U.S. FM&D/SDR reports are available from the FAA Mike Monroney Aeronautical Center, Aviation Data Systems Branch, AFS-620.

## **FAA Contact Point for MRB Procedures and MMEL Validation**

AEG Division Manager  
1309 S. Terminal Service Road  
Greensboro, NC 27409  
Phone: (336) 369-3900

## **FAA Aircraft Certification Branches (ACOs)**

### Anchorage ACO Branch

AIR-770  
222 West 7th Avenue, Unit 14, Room 128  
Anchorage, AK 99513  
Tel: 1-907-271-2669  
Fax: 1-907-271-6365

### Atlanta ACO Branch

AIR-7A0  
1701 Columbia Avenue  
College Park, GA 30349  
Tel: 1-404-474-5500  
Fax: 1-404-474-5606

Boston ACO Branch

AIR-7B0  
1200 District Avenue  
Burlington, MA 01803  
Tel: 1-781-238-7150  
Fax: 1-781-238-7170

Denver ACO Branch

AIR-7D0  
Technical Operations Center (TOC)  
26805 E. 68th Avenue, Room 214  
Denver, CO 80249  
Tel: 1-303-342-1080  
Fax: 1-303-342-1088  
E-mail: [9-Denver-Aircraft-Cert@faa.gov](mailto:9-Denver-Aircraft-Cert@faa.gov)

Delegation Systems Certification Branch (DSCO)

AIR-7J0  
10101 Hillwood Parkway  
Fort Worth, TX 76177  
Tel: 1-817-222-5190  
Fax: 1-817-222-4960

New York ACO Branch

AIR-7H0  
1600 Stewart Avenue, Suite 410  
Westbury, NY 11590  
Tel: 1-516-228-7300  
Fax: 1-516-794-5531  
E-mail: [7-AVS-NYO-ACO@faa.gov](mailto:7-AVS-NYO-ACO@faa.gov)

Chicago ACO Branch

AIR-7C0  
2300 East Devon Avenue, Room  
107  
Des Plaines, IL 60018  
Tel: 1-847-294-7357  
Fax: 1-847-294-7834

Engine Certification Branch  
(ECO)

AIR-7E0  
1200 District Avenue  
Burlington, MA 01803  
Tel: 1-781-238-7140  
Fax: 1-781-238-7199

Fort Worth ACO Branch

AIR-7F0  
10101 Hillwood Parkway  
Ft. Worth, TX 76177  
Tel: 1-817-222-5170  
Fax: 1-817-222-2146

Los Angeles ACO Branch

AIR-790  
3960 Paramount Blvd., Suite 100  
Lakewood, CA 90712-4137  
Tel: 1-562-627-5200  
Fax: 1-562-627-5210

Wichita ACO Branch

AIR-7K0  
1801 Airport Road  
Room 100, Mid-Continent Airport  
Wichita, KS 67209  
Tel: 1-316-946-4100  
Fax: 1-316-946-4107

Seattle ACO Branch

AIR-780  
2200 South 216<sup>th</sup> Street  
Des Moines, WA 98198  
Tel: 1-206-231-3664  
Fax: 1-1-206-231-3219  
E-mail: [9-ANM-SACO-Foreign-Validation@faa.gov](mailto:9-ANM-SACO-Foreign-Validation@faa.gov)

Boeing Aviation Safety Oversight Office (BASOO)  
Branch

AIR-860  
2200 South 216<sup>th</sup> Street  
Des Moines, WA 98198

Tel: 1-206-231-3595  
Email: [9-ANM-BASOO-Validation@faa.gov](mailto:9-ANM-BASOO-Validation@faa.gov)

Address	Matter	Telephone, mobile telephone, fax
Superintendência de Aeronavegabilidade – SAR Setor Comercial Sul – Qd 09 – Lote C Ed. Pq Cidade Corporate – Torre A Brasília – DF – Brazil CEP: 70.308-200	Airworthiness	55 (61) 3314-4852 Roberto
Aeronautical Product Certification Branch - GGCP Rua Laurent Martins, 209 Jardim Esplanada São José dos Campos – SP – Brazil CEP 12.242-431	Aeronautical Product Certification	55 (12) 3203-6627 Igawa
Engineering Branch – GGCP/GCEN Rua Laurent Martins, 209 Jardim Esplanada São José dos Campos – SP – Brazil CEP 12.242-431	Product Certification Engineering	55 (12) 3203-6630 Nelson
Program Certification Branch – GGCP/GCPR Rua Laurent Martins, 209 Jardim Esplanada São José dos Campos – SP – Brazil CEP 12.242-431	Product Certification Programs (Design Certifications and Validations)	55 (12) 3203-6667 Cesar
Airworthiness Standards and Rulemaking Branch - GTPN Setor Comercial Sul – Qd 09 – Lote C Ed. Pq Cidade Corporate – Torre A Brasília – DF – Brazil CEP: 70.308-200	Airworthiness Standards and Rulemaking	55 (61) 3314-4850 Marco
General Aviation and STC Group – GGCP/GCPR/PST Rua Laurent Martins, 209 Jardim Esplanada São José dos Campos – SP – Brazil CEP 12.242-431	General Aviation Aircraft, Engine and Propeller Programs and Supplemental Type Certification	55 (12) 3203-6649 55 (12) 99209-7342 Leticia
Audit and Inspection Branch – GGCP/GTAI Rua Laurent Martins, 209 Jardim Esplanada São José dos Campos – SP – Brazil CEP 12.242-431	Parts, Production and Inspection	55 (12) 3203-6733 Paludo
Continued Airworthiness Group – GGCP/GCPR/PAC Rua Laurent Martins, 209 Jardim Esplanada São José dos Campos – SP – Brazil CEP 12.242-431	Service Difficulties and AD	55 (12) 3203-6640 Lacerda
Program Certification Managers Group – GGCP/GCPR/PHT Rua Laurent Martins, 209 Jardim Esplanada São José dos Campos – SP – Brazil CEP 12.242-431	Transport Aircraft and Engine Certification Programs	55 (12) 3203-6633 Moutinho

#### **FM&D/SDR Reports:**

Copies of Brazil FM&D/SDR reports are available from the Continued Airworthiness Group-PAC at ANAC Product Certification Branch – GGCP, located in São José dos Campos, São Paulo. Copies are also available at [pac@anac.gov.br](mailto:pac@anac.gov.br).



## APPENDIX B LIST OF REFERENCE DOCUMENTS

### **B.1 FAA Reference Documents**

1. Code of Federal Regulations, Title 14, parts 21-36, 39, 43, 45, 91, and 183
2. FAA Advisory Circular 21-2 – Complying with the Requirements of Importing Countries
3. FAA Advisory Circular 21-23 – Airworthiness Certification of Civil Aircraft, Engine, Propellers, and Related Products Imported to the United States
4. FAA Advisory Circular 43-210 - Standardized Procedures for Obtaining Approval of Data Used in the Performance of Major Repairs and Major Alterations
5. FAA Order 8000.71 – Aircraft Make, Model, and Series Taxonomy
6. FAA Order 8000.72 – FAA Integrated Oversight Philosophy
7. FAA Order 8000.369 – Safety Management System
8. FAA Order 8000.79 – Use of Electronic Technology and Storage of Data
9. FAA Order 8040.1 – Airworthiness Directives
10. FAA Order 8110.4 – Type Certification
11. FAA Order 8100.8 – Designee Management Handbook
12. FAA Order 8100.11 – Requirements for Finding Undue Burden and No Undue Burden under 14 CFR Part 21.
13. FAA Order 8110.37 - Designated Engineering Representative (DER) Handbook
14. FAA Order 8110.52 – Type Validation and Post-Type Validation Procedures
15. FAA Order 8110.101 – Type Certification Procedures for Military Commercial Derivative Aircraft.
16. FAA Order 8110.120 – Processing Surrendered, Abandoned, and Historical Aircraft Type Certificates
17. FAA Order 8130.2 – Airworthiness Certification of Aircraft
18. FAA Order 8120.23 – Certificate Management of Production Approval Holders
19. FAA Order 8130.21- Procedures for Completion and Use of the Authorized Release Certificate, FAA Form 8130-3, Airworthiness Approval Tag
20. FAA Order 8300.16 - Major Repair and Alteration Data Approval
21. FAA Order 8900.1- Flight Standards Information Management System (FSIMS)
22. FAA Order 1240.14 – Establishing Arrangements with Bilateral Partners

## **B.2 ANAC Reference Documents**

1. Brazilian Civil Aviation Regulations (RBAC) 21, 23, 25, 26, 27, 29, 31, 33, 34, 35, 36, 39, 43, 45, 91, and 183
2. Supplemental Instruction 21-006 - Produção sob o RBAC 21 subpartes F, G, K e O.
3. Supplemental Instruction 21-004 - Aprovação de Grandes Modificações e Grandes Alterações em aeronaves com marcas brasileiras, ou que venham a ter marcas brasileiras.
4. MPR-131 – Certificação de Aeronavegabilidade
5. MPR-101 – Certificação de Projeto de Produto Aeronáutico

Note: All referenced documents and other ANAC procedures manuals can be found at:

<https://sistemas.anac.gov.br/certificacao/MPR/MPR.asp>

<https://www.anac.gov.br/assuntos/legislacao/legislacao-1/rbha-e-rbac>

<https://www.anac.gov.br/assuntos/legislacao/legislacao-1/iac-e-is>

## APPENDIX C LIST OF SPECIAL ARRANGEMENTS

1. FAA-ANAC Management Plan for Surveillance of Embraer-Empresa Brasileira de Aeronautica S.A. and Embraer-Liebherr, Category One Part Suppliers to Sikorsky Aircraft Located in São José dos Campos, SP, Brazil  
Date of Issue: March 1, 2004
2. FAA-ANAC Management Plan for Production Surveillance of the General Electric Company (GE) facility located at GE-Celma in Petropolis, Brazil  
Date of Issue: May 9, 2011
3. FAA-ANAC Special Arrangement for Production of Airplanes in Accordance with FAA Typed Certificates A59CE and A60CE by Embraer Executive Aircraft, Inc. in Melbourne, Florida in the United States of America as STATE OF MANUFACTURE and Embraer S.A. as Type Certificate Holder in Brazil as STATE OF DESIGN  
Date of Issue: September 13, 2013
4. FAA-ANAC Management Plan for Production in Accordance with FAA Type Certificates A59CE and A60CE by Embraer Executive Aircraft, Inc. in Melbourne, Florida in the United States of America as STATE OF MANUFACTURE and Embraer S.A. as Type Certificate Holder in Brazil as STATE OF DESIGN (*Cancelled and Superseded by signature of MP below*)  
Date of Issue: September 25, 2014
5. FAA-ANAC Management Plan for Technical Assistance for Surveillance of Suppliers of Embraer Executive Aircrafts (EEA) in Melbourne, Florida with the Federal Aviation Administration of the United States as the STATE OF MANUFACTURE and the Brazil Civil Aviation Authority (ANAC) as the STATE of Design.  
Date of Issue: September 18, 2017

**APPENDIX D      CROSS-REFERENCE OF STANDARDS**

<b>Product</b>	<b>FAA Regulations 14 CFR</b>	<b>ANAC Standards</b>
Aircraft Emissions	Part 34 Fuel venting and exhaust Part 36 Noise	RBAC 34 And RBAC 36
Small Airplanes (Normal, Utility, Aerobatic, & Commuter)	Part 23	RBAC 23
Transport Category Airplanes	Part 25	RBAC 25
Continued Airworthiness and Safety Improvements for Transport Category Airplane	Part 26	RBAC 26
Normal Category Rotorcraft	Part 27	RBAC 27
Transport Category Rotorcraft	Part 29	RBAC 29
Manned Free Balloons	Part 31	RBAC 31
Aircraft Engines	Part 33	RBAC 33
Propellers	Part 35	RBAC 35
Articles & Parts	Part 21, Subpart O	RBAC 21, Subpart O
Environmental Conditions and Test Procedures for Airborne Equipment	RTCA/DO-160	RTCA/DO-160
Software Considerations in Airborne Systems and Equipment Certification	RTCA/DC-178	RTCA/DC-178

**APPENDIX E      DOCUMENTS SUPERSEDED OR CANCELLED BY REVISION 2**

1. Implementation Procedures for Airworthiness (IPA) Revision 1, dated September 8, 2006
2. Amendment 1 to Revision 1 of the Implementation Procedures for Airworthiness, dated February 22, 2011
3. Amendment 2 to revision 2 of the Implementation Procedures for Airworthiness, dated February 12, 2016

*APPENDIX F LIST OF ACRONYMS*

ACO Aircraft Certification Office

AD	Airworthiness Directive
AEG	Aircraft Evaluation Group
AFM	Aircraft Flight Manual
AMOC	Alternative Methods/Mean of Compliance
AWM	Airworthiness Manual
BMT	Bilateral Airworthiness Management Team
BASA	Bilateral Aviation Safety Agreement
CA	Certificating Authority
CAG	Certification Authorities Groups
CFR	Code of Federal Regulations
14 CFR	Title 14, Code of Federal Regulations
COS	Continued Operational Safety
DER	Designated Engineering Representative
EA	Exporting Authority
FAA	Federal Aviation Administration
FM&D	Failures, Malfunctions and Defects
FOIA	Freedom of Information Act (U.S.)
GCPR	Gerência de Certificação de Programas (Product Certification Programs)
GGCP	Gerência de Certificação de Produto Aeronáutico (Aeronautical Product Certification Branch)
IA	Importing Authority
ICA	Instructions for Continued Airworthiness
ICAO	International Civil Aviation Organization
LAI	Lei de Acesso à Informação
LODA	FAA Letter of TSO Design Approval
MCAI	Mandatory Continuing Airworthiness Information
MIO	Manufacturing Inspection Office
MMEL	Master Minimum Equipment List
MOC	Method of Compliance
MRB	Maintenance Review Board
ANAC	National Agency for Civil Aviation
ODA	Organization Designation Authorization
PDA	Part Design Approval
PCM	Program Certification Manager
PM	Project Manager
RBAC	Brazilian Aviation Regulations
SDR	Service Difficult Reports

SoD	State of Design
SoM	State of Manufacture
SoR	State of Registry
STC	Supplemental Type Certificate
TC	Type Certificate
TSO	Technical Standard Order
TSOA	Technical Standard Order Authorization
VA	Validating Authority
VLA	Very Light Airplanes

## APPENDIX G SAFETY EMPHASIS ITEMS (SEI) LISTS LINKS

### FAA lists:

1. [Part 23: Small Airplanes](#)

2. [Part 25: Transport Category Airplanes](#)
3. Part 27: Rotorcraft – See *Table 2 Note 5 in the [IPA](#)*
4. Parts 33 and 35: Engines and Propellers – See *Table 2 Note 4 in the [IPA](#)*

ANAC list:

1. RBAC 23: [FAA Part 23 SEI List](#) will apply reciprocally
2. [RBAC 25: Transport Category Airplanes](#)
3. Aircraft Engines and Propellers: For ANAC RBAC 33 and 35 validations all products to be used in Brazilian State of Design Aircraft are non-basic. For all other products the SEI criteria does not apply.
4. Rotorcraft: For ANAC RBAC 27 and RBAC 29 the SEI criteria do not apply