U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
National Policy

ORDER 8000.85B

Effective Date:
3/11/13

SUBJ: FAA Program for the Establishment of A MIP Under the Provisions of a BASA

1. Purpose. This order sets forth the Federal Aviation Administration (FAA) program for the establishment of Maintenance Implementation Procedures (MIP) under the provisions of a Bilateral Aviation Safety Agreement (BASA). This order provides FAA personnel and Aviation Authorities (AA) information on the procedures and requirements for developing a MIP.

2. Audience. The primary audience for this order is Flight Standards District Office (FSDO) aviation safety inspectors (ASI). The secondary audience includes Flight Standards branches and divisions in the regions and in headquarters (HQ).

3. Where You Can Find This Order. You can find this order on the MyFAA employee Web site at https://employees.faa.gov/tools_resources/orders_notices. Inspectors can access this order through the Flight Standards Information Management System (FSIMS) at http://fsims.avs.faa.gov. Air carriers (operators) can find this order on the Federal Aviation Administration's (FAA) Web site at http://fsims.faa.gov. This order is available to the public at http://www.faa.gov/regulations_policies/orders_notices.

4. Background.

a. The FAA certificates repair stations located outside the United States that operate under the provisions of Title 14 of the Code of Federal Regulations (14 CFR) part 145. The certification of foreign repair stations responds to the need to perform maintenance, alteration, or modification of aeronautical products subject to U.S. airworthiness regulations in foreign countries. Maintaining aircraft and components outside the United States has continued to expand with the corresponding increase in international air travel and rise in the number of foreign-manufactured aeronautical products used by U.S. operators.

b. Similarly, foreign countries have also experienced an increase in the use of U.S. facilities to perform maintenance, alteration, or modification of aeronautical products subject to foreign national requirements. AAs in countries where certificated maintenance facilities are located have also developed their own extensive inspection, surveillance, evaluation, and certification programs. The AAs have developed these programs to ensure that repair facilities accomplish maintenance, preventive maintenance, and modification/alteration of aeronautical products subject to their airworthiness regulations according to specific national standards.

c. In the absence of a BASA and corresponding MIP, a repair facility in a foreign country that performs work on aeronautical products subject to the airworthiness regulations of that country and on aeronautical products subject to the airworthiness regulations of the United States

may be required to be inspected, surveilled, and evaluated by the FAA and the AA. Therefore, the repair facility must conform to two sets of standards—the FAA's and the AA's. A repair station located in the United States that performs work on aeronautical products subject to U.S. and foreign airworthiness regulations may also be required to conform to two or more sets of standards.

d. The conclusion of a MIP provides for either:

(1) The reciprocal acceptance of recommendations for certification and renewal, and documentation of surveillance findings, when the AA issues certificates to U.S.-based repair stations; or

(2) FAA acceptance of AA recommendations for certification and renewal, and documentation of surveillance findings, when the AA does not issue certificates to U.S.-based repair stations.

(3) Either case results in increased efficiency by reducing or eliminating duplicate surveillance, evaluation, and inspection of repair facilities conducted by the FAA and AA. The FAA and AA achieve program goals when they reduce or eliminate duplicate activities while maintaining equivalent levels of safety.

e. The FAA and AA base MIPs on an evaluation of part 145 and foreign national regulations governing repair stations or Approved Maintenance Organizations (AMO). This evaluation is designed to determine the areas where these regulations and requirements harmonize and identify areas where they differ. The evaluation also determines the FAA's and AA's ability to carry out surveillance on each other's behalf.

5. Definitions. The following definitions apply:

a. Alteration or Modification. A change to the construction, configuration, performance, environmental characteristics, or operating limitations of the affected civil aeronautical product.

> **Note:** The above definition is consistent with wording in current MIPs. Additional description of alteration/modification/environmental characteristics may be considered.

(1) Alteration. A change, using technical data that has been approved by the FAA or AA, to the construction, configuration, performance, environmental characteristics, or operating limitations of the affected civil aeronautical product.

(2) Modification. A change, using technical data that is being presented to the FAA Administrator or AA for approval, to the construction, configuration, performance, environmental characteristics, or operating limitations of the affected civil aeronautical product.

b. Approved Maintenance Organizations (AMO). A maintenance organization certificated by the AA.

c. Aviation Authorities (AA). The aviation regulatory authority of a foreign country or body.

d. Bilateral Aviation Safety Agreement (BASA). Reference the current edition of Advisory Circular (AC) 21-23, Airworthiness Certification of Civil Aircraft, Engine, Propellers, and Related Products Imported to the United States.

(1) A BASA is a government-to-government agreement, consisting of one Executive Agreement and one or more implementation procedures (IP), to facilitate the recognition of procedures for the reciprocal acceptance in technical areas that may include:

(a) Airworthiness approvals of civil aeronautical products.

(b) Environmental approvals and environmental testing.

(c) Approval and monitoring of maintenance facilities and alterations or modification facilities.

(d) Approval and monitoring of maintenance personnel.

(e) Approval and monitoring of crews.

(f) Approval and monitoring of flight operations.

(g) Approval and monitoring of aviation training establishments.

(2) The term AA refers to the authority of a contracting State that has responsibility for the establishment, implementation, and oversight responsibilities of aviation regulation within their country.

(3) These agreements are replacing Bilateral Airworthiness Agreements (BAA).

Note: BAA are also a government-to-government agreement, consisting of one Executive Agreement, normally dealing with specific areas of agreement but do not include IP.

e. Civil Aeronautical Product. Any civil aircraft, aircraft engine, propeller, subassembly, appliance, material, part, or component to be installed thereon.

f. Compliance with Part 145. Compliance with the latest issue of AA requirements and guidance material plus the FAA Special Conditions as set forth in a MIP.

g. Compliance with Aviation Authority Requirements and Guidance. Compliance with the latest issue of part 145 and the AA Special Conditions as set forth in a MIP recognizing that ACs provide additional guidance in this area.

h. Data Approved by the FAA. Data approved by the Administrator or the Administrator's designated representative.

i. Data Approved by the AA. Data approved by the AA or an organization/person approved by the AA for that purpose.

j. Geographic Authorization. An approval provided to a foreign repair station to perform maintenance support under contract for a U.S. air carrier, or operator of U.S.-registered aircraft under 14 CFR part 129, at a location other than the repair station facility. A geographic authorization is issued by the FAA to respond to the need of a U.S. air carrier or part 129 operator for maintenance at a station where the frequency and scope of that maintenance does not warrant permanently staffing and equipping the station for its accomplishment.

k. AA Procedures. AA application of regulation and procedures in its national systems, rules, practices, and policies.

l. AA Regulations and Guidance. A uniform set of regulations issued by the AA. They are interpreted and implemented by the AA policy guidance in the form of written administrative and guidance material.

m. Main Base. The primary location of a repair station that includes the facilities where all aspects of maintenance under its rating can be performed and records are maintained.

n. Maintenance. The performance of inspection, overhaul, repair, preservation, and replacement of parts, materials, appliances, or components of a civil aeronautical product to ensure the continued airworthiness of that product, excluding alterations, or modifications.

o. Maintenance Implementation Procedures (MIP) or Other Negotiated Term. The procedural document authorized by the BASA Executive Agreement related to the performance of maintenance, alterations, and modifications on civil aeronautical products. This document defines the process for reciprocal acceptance of each authority's recommendations for certification, renewal, and acceptance of eligible repair stations and maintenance organizations.

p. Overhaul. A process that ensures the aeronautical article is in complete conformity with the applicable service tolerances specified in the type certificate holder's, or equipment manufacturer's instructions for continued airworthiness, or in the data which is approved or accepted by the Authority. No person may describe an article as being overhauled unless it has been at least disassembled, cleaned, inspected, repaired as necessary, reassembled, and tested in accordance with the above specified data.

q. Perceived Need. A current or future operational or economic necessity for the maintenance, preventive maintenance, or alteration of aeronautical products subject to the regulatory oversight of the FAA at a facility located outside the United States.

r. Required Inspection Items (RII). The items of maintenance and alterations that must be inspected by a person other than the one that performed the work, to include at least those items that could result in a failure, malfunction, or defect endangering the safe operation of the aircraft, if not performed properly, or if improper parts or materials are used.

s. Special Conditions. Conditions in a MIP that specify the requirements in 14 CFR parts 43 and 145 that the FAA has determined are not in AA requirements (FAA Special

Conditions) and the AA requirements that an AA has determined are not in part 145 (AA Special Conditions).

t. Title 14 of the Code of Federal Regulations (14 CFR). United States aviation regulations consisting of parts 1 through 199 for Aeronautics and Space.

u. Unapproved Part. A part that does not meet the requirements of an "approved part" as specified in the current edition of AC 21-29, Detecting and Reporting Suspected Unapproved Parts (SUP).

v. Repair Station Manual (RSM), Quality Control Manual (QCM)/Section and Training Program. This manual explains the inspection system and internal procedures of a part 145 certificated repair station. It describes how the repair station will comply with the quality control (QC) and overall operational requirements contained in part 145 as well as how the repair station will train its employees, and monitor its employees training requirements.

6. References (current editions). You can find this Order on the FAA's Web site at http://www.faa.gov/regulations_policies/orders_notices/.

a. ACs.

(1) AC 20-62, Eligibility, Quality, and Identification of Aeronautical Replacement Parts.

(2) AC 21-2, Complying with the Requirements of Importing Countries or Jurisdictions When Exporting U.S. Products, Articles, or Parts.

(3) AC 21-23, Airworthiness Certification of Civil Aircraft, Engine, Propellers, and Related Products Imported to the United States.

(4) AC 43-10, United States – Canadian Bilateral Aviation Safety Agreement Maintenance Implementation Procedures.

(5) AC 140-7, FAA Certificated Repair Stations Website (Directory).

(6) AC 145-9, Guide for Developing and Evaluating a Repair Station Quality Control Manuals.

(7) AC 145-10, Repair Station Training Program.

(8) AC 145-11, Repair Station Guidance for Compliance with the Safety Agreement between the United States and the European Union

(9) AC 187-1, Flight Standards Service Schedule of Charges Outside the United States.

b. Order. Order 8900.1, Flight Standards Information Management System.

c. 14 CFRs.

(1) Title 14 CFR, part 43, Maintenance, Preventive Maintenance, Rebuilding, and Alteration.

(2) Title 14 CFR, part 145, Repair Stations.

7. Applicability. This order applies to FAA personnel involved in the development of a MIP with an AA under the terms of a BASA. This order also allows for the development of a MIP while a BASA is being formally pursued by the requesting country. However it should be noted that a MIP may not be concluded without a signed BASA in place. Adherence to the procedures in this order is necessary for uniform administration of this directive material. Any deviations from this guidance material must be coordinated with, and approved by, the Aircraft Maintenance Division, AFS-300. Any such approvals will be communicated in writing to the appropriate entity.

> **Note:** The development of a MIP between the FAA and an AA requires a long-term commitment of considerable resources by both authorities. Past experience has demonstrated that it may take 3 to 5 years for completion of an agreement. An AA wishing to undertake such an initiative should have a viable aircraft maintenance surveillance and certification program, including competent personnel capable of finding compliance with national aircraft maintenance standards, practices, and procedures. The FAA prioritizes requests for a MIP based on the FAA's strategic goals and the results of a capability assessment of the AA. The AA may develop its own process of evaluating the FAA's ability to comply with the AA's needs and requirements for concluding a MIP.

8. Description of MIPs. A MIP is a technical implementation agreement between the FAA and the executive agent of another country or body under the provisions of the BASA, which pertain to maintenance, alterations, and modifications of aeronautical products.

a. If a country's aviation regulations for issuing certificates to facilities for the maintenance and alteration of aeronautical products and the general operating rules for holders of those certificates are harmonized with the requirements of 14 CFR, then compliance with AA regulations satisfies compliance with the intent of the requirements of parts 43 and 145.

b. In those instances where the regulations are not equivalent, the MIP will include special conditions that address those requirements of an authority that may not be addressed in the other authority's regulations. In this case, compliance with the regulations of one authority and any special conditions contained in the MIP will be equivalent to compliance with the other authority's regulations.

c. Greater harmonization of regulations can reduce the number of special conditions. Changes to either authority's regulations after entry into the MIP could result in changes to special conditions in the MIP. Regulatory changes should be coordinated to the greatest extent possible.

d. Once a MIP is concluded, the authorities will be able to recommend:

(1) Issuance of initial certification of repair stations;

(2) Renewal of a repair station certificate with all of its current ratings;

(3) Amendment to a repair station certificate; or

(4) Denial of the renewal of a repair station certificate.

e. Under the terms of the MIP, FAA-certificated repair facilities located in the MIP partner country performing maintenance on products under the regulatory authority of the FAA are certificated by the FAA, but are surveilled, evaluated, and inspected by the AA. The FAA, however, retains the right to participate in these actions and, if necessary, to suspend or revoke its certification of the repair facility. The FAA also retains the authority to inspect an FAA-certificated repair facility and its contractors at any time.

f. Under the terms of the MIP, repair facilities located in the United States performing maintenance on products under the regulatory authority of another country are certificated, approved, or accepted by that AA, but are surveilled, evaluated, and inspected by the FAA. The AA, however, retains the right to participate in these actions and, if necessary, to suspend or revoke its certification, approval, or acceptance of the repair facility. The AA also retains the authority to inspect an AA-certificated repair facility and its contractors at any time.

g. A MIP includes the following (refer to Appendix E for sample MIP documents):

(1) The terms and conditions by which the results of the signatories' surveillance, evaluation, and inspections will be accepted by each signatory.

(2) An indication that the MIP is drafted in accordance with a BASA and pursuant to a mutual assessment of the signatory AAs.

(3) Procedures for initiating, terminating, and amending the MIP.

(4) The designation of a specific individual as the responsible party within the executive agencies implementing the agreement.

(5) A specific dispute resolution procedure.

(6) Definitions of terms critical to the MIP.

(7) The specific requirements for a signatory to certificate or approve a repair facility located in the other signatory country.

(8) Procedures by which each signatory may audit the surveillance, evaluations, and inspections conducted by the other signatory.

(9) The specification that the signatories retain the right to initiate enforcement action against any repair facility that it certificates in the other signatory country.

(10) Any special conditions which ensure that the surveillance, evaluation, and inspections conducted by one signatory ensure compliance with requirements equivalent to those in parts 43

and 145 (for actions taken by the AA) and the AA's equivalent of parts 43 and 145 (for FAA actions).

(11) Requirements guaranteeing that the signatories will provide mutual assistance in implementing the provisions of the agreement. This assistance will include: technical evaluation assistance, exchanging of information pertaining to each country's regulations and policies, guidance, practices, interpretations, and amendments to the regulations; exchanging of findings of regulatory noncompliance and information critical to flight safety; and assistance in investigations or enforcement actions.

h. Additional information required for implementation and compliance with the MIP is included in guidance materials such as the current edition of AC 145-11 and Order 8900.1.

9. Selection of AAs for Potential MIP.

a. AAs seeking to conclude a MIP with the FAA should submit a written request to the Director, Flight Standards Services, AFS-1, 800 Independence Ave., SW., Washington, DC 20591.

b. AFS-300 maintains a prioritized list of AAs under consideration for a MIP. FAA priorities are based on strategic goals, priorities, resource requirements, and perceived need.

c. Participation in a regional aviation organization or coordinating group should be looked upon by the AA seeking to enter into a MIP with the United States as an important (though not mandatory) step in securing an agreement. Harmonizing the standards, regulations, and policies among a group of similarly situated countries greatly simplifies the FAA's task of determining the level of similarity between the aviation regulations of a group of AAs seeking MIPs and compliance with 14 CFR. The adoption of common regulations facilitates the ability of the FAA and the AA to agree on the basis of a MIP, because the parties can conduct one regulatory comparison that applies to all members. The FAA can therefore concentrate its evaluation efforts on determining the ability of each AA to certificate and surveil maintenance organizations to a standardized set of regulations.

10. MIP Flowchart. Figure 1, MIP Flowchart contains the process for concluding a MIP, as described in paragraphs 11 though 14.

> **Note:** Throughout the process, in the event that the FAA and AA teams cannot agree to mutually acceptable terms and conditions, the FAA team will refer to AFS-1 to either continue or terminate the process.
>
> **Note:** If the country does not have a BASA signed, the team may continue, provided the country initiates the process.

Figure 1. MIP Flowchart

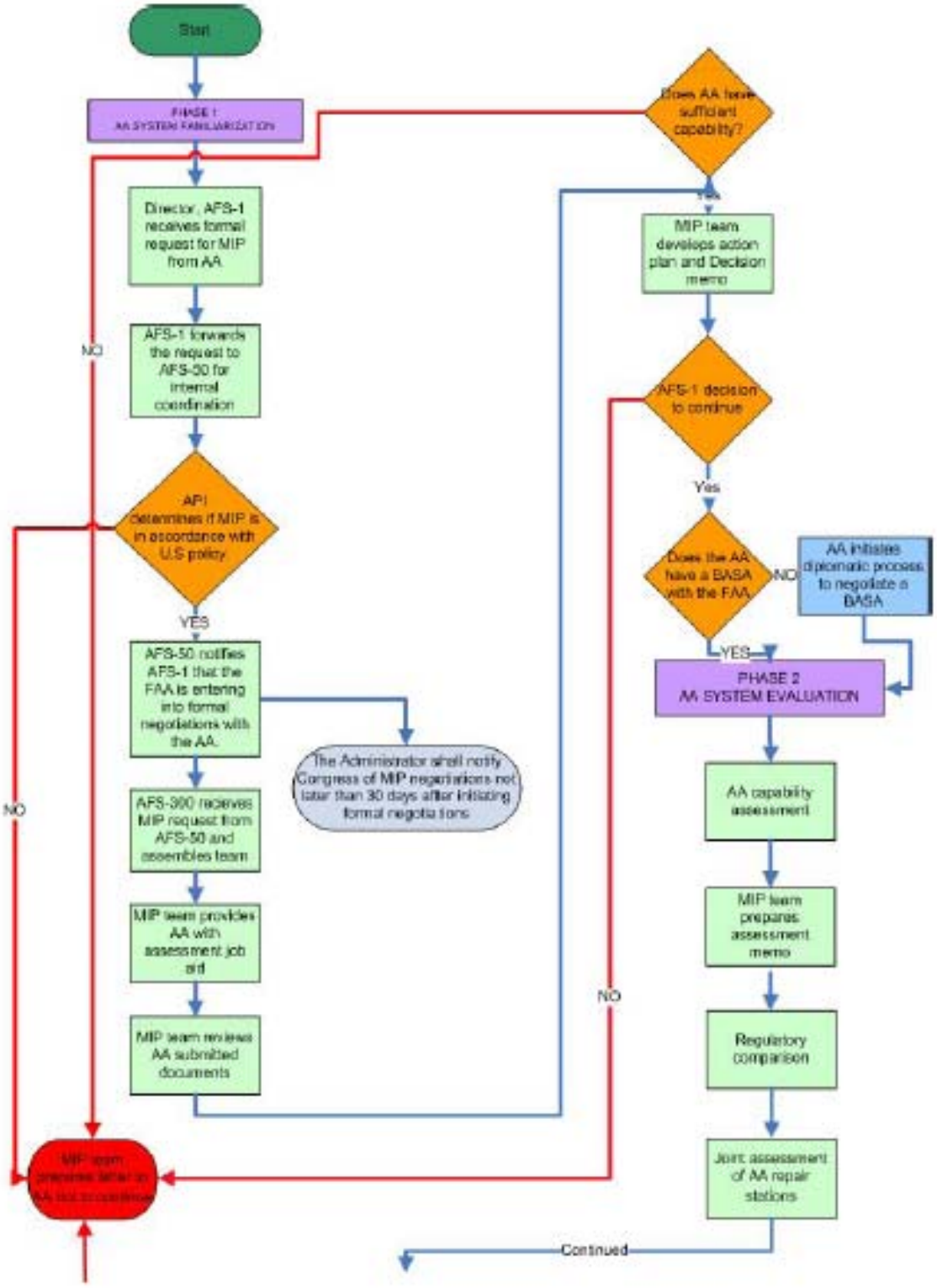
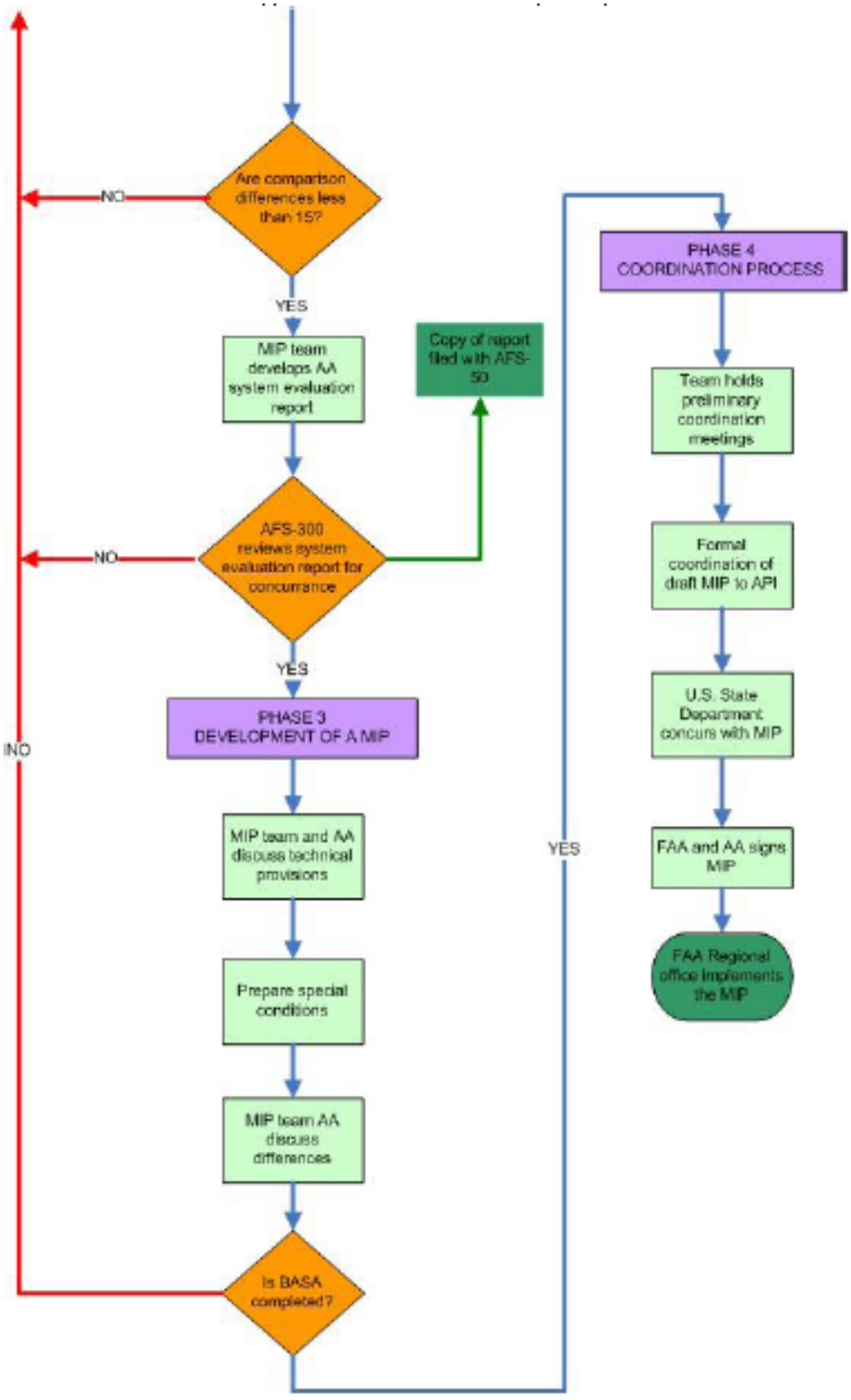


Figure 1. MIP Flowchart (Cont.)



11. Phase 1—AA System Familiarization.

> **Note:** Normally the first country inquiry with the FAA regarding opening MIP discussions is made with AFS-1 or AFS-300 informally to discuss the methods, procedures and purpose of developing a MIP. If the country elects to pursue a MIP, AFS-1 or AFS-300 will advise the country of the method to submit a formal request to AFS-1 who will forward the request to the International Programs and Policy Division, AFS-50 for internal FAA coordination.

a. Once the country submits a formal request, AFS-300 and AFS-1 review the impact of the formal request. If the request is considered feasible or not, AFS-50 will prepare a response to the AA with AFS-300 coordination for AFS-1 signature for internal coordination. AFS-50 will then send the formal request.

b. Upon receipt of the initial formal request, AFS-50 will notify the appropriate desk officer in the Office of International Aviation (API) and Office of the Chief Counsel (AGC) of the request. AFS-50 will review the International Aviation Safety Assessment (IASA) program status of the AA (if applicable) and, in coordination with API, determine if there are any U.S. policy concerns that would affect the FAA's ability to enter into an agreement with the requesting AA.

c. Prior to initiating formal negotiations, AFS-50 will notify AFS-1 of the intent to enter into formal negotiations with the AA.

(1) The Administrator shall notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives not later than 30 days after initiating formal negotiations with aviation authorities or other appropriate foreign government agencies on a new maintenance safety or maintenance implementation agreement.

(2) AFS-50 should respond to AFS-300 within 30 days from receipt of the formal request.

d. After receiving the formal request from AFS-50, AFS-300 will form a team within 90 days. This team may include representatives (or designees) from AFS-300, AFS-50, and the appropriate Regional Office (RO) as necessary. Team composition is designed to provide a standardized approach to the development of a MIP. The team is responsible for implementing the process below to determine whether it would be feasible to enter into a MIP with the AA. With the approval of AFS-300, the team composition detailed above may differ depending on the complexity of the assignment. AFS-300 is responsible for assembling the team at an appropriate location to brief the team on the content of this order stressing the importance of treating each country in a standard manner. AFS-300 will advise the team of the sensitivity relating to assessments. The briefing will also provide the team with the FAA philosophy on using a system approach when assessing the AA as well as a description of the FAA international goals.

> **Note:** At no point in the process should a team member express personal views or indicate to the AA that they are ready for a MIP. This is a management decision that will be made at the conclusion of the process.

e. If there are no policies or other concerns preventing the pursuit of a MIP with the requesting AA, the team will provide the AA a copy of this order. The appropriate assessment job aid and sample documents can be found in the appendices of this order. The AA should complete and submit its portions of the assessment job aid as well as a copy of their applicable regulations in the English language to the designated team lead within 90 days of receipt of the assessment job aid. However, the FAA recognizes the difficulties associated with language differences and the time needed for translation to the English language. Since additional time may be needed, the 90-day time period is a recommendation.

f. The team will evaluate the completed assessment job aid and copies of AA regulations and procedures to determine whether there is sufficient compatibility between FAA and AA systems to progress with the MIP process. Depending on the complexity of the AA response to the assessment job aid and regulations, the team should complete the preliminary review within 90 days of receipt of the submitted material by the AA.

> **Note:** If after 120 days the AA has not provided the FAA with their assessment job aid and regulations, AFS-300 will notify the AA in writing that negotiations may be suspended if progress is not made within a negotiated time frame. The FAA recognizes that language barriers and resource availability can affect the time needed by an AA. A request for a time extension is in the best interest of all concerned, when necessary.

g. If the team determines there is sufficient compatibility, it will prepare a detailed action plan including projected timelines, budget requirements, and availability of personnel. The plan may require some prior contact with AA contacts/team, as applicable. The FAA action plan should be established 60 days after review of the AA submitted material.

h. The team will prepare a decision memorandum (see Appendix B of this order), from AFS-300 to AFS-1 summarizing the action plan, costs, timelines, and a request for concurrence on whether to proceed to Phase 2. The memorandum and action plan will be prepared for signature by the team lead, coordinated with AFS-300 and AFS-50 for concurrence, and submitted to AFS-1 for a written decision within 30 days of establishing the action plan.

i. If AFS-1 decides to proceed, the team will proceed to Phase 2. If AFS-1 decides not to proceed, the team will prepare a letter from AFS-1 to the AA stating the reasons and recommendations for possible future MIP cooperation.

j. If AFS-1 decides to proceed with an AA whose government has not concluded a BASA with the United States, the FAA will advise the AA to contact API-1 and formally initiate the diplomatic process to negotiate a BASA in accordance with this order.

> **Note:** This process may be time consuming, but a MIP cannot be concluded until a BASA is in effect.

12. Phase 2—AA System Evaluation.

a. If the FAA determines that a MIP with the AA is feasible based on the preliminary review in Phase 1, the FAA and AA will enter into Phase 2, AA System Evaluation. The FAA team must consider this MIP process as a system approach. The AA system may not be identical to the FAA system; however, the AA system should meet the objectives and surveillance goals of the FAA. The AA System Evaluation phase permits the FAA to do the following:

(1) Observe and document the AA's evaluation procedures and assess the AA's regulatory basis for certificating and surveilling a repair station;

(2) Conduct an in-depth comparison of FAA/AA regulations and procedures;

(3) Gain a working knowledge of the practical application of regulations and procedures by the AA and repair stations under its authority; and

(4) Confirm differences that could result in special conditions.

b. Capability Assessment of AA. The FAA team will use the completed AA assessment job aid (see Appendix A of this order), and other documentation submitted by the AA to perform an in-country capability assessment. The purpose of the in-country capability assessment is to confirm the AA's responses to the assessment job aid. The visit should take place in the AA's headquarters, and may include visits to regional and field offices, as applicable. At the conclusion of the visit, the team leader will submit a capability assessment letter (see Appendix D of this order), to the AA point of contact identifying the results of the assessment and any issues that need to be resolved, under the team leader's signature.

c. The team leader will prepare a capability assessment memorandum, (see Appendix C of this order) based on assessment of the job aid completed by the team, and any other associated documentation provided by the AA. The memorandum will identify any areas of concern that need to be addressed by the AA. The memo will be submitted to AFS-300 for review and concurrence. Once AFS-300 has concurred with the assessment memo a copy will be forwarded to AFS-50 to be placed in the country file.

d. Regulatory Comparison.

(1) The FAA team will conduct a comparison in conjunction with AGC, between part 145 and applicable sections of part 43, as well as applicable procedures and guidance materials for the counterpart AA regulations. The team will complete three columns of the comparison matrix, indicating FAA requirements, AA requirements, and potential differences. The fourth column of the matrix is reserved for the Joint Repair Station Evaluation below (Appendix E includes a sample matrix). The matrix will note any differences between the regulations, and how they should be applied.

Note: The team leader may request AFS-50 to provide contractor services to develop the regulatory comparison.

(2) Simple differences in wording should not automatically be considered substantive differences in standards or regulations. If the intent of the respective regulations is equivalent and compliance with the local regulation would result in compliance with the corresponding section of 14 CFR, the comparison should state that no substantive differences exist. Differences from compliance with the procedures specified in part 145 should, however, be specifically noted. The team should consider, but not give excessive weight, to guidance material. AFS-300 will make the final determination of equivalency or differences between regulations. Differences could include the following:

(a) The use of approved replacement parts.

(b) The use of approved data for major repairs and major alterations.

(c) Contracting of certain functions to another repair facility.

(d) Certification of foreign manufacturers' maintenance facilities as repair stations.

(e) Compliance with the recordkeeping requirements of part 43, §§ 43.5, 43.9, and 43.11.

(f) Compliance with the required inspection function specified in part 145 § 145.205.

(g) Compliance with change of address requirements specified in part 145, § 145.51.

(h) Possession of equipment and materials appropriate to a repair station's rating.

(i) Differences between ratings issued by the FAA and the AA.

(j) Additional personnel qualifications.

(k) Incoming inspection system.

(l) English language capability requirements for certain personnel as specified in §§ 145.151, 145.153, 145.155, and 145.157.

(m) Reporting of serious defects or unairworthy conditions to the FAA per § 145.221.

(n) The use of FAA Form 337, Major Repair and Alteration (Airframe, Powerplant, Propeller, or Appliance), and the completion of FAA Form 8130-3, Authorized Release Certificate, Airworthiness Approval Tag, in English.

(o) Training requirements.

(p) Hazardous materials (hazmat) training requirements.

(q) Quality System requirements.

Note: After the regulatory comparison is completed, if the number of differences are greater than 15, AFS-300 will decide if continuing the MIP would be in the best interest of the FAA. Normally, the joint assessment will provide enough information to reduce or minimize the differences by observing the practical application of the rules as well as accepting each other's policy and procedures. The AA is entitled to refer the differences to their appropriate management to reach a decision to proceed or not. The intent of a MIP is to recognize as much of each other's system as possible. A large amount of differences defeats the purpose of the agreement. Administrative differences should not be considered as special conditions but may be addressed in other areas of the agreement such as procedural requirements.

e. Joint Assessment of Repair Stations.

Note: Countries or regional organizations that the FAA has had a long standing working relationship with may have limited joint assessment inspections. The MIP development team will make the decision to conduct joint assessment inspections based on historical working relationships with the organization and/or countries involved. For example, the FAA and the European Aviation Safety Agency (EASA) and its predecessor the Joint Aviation Authority (JAA) have had a long standing involvement in each other's quality systems. Joint repair station assessments were deemed not necessary.

(1) The focus of the joint assessment is not directed specifically at the repair stations, but rather observing and documenting the AA's surveillance process and procedures, noting the techniques and practices used in normal surveillance. The team will work with the AA to identify a representative assessment of repair stations. The assessments will include FAA, and non-FAA-certificated repair stations. The repair stations should vary in size, complexity, and ratings. The number of repair stations in the assessment group should be based on the number of FAA-certificated repair stations and the amount and type of aeronautical maintenance activity. If the AA uses a rolling surveillance system, each repair station in the assessment should be in a different phase of the surveillance system. The AA should involve the individual AA inspectors responsible for the surveillance of each identified repair station during the joint assessment. This will ensure a broad overview of the AA surveillance process, procedures, and standardization. AAs with many regions and/or repair stations spread over a large geographical area may require an extended visit or more than one visit.

(2) The FAA team should request the AA to contact the repair stations to establish an itinerary for the joint visits within a specified timeframe. The FAA team, along with the AA, will visit the agreed upon repair stations to observe AA oversight in various areas. The team will utilize the 4th column regulatory comparison chart in Appendix E. The team should complete the 4th column of the chart, thereby confirming or eliminating previously identified differences, or adding additional differences identified during the visit. The FAA team will complete the 4th column of the regulatory comparison matrix (see Appendix E of this order) to finalize the identification of differences.

Note: Countries or regional organizations that the FAA has had a long standing working relationship with may have limited joint assessment inspections. The MIP development team will make the decision to conduct joint assessment inspections based on historical working relationships with the organization and/or countries involved. For example, the FAA and the European Aviation Safety Agency (EASA) and its predecessor the Joint Aviation Authority (JAA) have had a long standing involvement in each other's quality systems. Joint repair station assessments were deemed not necessary.

f. Discussion.

(1) Following the joint assessments, the FAA team will hold discussions with the AA to resolve or confirm differences identified in paragraph 12c through 12e. The team should avoid applying personal interpretations to the evaluations.

Note: Resolution of differences between 14 CFR and the AA's regulations before the drafting of a MIP facilitates the adoption of the agreement and simplifies the drafting of any special conditions to the MIP.

(2) AA System Evaluation Report. The team analyzes the results of the capability assessment, the regulatory comparison and the joint assessment (including a list of assessed repair stations visited). Any issues identified in the Capability Assessment Memorandum (see Appendix C of this order), should be resolved by this point. Once the AA has demonstrated the requisite capability to conduct oversight on behalf of the FAA, the team will submit an AA System Evaluation report (see Appendix F of this order) to AFS-300 within 30 days, which includes the following:

(a) An indication of whether the AA has demonstrated the requisite capability to issue certification recommendations and conduct surveillance on behalf of the FAA.

(b) An analysis of the AA's regulatory system and highlight areas in AA regulations, standards, practices, and procedures that may result in special conditions.

(c) Identify areas of existing inspector guidance material that might need to be modified to accommodate a MIP with the AA.

(d) Identify basic surveillance procedures, documentation, and reporting requirements that would be required of the AA under a MIP.

Note: The team may take into consideration information and knowledge about the practices of an AA with which the FAA has a close, long-term working relationship.

(3) Once AFS-300 reviews and concurs with the report, a copy must be provided to AFS-50. AFS-50 will file the report in the appropriate country or organization file and retain the report in accordance with FAA policy.

(4) Once AFS-300 receives the final System Evaluation Report, the FAA team will proceed to Phase 3, the development of a MIP.

13. Phase 3—Development of a MIP.

> **Note:** In the absence of a BASA, the team should ensure that adequate progress toward the conclusion of a BASA is being made before initiating formal MIP discussions with the AA. AFS-50 should provide AFS-300 with a formal BASA progress report. AFS-1 will make any final decision to suspend or delay continued discussions on the MIP if the BASA progress has not met expectations.

a. Scope of a MIP.

(1) The FAA team and the AA will discuss the technical provisions that will form the basis for the development of the MIP. Using the template MIP (see Appendix G of this order), the team will discuss the following technical areas with the AA as described in the template MIP:

(a) Chapter 1—General;

(b) Chapter 2—Reciprocal Acceptance of Findings;

(c) Chapter 3—Special Conditions;

(d) Chapter 4—Mutual Cooperation and Technical Assistance; and

(e) Chapter 5—Transfer and Continuing Validation Provisions.

(2) In order to maintain a standard process, follow the template language to the greatest extent possible. All other chapters of the MIP contain standard-approved language and are not open for negotiation at the team level. However, any potential deviations should be noted, discussed with AFS-300 management, and coordinated as appropriate.

(3) If necessary, the FAA team and AA may discuss and recommend the addition of definitions that are not included in the MIP template to address terminology that is unique to the AA's system.

b. Preparation of Special Conditions. The team meets with AA representatives to discuss their individual comparisons of the regulations under which the repair stations operate. After joint evaluations and joint discussions of the comparisons, the FAA and AA should agree to any FAA or AA special conditions for inclusion in the MIP. The MIP should state any special conditions the repair facility must meet when performing work on an aeronautical product maintained under the airworthiness regulations of the AA of another country. The MIP should state that the AA is responsible for performing surveillance of the FAA special conditions. Special conditions may relate, but are not limited, to one or more of the following areas:

(1) Approval for return to service (RTS) procedures.

(2) Compliance statement regarding approved data.

(3) Defect reporting.

(4) Enforcement.

(5) Facility requirements.

(6) Inspection procedures and access.

(7) Investigation procedures.

(8) Language requirements.

(9) Manual requirements.

(10) Major/minor repairs/alteration and/or modifications documentation.

(11) Personnel requirements.

(a) Training program requirements.

(b) Training program approval.

(c) Qualification of management personnel.

(12) Procedures for contracting/subcontracting work.

(13) QC and monitoring.

(a) QCM.

(b) Internal Evaluation Program.

(14) Records to document the acceptability of parts.

(15) Records and recordkeeping.

(16) Repair facility certification.

(17) Repair facility requirements.

(18) Rating system.

(19) Capability list.

(20) SUP program.

c. Issues for Discussion with AA. The FAA team and AA representatives must address the procedures contained in the MIP and associated guidance material that the FAA and AA must follow to comply with the provisions of the MIP or any significant considerations that could

affect the implementation of the agreement. A number of significant considerations that must be resolved before implementing a MIP are discussed in the sections that follow:

(1) Implementation of the Agreement. The FAA and the AA will perform all duties necessary to ensure compliance with the provisions of the MIP. These actions will include the certification of repair facilities recommended to the FAA to perform work under the provisions of the agreement, a program for maintaining confidence in each other's system, surveillance of selected repair facilities, and the enforcement of the agreement's provisions.

(2) Publication of Guidance. AFS-300 will develop appropriate guidance material explaining the privileges and limitations placed upon repair facilities as set forth in each agreement as well as any special conditions that may apply to work performed under the agreement. AFS-300 will also issue guidance material to FAA personnel specifying how to comply with the terms of the MIP (e.g., Order 8900.1 and the current edition of AC 145-11, as applicable).

(3) Accident/Incident Investigation Assistance. Maintenance records for an aeronautical product that was repaired by a facility approved under a BASA and MIP could be an important factor in an accident/incident investigation. The FAA has determined that the MIP must include provisions for the expeditious transfer of information that may be relevant to an accident/incident between the FAA and an AA.

(4) Surveillance and Enforcement.

(a) The FAA must retain the ability to enforce U.S. regulations governing FAA-certificated repair facilities located in a country with which the United States has concluded a BASA and MIP. To retain this authority, all repair stations certificated as a result of evaluations conducted pursuant to a BASA and MIP will be issued certificates in accordance with the provisions of § 145.53 and will be required to comply with the term and conditions of the agreement when performing maintenance on U.S. aeronautical products. All MIPs will include procedures for the FAA to take enforcement action against an FAA-certificated foreign repair station that is evaluated by the AA. If the AA or the FAA determines that a repair station is not in compliance with the terms of the MIP, the FAA will retain the authority to suspend or revoke a repair facility's FAA certificate and/or take any enforcement actions that the FAA deems appropriate.

(b) All MIPs must include provisions for the FAA and the AA to surveil any repair facility that is certificated, approved, or accepted under the terms of a MIP. The MIP allows the FAA and the AA to use its own enforcement resources and to enlist each other's support to ensure compliance with all applicable regulatory requirements.

(5) FAA and AA Surveillance Reporting Requirements. The FAA and the AA should discuss and agree to the reporting requirements and forms to be used by each authority during the conduct of required surveillance. These documents should contain any special conditions identified by the FAA and/or the AA, as well as any other specific procedural requirements for initial certification and ongoing surveillance. The FAA and AA should agree to the frequency of the submission of these documents.

(6) Language Requirements. The language in which maintenance records are retained is an important element in any maintenance agreement. The FAA will specify those records that are required to be retained in English, to include those portions of the repair station's manual that are currently required by 14 CFR. The repair station's maintenance manuals do not need to be in English. The release and approval for RTS documents should meet the requirements of §§ 43.9 and 43.11 and describe the work performed in English; however, work cards are not required to be retained in English. A MIP and any special conditions should include provisions that require supervisory personnel to read, write, and understand English. Details of which records must be in English will be included in the MIP and special conditions. Normally, a MIP would have a generic statement that requires any record required by the owner/operator of a U.S.-registered aircraft to be in English.

(7) Training. The FAA and AA should discuss and agree to conduct training for the FAA and AA inspector workforce. Both parties should develop a plan including timeframes (training should be completed prior to the turnover process), curriculum, and MIP procedures. Initial training should occur prior to the commencement of the turnover process referred to in chapter 5 of the template MIP.

Note: In the event that the FAA and AA teams cannot agree to mutually acceptable terms and conditions, the FAA team will refer the issues to AFS-1.

14. Phase 4—Coordination Process. Once a satisfactory working draft has been developed by the FAA and the AA, the MIP must be coordinated with all responsible parties. The coordination process should start within 30 days from completion of the working draft.

a. Preliminary Coordination Meeting. AFS-300 will request AFS-50 to schedule a preliminary coordination meeting with AGC, the appropriate API desk officer, U.S. Department of State (DOS), and any other organizations as necessary to discuss the draft MIP. The team should highlight any deviations from the standard text for review by AGC and API. The AFS-300 team will disposition all comments from the review.

b. Resolution of any Issues with AA. The AA should conduct its own informal internal review of the draft MIP. Any issues affecting the document raised by either party should be noted and brought to the other party's attention. Any issues raised between the FAA and AA may require a meeting to resolve the issues.

c. Formal Coordination. When the FAA team and AA have agreed with the draft MIP, each party will forward the draft MIP through their individual coordination process. For the FAA, AFS-50 will send the final MIP for coordination. The clearance grid typically includes: AGC-270, AGC-200, API, AFS-50, AFS-300, relevant AFS field offices and AIR-40. API will send a copy of the MIP to the DOS.

d. U.S. DOS Concurrence. If the DOS concurs with the document, it will be presented to the AA for final approval. If approved by the AA, the FAA and AA representatives will sign the final document. These organizations will serve as the executive agencies for the implementation of the MIP under the BASA. In many cases the MIP must be translated into our bilateral

partner's native language before it can be signed. Both the English and the translated versions must be signed. API coordinates the translation with the DOS.

> **Note:** API-1 holds signature authority for international agreements. API may delegate this to other FAA officials, as necessary.

e. Turnover Process. Once the MIP has been signed, the FAA RO having geographic responsibility for the MIP, will schedule a meeting with the AA to discuss the implementation of the turnover process as described in Order 8900.1, or included as part of the agreement. It must be noted that the turnover process may not begin until the MIP is signed by both parties.

15. Directive Feedback Information. Direct questions or comments to AFS-300 at 202-385-6435. For your convenience, FAA Form 1320-19, Directive Feedback Information, is the last page of this order. Note any deficiencies found, clarifications needed, or suggested improvements regarding the contents of this order on FAA Form 1320-19.

for

John M. Allen
Director, Flight Standards Service

Appendix A. Assessment Job Aid—FAA Auditors Assessment Checklist of Aviation Authority Requesting a BASA/MIP

1.00—Aviation Authority Complexity General Information
Objective: To aid in the collection of information needed to assess an Aviation Authority's (AA) maintenance oversight of operations for consideration of Maintenance Implementation Procedures (MIP) under a Bilateral Aviation Safety Agreement (BASA). Information gathered will assist the FAA in determining the system, procedures, and regulatory basis for certification, inspection, enforcement, and continuing surveillance of approved maintenance organizations. It contains specific information proprietary to the FAA. Completed job aid responses should be analyzed to determine assessment resource needs.
Instructions: This job aid was developed for computer use and is printable as a Word document. When completing this job aid, tab to each field and fill in the information requested. If more space is needed, indicate in the comment field "attachments are provided." Attachments should reference the question number being addressed. If referencing an AA document while completing a question, please indicate if the document is available in the English language and provide the document number, and if possible attach the applicable section(s) of the document.
Country to be assessed:
Assessment checklist sent to AA for completion: **Received:**
Assessment planned date: **Assessment completed date:**
FAA to complete - What are the names and positions of the FAA officials on the Assessment team: (Select team leader and members)

Names	**Positions**
1.	1.
2.	2.
3.	3.
4.	4.
5.	5.
6.	6.
7.	7.

1.01 What are the names and positions of the AA officials with whom the assessment will be conducted?	
Names	**Positions**
1. 2. 3. 4. 5.	1. 2. 3. 4. 5.

1.02 Who are the specific persons to whom the FAA should direct all correspondence regarding findings / questions noted during the assessment?

Names	Title	Telephone #	Facsimile #
1. **2.** **3.**	**1.** **2.** **3.**	**1.** **2.** **3.**	**1.** **2.** **3.**

1.03 Who is the specific person (or persons) in the AA authorized to sign official correspondence to the FAA regarding the AA's compliance with national, international, and FAA aviation safety requirements?

Names	Title	Telephone #	Facsimile #
1. **2.** **3.**	**1.** **2.** **3.**	**1.** **2.** **3.**	**1.** **2.** **3.**

1.04 AA Headquarters office(s).
Provide complete address and location information.

Address	
Comments	Name and title of person in charge of the maintenance section:
FAA to complete—AA headquarters office(s) visited. Attach information for offices visited.	

1.05 Regional office(s).	
Provide complete address and location information for each Regional office. If more space is needed please attach.	
Address	
Comments	Name and title of person in charge of the maintenance section:
FAA—Regional office(s) visited. Attach information for offices visited.	
1.06 Field office(s). Provide complete address and location information for each Field office. If more space is needed, please attach.	
Address	
Comments	Name and title of person in charge of the maintenance section:
FAA—Field office(s) visited. Attach information for offices visited.	
Comments	
FAA—Is the country a member of the International Civil Aviation Organization (ICAO)? ☐ Yes. ☐ No. If no, explain why.	
FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:**
	Followup action: Date: **Initials:**
1.07 Has the country being assessed signed a Bilateral Airworthiness Agreement (BAA)/Bilateral Aviation Safety Agreement (BASA) with the United States? ☐ **Yes** ☐ **No** If yes, Auditor must identify the type of agreement in place, BAA or BASA, and area covered under the agreement, i.e., Implementation Procedures for Airworthiness (IPA), Maintenance Implementation Procedures (MIP), flight simulator (SIM), etc.	
Comments	

1.08 Is the country a member of a multi-national organization or coordinating group seeking to harmonize the national aviation regulations of its members?
☐ **Yes** ☐ **No If yes, with whom?**

1.09 If yes, to question 1.08, Is the multi-national organization or coordinating group undertaking efforts to harmonize its regulations or recommended practices with 14 CFR?
☐ **Yes** ☐ **No**
If yes, describe at what level of harmonization or completion the process is at.

Comments	

1.10 How many maintenance organizations hold valid maintenance certifications?

Comments	

1.11 How many new applicant certifications for Approved Maintenance Organizations (AMOs) are in process or planned?

Comments	

FAA—How many Air Agencies are FAA certified under part 145? _____ Provide total amount of employees working at each agency and the types of ratings held.
(List 5 largest FAA-certificated Air Agencies and check appropriate boxes.)

Operator Name	**Number of personnel**	**Rating Airframe**	**Rating Powerplant**	**Rating Avionic/ Area Control Centers (ACC)**
1.		**1.** ☐ **Yes**	**1.** ☐ **Yes**	**1.** ☐ **Yes**
2.		**2.** ☐ **Yes**	**2.** ☐ **Yes**	**2.** ☐ **Yes**
3.		**3.** ☐ **Yes**	**3.** ☐ **Yes**	**3.** ☐ **Yes**
4.		**4.** ☐ **Yes**	**4.** ☐ **Yes**	**4.** ☐ **Yes**
5.		**5.** ☐ **Yes**	**5.** ☐ **Yes**	**5.** ☐ **Yes**

FAA- Review FAA materials for background information on the AA and list / attach any findings. **Mast inspection reports ☐ Yes ☐ No** **International Field Office (IFO) inspection reports ☐ Yes ☐ No** **IFO Country Assessment Reports ☐ Yes ☐ No** **Accident/incident investigation reports ☐ Yes ☐ No** **Enforcement reports ☐ Yes ☐ No** Review of information should be limited to 2 years prior to this assessment	
Comments	
FAA Finding **☐ Satisfactory** **☐ Not satisfactory** **☐ Not implemented**	**Finding:** **Followup action: Date: Initials:**
1.00—Aviation Authority Complexity **Organizational Structure and Safety Oversight Functions**	
1.12 Provide a description of the organization and legal structure governing civil aviation, e.g., ministry/department, aviation authority (AA).	
Comments	
FAA Finding **☐ Satisfactory** **☐ Not satisfactory** **☐ Not implemented**	**Finding:** **Followup action: Date: Initials:**
1.13 Has a master organizational structure for the Aviation Authority been established? **☐ Yes If yes, describe AA policy. ☐ No If no, explain reasoning.** **(Attach Organizational Chart)**	
FAA Finding **☐ Satisfactory** **☐ Not satisfactory** **☐ Not implemented**	**Finding:** **Followup action: Date: Initials:**

1.14 Describe the mission and functions for which the AA is responsible. (Attach copy of functional statement outlining duties and responsibilities.)	
Comments	
FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**
1.15 Is the Maintenance inspection organization integrated by: **a) Maintenance only (stand alone):** ☐ **Yes** ☐ **No** **b) Operations and maintenance:** ☐ **Yes** ☐ **No** **c) Different specialties:** ☐ **Yes** ☐ **No** **d) Certification and maintenance:** ☐ **Yes** ☐ **No** (Describe the mission and function from the selection made above.)	
Comments	
FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**
1.16 If the maintenance inspection organization is not a combined one, what provisions are made for communicating with other departments responsible for safety regulations, i.e., the communications between operations, engineering, certification, maintenance? (Describe how the system works.)	
Comments	
1.17 Describe the responsibilities of the maintenance inspection organization regarding: **a) Recommendations regarding issuance of AMO certificates.** **b) Development of regulations for maintenance and AMOs.** **c) Recommendations regarding enforcement.** **d) Surveillance of AMOs.** (If more space is needed provide attachments and documents.)	
Comments	
FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**

1.18 Does the AA delegate any of its maintenance oversight responsibilities to other organizations or personnel that are not directly affiliated with the AA such as: **a) Other State bodies: ☐ Yes ☐ No** **b) Private agencies: ☐ Yes ☐ No** **c) Designated persons to include inspectors, auditors, surveyors: ☐ Yes ☐ No** **d) Other countries: ☐ Yes ☐ No** **e) Other: ☐ Yes ☐ No** (Where applicable, provide reference documents by number and attachments.)	
Comments	
FAA Finding **☐ Satisfactory** **☐ Not satisfactory** **☐ Not implemented**	**Finding:** **Followup action: Date:** **Initials:**
1.19 If yes to any selection in question 1.18, what is the relationship with the AA?	
Comments	
FAA Finding **☐ Satisfactory** **☐ Not satisfactory** **☐ Not implemented**	**Finding:** **Followup action: Date:** **Initials:**
1.20 If yes to any selection in question 1.18, what mechanism is in place to keep these delegated organizations/persons under supervisory and technical control?	
Comments	
FAA Finding **☐ Satisfactory** **☐ Not satisfactory** **☐ Not implemented**	**Finding:** **Followup action: Date:** **Initials:**

1.21 If yes to any selection in question 1.18, what are the requirements and procedures for designation?	
Comments	
FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**
1.22 Are regional office(s) responsible for maintenance safety oversight? ☐ **Yes** If yes, describe AA policy. ☐ **No** If no, explain reasoning.	
Comments	
1.23 If yes to question 1.22, what is the extent of their responsibility and has the AA established a system for coordination and/or control of the regional offices? (Please describe the policy)	
Comments	
FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**
1.24 Is the AA independent from entities subject to its regulatory oversight? ☐ **Yes** If yes, verify separation of AA from industry. ☐ **No** If no, explain reasoning.	
Comments	
FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**

1.00—Aviation Authority Complexity Staffing and Resources	
1.25 Provide over-all staffing resources in the following areas: **Staffing at Headquarters:** **• Maintenance section: Directors, managers, supervisors:** **• Technical staff: Development of policy, procedures, regulations:** **• Training staff:** **Staffing at Regional Offices:** **• Maintenance section: Directors, managers, supervisors: _____** **• Technical staff: Application of policy, procedures, regulations: _____** **• Training staff:** **Staffing at Field Offices: _____** **• Management/supervisor: _____** **• Inspectors/surveyors: _____**	
FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**
1.26 Are sufficient inspection personnel available for maintaining oversight responsibility of certificated maintenance organizations? ☐ **Yes** If yes, describe AA policy. ☐ **No** If no, explain reasoning.	
Comments	
FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**
1.27 Describe methods/policy in place on how the AA determines appropriate inspection personnel levels and allocation.	
Comments	
FAA Finding	**Finding:**

☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Followup action: Date:** **Initials:**

1.28 Describe the AA's average attrition rate for inspection personnel. For example, retirements, transfers, etc.

Comments	

FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**

1.29 Are AA inspectors responsible for oversight of manufacturing facilities?
☐ **Yes** If yes, how many manufacturing facilities are located in your country?
☐ **No**

Comments	

FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**

2.00—Primary Aviation Legislation and Regulation Content and Amendment Procedure

2.00 Describe the primary aviation legislation rules of maintenance for AMOs.

Comments	

FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**

2.01 At what level was the primary aviation legislation established? **a) Head of State ☐ b) Prime Minister ☐ c) Parliament ☐** **d) Council of Ministers ☐ e) Minister ☐ f) Other (specify) ☐** **Describe the policy used to establish the legislation.**	
Comments	
FAA Finding **☐ Satisfactory** **☐ Not satisfactory** **☐ Not implemented**	**Finding:** **Followup action: Date:** **Initials:**
2.02 Describe AA procedures for the amendment of its primary aviation legislation.	
Comments	
FAA Finding **☐ Satisfactory** **☐ Not satisfactory** **☐ Not implemented**	**Finding:** **Followup action: Date:** **Initials:**
2.03 Describe how the AA issues AMO certificates and limitations for: AMO Certificates, operations specifications/scope of work.	
Comments	
FAA Finding **☐ Satisfactory** **☐ Not satisfactory** **☐ Not implemented**	**Finding:** **Followup action: Date:** **Initials:**
2.04 Describe the primary aviation legislation and/or specific maintenance regulations authorizing the AA to develop specific orders, directives, and instructions (guidance materials).	
Comments	
FAA Finding **☐ Satisfactory** **☐ Not satisfactory** **☐ Not implemented**	**Finding:** **Followup action: Date:** **Initials:**

2.05 Describe the legal status (mandatory vs. advisory) of such orders, directives and/or instructions.	
Comments	
FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**
2.06 Are the maintenance regulations, orders, directives, and amendments readily available to all users? ☐ **Yes** If yes, describe AA policy. ☐ **No** If no, explain reasoning. (Describe how the AA provides this information to Regional and Field offices.)	
Comments	
FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**
2.07 If part of a multinational organization, are there differences between the national regulations and the multinational regulation. ☐ **Yes** ☐ **No** If yes, explain how the AA complies with the regulation set forth by the multinational organization.	
Comments	
FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**

2.00—Primary Aviation Legislation and Regulation Enforcement of Civil Aviation Regulations—General/Maintenance	
2.08 Who is responsible for the enforcement of the maintenance regulations? Describe the policy in place used by the AA.	
Comments	
FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**
2.09 Describe how enforcement is implemented.	
Comments	
FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**
2.10 Provide an overview of enforcement action(s) taken on maintenance organizations in the last twelve months (e.g., certificates, ratings, noncompliance, etc.).	
Comments	
FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**

2.11 Does the AA have adequate resources to enforce its regulations? ☐ Yes If yes, describe AA policy. ☐ No If no, explain reasoning.	
Comments	
FAA Finding ☐ Satisfactory ☐ Not satisfactory ☐ Not implemented	**Finding:** **Followup action: Date: Initials:**
2.12 Describe AA regulations for providing unrestricted access to inspect AMOs.	
Comments	
FAA Finding ☐ Satisfactory ☐ Not satisfactory ☐ Not implemented	**Finding:** **Followup action: Date: Initials:**
2.13 Describe the AA policy on who has the authority to refuse, withdraw, revoke, or vary any maintenance operations of AMOs.	
Comments	
FAA Finding ☐ Satisfactory ☐ Not satisfactory ☐ Not implemented	**Finding:** **Followup action: Date: Initials:**
2.00—Primary Aviation Legislation and Regulation Aircraft Maintenance Organizations (AMO)—Approval	
2.14 Describe AA policy requirements for approval of maintenance organizations.	
Comments	
FAA Finding ☐ Satisfactory ☐ Not satisfactory ☐ Not implemented	**Finding:** **Followup action: Date: Initials:**

2.15 Do regulations require that a maintenance organization procedures manual be submitted to the AA? ☐ **Yes** If yes, describe AA policy. ☐ **No** If no, explain reasoning.	
Comments	
FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**
2.16 Does the AA review the maintenance procedures manual to ensure that it provides users with the necessary policy guidance and instructions in a clear and concise manner? ☐ **Yes** If yes, describe AA policy. ☐ **No** If no, explain reasoning.	
Comments	
FAA Finding ☐**Satisfactory** ☐**Not satisfactory** ☐**Not implemented**	**Finding:** **Followup action: Date:** **Initials:**
2.17 Describe whether the maintenance procedures manual is approved or accepted by the AA as part of the AMO approval process.	
Comments	
FAA Finding ☐ **Satisfactory** ☐**Not satisfactory** ☐**Not implemented**	**Finding:** **Followup action: Date:** **Initials:**
2.18 Do procedures require the AA to review and accept revisions to the maintenance organization procedures manual? ☐ **Yes** If yes, describe AA policy. ☐ **No** If no, explain reasoning**.**	
Comments	
FAA Finding ☐**Satisfactory** ☐**Not satisfactory** ☐**Not**	**Finding:** **Followup action: Date:** **Initials:**

implemented	

2.19 Do AA regulations define what must be included in the maintenance organization procedures manual?
☐ **Yes If yes, describe AA policy.** ☐ **No If no, explain reasoning.**

Comments	

FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**

2.20 Do AA regulations require a system for qualifying and or certification of AMO personnel?
☐ **Yes** If yes, describe AA policy. ☐ **No** If no, explain reasoning.

Comments	

FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**

2.00—Primary Aviation Legislation and Regulation
Exchange of Continuing Airworthiness Information

2.21 Has the AA established a mandatory system whereby information on faults, malfunctions, and defects is reported to the organization responsible for the design of the aircraft or article?
☐ **Yes** If yes, describe AA policy. ☐ **No** If no, explain reasoning.

Comments	

FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**

2.22 Are regulations established requiring AMOs to report faults, malfunctions, and defects to the AA? ☐ **Yes** If yes, describe AA policy. ☐ **No** If no, explain reasoning.	
Comments	
FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**
2.23 Does the AA have a system for alerting owners and operators of items that are of critical importance to aviation safety (e.g., Airworthiness Directives (AD))? ☐ **Yes** If yes, describe AA policy. ☐ **No** If no, explain reasoning.	
Comments	
FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**
3.00—Technical Guidance **Maintenance Division—Maintenance Inspection**	
3.00 Is the AA prepared to implement surveillance procedures and make recommendations to the FAA? ☐ **Yes** ☐ **No** **Specific examples:** **a) certification of AMOs:** ☐ **Yes** ☐ **No** **b) FAA Special Conditions from MIP:** ☐ **Yes** ☐ **No** **c) Approval of FAA AMO manual supplements on behalf of the FAA:** ☐ **Yes** ☐ **No** **d) AMO maintenance procedures manual revisions on behalf of the FAA:** ☐ **Yes** ☐ **No** **Explain AA plan.**	
Comments	
FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**

3.00—Technical Guidance Maintenance Division—Maintenance documentation	
3.01 Is there an airworthiness technical library available for maintenance personnel? ☐ **Yes** If yes, describe AA policy. ☐ **No** If no, explain reasoning.	
Comments	
FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**
3.02 Does the AA retain up-to-date copies of the AMO maintenance organization procedures manual? ☐ **Yes** If yes, describe AA policy. ☐ **No** If no, explain reasoning.	
Comments	
FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**
FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**
3.03 Are there requirements for the maintenance organization procedures manual to contain an inspection system and/or quality control procedures? ☐ **Yes** If yes, describe AA policy. ☐ **No** If no, explain reasoning.	
Comments	
FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**

4.00—Qualified Technical Personnel Personnel/Training	
4.00 Describe how AA personnel are trained and qualified in the implementation of inspection and surveillance policies.	
Comments	
FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**
4.01 Does the AA operate a training center to satisfy its need for trained and qualified personnel? ☐ **Yes** If yes, describe AA policy. ☐ **No** If no, explain reasoning.	
Comments	
FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**
4.02 Does the AA have a policy on qualifications, experience, and minimum standard requirements for inspection personnel? ☐ **Yes** If yes, describe AA policy. ☐ **No** If no, explain reasoning.	
Comments	
FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**
4.03 Are inspection personnel provided with initial training and recurrent training? ☐ **Yes** If yes, describe AA policy. ☐ **No** If no, explain reasoning.	
Comments	
FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory**	**Finding:** **Followup action: Date:** **Initials:**

☐ **Not implemented**	

5.00—Aircraft Maintenance Organizations (AMO)—Surveillance

5.00 Does the AA maintenance inspection organization carry out inspections of the maintenance organizations on an ongoing basis?
☐ Yes If yes, describe AA policy. ☐ No If no, explain reasoning.

Comments	
FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**

5.01 Does the AA certificate and inspect facilities that are outside its domestic jurisdiction?

Comments	
FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**

5.02 Is a formal schedule established for conducting inspections?
☐ **Yes** If yes, describe AA policy. ☐ **No** If no, explain reasoning.

Comments	
FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**

5.03 Is there official guidance material for certification and surveillance of maintenance organizations?
☐ **Yes** If yes, describe AA policy. ☐ **No** If no, explain reasoning.

Comments	
FAA Finding	**Finding:**

☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Followup action: Date:** **Initials:**

5.04 What forms or checklists, if any, are used during surveillance/inspections of AMOs?

Comments	
FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**

5.05 Does the AA require that repair organizations inspection systems ensure all maintenance, preventive maintenance, repairs, and alterations are performed in accordance with approved or acceptable manuals/data?
☐ **Yes** If yes, describe AA policy. ☐ **No** If no, explain reasoning.

Comments	
FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**

5.06 Does the AA require maintenance records to be retained for the work performed?
☐ **Yes** If yes, describe AA policy. ☐ **No** If no, explain reasoning.

Comments	
FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**

5.07 Do AA regulations have requirements for determining acceptability of parts? (i.e., suspected unapproved parts program) ☐ **Yes** If yes, describe AA policy. ☐ **No** If no, explain reasoning.	
Comments	
FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**
5.08 Does the AA have an internal evaluation program/quality control system for internal evaluation of its systems? ☐ **Yes** If yes, describe AA policy. ☐ **No** If no, explain reasoning.	
Comments	
FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**
5.09 Do AA field office procedures require retaining current and past inspection surveillance documents and vital information on the AMO? ☐ **Yes** If yes, describe AA policy. ☐ **No** If no, explain reasoning.	
Comments	
FAA Finding ☐ **Satisfactory** ☐ **Not satisfactory** ☐ **Not implemented**	**Finding:** **Followup action: Date:** **Initials:**

Appendix B. Sample Decision Memorandum

Federal Aviation Administration

Memorandum

Date: [Type date here]

To: AFS-1, THRU: AFS-300, AFS-50

From: Team Lead

Prepared by: [Type who prepared memo here]

Subject: ACTION: Decision to Pursue MIP with [AA]

The FAA is considering the pursuit of Maintenance Implementation Procedures (MIP) with the [AA] of [country]. AFS-50 has reviewed [AA]'s International Aviation Safety Assessment (IASA) standing and has coordinated the proposal with API. A team of AFS experts has reviewed the [AA]'s completed assessment checklist and maintenance regulations, and has determined that there is a sufficient basis for pursuing a MIP with [AA]. The team has prepared an action plan detailing the process for developing and concluding a MIP with [AA]. The following highlights from the action plan address major milestones and resource requirements. Please indicate your concurrence/non-concurrence with the proposal to pursue a MIP with [AA].

FAA Capability Assessment of [AA] System. A team consisting of [number] representatives from AFS-300, AFS-50, [name] International Field Office, and [name] Region will conduct an in-country assessment of the [AA] between [date] and [date]. The team will visit [AA] headquarters and [number] regional offices in [country] and, using the checklist as completed by [AA], assess the ability of [AA] to conduct repair station surveillance on behalf of the FAA. The team estimates the cost of the in-country assessment to be $[xxxxx].

Regulatory Comparison. AFS-300, in conjunction with the team, will review all [AA] regulations, procedures, and guidance pertaining to the certification of repair stations. Contract support for this activity will be necessary and is estimated to cost $[xxxx]. The comparison is estimated to be completed by [date].

Joint Sampling of Repair Stations. Upon completion of the regulatory comparison, the team will meet with the [AA] in [country] to review the comparison table and address items that were identified as potential differences. In addition, the FAA, together with the [AA], will visit [number] repair stations throughout [country] in order to observe the practical application of [AA]'s regulations by the industry, and to verify the comparison table. At the conclusion of the

visits, the FAA and the [AA] will discuss the FAA observations and resolve any remaining questions. The cost of the Joint Sampling is estimated to be $[xxxx].

Development of MIP. The team will develop a proposed draft MIP with [AA] based on the MIP template and conclusions from the regulatory comparison and joint samplings. The team estimates that it will be necessary to hold [number] discussion sessions with [AA] at an estimated cost of $[xxxx]. In addition to addressing the content of the MIP, periodic discussions provide the FAA with an opportunity to ensure that conditions, regulations, and processes at the [AA] have not changed during the development of the MIP. In addition, the FAA and [AA] will discuss the eventual implementation of the MIP, including necessary forms, guidance, training, regular meetings, etc. The team estimates these discussions can be concluded by [date].

Please indicate below whether you concur with the total resource commitment of $[xxxx] that this project will require.

Concur_____ Nonconcur_____
File:

Appendix C. Sample Capability Assessment Memorandum

Federal Aviation Administration

Memorandum

Date: [Type date in here}

To: Manager, Aircraft Maintenance Division AFS-300

From: Team Lead, FAA Maintenance Assessment Team

Prepared by: [Type who prepared memo here]

Subject: INFORMATION: [Name of Country] [AA] Assessment Report

EXECUTIVE SUMMARY.

The FAA has conducted a Capability Assessment of the [AA] of the [name of country] and observed that it is a competent authority with a skilled and well-trained inspector workforce and adequate resources.

BACKGROUND.

From [date to date], the FAA conducted an assessment of the [AA] to determine their ability to perform surveillance and certificate management responsibilities of Title 14 of the Code of Federal Regulations (14 CFR) part 145 repair stations based in [name of country] on behalf of the FAA.

The FAA team consisted of [names of FAA team].

The team conducted an in-briefing with the following [AA] officials:

[Names of AA officials]

On [date] the FAA team conducted an out-briefing with the same [AA] officials.

The FAA team conducted an in-depth assessment of [AA] competencies in the following areas:

Aviation Authority Complexity.

The FAA team conducted a thorough review of the internal and external organizational structure, staffing, and resources of the [AA].

[Insert description of AA]

The FAA found this organizational structure to be independent and empowered, with adequate internal controls. In addition, the [AA] was found to have adequate resources and personnel to conduct oversight of repair stations.

Primary Aviation Legislation and Regulation.

[Insert description of legislative and regulatory structure of AA].

Overall, the FAA was satisfied with the [AA]'s legislative and regulatory structure.

The FAA also conducted a review of the [AA] regulations and procedures for approval, surveillance, and enforcement of aircraft maintenance organizations (AMO). The FAA evaluated information on the [AA] overall policy of certificating an AMO, maintenance procedures manual policies, and approval/acceptance requirements of manuals required, and AMO personnel qualifications. In addition, the FAA reviewed enforcement policies, procedures, and recent actions. Finally, the FAA reviewed the [AA] procedures for the exchange of airworthiness information, including incident reporting and mechanisms for alerting operators of critical safety information. The FAA found the [AA]'s policies and procedures to be adequate.

Technical Guidance.

This section required the [AA] to clarify their position on the ability to implement surveillance procedures and make recommendations to the FAA regarding certification of AMOs, MIP special conditions, and approval of FAA supplements and revisions. The [AA] indicated some reluctance regarding the burden this could create, depending on what terms are negotiated under an eventual MIP. This did not bring into question the *ability* of the [AA] to oversee U.S. repair stations, but it did foretell an area of negotiations that will require special attention.

Additionally, the [AA] demonstrated their policy and procedures for the retention of documents, the use of a technical library, revision capabilities for regulatory materials, and the requirements for inspection procedures manuals to contain an inspection system/quality control (QC) procedures. [AA] retention of documents (both electronically and in hard copy) was adequate, as well as their database of certifications and regulations. They were also able to demonstrate adequate policy and procedures for the Repair Station Manual (RSM) and the quality program/section (RSM/QPM) requirements.

Personnel Qualifications and Training.

The FAA found the [AA] personnel requirements and training procedures to be adequate to maintain a highly capable management structure and cadre of surveyors. In addition to high initial educational and training requirements, surveyors have on-the-job training and are required

to participate in surveillance activities of other teams for purposes of cross-training. The FAA will need to ensure that the [AA] maintains adequate personnel levels to oversee part 145 repair stations.

Maintenance Surveillance of AMOs.

This section required the [AA] to demonstrate adequate policy and procedures for the surveillance of AMOs. Specifically, questions were asked in the following areas: scheduling of inspections, audit procedures, reporting and retention requirements, frequency of inspections, and other associated questions pertaining to the surveillance of AMOs. Because of the AA audit system, many larger repair stations had surveyors on the premises many times per year. In addition, surveyors are rotated among approval holders every 2-3 years. No findings or concerns were noted in this area.

CONCLUSION.

The FAA team found no technical areas of concern that would prevent the [AA] from surveilling and certificating part 145 repair stations on behalf of the FAA, once the FAA has determined that the AA rules and procedures will not alter that assessment. Following the completion of a comparison of the applicable Federal aviation regulations and the AA regulations, the FAA will make a final determination as to whether a further review of the [AA] would be necessary.

Appendix D. Sample Capability Assessment Letter to AA

[Name]

[Title]

[Name of AA]

[Street Address]

[Street Address 2][City][Country]

Dear [Name]:

Thank you for accommodating the visit of the FAA maintenance assessment team from [Date to Date]. The information and access you provided was very helpful toward establishing an understanding of the [AA] of [name of country] system, processes, and procedures for repair station certification.

[Additional questions/issues that need resolution]

The FAA will now conduct a comprehensive comparison of [AA] and FAA regulations, procedures, and guidance for repair station certification and surveillance to determine those areas where FAA and [AA] rules and procedures may differ. After the comparison, the FAA and [AA] will discuss the comparison and visit several repair stations in [name of country] in order to observe the practical application of [AA]'s regulations. Following this system evaluation, the FAA will propose a draft MIP and suggest timeframes for further discussions.

We look forward to the completion of this process. In the meantime, we should remain in contact and exchange any information that is relevant to maintaining an understanding of each other's repair station oversight system.

Sincerely,

Team Lead

Appendix E. Sample Regulatory Comparison Matrix

SAMPLE REGULATORY COMPARISON FOR THE PURPOSES OF DETERMINING FAA SPECIAL CONDITIONS TO BE MET BY REPAIR STATIONS UNDER A BASA/MIP

AA's Part 145	14 CFR Parts 43 and 145	Comparison Indicators	Joint Sampling
145.A.10, Scope This section establishes the requirements to be met by an organization to qualify for the issuance or continuation of an approval for the maintenance of aircraft and components.	*§ 145.1, Applicability* This part describes how to obtain a repair station certificate. This part also contains the rules a certificated repair station must follow related to its performance of maintenance, preventive maintenance, or alterations of an aircraft, airframe, aircraft engine, propeller, appliance, or component part to which part 43 applies. It also applies to any person who holds, or is required to hold, a repair station certificate issued under this part.	There is not a difference. Intent of the regulations is the same. Aviation Authority's (AA) part 145 uses the term "scope" in the same manner as the § 145.1, Applicability.	
Implementing Regulation, Article 2, Definitions In par.2(c), "component" means any engine, propeller, part, or appliance	*§ 145.3 (b), Article* An aircraft, airframe, aircraft engine, propeller, appliance, or component part.	There is not a difference. Intent of the regulations is the same. FAA and AA use "component" differently; and AA does not use the term "article." FAA "article" = AA "component" + aircraft + airframe. Appears to be no effect since each side, when using its own terms to define a class of applicability of a	

AA's Part 145	14 CFR Parts 43 and 145	Comparison Indicators	Joint Sampling
145.A.20, Terms of approval The organization shall specify the scope of work deemed to constitute approval in its exposition (Appendix annex II to this Part Annex contains a table of all classes and ratings).	*§ 43.1, Applicability* This part prescribes rules governing the maintenance, preventative maintenance, rebuilding, and alteration of any aircraft having a U.S. airworthiness certificate, Foreign registered civil aircraft used in common carriage or carriage of mail under the provisions of part 121 or 135 of this chapter…, etc. § 145.5, Certificate and operations specifications requirements (a) No person may operate as a certificated repair station without, or in violation of, a repair station certificate, ratings, or operations specifications issued under this part.	requirement, uses them consistently with the other's definition of a class and the applicable ratings. Regulations are the same. Applies to aircraft having an airworthiness certificate issued by the country of registration and may be operated by another operator in a different country but must meet the country of registration's requirements.	145.A.20, Terms of approval The organization shall specify the scope of work deemed to constitute approval in its exposition (Appendix annex II to this Part Annex contains a table of all classes and ratings).

AA's Part 45	14 CFR Parts 43 and 145	Comparison Indicators	Joint Sampling
145.A.15, Application An application for the issue or variation of an approval shall be made to the competent authority in a form and manner established by such authority.	*§ 145.51, Application for certificate* (a) An application for a repair station certificate and rating must be made in a format acceptable to the FAA…, etc. (d) An application for an additional rating, amended repair station certificate, or renewal of a repair station certificate must be made in a format acceptable to the FAA. The application must include only that information necessary to substantiate the change or renewal of the certificate. § 145.53, Issue of certificate (a) Except as provided in paragraph (b) of this section, a person who meets the requirements of this part is entitled to a repair station certificate with appropriate ratings prescribing such operations specifications and limitations as are necessary in the interest of safety.	No major differences here. The 14 CFR is slightly more prescriptive.	

AA's Part 45	14 CFR Parts 43 and 145	Comparison Indicators	Joint Sampling
145.A.85, Changes to the organization The organization shall notify the competent authority of any proposal to carry out any of the following changes before such changes take place to enable the competent authority to determine continued compliance with this part, and to amend, if necessary, the approval certificate…. 1. the name of the organization; 2. the main location of the organization * * * (b) If the holder of a repair station certificate sells or transfers its assets, the new owner must apply for an amended certificate in accordance with § 145.51.	*§ 145.57, Amendment to or transfer of certificate* (a) The holder of a repair station certificate must apply for a change to its certificate in a format acceptable to the FAA. A change to the certificate is necessary if the certificate holder— (1) Changes the location of the repair station, or (2) Requests to add or amend a rating.	Regulations are the same, with the following exception: Neither the AA nor the guidance material specifically address this situation. Need discussion.	

AA's Part 45	14 CFR Parts 43 and 145	Comparison Indicators	Joint Sampling
145.A.90, Continued validity (a) An approval shall be issued for an unlimited duration. It shall remain valid subject to: * * * 2. the competent authority being granted access to the organization to determine continued compliance with this part…,etc.	*§ 145.223, FAA inspections* (a) A certificated repair station must allow the FAA to inspect that repair station at any time to determine compliance with this chapter. (b) A certificated repair station may not contract for the performance of a maintenance function on an article with a noncertificated person unless it provides in its contract with the noncertificated person that the FAA may make an inspection and observe the performance of the noncertificated person's work on the article. (c) A certificated repair station may not return to service any article on which a maintenance function was performed by a noncertificated person if the noncertificated person does not permit the FAA to make the inspection described in paragraph (b) of this section.	§ 145.223(a) provision for entering "at any time" is more specifically forceful than 145.A.90. Would not impede FAA access. Intent of the regulations are the same.	

AA's Part 45	14 CFR Parts 43 and 145	Comparison Indicators	Joint Sampling
145.A.45, Maintenance data (a) The organization shall hold and use applicable current maintenance data in the performance of maintenance, including modifications and repairs. "Applicable" means relevant to any aircraft, component or process specified in the organization's approval class rating schedule and in any associated capability list. In the case of maintenance data provided by an operator or customer, the organization shall hold such data when the work is in progress, with the exception of the need to comply with 145.A.55(c). (b) For the purposes of this Part, applicable maintenance data shall be any of the following: 1. Any applicable requirement, procedure, operational directive or information issued by the authority responsible for the oversight of the aircraft or component; 2. Any applicable airworthiness directive issued by the authority responsible for the oversight of the aircraft or component;	*§ 145.109, Equipment, materials, and data requirements* (d) A certificated repair station must maintain, in a format acceptable to the FAA, the documents and data required for the performance of maintenance, preventive maintenance, or alterations under its repair station certificate and operations specifications in accordance with part 43. The following documents and data must be current and accessible when the relevant work is being done: (1) Airworthiness directives, (2) Instructions for continued airworthiness, (3) Maintenance manuals, (4) Overhaul manuals, (5) Standard practice manuals, (6) Service bulletins, and (7) Other applicable data acceptable to or approved by the FAA.	The 14 CFR only requires data to be current and accessible when the work is being done. It also does not require a specific procedure for keeping data current as AA's § 145.45(h). Major difference: AA's part 145 requires AA-approved or acceptable data for AA-registered aircraft or components. FAA difference: FAA-approved or acceptable data for U.S.-registered aircraft or article to be installed on U.S.-registered aircraft.	

AA's Part 45	14 CFR Parts 43 and 145	Comparison Indicators	Joint Sampling
3. Instructions for continuing airworthiness, issued by type certificate holders, supplementary type certificate holders, any other organization required to publish such data by part 21, and in the case of aircraft or components from third countries, the airworthiness data mandated by the authority responsible for the oversight of the aircraft or component; 4. Any applicable standard, such as but not limited to, maintenance standard practices recognized by the agency as a good standard for maintenance; 5. Any applicable data issued in accordance with paragraph (d).			

Appendix F. Sample AA System Evaluation Report

Federal Aviation Administration

Memorandum

Date: [DATE]

To: Manager, Aircraft Maintenance Division AFS-300

From: Team Lead, [COUNTRY] Maintenance Assessment Team

Prepared by: [Team Lead]

Subject: FAA Maintenance Implementation Procedures (MIP) Development Team System Evaluation Report of the [COUNTRY] Aviation Authority (Joint Sampling of Repair Stations)

EXECUTIVE SUMMARY

During the week of [DATE], the Federal Aviation Administration (FAA) Maintenance Implementation Procedures (MIP) development team conducted a joint system evaluation with [NAME OF COUNTRY'S AVIATION AUTHORITY (AA)]. The purpose of the joint evaluation is designed to confirm what FAA special conditions would be applied to the MIP document. The FAA team identified the differences between Title 14 of the Code of Federal Regulations (14 CFR) parts 43 and 145. The FAA confirmed the difference between 14 CFR and [COUNTRY] Civil Aviation Regulations (CAR) as directly applied by [COUNTRY AA] inspection staff. The FAA team found that development of a MIP with [COUNTRY AA] should continue to Phase 3 in accordance with FAA Order 8000.85. Phase 3 is development of the actual written agreement. The FAA team and the [COUNTRY AA] have agreed to put a strong effort into having a draft agreement ready for management review by [DATE, QUARTER, and FISCAL YEAR (FY)].

BACKGROUND

After completing the regulatory comparison and identifying the potential special conditions in accordance with FAA Order 8000.85 Phase 2, the FAA and [COUNTRY] team leader scheduled the next section of Phase 2 in the MIP development process. Phase 2 consists of [COUNTRY AA] system evaluation. This process required the FAA team to sample

FAA-certificated repair stations as well as non-FAA-certificated maintenance organizations located in [COUNTRY].

The focus of the joint sampling is not on the repair stations, but rather it is directed at observing and documenting the [COUNTRY AA] surveillance process and procedures, as well as noting the techniques and practices in normal surveillance. The team worked with the [COUNTRY AA] to identify a representative sampling of repair stations. [COUNTRY] currently has [Number] FAA-certificated repair stations. The sampling included FAA-certificated and non-FAA-certificated repair stations. The FAA and [COUNTRY AA] agreed to sample [NUMBER] facilities that varied in ratings and size. [Number] facilities were selected because of the number of FAA-certificated repair stations located within [COUNTRY]. The [COUNTRY AA] uses a rolling type surveillance system. Each repair station in the sampling was in a different phase of the AA's surveillance system. The repair stations selected were in different cities:

(1) Name, address. FAA Certificate Number as applicable and number of employees.

(2) Name, address. FAA Certificate Number as applicable and number of employees.

The [COUNTRY AA] facilitated the assessment by contacting the repair stations to establish an itinerary for the joint visits within a specified timeframe. The FAA team, along with the [COUNTRY AA], observed [COUNTRY AA] inspectors perform oversight in various areas, which allowed the team to confirm previously identified differences. In some areas the team was able to identify areas where differences may be reduced due to internal AA guidance. The FAA team completed the fourth column of the comparison work sheet identified in FAA Order 8000.85, Appendix E, and identified proposed differences.

The FAA team consisted of:

- (List FAA team members)

The team conducted an in-briefing with the following [COUNTRY AA] officials:

- (List AA officials)

On [DATE], the FAA team conducted an out-briefing with the same [COUNTRY AA] officials. [COUNTRY AA] management agreed to expedite the development of the agreement and make every effort to have a draft agreement ready for management review by [DATE, QUARTER, and FY].

The FAA team conducted an evaluation of [COUNTRY AA] competencies in the following areas:

(1) The [COUNTRY AA] inspection staff competency: The FAA team conducted a thorough review of the internal and external organizational structure, staffing, and resources of the [COUNTRY AA]. The [COUNTRY AA] was found to have adequate resources and personnel to conduct oversight of repair stations, provide the FAA with certification recommendations, and conduct surveillance on behalf of the FAA.

(2) Analysis of [COUNTRY AA] regulatory system: FAA legal council, along with the FAA team, completed a regulatory comparison identifying the differences between 14 CFR parts 43 and 145 and [COUNTRY AA] part 145. The joint evaluation confirmed the practical application of [COUNTRY AA] part 145, thereby confirming the differences. (See attached four column work sheet used during the joint assessment.)

(3) Identifying technical guidance changes:

(a) The FAA team recommends the FAA develop an advisory circular (AC). This will aid industry and the [COUNTRY AA] in applying a new agreement. The FAA should also revise or develop internal FAA inspector guidance to accommodate a new agreement.

(b) The [COUNTRY AA] will need to revise internal guidance, as well as provide the FAA with guidance, to meet their requirements in the United States.

(4) The FAA team will develop the reporting and documentation requirements to be included in the agreement. The FAA team expects that similar reporting and documentation requirements identified in the AA agreement can be used by re-identifying the documents in the [COUNTRY] agreements.

Short description of FAA special conditions:

(1) Show a need for FAA certification.

(2) FAA-approved data major repairs and major alterations.

(3) Compliance with air carriers Continuous Airworthiness Maintenance Program (CAMP) including Required Inspection Items (RII).

(4) FAA Airworthiness Directives (AD).

(5) Compliance with manufacturers' manuals and deviation thereto.

(6) Personnel requirements: Chief Inspector, English language, (address not accepting applications from a person that has been involved in certification revocation).

(7) FAA-approved training program.

(8) Capabilities list/scope of work.

(9) Malfunction or defect (M or D)/Service Difficulty Report (SDR) reporting requirements to FAA.

(10) Recognition of [COUNTRY AA] Form 1 for return to service (RTS).

(11) Hazardous material (hazmat) letter from applicant.

(12) Contract Maintenance Quarterly Utilization Report (QUR), FAA inspection of noncertificated subcontractors.

Administrative Issues: 24-month renewal, fees, forms, and reporting requirements.

CONCLUSION.

The FAA team found no technical areas of concern that would prevent the [COUNTRY AA] from surveilling and making recommendation for certificating 14 CFR part 145 repair stations to the FAA. The FAA will make a final determination as to whether further review of the [COUNTRY AA] is necessary once the appropriate management officials and the U.S. Department of State (DOS) have reviewed the draft agreement.

NEXT STEPS.

Phase 3, development of the agreement: After the conclusion of an agreement, there will be a turnover process during which the FAA will work with the [COUNTRY AA] to ensure the appropriate personnel are trained to oversee FAA certificates under the agreement.

Appendix G. Template MIP

MAINTENANCE IMPLEMENTATION PROCEDURES

under the

Agreement for the Promotion of Aviation Safety

between the

Government of the United States of America

and the

Government of [INSERT APPLICABLE COUNTRY]

TABLE OF CONTENTS

CHAPTER 1. GENERAL

1.0. Purpose.

(a) This document sets forth the Federal Aviation Administration (FAA) and the [Aviation Authority (AA)] procedures for implementing the maintenance and alteration or modification provisions of the Agreement for the Promotion of Aviation Safety between the Government of the United States and the Government of [INSERT APPLICABLE COUNTRY] signed [insert date of BASA signature]. The Agreement provides, in pertinent part, that the FAA and the [AA] will pursue mutual cooperation and technical assistance in evaluation and acceptance of each other's systems, including recommendations for FAA certification and renewal of certification, [AA] [acceptance] [approval] [certification], and continued monitoring of maintenance and alteration or modification facilities.

(b) In accordance with the Agreement, the objective of these Maintenance Implementation Procedures (MIP) is to outline the terms and conditions under which the FAA and the [AA] can accept each other's inspections and evaluations of maintenance facilities for findings of compliance, thereby reducing redundant regulatory oversight, without adversely affecting aviation safety.

1.1. Authorization. The authorization for this MIP is Article III of the Agreement for the Promotion of Aviation Safety. In that respect, the FAA and the AA have assessed each other's standards and systems relating to the approval of repair stations/ maintenance organizations that perform maintenance and alterations or modifications on civil aeronautical products. This cooperation has established an understanding of each other's standards and systems.

1.2. Entry into Force and Termination. This MIP shall enter into force sixty (60) days after the date of the last signature and shall remain in force until terminated. They may be terminated upon sixty (60) days' written notice by either the FAA or the [AA]. Termination of these MIPs will not affect the validity of activity conducted under their provisions prior to termination.

1.3. Amendments.

(a) This MIP may be amended by mutual consent of the FAA and the AA. They may also be supplemented by appendices. The details of the amendment or appendix shall be recorded and signed by the representatives identified in paragraph 1.6(b), or their designees.

(b) Suggestions for improvement are welcome and can be addressed to either of the offices described in paragraph 1.6.

(c) The FAA and the [AA] recognize that significant revision by either authority to its organization, regulations, procedures, or standards may affect the basis on which this MIP is executed. Accordingly, each authority agrees to promptly advise the other of plans for these changes, and to give an opportunity for comment. Upon notice of these changes by one authority, the other authority may request consultation to review the need for amendment to this MIP.

1.4. Membership in a Regional Organization [if applicable].

(a) The FAA recognizes that the [AA] is a member of [insert name of regional organization] and that membership includes obligations of the [AA] to other [insert name of regional organization] members with respect to development of regulations, procedures, and standards, and that the [AA] has adopted [insert name of regional organization] regulations, procedures, and standards, including standards for approval of maintenance organizations.

(b) The [AA] will carry out the obligations contained in this MIP in accordance with [insert name of regional organization] procedures. For example, the obligations of the [AA] to receive or provide information will be accomplished under [insert name of regional organization] procedures.

1.5. National Requirements.

(a) The legal standards for safety regulation by the AA are contained in [insert title of AA's regulatory code], and are explained in ancillary documents and procedures.

(b) The legal standards for safety regulation by the FAA are contained in Title 14 of the Code of Federal Regulations (14 CFR) and are explained in ancillary documents and procedures.

1.6 Accountability.

(a) The designated offices for the technical implementation of this MIP are:

(1) For the FAA:

Flight Standards Service
FAA (AFS-300)
800 Independence Avenue, S.W.
Washington, DC 20591
Phone: +1-202-385-6435
Fax: +1-202-385-6474

(2) For the [AA]:

[AA]
[ADDRESS]

(b) The designated offices for the technical coordination of these MIPs are:

(1) For the FAA:
Flight Standards Service
FAA (AFS-50)
800 Independence Avenue, S.W.
Washington, DC 20591

Phone: +1-202-385-8070
Fax: +1-202-493-5888

(c) The designated offices for the administrative coordination of these MIPs are:

(1) For the FAA:

Office of International Aviation
FAA (API-[appropriate division])
800 Independence Avenue, S.W.
Washington, DC 20591
Phone: +1-202-385-8900
Fax: +1-202-267-7198

(2) For the [AA]:

For:
[AA]

1.7. Resolution of Disagreements. As stated in Article IV of the Agreement for the Promotion of Aviation Safety, any disagreement regarding the interpretation or application of this MIP shall be resolved by consultation between the FAA and the [AA], and, if appropriate, resolution of such disagreements will be recorded as an amendment or appendix to this MIP, in accordance with paragraph 1.3.

1.8. Definitions. This MIP (and notwithstanding definitions contained in 14 CFR or the [insert title of AA's regulatory code], the following definitions apply:

(a) Alteration or Modification. A change to the construction, configuration, performance, environmental characteristics, or operating limitations of the affected civil aeronautical product.

(b) Civil Aeronautical Product. Any civil aircraft, aircraft engine, or propeller or subassembly, appliance, material, part, or component to be installed thereon.

(c) Compliance with 14 CFR Part 145. Compliance with the latest issue of [insert reference to counterpart AA regulation] and the FAA Special Conditions as set forth in this MIP [and associated AA guidance material as applicable].

(d) Compliance with [insert reference to counterpart AA regulation]. Compliance with the latest issue of part 145 and the [AA] Special Conditions as set forth in the implementation procedures (IP) recognizing that advisory circulars (AC) provide additional guidance in this area.

(e) Data Approved by the FAA. Data that is approved by the Administrator or the Administrator's designated representative.

(f) Data Approved by the [AA]. Data that is approved by the [AA] or by an organization approved by the [AA] for that purpose.

(g) Title 14 of the Code of Federal Regulations. United States aviation regulations consisting of parts 1 through 199 for Aeronautics and Space.

(h) [Insert title of AA regulatory code]. [Insert legal reference to AA regulations]

(i) Maintenance. The performance of inspection, overhaul, repair, preservation, and the replacement of parts, materials, appliances, or components of a civil aeronautical product to ensure the continued airworthiness of that product, excluding alterations or modifications.

(j) Overhaul. "Overhaul" means a process that ensures the aeronautical article is in complete conformity with the applicable service tolerances specified in the type certificate holder's or equipment manufacturer's instructions for continued airworthiness, or in the data which is approved or accepted by the Authority. No person may describe an article as being overhauled unless it has been at least disassembled, cleaned, inspected, repaired as necessary, reassembled, and tested in accordance with the above specified data.

(k) Required Inspection Items. The items of maintenance and alterations that must be inspected by a person other than the one who performed the work, and includes at least those that could result in a failure, malfunction, or defect endangering the safe operation of the aircraft, if not performed properly or if improper parts or materials are used.

(l) Special Conditions. Conditions in Chapter 3, paragraph 3.0 of this MIP. FAA Special Conditions are those requirements in part 145 that the FAA has determined are not contained in [insert reference to counterpart AA regulation]. [AA] Special Conditions are those requirements in [insert reference to counterpart AA regulation] that the [AA] has determined are not contained in part 145.

CHAPTER 2. RECIPROCAL ACCEPTANCE OF FINDINGS OF COMPLIANCE

2.0. General.

(a) Subject to the terms of this MIP, the FAA and the AA agree to accept each other's inspections and monitoring for findings of compliance with their respective requirements as the basis for the issuance of certificates to [or acceptances/approvals of] eligible repair stations/maintenance organizations.

(b) Maintenance and alterations or modifications performed on a civil aeronautical product under the regulatory control of the [AA] may be accomplished and that product returned to service by an FAA-certificated repair station that has been [certificated][approved][accepted] by the [AA].

(c) Maintenance and alterations or modifications performed on a civil aeronautical product under the regulatory control of the FAA may be accomplished and that product returned to service by an [AA]-approved maintenance organization that has been certificated by the FAA.

[or]

(d) (Subject to the terms of this MIP, the FAA agrees to accept [AA] inspections and monitoring for findings of compliance with FAA requirements as the basis for the issuance of FAA certificates to eligible repair stations/maintenance organizations located in [INSERT APPLICABLE COUNTRY]. The [AA] agrees to continue to accept FAA certification and surveillance of part 145 approved repair stations in the United States without further showing.

(e) Maintenance and alterations or modifications performed on a civil aeronautical product under the regulatory control of the FAA, may be accomplished and that product returned to service by an [AA]-approved maintenance organization that has been certificated by the FAA.

2.1. Eligibility Requirements.

(a) The FAA agrees that a maintenance organization will be eligible for a certificate if it has been approved for maintenance and alteration or modification work by the [AA] in accordance with the [insert title of AA regulatory code], and has complied with the Special Conditions set forth in Chapter 3, paragraph 3.0, as well as having received an [AA] endorsement for approval on its application to the FAA.

(b) The [AA] agrees that a repair station that has been approved for maintenance and alteration or modification work by the FAA, and has complied with the Special Conditions set forth in Chapter 3, paragraph 3.1, as well as having received an FAA endorsement for acceptance of its application to the [AA], will be eligible for a certificate and listing by the [insert title of AA regulatory code].

[or]

(c) The [AA] agrees that a repair station that has been approved for maintenance and alteration or modification work by the FAA shall be eligible to perform maintenance and

alteration or modification work on aeronautical products under the regulatory authority of the [AA].

> **Note:** This paragraph will be used in the event that the AA does not issue certificates to U.S. repair stations and has no special conditions. In this case, there would not be a need for paragraph 3.1.

(d) FAA-certificated repair facilities and applicants for FAA certificates located in [INSERT APPLICABLE COUNTRY] and not requiring [AA] approval are excluded from the provisions of the IP. Applications by [AA]-approved maintenance organizations for FAA ratings or limitations that are not contained in their [AA] certificates also are excluded from this MIP. [AA]-approved maintenance organizations in the United States not requiring an FAA certificate also are excluded from the provisions of this MIP.

CHAPTER 3. SPECIAL CONDITIONS.

3.0. [AA] Special Conditions Applicable to U.S.-Based Repair Stations. [This is an example of special conditions that have appeared in previous MIPs. Special conditions in this MIP will be based on the FAA-AA regulatory comparison.]

3.0.1. The [AA] agrees that an FAA-approved repair station that applies to work on a civil aeronautical product under the regulatory control of the [AA] is eligible for an AA [certificate][acceptance][approval] if the FAA endorses that the repair station complies with all of the following Special Conditions:

(a) The repair station must hold a valid FAA repair station certificate issued in accordance with the most current part 145 issued as a final rule.

(b) The repair station must provide a supplement to its Repair Station Manual (RSM) accepted by the FAA on behalf of the [AA], to include the following:

(1) Procedures for the release or approval for return to service that meet the requirements of [insert reference to counterpart AA regulation] for aircraft and the use of the FAA Form 8130-3 for aircraft components, and any other information required by the owner or operator as appropriate.

(2) Procedures to ensure that repairs and modifications as defined by [AA] requirements are accomplished in accordance with data approved by the [AA].

(3) Procedures to ensure completeness of and compliance with the customer or operator work order or contract including notified [AA] Airworthiness Directives and other notified mandatory instructions.

(c) The AA certification will not exceed the scope of the ratings and limitations contained in the part 145 certificate.

3.0.2. To continue to be [insert reference to counterpart AA regulation] accepted:

(a) The repair station shall allow the [AA] to inspect it for continued compliance with the requirements of part 145 and these Special Conditions, i.e., compliance with [insert reference to counterpart AA regulation].

(b) Investigation and enforcement action by the [AA] may be taken in accordance with [AA] regulations and [AA] procedures.

(c) The repair station must cooperate with any investigation or enforcement action.

(d) The repair station must continue to comply with part 145 and these Special Conditions.

3.1. FAA Special Conditions Applicable To [Insert Country] Based Approved Maintenance Organizations (AMO). To be approved in accordance with part 145, pursuant to the terms of this Annex, the AMO shall comply with all of the following Special Conditions.

3.1.1. The AMO shall submit an application in a form and a manner acceptable to the FAA.

(a) The application for both initial and renewed FAA certification shall include:

(1) A statement demonstrating that the FAA repair station certificate and/or rating is necessary for maintaining or altering U.S.-registered aeronautical products or foreign-registered aeronautical products operated under the provisions of 14 CFR.

(2) A list of maintenance functions, approved by the aviation authority, to be contracted/sub-contracted to perform maintenance on U.S. civil aeronautical products.

(3) In the case of transport of dangerous goods, written confirmation demonstrating that all involved employees have been trained in the transport of dangerous goods in accordance with International Civil Aviation Organization (ICAO) standards.

(b) The AMO must provide a supplement in English to its maintenance organization exposition (MOE) that is approved by the aviation authority and maintained at the AMO. Once approved by the aviation authority, the supplement shall be deemed approved by the FAA. All revisions to the supplement must be approved by the aviation authority. The FAA supplement to the MOE shall include the following:

(1) A signed and dated statement by the accountable manager that obligates the organization to comply with this annex.

(2) A summary of its quality system which shall also cover the FAA Special Conditions.

(3) Procedures for approval for release or return to service that satisfy the requirements of 14 CFR part 43 for aircraft and use of [insert AA's return to service certificate] for components. This includes the information required by parts 43, §§ 43.9 and 43.11 and all information required to be made or kept by the owner or operator in English as appropriate.

(4) Procedures for reporting to the FAA failures, malfunctions, or defects, and suspected unapproved parts (SUP) discovered, or intended to be installed, on U.S. aeronautical products.

(5) Procedures to notify the FAA regarding any changes to line stations that:

(a) Are located in [Insert the Country]; and

(b) Maintain U.S.-registered aircraft; and

(c) That will impact the FAA operations specifications.

(6) Procedures to qualify and monitor additional fixed locations within the [Insert Country].

(7) Procedures in place to verify that all contracted/sub-contracted activities include provisions for a non-FAA-certificated source to return the article to the AMO for final inspection/testing and return to service.

(8) Procedures to ensure that major repairs and major alterations/modifications (as defined in 14 CFR) are accomplished in accordance with data approved by the FAA.

(9) Procedures to ensure compliance with air carrier's Continuous Airworthiness Maintenance Program (CAMP), including the separation of maintenance from inspection on those items identified by the air carrier/customer as Required Inspection Items (RII).

(10) Procedures to ensure compliance with the manufacturer's maintenance manuals or instructions for continued airworthiness (ICA) and handling of deviations. Procedures to ensure that all current and applicable Airworthiness Directives (AD) published by the FAA are available to maintenance personnel at the time the work is being performed.

(11) Procedures to confirm that the AMO supervisors and employees responsible for final inspection and return to service of U.S. aeronautical products are able to read, write, and understand English.

(12) Procedures to permit work away from fixed location on a recurring basis, when applicable.

3.1.2. To continue to be approved in accordance with 14 CFR parts 43 and 145, pursuant to the terms of the maintenance agreement, the AMO shall comply with the following. The AA shall verify that the AMO:

(a) Allow FAA, or the AA on behalf of the FAA, to inspect it for continued compliance with the requirements of the AA's Part-145 and these Special Conditions (i.e., 14 CFR parts 43 and 145);

(b) Investigations and enforcement by the FAA may be undertaken in accordance with FAA rules and directives;

(c) The AMO must cooperate with any investigation or enforcement action;

(d) The AMO must continue to comply with [Insert Applicable Country's Regulation] and these Special Conditions;

(e) Where regulatory compliance is maintained, this permits the FAA to renew the AMO's initial certification after 12 months and every 24 months thereafter.

CHAPTER 4. MUTUAL COOPERATION AND TECHNICAL ASSISTANCE

4.0. Periodic Meetings. The FAA and AA offices designated in paragraph 1.6(a) shall meet at least once a year, to discuss the technical implementation of these IP. Discussions may address the resolution of technical issues, continued improvements to the process, on-going projects, changes in their organizations and any revisions to their requirements (as notified in accordance with paragraph 1.3(c)), technical assistance requests, and any other matters relating to these IP. The frequency of these meetings will depend on the resources available to each authority, as well as the significance of any outstanding issues.

4.1. Information. The FAA and the [AA] shall provide information and assistance regarding the maintenance and alterations or modifications to be performed under the terms of this MIP, and shall develop appropriate publications and circulate these publications through their respective methods:

(a) Inform the public of the terms of this MIP and any amendments or appendices.

(b) Outline the regulatory requirements and special requirements necessary for persons to perform work under the terms of this MIP.

4.2. Technical Evaluation Assistance. Upon request, the FAA and the AA agree to provide technical evaluation assistance to each other to advance the purposes and objectives of this MIP. Such areas of assistance may include, but are not limited to:

(a) Providing recommendations or endorsements for certification of repair stations to the FAA and maintenance organizations to the [AA].

(b) Performing surveillance and providing reports regarding continued compliance with the requirements described in this MIP by maintenance organizations in [INSERT APPLICABLE COUNTRY] and repair stations in the United States.

(c) Conducting and reporting on investigations at the request of the other authority.

(d) Obtaining and providing data for reports where requested.

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

4.4. Establishing and Amending Regulations, Policies, and Guidelines. To the extent permitted by its national laws and administrative procedures, each authority agrees to provide technical assistance to each other in efforts to establish and amend regulations, policies, guidance, practices, and interpretations relevant to this MIP.

4.5. Urgent or Unusual Situations. When urgent or unusual situations develop that are within the scope of this MIP, but not specifically addressed, the FAA and the [AA] will review and consult and take appropriate action, including developing amendments or appendices to this MIP, if appropriate, as set forth under paragraph 1.

4.6. Notification of Noncompliance and Safety Issues.

(a) The FAA and the [AA] agree to notify each other promptly of any investigation into noncompliance by a repair station or maintenance organization under the regulatory control of the other authority that could result in revocation, suspension, or penalty. The notification shall be sent to the other authority's representative identified in paragraph 1.6(a). The FAA and the [AA] agree that noncompliance will be corrected in a timely manner.

(b) The FAA and the [AA] retain the right to take enforcement action. However, in some cases, an authority may choose to consider a remedial action taken by the other authority. The enforcement consultation process under this MIP will be subject to a regular joint review by the FAA and the [AA].

4.7. Protection of Proprietary Data and Freedom of Information Act (FOIA) Requests.

(a) Proprietary Data. Both authorities recognize that certain data submitted by a repair station/maintenance organization may be the property of that facility or another person and release of that data by the FAA or the [AA] is restricted. The FAA and the [AA] agree that, they will not copy, release, or show proprietary data obtained from either authority to anyone outside of the FAA or the [AA] without written consent of the owner of the proprietary data.

(b) FOIA Requests. The FAA often receives requests from the public under the FOIA to release information that the FAA may have in its possession. Any information that the FAA has in its possession must be disclosed under the FOIA unless it falls within certain exceptions, including trade secrets, or financial or commercial data that would be considered confidential or privileged. When the FAA receives such a request for the release of information related to a maintenance organization located in [INSERT APPLICABLE COUNTRY] and covered by this MIP, the FAA will advise the [AA] of any information received from the [AA] and submitted to the FAA that might be released. The FAA may also request the [AA]'s assistance, in cooperation with the maintenance organization, in determining if the individual submitting the information would object to release and which portions of the information received from the submitter or generated by the [AA] might be withheld under the FOIA exceptions, if any.

4.8. Accident/Incident Investigation Requests. When the FAA or the AA needs information regarding repair stations/maintenance organizations for the investigation of accidents or incidents involving civil aeronautical products, the request for information should be directed to the office identified in paragraph 1.6(a). In turn, upon receipt of the request for information, the other authority will provide the requested information in a timely manner.

CHAPTER 5. TRANSFER AND CONTINUING VALIDITY PROVISIONS

5.0. Transfer Provisions. The FAA and the [AA] agree to transfer the activities of inspecting, monitoring, and surveillance of repair station maintenance organization certificates currently under their regulatory control in accordance with this MIP in the following manner:

> **Note:** In cases where AA does not issue certificates to U.S.-based repair stations, the following paragraphs will not be reciprocal.

(a) Current Certificates. The FAA and the [AA] will agree on a procedural plan and time schedule for the transfer of surveillance and certification activities, and will address the correction of any open items. Each authority shall provide the other authority a copy of the current certificate and operations specifications/scope of work for each repair station/maintenance organization based in the other authority's territory. The FAA and the [AA] agree to conduct all inspections, monitoring and surveillance of repair station/maintenance organization certificates currently under the other's regulatory control within 2 years from the entry into force of this MIP unless otherwise agreed on by the FAA and the [AA] in the procedural plan.

(b) Initial Certification. Each authority agrees to begin conducting inspection for initial certification of approved repair stations/maintenance organizations no later than 2 years from the entry into force of this MIP unless otherwise agreed on by the FAA and the [AA] in the procedural plan.

5.1. Continuing Validity. The FAA and the [AA] acknowledge that:

(a) Unrestricted Access. Each authority may conduct independent inspections at maintenance facilities, and to review the other authority's surveillance records and other pertinent information regarding maintenance facilities consistent with the objective of this MIP and the authority's applicable laws and regulations.

(b) Cooperation in Enforcement. The maximum permissible mutual cooperation and assistance in any investigation or enforcement proceedings of any alleged or suspected violations of any regulations or Special Conditions identified in this MIP is essential. The FAA and the [AA] acknowledge that FAA and [AA] certificates issued under this MIP and any amendments and appendices remain subject to the regulatory requirements and enforcement procedures described in paragraphs 3.0.2(b) and 3.1.2(b) of this MIP.

(c) Continued Confidence Program. The FAA and AA shall conduct periodic joint evaluations of each other's continued compliance with the terms of this MIP. Such evaluations may include repair stations/maintenance organizations in order to ensure the responsible authority is adequately applying this MIP.

CHAPTER 6. AUTHORITY

The FAA and the [AA] agree to the provisions of this MIP as indicated by the signature of their duly authorized representatives.

DONE at [INSERT APPLICABLE COUNTRY], this …. day of …. .

FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION, UNITED STATES OF AMERICA

By:

Name:

Title:

Associate Administrator for

Aviation Safety

[RESPONSIBLE AA PERSON]

FOR ….

[INSERT APPLICABLE COUNTRY]

By:

Name:

Title:

U.S. Department
of Transportation
Federal Aviation
Administration

FAA Form 1320-19, Directive Feedback Information

Please submit any written comments or recommendations for improving this directive, or suggest new items or subjects to be added to it. Also, if you find an error, please tell us about it.

Subject: FAA Program for the Establishment of A MIP Under the Provisions of a BASA

To: Directive Management Office, AFS-310 _____

(Please check all appropriate line items)

☐ An error (procedural or typographical) has been noted in paragraph _____ on page _____.

☐ Recommend paragraph _____ on page _____ be changed as follows:
(attach separate sheet if necessary)

☐ In a future change to this directive, please include coverage on the following subject
(briefly describe what you want added):

☐ Other comments:

☐ I would like to discuss the above. Please contact me.

Submitted by: _____ Date: _____

FTS Telephone Number: _____ Routing Symbol: _____

FAA Form 1320-19 (8-89)