Federal Aviation Administration (FAA) – Civil Aviation Administration of China (CAAC) Implementation Procedures for Airworthiness (IPA)

Frequently Asked Questions (FAQs)

General

1. **What exactly did the FAA and CAAC agree to under the IPA, and what was the process that led up to that agreement?**
   The U.S. and P.R.C. signed a Bilateral Aviation Safety Agreement (BASA) in 2005, which is now implemented with the signing of this IPA. In the IPA, the FAA and the CAAC define the scope for products and articles eligible for validation, and the technical procedures for validation, and continued airworthiness. The agreement allows each authority to submit applications for validation to the other for any product type. The process leading up to such an agreement is a joint multi-year system review and evaluation of the certification system in an effort to gain familiarity and understand system capabilities.

2. **What does the IPA do to streamline the validation process for manufacturers?**
   The purpose of any bilateral agreement is to maximize reliance on the partner's certification system to eliminate duplication of effort and ensure that the importing authority's airworthiness requirements are met. The bilateral agreement employs a risk-based approach to determine the validating authority's level of involvement. Signing the Implementation Procedures for Airworthiness to enact the BASA is a step forward in the bilateral relationship.

Scope

3. **Are Parts Manufacturer Approvals (PMAs) now mutually accepted under the new agreement?**
   Certain PMAs, as outlined in the agreement, are mutually and reciprocally accepted.

4. **Under the Schedule of Implementation Procedures (SIP), there was a Special Arrangement to cover importing aircraft from a different country of manufacture than the country of design. Does the IPA cover this, and if so will this Special Arrangement be terminated?**
   The Special Arrangement (SA) is effectively canceled, because it was developed under the authority of the SIP which is terminated. The terms of that SA are incorporated in the IPA (section 2).

Application

5. **The IPA identifies three paths to approval: 1). Acceptance, 2). Streamlined Validation, 3). Technical Validation. What is the difference between Streamlined Validation and Technical Validation?**
   Streamlined Validation is applicable when none of the Safety Elements (SE) defined in IPA paragraph 3.5.3.3 applies. It is an administrative approval with no technical review by the VA, who issues a validated design approval. There are two types of Technical Validation. A Full Technical Validation applies only to products of a type which have not previously been submitted by the CA to the VA for validation. When one or more of the SE is applicable, a Limited Technical Validation is performed.

6. **Are there any SE which apply to all projects? How does the applicant and the CA know which SE will be applicable to a particular project?**
   Any, all, or none of the safety elements may be applicable to any particular project. It is incumbent on the applicant to conduct a review of each of the safety elements with respect to their project, and work with their CA to determine which safety elements are applicable.

7. **Does the VA have the ability to dispute the applicant's/CA's assessment of the classification of the project?**
   Yes. Paragraph 3.5.2.2 requires the VA to confirm if it agrees with the CA's classification. Paragraph 3.1.6 states that the issue resolution process in paragraph 1.8 will be used to address any disagreements on the validation process.

8. **How does the CA determine the applicability of the criteria in the SE?**
   Three of the 15 SE criteria are based on the Special Emphasis Items (SEI), Significant Standards Differences (SSD), and Areas for Further Technical Confidence Building (AFTCB) lists provided by the VA. The other SE criteria do have varying levels of subjectivity in their application. The CA is expected to use its best

judgment, based on their experience, primarily from their perspective as CA. Once the application is submitted to the VA, the VA has an opportunity to comment on the CA-identified SE, through the technical validation process.

9. **Can a Validation Design Approval (VDA)/Letter of Design Approval (LODA) application be eligible for Streamlined Validation?**
   No. Streamlined Validation only applies to TC and Supplemental Type Certificate (STC) validation. Section 3.6 outlines the specific procedures for VDA/LODA application.

10. **What is the Continued Operational Safety (COS) plan or document referenced in 3.5.1.2(0)?**
    The COS plan provides a high level description of the processes the CA and applicant will employ to meet State of Design (SoD) responsibilities described in ICAO Annex 8. Typically this plan will describe the methods used to monitor the safety of the global fleet, determine the need for mandatory corrective action, and communicate decisions to States of Registry. The plan should also provide points of contact at the CA for communication regarding COS issues.

Lists

11. **Does industry have access to the SSD, SEI, and AFTCB lists?**
    Each Authority's SSD and SEI lists are available on the FAA's internet site. The AFTCB lists are available on request by industry who are preparing or considering an application for validation.

12. **Will the AFTCB lists be the same for each Authority?**
    No. We expect the FAA and CAAC lists to be different. While the risk-based process is applied in the same manner, the outcome of the process will vary for each Authority.

Validation

13. **What is the difference between a Full Technical Validation (FTV) and a shadow certification?**
    The two can be very similar depending on the exact risk assessment outcomes. The primary difference is that an objective of FTV is issuance of a VA design approval, with direct engagement from the VA to achieve that. This was not necessarily an

objective of a traditional shadow certification where we instead take a more passive role to simply observe CA capabilities. FTV is applicable only for products for which an application for the same product category has not yet been submitted to the VA by the CA. A shadow certification is a process whereby the FAA observes a foreign civil aviation authority in its domestic certification process to determine if the FAA is able to enter into a bilateral agreement with the authority. The goal of a shadow certification is to witness the other authority apply its domestic rules and policies while acting as a CA. An FTV is a validation of the CA's approval, and is based on a specific project.

14. **The scope of the VA's technical review is determined through the safety elements. How is the depth of review established?**
The VA's level of involvement is made up of both the scope and depth of review, and is documented in the Work Plan, as defined in IPA paragraph 3.5.5.5. Details for VA determination of the depth of technical review are in paragraph 3.5.5.3.

15. **What needs to be done to prepare for concurrent validation/ certification?**
Ideally, the application for validation and the application for certification should be submitted at the same time, to ensure that the applicant can address the requirements of both authorities in the most efficient manner. Preparation should focus on development of the validation application package according to paragraph 3.5.1.2, with particular attention given to identification of the applicable Safety Elements.

16. **For streamlined validation, the IPA indicates that final approval will be issued within 35 working days after confirming the completeness of the application materials and completing payments. Is there any estimated period for FTV and Limited Technical Validation (LTV)?**
No. FTV and LTV projects will vary in length based on the scope and depth of the VA's technical review.

17. **Application for VDA or LODA is only possible when the Technical Standard Order (TSO) standard has been issued by the VA. Is there a way to obtain VDA or LODA when the VA has not yet issued a corresponding standard?**
Currently, the IPA states that for a TSO Authorization (TSOA) or VDA validation, the VA must have a corresponding TSO/Chinese TSO (CTSO) standard. FAA and CAAC are currently exploring options for CAAC to validate an FAA TSOA for which no corresponding CTSO exists.

18. **Who is in charge of developing the Work Plan? What does the applicant generally undertake during the planning process? What happens if there is disagreement between the CA and VA regarding the Work Plan?**
Ultimately, the Work Plan is a VA approved and managed document. In case of any disagreement between the CA and the VA regarding the Work Plan, the authorities follow the issue resolution process outlined in section 1.8.

Split State of Design / State of Manufacture

19. **In the case of a split State of Design / State of Manufacture (SoM) (Type Certificate/Production Certificate (TC/PC) split) project, who is responsible for developing the required Management Plan?**
In the case of a split State of Design / State of Manufacture Project, a Management Plan is an Authority-to-Authority document developed between the office at the SoD responsible for the TC, and the office at the SoM responsible for the PC. The Management Plan can be drafted at any time; however, it should not be finalized until after the PC is issued by the SoM.

20. **For an aircraft produced in China, under a Chinese PC and U.S. TC, is an airworthiness certificate (C of A) required to export the aircraft to the U.S.?**
Yes. An aircraft produced under a Chinese PC, regardless of its State of Design, will require an export C of A for export of the aircraft from the P.R.C. to the U.S.

21. **If the TC holder is from the U.S. and the P.C. applicant is in China, will the FAA be involved in the PC certification process?**
No. In this case, CAAC is entirely and solely responsible for issuance and oversight of the PC.

22. **In a TC/PC split project, the TC holder provides parts to the PC holder who completes the final assembly. What is the role of SoD in this case? Will an FAA form 8130-3 come with the parts?**
Specific Requirements will be specified in the Management Plan. Typically, they would require the SoD to manage any major changes to the type design, be responsible for COS of the type design, and provide oversight of any manufacturers/suppliers located in the SoD. 8130-3 tags will be issued provided the parts meet the requirements of the importing country.

Export

23. **For used aircraft with STC, do they need to apply for Validation of STC (VSTC)?**

Yes, according to paragraph 7.2.1.1, the aircraft must "conform…to a type design approved by the Importing Authority (IA) (including all applicable STCs)", therefore, any STC installed on an imported aircraft must be validated by the IA. This applies to both new and used aircraft. Paragraph 7.2.1.5 outlines additional requirements, for used aircraft only, related to maintenance, overhauls, and repairs.