

**WORKING PROCEDURE FOR THE
TYPE VALIDATION AND
CONTINUED AIRWORTHINESS
OF U.S. AERONAUTICAL PRODUCTS**

BETWEEN THE

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

AND THE

**HONG KONG CIVIL AVIATION DEPARTMENT
HONG KONG SPECIAL ADMINISTRATIVE REGION
THE PEOPLE'S REPUBLIC OF CHINA**

1. Purpose

The purpose of this document is to define the procedures by which the U.S. Federal Aviation Administration (FAA) Aircraft Certification Service (AIR) will assist the Hong Kong Civil Aviation Department (HKCAD) in approving aeronautical products and articles being exported from the United States (U.S.) to the Hong Kong Special Administrative Region of the People's Republic of China (HKSAR). This document also sets forth the procedures for cooperation between the HKCAD and the FAA in the area of continued airworthiness, including approval of changes in design, service difficulty reporting, and accident or incident investigation.

2. Scope

This working procedure applies to all U.S. type certificated and manufactured products (aircraft, engines, and propellers) and changes to those products, as well as other aeronautical articles (material, part, component, process, or appliance) being exported to the HKSAR from the U.S.

3. Protection of Data

The HKCAD acknowledges that the release of certain data by U.S. manufacturers is restricted by U.S. Government export licensing requirements. The FAA intends to review the certification data on behalf of the HKCAD and, if appropriate, determine the compliance of such data with the airworthiness and environmental standards identified by the HKCAD. The HKCAD retains the final discretion to accept FAA approval of this data as the basis for determining compliance with the HKCAD requirements. Alternatively, on a case-by-case basis, the FAA and the HKCAD may

develop a procedure that satisfies both HKCAD and U.S. export requirements. The HKCAD further acknowledges that release of certain data by the U.S. government is restricted by U.S. statutes and regulations regarding proprietary data. The FAA agrees to identify data that is proprietary, and the HKCAD acknowledges that the sharing or release of any proprietary data received from the FAA or applicant without the written consent of the owner of the data is prohibited.

When the FAA provides to the HKCAD information, including but not limited to personal information, pursuant to this working procedure and in accordance with the laws and regulations applicable to the U.S., the FAA intends to identify whether that information is sensitive or confidential and the nature of that sensitivity or confidentiality. The FAA, subject to its relevant laws and regulations, may impose limitations on the use or disclosure of the information by the HKCAD.

4. Type Validation

Application Process

- 4.1.1 On behalf of the HKCAD, the FAA intends to accept requests from U.S. civil aeronautical product manufacturers for HKCAD type certification at the geographically responsible FAA Aircraft Certification Office (ACO). The responsible ACO will convey the request to the HKCAD.
- 4.1.2 Subject to the availability of resources, the FAA intends to assist HKCAD specialists in conducting HKCAD type validation of U.S. products.
- 4.1.3 For aircraft in excess of 2,730 kg (6,000 pounds) authorized weight in any category, the application package will include a brief description of the aircraft; a copy of the type certificate (TC), if issued; the TC data sheet (with evidence of noise certification and type certification basis); and the aircraft's intended use and schedule for importation into the HKSAR. Additional data may be submitted as described in:
 - (a) FAA Advisory Circular (AC) 21-52, Obtaining Foreign Design Approval / Acceptance of U.S. Products and Articles; and
 - (b) HKCAD Hong Kong Aviation Requirements HKAR-21, Certification of Aircraft and Related Products, Parts and Appliances, and of Design and Production Organisations.

4.2 Validation Process

- 4.2.1 Validation requires effective communication between the FAA, the HKCAD, and the applicant. The FAA and the HKCAD intend to communicate with each other early and frequently, and to seek the other's opinions before resolving significant certification issues.
- 4.2.2 The HKCAD agrees to notify the applicant, through the FAA:
 - (a) When an application package has been received.

- (b) If any deficiencies exist in the application (including non-technical issues, such as payment of fees).
 - (c) The anticipated date of an approval/acceptance.
- 4.2.3 The HKCAD agrees to notify the geographically responsible ACO, in writing, at least thirty (30) days prior to any visit related to type validation of a U.S. product. The FAA ACO will acknowledge the HKCAD's notification and advise the HKCAD, within ten (10) working days as to whether the ACO is able to support a HKCAD validation team visit during the requested period.
- 4.2.4 The HKCAD certification basis for the product will consist of the FAA type certification basis plus any additional technical conditions imposed by the HKCAD in order to comply with HKSAR requirements. The HKCAD will define these technical conditions on a case-by-case basis. The aircraft's engine, propeller and components will be HKCAD-approved as part of the aircraft TC.
- 4.2.5 The HKCAD will advise the FAA of any additional technical conditions to be imposed on a product through the FAA issue paper process as described in FAA Order 8110.112, *Standardized Procedures for Usage of Issue Papers and Development of Equivalent Levels of Safety Memorandums*. The HKCAD intends to assist FAA representatives in understanding and applying those additional technical conditions.
- 4.2.6 Upon request of the HKCAD, and subject to the availability of resources, the FAA intends to evaluate whether the data submitted by the U.S. applicant demonstrates compliance with the HKCAD additional technical conditions. If the HKCAD elects to evaluate compliance to its additional technical conditions, FAA specialists intend to assist, as requested.
- 4.2.7 The HKCAD intends to accept the findings and approvals of the FAA to be the basis of determining whether a HKCAD type certificate may be issued. Depending on the type of aircraft, the FAA may provide, as requested, additional information or facilitate the HKCAD's participation in the following areas:
 - (a) Approval of cabin arrangement and safety equipment.
 - (b) Participation in Operation Evaluation Board activities (see note).
 - (c) Participation in Maintenance Review Board activities (see note).
 - (d) Aircraft course(s).
 - (e) Type rating for HKCAD Flight Operations Inspector(s).
 - (f) Any other area defined in the course of the type certification validation.

Note: If already completed at the time of application, the final board reports shall be submitted to the HKCAD.

- 4.2.8 In addition to complying with applicable FAA airworthiness requirements, an applicant must also demonstrate compliance with markings and placard requirements as prescribed in HKAR-21, *Certification of Aircraft and Related Products, Parts and Appliances, and of Design and Production Organisations*.
- 4.2.9 Upon completion of the validation process, the FAA intends to provide, if not already provided in the application, the HKCAD with a copy of all appropriate type certificates (FAA Form 8110-9) and type certificate data sheets for the aeronautical products. Upon request, and within the constraints of paragraph 3, Protection of Data, above, the FAA intends to also provide the HKCAD with copies of FAA-approved data that support those certificates.
- 4.2.10 The suggested documents to be submitted in the English language for review by the HKCAD are found in HKAR-21 and AC 21-52.
- 4.2.11 The HKCAD intends to issue an import TC upon demonstrated compliance with the HKCAD's requirements, and the payment of any and all applicable fees by the FAA TC holder.

4.3 Post-Type Validation Process

- 4.3.1 The FAA will review and approve U.S. design approval holder initiated changes in design to aeronautical products and articles in accordance with current FAA regulations and policies regarding major and minor design changes.
- 4.3.2 The HKCAD intends to accept FAA approvals for major and minor changes in design, including supplemental type certificates (STC) held by the TC holder. An STC held by an organization other than the TC holder will require HKCAD acceptance process; this process will include HKCAD familiarization with the STC.
- 4.3.3 In the event that the HKCAD requires additional data regarding any amended TCs or major design changes, the FAA intends to assist the HKCAD as described in paragraph 4.2 of this working procedure.

5. Continued Airworthiness

The HKCAD and the FAA intend to cooperate in providing the continued airworthiness of the aeronautical products specified in this working procedure as follows:

5.1 Airworthiness Approval

- 5.1.1 The FAA acknowledges that the HKCAD requires that a U.S. manufactured aircraft must be eligible for a current FAA Standard Airworthiness Certificate (FAA Form 8100-2) and must also comply with

any additional HKCAD technical requirements in order to receive a HKCAD airworthiness certificate.

- 5.1.2 The export of U.S. manufactured type certificated products and manufactured articles from the United States to the HKSAR will be in accordance with the requirements of Title 14, Code of Federal Regulations (14 CFR) Part 21, Subpart L, Export Airworthiness Approvals, and any special requirements provided to the FAA by the HKCAD and published in Appendix 2 of FAA Advisory Circular 21-2, *Complying with the Requirements of Importing Countries or Jurisdictions When Importing Products, Articles or Parts*. (See http://www.faa.gov/aircraft/air_cert/international/export_aw_proc/sp_req_import/)
- 5.1.3 The FAA and the HKCAD acknowledge that the civil aviation authority of the State of Registry is responsible for the airworthiness condition of any new or used U.S. manufactured aircraft, engines, and propellers exported to the HKSAR from a third country.

5.2 Airworthiness Directives

- 5.2.1 The HKCAD intends to accept an FAA Airworthiness Directive (AD) corrective action as a minimum airworthiness standard for the continued airworthiness of the applicable aeronautical product. As necessary, the HKCAD will undertake its activities related to continued airworthiness, including deviations from FAA ADs or issuance of additional ADs, on the basis of discussions with the FAA and the TC holder and a review of actions taken and/or proposed by the FAA and the TC holder.
- 5.2.2 The FAA will electronically distribute Emergency ADs to the following HKCAD email address: awo@cad.gov.hk

5.3 Accident Investigation

The FAA agrees to provide information and technical assistance, as necessary, in support of accident investigations within the HKSAR involving U.S. aeronautical products.

5.4 Service Difficulty Reporting

- 5.4.1 The HKCAD intends to advise the FAA of any service problems occurring on any aircraft, engine or propeller where the U.S. is the State of Design and the HKCAD believes that the problem is a potentially unsafe condition. This information and inquiries regarding the continued airworthiness of U.S. products should be submitted to the geographically responsible FAA ACO.
- 5.4.2 The FAA intends to provide information on the resolution of service problems only if mandatory action to maintain safety is required through

issuance of an FAA AD. (See paragraph 5.2 of this document). Should a significant service problem or incident occur on a HKSAR registered and operated aircraft, the FAA intends to respond to specific questions when the questions are directed to the geographically responsible FAA ACO.

5.5 Miscellaneous

- 5.5.1 The FAA intends to determine the acceptability of revisions to the applicable specified engine installation manuals, including operating instructions, and instructions for continued airworthiness in accordance with current FAA policies and procedures. The HKCAD acknowledges FAA-approved changes to these documents as minimum continued airworthiness standards for the engines. The HKCAD intends to provide the FAA with a copy of any additional import requirements regarding these documents.
- 5.5.2 The HKCAD acknowledges the Maintenance Review Board report or the Maintenance Planning Document, resulting from the FAA's certification process, as the basis for determining HKCAD maintenance requirements.

6. **HKCAD Acceptance of FAA Repair Design Data**

- 6.1 The HKCAD intends to accept FAA approved design data used in support of major and minor repairs when:
 - 6.1.1 The HKCAD has certificated/validated the product or article;
 - 6.1.2 The FAA is the authority of the State of Design for the repair design data; and
 - 6.1.3 The repair design data has been provided by the U.S. TC/STC holder, Technical Standard Order Authorization (TSOA) holder, or Parts Manufacturer Approval (PMA) holder.

Note: Design approval holders may only provide data for major or minor repairs applicable to the products and/or articles on which they are the FAA design approval holder.

- 6.2 In these circumstances, repair design data is considered to be HKCAD approved following acceptance under the FAA's system. This process does not require formal approval of the repair data by the HKCAD or a HKCAD design organization approval holder.
- 6.3 Design approval holders will retain substantiation that supports major and minor repairs. If requested by the HKCAD, the design approval holder will provide the substantiation to the HKCAD.

7. **HKCAD Acceptance of Articles Including:**

- 7.1 The HKCAD intends to accept FAA Technical Standard Order Authorization (TSOA) articles, and
- 7.2 New replacement and modification parts, including FAA PMA parts, as follows:
 - 7.2.1 For non-critical PMA parts: Replacement and modification parts for installation on all products, regardless of the State of Design, and
 - 7.2.2 For critical PMA parts: Replacement and modification parts for installation on products where the FAA is the authority of State of Design.

8. Interpretation

In the case of conflicting interpretations of the laws, regulations, standards or requirements under this working procedure, the interpretation of the civil aviation authority whose law, regulation, standard, or requirement is being interpreted shall prevail.

9. Appendices

Appendix A to this procedure identifies the HKCAD and the FAA personnel to be contacted regarding this working procedure. Appendix B lists the documents referenced in this procedure.

10. Language

The FAA and the HKCAD agree that all documents and correspondence exchanged under this working procedure shall be in the English language.

11. Amendment

This working procedure may be amended by mutual consent of FAA and HKCAD. Additional aeronautical products may be added, and any other amendments formalized, by an appropriate written appendix, and signed by representatives of HKCAD and FAA.

12. Effective Date and Termination

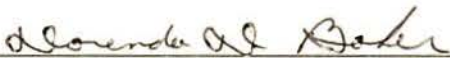
This working procedure shall become effective upon the signatures of both the FAA and the HKCAD and will remain in effect until terminated or superseded. This working procedure may be terminated by either the HKCAD or the FAA by providing the other ninety (90) days' notice in writing.

13. Authority

The FAA and the HKCAD agree to the provisions of this working procedure as indicated by the signature of their duly authorized representatives.

FEDERAL AVIATION ADMINISTRATION

HONG KONG CIVIL AVIATION DEPARTMENT

By 

By 

Title Dorenda D. Baker
Director, Aircraft Certification Service

Title Simon Li
Director-General of Civil Aviation

Date March 27, 2017

Date 21st March 2017

FAA AND HKCAD POINTS OF CONTACT

CONTACTS REGARDING THIS WORKING PROCEDURE

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FAA

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CONTACTS FOR VALIDATION ACTIVITIES

HKCAD

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FAA

Geographically responsible FAA
Aircraft Certification Office (ACO). See
http://www.faa.gov/about/office_org/field_offices/aco/ for a listing of FAA ACOs

LIST OF REFERENCED DOCUMENTS

HK CAD Referenced Documents

1. Hong Kong Laws Chapter 448, Civil Aviation Ordinance.
2. Air Navigation (Hong Kong) Order 1995.
3. Hong Kong Aviation Requirements HKAR-21, Certification of Aircraft and Related Products, Parts and Appliances, and of Design and Production Organisations.
4. Hong Kong Airworthiness Notices.

FAA Referenced Documents

1. Advisory Circular 21-2, *Complying with the Requirements of Importing Countries or Jurisdictions When Importing Products, Articles or Parts.*
2. Advisory Circular 21-52, *Obtaining Foreign Design Approval/Acceptance of U.S. Products and Articles.*
3. FAA Order 8110.112, *Standardized Procedures for Usage of Issue Papers and Development of Equivalent Levels of Safety Memorandums.*