



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

BETWEEN THE

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

AND THE

**CIVIL AVIATION AUTHORITY OF VIETNAM
MINISTRY OF TRANSPORT
SOCIALIST REPUBLIC OF VIETNAM**

1. Purpose

The purpose of this Working Procedure is to define the procedures by which the Federal Aviation Administration (FAA) of the United States shall support the Civil Aviation Authority of Vietnam (CAAV) in approving aeronautical products and articles exported from the United States to Vietnam. This document also sets forth the procedures for cooperation between the FAA and the CAAV in the area of continued airworthiness, including approval of design changes, service difficulty reporting, and accident or incident investigation.

2. Scope

This Working Procedure applies to all FAA type certificated and manufactured aeronautical products (aircraft, aircraft engines, and propellers), aeronautical articles (materials, parts, components, processes, or appliances), and changes to those products and articles being exported from the United States to Vietnam. Additionally, it applies to changes to non-U.S. State of Design (SoD) products being exported from the United States to Vietnam.

3. Protection of Data

3.1 When the FAA provides information to the CAAV pursuant to this Working Procedure and in accordance with applicable U.S. laws and regulations, the FAA shall identify whether that information is sensitive or confidential and the nature of that sensitivity or confidentiality. The FAA, subject to U.S. laws and regulations, may impose limitations on the use or disclosure of information by the CAAV. The CAAV may also impose similar limitations subject to Vietnamese laws, regulations and policies on the disclosure of information by the FAA.

3.2 The FAA and the CAAV recognize that certain data submitted by a design approval holder is the intellectual property of that holder, and release of that data by the FAA or the CAAV is restricted. The FAA and the CAAV shall not copy, release, or show proprietary data obtained from either Authority to anyone other than an FAA or a CAAV employee without written consent of the design approval holder or other data submitter. The FAA or the CAAV shall obtain this written consent from the design approval holder through the civil aviation authority of the SoD and provide it to the other Authority.

4. Freedom of Information Act (FOIA) Request

The FAA often receives requests from the public under the United States Freedom of Information Act (FOIA) (Title 5 of the United States Code, section 552) (5 U.S.C. 552) to release information that the FAA may have in its possession. The FAA must disclose each record in its possession under the FOIA unless a FOIA exemption applies to that record. Trade secrets and financial or commercial information that is confidential or privileged are examples of criteria that may exempt records from FOIA. Design approval holders' data may include trade secrets or other information that is confidential because release of the information would damage the competitive position of the holder or other person.

5. Type Acceptance

5.1. Application Process for TCs and STCs

- 5.1.1. Any person who holds or will hold an FAA Type Certificate (TC) or Supplemental Type Certificate (STC) and who seeks CAAV Type Acceptance may make a request to the appropriate FAA office as identified in Appendix A. The FAA shall submit the request to the CAAV. The contact information for the FAA and the CAAV offices for acceptance activities are listed in Appendix A. TC and STC application checklists are available in English from the CAAV upon request.
- 5.1.2. The CAAV shall make its fee schedule for type acceptance activities available in English to the applicant upon request. This information will include the manner in which such fees may be paid by the applicant to the CAAV.
- 5.1.3. Subject to the availability of resources, the FAA shall assist the CAAV in conducting CAAV Type Acceptance of products and modifications for which the U.S. is the State of Design.
- 5.1.4. The application package must include a brief description of the product/modification, a copy of the TC or STC, the Type Certificate Data Sheet (TCDS) (with evidence of noise certification, if applicable, and type certification basis), the product's intended use, and schedule for importation into Vietnam. 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) Vietnam Aviation Regulation (VAR) Part 3 Aircraft and Component Original Certification and VAR Part 21 Issuance of Certificates for Aircraft and Products, Equipments of Aircraft 21.025 (c); VAR Part 6 Required Instruments & Equipment.
- 5.1.5. In addition to the applicable FAA airworthiness requirements, an application must include the following specific Vietnamese import requirements:
- (a) The Export Certificate of Airworthiness issued by the FAA or equivalent document, or statement of conformity issued by the manufacturer; and
 - (b) The TCDS of aircraft, engine, and/or propeller.

5.2. Type Acceptance Process for FAA TCs

- 5.2.1. Type Acceptance is dependent upon effective communication between the FAA, the CAAV, and the applicant. The FAA and the CAAV shall communicate with each other early and frequently to achieve concurrence on significant certification issues.
- 5.2.2. The assigned FAA office to support the specific CAAV type acceptance activity will be indicated in the FAA's cover letter with the application package. The CAAV shall notify, through the FAA office, the applicant:
- (a) Within ten (10) working days that it is in receipt of the application,
 - (b) Within thirty (30) working days if it has identified any missing information required to complete its review, and
 - (c) The anticipated date of an approval/acceptance.
- 5.2.3. If necessary, the CAAV shall notify the assigned FAA office, in writing, at least thirty (30) days prior to any visit related to type acceptance of an FAA TC. Within ten (10) working days, the FAA shall acknowledge the CAAV's notification and advise the CAAV as to when the FAA office is able to support a CAAV acceptance team visit.
- 5.2.4. The CAAV certification basis for the product will consist of the FAA type certification basis plus any additional technical conditions required by the CAAV.
- (a) The CAAV shall accept the findings and approvals of the FAA as the basis for determining whether a CAAV Type Acceptance certificate or equivalent may be issued.
 - (b) The aircraft's engine, propeller and components shall be approved by the CAAV as part of the aircraft TC/STC and the CAAV shall not issue separate approvals for engines and propellers that are part of

the aircraft TC/STC. Depending on the type of product, the FAA shall provide additional information as necessary.

5.2.5. In addition to complying with applicable FAA airworthiness requirements, an applicant must also demonstrate compliance with markings and placard requirements as prescribed in CAAV VAR Part 3 *Aircraft and Component Original Certification* and VAR Part 21 *Issuance of Certificates for Aircraft and Products, Equipments of Aircraft*.

5.2.6. The CAAV shall advise the FAA of any additional technical conditions (consistent with CAAV certification standards) to be imposed on the product.

(a) The CAAV shall assist the FAA in understanding and applying those additional technical conditions.

(b) Upon the request of CAAV and subject to the availability of resources, the FAA shall evaluate, on behalf of the CAAV, whether the data submitted by the U.S. applicant demonstrates compliance with the CAAV's additional technical conditions.

(c) If the CAAV elects to evaluate compliance to its additional technical conditions, FAA specialists shall assist as requested.

(d) Upon completion of the type acceptance process, and if not already provided in the application, the FAA shall provide the CAAV with a copy of all appropriate TCs, TCDS, and STCs for the aeronautical product or modification.

(e) Upon request, and within the constraints of Section 3, above, "Protection of Data," the FAA may also provide the CAAV with copies of FAA-approved data that support those certificates.

5.2.7. Documents for review by the CAAV are found in CAAV VAR Part 3 *Aircraft and Component Original Certification*, VAR Part 21 *Issuance of Certificates for Aircraft and Products, Equipments of Aircraft* and FAA AC 21-52.

5.2.8. The CAAV shall issue a TC or STC after it reviews the FAA certificate package and is satisfied with any additional technical conditions.

5.2.9. The CAAV shall provide notification to the FAA prior to any changes to this process.

5.3. Post-Type Acceptance Process for Modifications

5.3.1. The FAA shall review and approve design changes to aeronautical products initiated by an FAA design approval holder in accordance with current FAA regulations and policies regarding major and minor design changes.

5.3.2. The CAAV shall accept FAA approvals for major and minor design changes, including STCs, by the TC holder, without further involvement.

- 5.3.3. An STC held by an organization other than the TC holder shall be processed by the CAAV in accordance with Section 5.2, above, "Type Acceptance Process." After an STC held by an organization other than the TC holder has completed the Type Acceptance Process and has been issued a CAAV STC, minor and major changes to that STC shall be accepted by the CAAV without further involvement.
- 5.3.4. In the event that the CAAV requires assistance regarding any amended TCs (e.g., new model or major design changes), the FAA shall assist the CAAV as described in Section 5.2, above.

6. CAAV Acceptance of Articles

Without any issuance of an equivalent certificate by the CAAV, the CAAV shall accept the following:

- a) FAA Technical Standard Order Authorizations (TSOA) for articles; and
- b) New FAA-approved replacement and modification parts, including all FAA Parts Manufacturer Approval (PMA) parts for installation on all products, regardless of the SoD of the product; and
- c) Design changes to these articles made by the design approval holder.

7. Continued Airworthiness

The FAA and the CAAV shall cooperate in providing for the continued airworthiness of the aeronautical products and articles specified in this Working Procedure as follows:

7.1. Airworthiness Approval

- 7.1.1. The CAAV requires that a U.S.-manufactured aircraft be eligible for a current FAA airworthiness certificate and comply with any additional CAAV technical requirements in order to receive a CAAV airworthiness certificate.
- 7.1.2. The civil aviation authority of the State of Registry (SoR) is responsible for the airworthiness condition of any new or used U.S. designed and manufactured aircraft, engine, and propeller exported to Vietnam from a third country in accordance with International Civil Aviation Organization (ICAO) Annex 8.

7.2. Continued Airworthiness Information

- 7.2.1. The FAA, as the SoD authority, shall provide applicable information necessary for mandatory modifications, required limitations and/or inspections to the CAAV to ensure continued operational safety of the product or article. The CAAV may accept the corrective actions taken by the FAA in the issuance of its own mandatory corrective actions.
- 7.2.2. The CAAV, as the SoR authority for U.S. aeronautical products, shall ensure that there exists a system whereby information on faults,

malfunctions, defects and other occurrences that cause or might cause adverse effects on the continuing airworthiness of the aircraft, is collected and transmitted to the FAA.

- 7.2.3. The FAA and the CAAV recognize the importance of the sharing of aforementioned Continued Operational Safety (COS) information as a means to assist in the identification and resolution of emerging airworthiness issues. The FAA and the CAAV shall share relevant COS data with each other to assist in their respective COS oversight.
- 7.2.4. The CAAV may accept an FAA Airworthiness Directive (AD) as a minimum airworthiness standard for the continued airworthiness of the applicable aeronautical product, for which the United States is the SoD.
- 7.2.5. If the CAAV decides to issue its own ADs, then prior to issuance, the CAAV shall consult with the FAA and review actions taken and/or proposed by the FAA.
- 7.2.6. The FAA shall provide copies of applicable FAA-approved Alternative Methods of Compliance (AMOC) to the CAAV.
- 7.2.7. The CAAV may accept FAA AMOCs for FAA ADs.
- 7.2.8. The FAA shall electronically distribute continued airworthiness information, to include Continued Airworthiness Notifications to the International Community (CANIC), emergency ADs, and other ADs, to the following CAAV Airworthiness Department's general address:

Civil Aviation Authority of Vietnam
Flight Safety Standard Department
119 Nguyen Son - Long Bien,
Hanoi 10000, Vietnam
tcab@caa.gov.vn; fssd@caa.gov.vn

7.3. Accident Investigation

In accordance with the ICAO Annex 13, the FAA shall provide information and assistance, as necessary and subject to the availability of resources, in support of accident investigations within Vietnam involving U.S. SoD or State of Manufacture aeronautical products.

7.4. Service Difficulty Reporting

- 7.4.1. The CAAV shall advise the FAA of any service problems occurring on any aeronautical products or articles for which the United States is the SoD and the CAAV believes the problem is a potentially unsafe condition due to a design or manufacturing issue. The CAAV shall submit information and inquiries regarding the continued airworthiness of U.S. products and articles to the responsible FAA office as indicated in Appendix A.
- 7.4.2. The FAA shall provide information on the resolution of service problems only if mandatory action to maintain safety is required through issuance of an FAA AD, reference paragraph 7.2. If a significant service issue or

incident occurs on a CAAV-registered and operated aircraft, the FAA shall respond to specific questions when the questions are directed to the responsible FAA office, as indicated in Appendix A.

7.5. Operational and/or Maintenance Instructions

7.5.1. The FAA shall determine the acceptability of revisions to the applicable specified engine or propeller installation manuals, including operating instructions, and instructions for continued airworthiness, to include the Airworthiness Limitations Section, and operating procedures (e.g., Aircraft Flight Manual), in accordance with current FAA policies and procedures. The CAAV acknowledges FAA-approved changes to these documents as minimum continued airworthiness standards for the engines or propellers. The CAAV shall provide the FAA with a copy of additional import requirements regarding these documents, if any.

7.5.2. The appropriate Maintenance Review Board report or the Maintenance Planning Document, resulting from the FAA's certification process, will serve as the basis for determining CAAV maintenance requirements.

8. Export Procedures

The export of U.S.-manufactured type certificated products and manufactured articles from the United States to Vietnam shall be in accordance with the requirements of Title 14 of the Code of Federal Regulations (14 CFR), part 21, Subpart L, *Export Airworthiness Approvals*.

9. CAAV Acceptance of FAA Repair Data

9.1. The CAAV shall accept FAA approved data used in support of major or minor repairs and/or alterations when:

9.1.1. The CAAV has accepted the product or article; and

9.1.2. The FAA is the authority for SoD for the repair data that has been provided by the FAA design approval holder, or FAA Authorized Repair Station; or

9.1.3. The FAA accepted another civil aviation authority's repair data as part of export/import of used aircraft.

9.2. The CAAV shall accept the repair data as part of its acceptance of the FAA's system. This process does not require formal approval of the repair data by the CAAV or a CAAV design organization approval holder.

9.3. FAA design approval holders retain substantiation that supports major repairs and/or alterations. Upon request, the FAA shall transmit the data it acquires from the FAA design approval holder to the CAAV.

Note: "Major Repair" means a repair that, if improperly done, might appreciably affect weight, balance, structural strength, performance, power plant operation, flight characteristics, or other qualities affecting airworthiness; or a repair that is

not done according to accepted practices or cannot be done by elementary operation.

10. 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.

11. Appendices

Appendix A to this procedure identifies the CAAV and the FAA personnel who may be contacted regarding this Working Procedure. Appendix B lists the documents referenced in this Working Procedure.

12. Language

All documents and correspondence exchanged between authorities under this Working Procedure shall be in the English language.

13. Financial Obligations

The FAA and the CAAV shall pay their own costs and expenses incurred in connection with this Working Procedure.

14. Amendments

This Working Procedure may be amended by mutual consent of the FAA and the CAAV. Such amendments shall be in writing and shall enter into force by signature of the duly authorized representatives of the FAA and the CAAV.

15. Entry into Force and Termination

This Working Procedure shall enter into force upon signatures of both the FAA and the CAAV and shall remain in force until terminated. Either the FAA or the CAAV may terminate this Working Procedure by providing the other party sixty (60) days' notice in writing.

16. Authority

The FAA and the CAAV agree to the provisions of this Working Procedure as indicated by the signatures of their duly authorized representatives.

Federal Aviation Administration
Department of Transportation
United States of America

Civil Aviation Authority of Vietnam
Ministry of Transport



[Handwritten signature in blue ink]

Earl Lawrence
Executive Director
Aircraft Certification Service

Ho Minh Tan
Deputy Director General
Civil Aviation Authority of Vietnam

Date

Date: 18 Apr 2022

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CONTACTS FOR ACCEPTANCE AND CONTINUED AIRWORTHINESS ACTIVITIES

<p><u>CAAV</u></p> <p><u>Flight Safety Standard Department</u></p> <p>Director Phone: +84 4 38271513 ext 4634 Mobile: +84 (0) 912808367 Email: tcatb@caa.gov.vn fssd@caa.gov.vn</p> <p><u>Head of Airworthiness Department</u></p> <p>Deputy Director (In charge of Airworthiness & Maintenance) Flight Safety Standard Department, Civil Aviation Authority of Vietnam, 119 Nguyen Son, Long Bien Hanoi, Vietnam Tel: + 84.24 38732290 Fax: + 84.24 38271933 Email: tcatb@caa.gov.vn fssd@caa.gov.vn</p> <p><u>Deputy Director</u></p> <p>Flight Standard Safety Department Phone: +84 8271513 ext 4634 Fax: +84 8732291 Mobile: +84 912808367 Email : tcatb@caa.gov.vn fssd@caa.gov.vn</p>	<p><u>FAA</u></p> <p>The designated focal point offices for these Working Procedures are:</p> <p><u>International Office (AIR-40)</u> Aircraft Certification Service 600 Independence Avenue, S.W. Wilbur Wright Bldg. 108, Suite 6W1000 Washington, D.C. 20591 Tel: +1 202-267-1011 Fax: +1 202-493-5144 Email: 9-AWA-AVS-AIR400@faa.gov</p> <p>The designated focal point offices for all other issues are:</p> <p><u>Compliance & Airworthiness Division (AIR-700)</u> ACO Branch For a listing of FAA ACO Branches see: https://www.faa.gov/aircraft/air_cert/locate_office/aco/</p> <p><u>BASOO Branch (for Boeing airplane exports)</u> AIR-860 2200 South 216th Street Des Moines, WA 98198 Tel: +1 206-231-3595 Email: 9-ANM-BASOO-Validation@faa.gov</p> <p><u>Design and Maintenance Systems (AIR-631)</u> Aircraft Certification Service 950 L'Enfant Plaza N, SW Washington, DC 20591 Tel: +1-202-267-1599</p>
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LIST OF REFERENCED DOCUMENTS

CAAV Referenced Documents

1. Vietnam Aviation Regulation (VAR) Part 3 “*Aircraft and Component Original Certification*”.
2. VAR Part 6 “Required Instruments and Equipment”.
3. VAR Part 21 “*Issuance of Certificates for Aircraft and Products, Equipments of Aircraft*”.

FAA Referenced Documents

1. Title 14, Code of Federal Regulations (14 CFR) part 21, Subpart L, *Export Airworthiness Approvals*.
2. Advisory Circular 21-52, “*Obtaining Foreign Design Approval / Acceptance of U.S. Products and Articles*”.
3. FAA Order 8110.52, “*Type Validation and Post-type Validation Procedures*”.