SCHEDULE OF IMPLEMENTAION PROCEDURES

FOR THE

U.S./CANADA BILATERAL AIRWORTHINESS AGREEMENT (BAA)

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Note on Revisions

The revisions to the earlier schedule of January 31, 1985, are marked with a vertical bar on the right hand margin. The significant changes are the inclusion of paragraph 226 on Issue Papers, revisions to Section 23 on Supplemental Type Certificates/Supplemental Type Approvals, and the relocation of the section on supplier provision from Section 33 to Section 63.

INTRODUCTION

This document contains the agreed upon Federal Aviation Administration/ Transport Canada Aviation Group (FAA/TCAG) procedures for implementing the U.S./Canadian Bilateral Airworthiness

Agreement, and is intended to facilitate the approval process for aircraft and other aeronautical products being imported or exported between the U.S. and Canada. It may be jointly reviewed at any time at the request of either FAA or TCAG, and will be reviewed periodically taking into account improvements, additions, or changes suggested by either the FAA or TCAG, by U.S. and Canadian aviation industry associations or member companies, or by other interested parties, to assure that the procedures remain current. Amendments may be developed by the FAA Director of Airworthiness and the TCAG Director of Airworthiness and issued following approval by the FAA Administrator and the Assistant Deputy Minister, Aviation, Department of Transportation.

Suggestions for improvement are welcomed and can be addressed to either of the addressees below, who are responsible for the administrative process of keeping this document current:

(FAA Address) Office of Airworthiness, AWS-4
Federal Aviation Administration
800 Independence Avenue, SW.
Washington, D.C. 20591, U.S.A.

(TCAG Address) Airworthiness Branch
Transport Canada Aviation Group
200 Kent Street
Ottawa, Ontario K1A 0N8, Canada
Attention: AARDA

NOTE:

The Transport Canada Aviation Group (TCAG) has replaced the Canadian Air Transportation Administration (CATA) in the Department of Transport as the civil airworthiness authority of Canada. (Reference Paragraph 10(c) of the U.S./Canada Bilateral Airworthiness Agreement.)

CHAPTER 1. GENERAL

10. Purpose. This schedule sets forth procedures agreed upon between the Federal Aviation Administration (FAA) and the Transport Canada Aviation Group (TCAG) to carry out the objectives of the Agreement between the United States of America and Canada concerning the Airworthiness and Environmental Certification of Imported Civil Aeronautical Products, hereafter referred to as the bilateral airworthiness agreement (BAA).

11. Basis. The basis for this Schedule, which is authorized by Section 10 of the BAA, is stated in Section 2 of the BAA.

12. Objectives. The objectives of this Schedule are stated in the Basis and Scope clauses of the BAA and are intended to ensure that the maximum practical credit is given to the exporting State's certification system and to ensure that:

120. Design approval. The procedures for the approval of the type design of a product, and changes to the type design of a product, establish compliance with the applicable airworthiness and environmental standards of the importing State civil airworthiness authority (importing authority), or criteria determined by the importing authority to provide a level of safety and environmental quality equivalent to its own.

121. Product airworthiness certification. The procedures for airworthiness certification of a product to facilitate acceptance by the importing authority establish that the product conforms to the importing authority's approved type design and is in a condition for safe operation.

122. Maintenance and alteration/modification. The procedures for the performance of maintenance and alteration or modification by authorized persons in one State on aircraft which are under airworthiness regulation by the civil airworthiness authority (CAA) and the other State, including aeronautical products to be installed on such aircraft, establish that the work is performed and the aircraft returned to service in accordance with the laws, regulations, standards, and requirements of the State regulating the airworthiness of the affected aircraft.

123. Mutual cooperation and technical assistance. The procedures enable the FAA and TCAG to exchange appropriate information needed to understand and conduct the approval and monitoring processes within the scope of the BAA and to cooperate when technical assistance is needed by either CAA in fulfilling its national airworthiness and environmental regulatory duties.

124. Accountability. The procedures enable the persons responsible for a product's design integrity and manufacturing quality assurance/control, and the CAA having jurisdiction over these activities, to be identified for the products imported, and establish that adequate technical capability is available to assure that safety issues which may arise with regard to the product in service will be satisfactorily resolved in a timely manner.

125. Special arrangements. The procedures provide for the resolution by the FAA and TCAG by special arrangement, as necessary, of urgent or unique situations not envisaged in this Schedule, providing the situation falls within the scope and purpose of the BAA.

13. Definitions. The definitions in Section 4 of the BAA are incorporated by reference in this Schedule. As used in this Schedule, the following definitions are provided to supplement those definitions.

(a) Compliance means that, after examination by analysis, test, etc., the type of a product is found to satisfy the notified airworthiness and environmental criteria.

(b) Component means a part, material, or subassembly intended for use on an aeronautical product.

(c) Conformity means that a product is examined against pertinent type design, test, and quality control data and is found to meet those data.

(d) Exporting Civil Airworthiness Authority means the national organization within the exporting State, charged by the laws of the exporting State with regulating the airworthiness and environmental certification, approval, or acceptance of aeronautical products. The exporting civil airworthiness authority will be referred to herein as the exporting authority.

(e) Equivalent Safety Finding means a determination that alternative action taken provides a level of safety equal to that provided by the requirements for which equivalency is being sought.

(f) Exemption means acceptable non-compliance with a requirement when processed through the appropriate regulatory procedure by the CAA and found to be in the public interest and not to have an adverse effect on safety.

(g) Familiarization means the process whereby the importing authority obtains information and experience on an aeronautical product designed in the Exporting State in order to: prescribe additional technical conditions for that product; provide corrective airworthiness action in the event that the product experiences service difficulties during its operation in the Importing State; and develop appropriate maintenance, operating, and pilot type rating information for the product.

(h) Finding means the result of a review, investigation, inspection, test, analysis, etc., to determine compliance of a design with a law, regulation, standard, or requirement, or conformity of a product with approved type design data.

(i) Importing Civil Airworthiness Authority means the national government organization within the importing State, charged by the laws of the importing State with regulating the airworthiness and environmental certification, approval, or acceptance of civil aeronautical products.

(j) Manufacturer means the person responsible for the final assembly of a product under a CAA-approved quality assurance system which ensures conformity of the product to an approved type design and includes the activities of producing or fabricating, notwithstanding that portions of the product may have been manufactured by other persons at other locations.

(k) Non-standard category aircraft means an aircraft which is only eligible for a restricted, experimental, limited, or provisional airworthiness certificate or a flight permit.

(l) Person means any individual, firm, co-partnership, corporation, company, association, joint stock association, or body politic, and includes any trustee, receiver, assignee, or other similar representative thereof.

(m) Priority parts means those parts whose failure could reasonably be expected to result in the catastrophic failure of the product in which they are installed.

(n) Quality assurance or quality control means a systematic process which provides confidence that aeronautical products will conform to the approved type design and will be in a condition for safe operation.

(o) Special Condition means a specific safety standard issued by a CAA for a product when, because of a novel or unusual design feature of the product, the established airworthiness and environmental standards do not contain adequate appropriate safety standards to establish a level of safety equivalent to that established by the airworthiness standards.

(p) Standard Category Airworthiness Certification means the issuance of a standard category airworthiness certificate for aircraft type certificated or type approved in the normal, utility, acrobatic, commuter, or transport categories.

(q) Supplier means a person who contracts to provide a component to a product manufacturer to be incorporated into the manufacturer's civil aeronautical product.

(r) Type Design means the description of all characteristics of a product, including its design, manufacture, limitations, and continued airworthiness airworthiness instructions which determine its airworthiness.

(s) Type Design Approval means the issuance of a certificate, approval, or acceptance by, or on behalf of, an airworthiness authority for the type design of a product.

CHAPTER 2. PRODUCT TYPE DESIGN APPROVAL PROCEDURES.

20. General. Approval of the type design of a product, or changes to the type design of a product, by the importing authority shall be based, to the maximum extent practicable, on technical evaluations, tests, inspections, and compliance certifications made by the exporting authority. The appropriate form of design approval is to be issued by the importing authority for an imported product if the exporting authority, after consultation with the importing authority, certifies to the importing authority that the product type design has been examined, tested, inspected, and found to meet the airworthiness and environmental criteria prescribed by the importing authority, which the importing authority has found to be equivalent to its own national airworthiness and environmental standards for a similar product.

21. Type Design Approval Application Considerations.

210. United States. An FAA type design approval for a product is a prerequisite: for issuance of a U.S. airworthiness certificate; to permit a non-U.S. registered aircraft to be operated under lease by a U.S. certificated air carrier or commercial operator under FAR Parts 121, or 135; or to permit a related product (e.g., engine, appliances) to be installed on an aircraft having a U.S. airworthiness certificate. The FAA will assign a higher priority to applications for type design approval of an import product when one of the above situations is shown to exist. The FAA does not generally grant type design approvals for products manufactured outside the U.S. which are not intended for U.S. utilization, except for products to be installed on U.S. manufactured products. Therefore, non-U.S. applicants for design approval should provide the FAA with evidence of intended U.S. utilization or installation on a U.S. manufactured product at the time of application.

211. Canada. A TCAG type design approval for a product is a prerequisite: for issuance of a Canadian certificate of airworthiness; to permit a nonCanadianregistered aircraft to be operated under lease by a Canadian commercial air carrier under Section 210 of the Air Regulations; or to permit a related product such as an engine or appliance to be installed on an aircraft having a Canadian certificate of airworthiness.

(a) The TCAG will assign a higher priority to applications for type design approval for an import product when one of the above situations is shown to exist. The TCAG does not generally grant type design approvals for products designed and manufactured outside of Canada

which are not intended for Canadian utilization, except for articles to be installed on Canadian designed and manufactured products. Therefore, U.S. applicants for design approval should provide TCAG with evidence of intended Canadian utilization or installation on a Canadian designed and manufactured product at the time of application.

(b) Notwithstanding the above, it is the current policy of the TCAG to recognize FAA Type Certificates and related Data Sheets as an acceptable Canadian type design approval for the following U.S. designed and manufactured products:

(i) Aircraft certificated in the normal, utility, and acrobatic categories;

(ii) Gliders, including sailplanes and fixedwing, selflaunching powered gliders;

(iii) Aircraft engines; and

(iv) Propellers.

(c) In addition, the TCAG recognizes FAA letters of Technical Standard Order design approval issued to U.S. manufacturers of appliances, in those cases where the TSO has been adopted as the Canadian Standard. Thus, the U.S. holder of an FAA design approval for any of the above products need not apply to the TCAG for Canadian approval.

(d) This policy is under review and certain of the abovenoted products will in the future require Canadian design approval. As the Canadian policy and regulations are amended, this section of the Schedule of Implementation Procedures will also be changed.

22. Type Design Approval Procedure for Aircraft, Aircraft Engines, and Propellers. The FAA issues type certificates (TC) and the TCAG issues type approvals (TA) to grant approval of the type design of aircraft, aircraft engines, and propellers. The following procedures apply to such product type designs to be type certificated by the FAA or type approved by the TCAG for standard category airworthiness certification. Non-standard category aircraft, and engines and propellers for non-standard category aircraft, will be dealt with on a casebycase basis through the special arrangement provisions of this document.

220. Application. An applicant for type certificate/type approval shall make application through its own CAA with a request that the application and related information be forwarded to the importing authority. All Canadian applications for FAA type design approval shall be sent by the TCAG to an Aircraft Certification Office (ACO) specified by the FAA Aircraft Certification Division in Boston, Massachusetts. All U.S. applications for TCAG type design approval shall be sent to the FAA ACO in the applicant's geographical area, and the FAA ACO will forward the application to the TCAG Airworthiness Director in Ottawa. Applications should include a general description of the product including:

(a) A three-view drawing for aircraft or a cross-section drawing for engines and propellers;

(b) A statement of the applicable airworthiness and environmental standards for design approval as established by the exporting authority for its own domestic design approval;

(c) Any novel or unusual design features known to the applicant at the time of application which might necessitate issuance of either FAA or TCAG airworthiness special conditions;

(d) Any expected exemption or equivalent safety findings relative to the exporting authority's airworthiness standards for type design approval;

(e) Any equivalent environmental compliance procedures; and

(f) The estimated date of completion.

221. Initial familiarization briefing. On major projects, as soon as practicable after the application has been received and accepted by the importing authority, and when the design is sufficiently defined, a familiarization briefing on the product may be requested by the importing authority. The briefing shall be held at a mutually agreeable location for attendance by the FAA, TCAG, and the applicant. The primary purposes of the briefing will be to permit:

(a) The applicant to describe the design to the importing authority. This briefing (or series of briefings) shall cover all aspects of the design. Emphasis should be placed on any novel, unusual, or critical design features which might necessitate issuance of either importing authority or exporting authority special conditions or new applications of existing standards;

(b) The importing authority to engage in detailed technical discussions with the exporting authority and the applicant on the design, including particular applications or interpretations of the airworthiness and environmental standards of the exporting State and the importing State; and

(c) For products with a prior service history, the applicant and the exporting authority to brief the importing authority on the product service history, including corrective measures taken to preclude occurrence of incidents or accidents.

222. Establishment of the type certification basis by the importing authority.

(a) The importing authority shall establish a type certification basis (U.S.) or type approval basis (Canadian) for the product design in accordance with its own domestic airworthiness and environmental standards for a similar product, giving consideration to the standards which were in effect in the importing State at the time that application

was received for the approval of the product type design by the exporting authority.

(b) Once the importing authority's type certification basis/type approval basis has been established, the airworthiness and environmental standards for type certification/type approval by the importing authority shall be developed jointly by the FAA and TCAG so as to:

(i) Give maximum credit to the exporting authority's domestic certification system; and

(ii) Provide the importing authority a basis to find compliance with its own national airworthiness and environmental standards or to find that equivalent criteria have been met, based on an exporting authority certification of compliance with the agreed airworthiness and environmental criteria.

(c) Thus, the airworthiness and environmental standards defined by the importing authority will consist of the airworthiness and environmental standards as applied by the exporting authority under its own domestic certification system, plus any additional technical conditions specified by the importing authority to establish an equivalent level of safety and environmental quality with its own domestic standards for a similar product.

223. Additional technical conditions. The additional technical conditions may include any or all of the following:

(a) Additional airworthiness conditions based on differences in the basic airworthiness standards, interpretations, applications, policies, and guidance materials between the two States. In the case of the U.S., the basic airworthiness standards are set out in the Federal Aviation Regulations (FAR) Parts 23 through 35. In the case of Canada, the basic airworthiness standards are set out in Chapters 523 through 535 of the Airworthiness Manual;

(b) Additional environmental (noise and emissions) conditions based on differences in the environmental standards between the two States. In the case of the U.S., the basic environmental standards are the noise standards of FAR Part 36 and the emissions standards of Special Federal Aviation Regulation (SFAR) 27, plus the operating standards concerning noise and emissions in Parts 21 and 91. In the case of Canada, the basic environmental standards are the noise requirements of Chapter 516 of the Airworthiness Manual (based on ICAO Annex 16), plus the operating standards concerning noise as contained in Air Navigation Order (ANO) Series II, Number 21 and 27;

(c) Special Conditions relating to novel or unusual features of the product design which are not covered by the airworthiness or environmental standards of the exporting authority;

(d) Airworthiness or environmental conditions based on an evaluation of equivalent safety findings, and exemptions granted by the exporting authority to the applicant for domestic certification;

(e) At the option of the applicant, operational requirements of the importing authority for a particular kind or condition of operation which would affect the design or performance of the product. This could include the provision of additional equipment required to meet the operational requirements of the importing authority, as well as supplementary advisory information in the aircraft flight manual; the provision of an aircraft operating manual with procedures for the dispatch of the aircraft with inoperative equipment; and the provision by the exporting authority of advisory maintenance information. This latter information will assist an aircraft operator in satisfying the importing authority that he has an acceptable maintenance specification for his aircraft operation; and

(f) Actions deemed necessary for continued safe operation in the importing State as a result of the importing authority review of the service history and the actions taken by the exporting authority to correct unsafe conditions on products of a type design previously certificated by the exporting authority and having accumulated a measurable service history.

224. Data submittal and design review. Required technical data representing the product will vary with the type and complexity of the product involved. Preceding the issuance of type certification, the importing authority may request additional technical design data, may review the product, and may fly the product for familiarization purposes. Also, when deemed necessary, the importing authority may fly, or conduct a detailed review of, the product to assure compliance with the additional technical conditions. The applicant shall submit all data to the exporting authority for verification and transmission to the importing authority. Requests for additional technical data, reviews, and flight tests as described here shall, in the spirit of the BAA, be the minimum necessary to assure that the importing authority acquires the needed familiarity.

225. Technical meetings. In addition to the initial familiarization briefing, other technical meetings may be necessary to assure that any additional technical conditions that have been communicated to the exporting authority are well understood, and that any outstanding technical issues are resolved. All technical meetings will normally be arranged through the exporting authority. Location of the meetings may vary, depending on the needs and priorities, and will normally have importing authority/exporting authority representatives in attendance. Such meetings (and guidelines for the meetings) may include:

(a) Technical meetings requested by the applicant, the exporting authority, or the importing authority for the purpose of reporting new developments, reviewing changes, or resolving technical compliance questions;

(b) Technical meetings between the importing authority and exporting authority to effect the timely resolution of outstanding issues;

(c) Technical meetings held with the applicant to provide the applicant with the importing authority's position with respect to any unresolved technical issues; and

(d) Technical meetings involving flight operations and maintenance specialists of the importing authority, exporting authority, and the applicant to facilitate operational acceptance of the product by the importing authority for a particular kind of condition of operation.

226. Issue papers. Issue papers may be prepared by the importing authority which describe issues, such as Additional Technical Conditions, which need to be resolved before the importing authority can grant a TC/TA or before an aircraft can enter a special type of operation, such as commercial operation, in the importing authority's country. The exact form and scope of the issue papers will be determined by each airworthiness authority and details of their use will be provided to the other authority.

227. Approval of changes to a type certificate/type approval.

(a) Approval of changes to the type design (e.g., model changes), sought by the type certificate holder shall be issued as amendments to the TC or TA by the importing authority. A certification procedure similar to that described in Section 22 shall be applied, but adjusted as appropriate for the magnitude and complexity of the design change. The importing authority retains the right to determine if the proposed change is of such significance as to require a new type certificate/type approval for the changed type design, based on how the change would be dealt with for a similar product and circumstances in the importing State.

(b) Changes or production design improvements other than those to be dealt with under Section 227(a), such as changes introduced by service bulletins, shall be considered approved by the importing authority upon approval by the exporting authority under its normal procedures; provided information on the changes is supplied to the importing authority by the exporting authority. Upon request, the exporting authority shall arrange to have service bulletins reflecting changes provided to the importing authority on a timely basis.

23. Supplemental Type Certificates/Supplemental Type Approvals.

(a) The FAA may issue supplemental type certificates (STC) and the TCAG may issue Supplemental Type Approvals (STA) to grant approval for changes to a type design on aeronautical products for which a standard type certificate or type approval has been previously issued. The importing authority shall consider approving a change in type design on a product made by an applicant in the exporting State, provided the product has been type certificated or type approved by both the FAA and the TCAG for standard category certifications.

(b) Application for STC/STA relating to products type certificated in non-standard categories and design approvals for field modification authorized under FAA field approval procedures (FAA Form ACA337) shall be dealt with on a case-by-case basis, similar to TC/TA's of non-standard category.

(c) It is TCAG's current policy to recognize STC's issued by the FAA for changes in type design to fixed and rotary wing aircraft designed and manufactured in the U.S. and type certificated by the FAA in compliance with normal, utility, or aerobatic airworthiness standards, (FAR 23 and 27 respectively) without the need for issuance of an STA, providing the changes do not require compliance with additional technical conditions as specified in Section 223.

230. Application for STC/STA. An applicant shall submit STC/STA applications to the exporting authority with a request that the application and related information be forwarded to the importing authority. Information on appropriate FAA/TCAG offices can be found in Appendix A. Each application will provide the following information:

(a) Description of the change, together with the make and model of the product;

(b) Copy of exporting authority approval document and certification basis; and

(c) Information on any equivalent safety findings or exemptions granted by the exporting authority for the domestic STC/STA.

231. Establishment of applicable airworthiness and environmental criteria. The approval basis for an STC/STA shall normally be the airworthiness and environmental standards originally established by the importing authority for TC/TA approval of the basic product. Additional technical conditions may be prescribed by the importing authority when the circumstances of the design change make them necessary.

232. Basic documentation. The following documentation will, under normal circumstances, be required for review by the applicable airworthiness authority:

(a) Compliance checklist.

(b) Aircraft Flight Manual Supplement.

(c) Master Documentation List/Master Drawing List.

(d) Manufacturing and Installation Instruction Drawings.

(e) Maintenance/Repair Manual Supplements, etc.

(f) Weight and Balance Data.

(g) Instructions for Continued Airworthiness.

233. Additional documentation for complex STC/STA's. Where the technical complexity of the design change warrants, e.g. where additional technical conditions are required, it may be necessary to provide additional data, such as:

(a) Engineering Reports: Structural analysis, etc.

(b) Flight Test Data.

234. Approval procedures. The importing authority will review the STC/STA application, together with the exporting authority's basis for certification and documentation. The importing authority will either concur with the exporting authority basis of certification or propose additional technical conditions. Findings of compliance against these technical conditions will normally be made by the exporting authority upon request from the importing authority. This will not preclude the possibility that the importing authority, for familiarization on complex STC/STA's, will need to perform additional evaluations, such as flight tests, etc.

24. Design Approvals of Products Other than Aircraft, Aircraft Engines and Propellers. The TCAG and the FAA note that the FAA issues a letter of TSO design approval for appliances of a kind for which a performance standard has been published in an FAA Technical Standard Order (TSO). The TCAG and the FAA note that the TCAG issues an Appliance Design Approval for appliances for which a performance standard has been published in Chapter 537 of the Canadian Airworthiness Manual. This Chapter adopts by reference most of the FAA TSOs listed in FAA Advisory Circular 20110. Any U.S.-designed and manufactured product which meets a TSO standard recognized by TCAG and which has been issued with an FAA letter of TSO design approval shall be recognized by TCAG without the requirement for any additional Canadian approval. Approval of such appliances may be accomplished by correspondence between the FAA New York ACO and the TCAG Airworthiness Office in Ottawa. The appropriate form of design approval may be issued to the applicant by the importing authority after:

240. Receipt of a statement from the applicant through the exporting authority, with confirmation by the exporting authority, that the design and performance of the appliance or article comply with the applicable TSO or other accepted standards; and

241. Receipt of all the required data pertaining to the proper installation, performance, operation, and maintenance of the appliance.

CHAPTER 3. PRODUCT AIRWORTHINESS CERTIFICATION OR ACCEPTANCE.

30. Production Quality Assurance System Approvals for Products Manufactured in Either the U.S. or Canada. All products manufactured in either the U.S. or Canada and exported under the provisions of the BAA shall be manufactured in accordance with a production quality assurance system acceptable to the exporting authority, which assures conformity to the type design approved by the importing authority and ensures that completed products are in a condition for safe operation. Therefore, a separate approval of the manufacturer's production quality assurance system by the importing authority is not required, although it is consistent with the intent of the BAA that the importing authority may become familiar with the manufacturer's production quality assurance system.

31. Airworthiness Certification or Acceptance of Products.

310. Complete aircraft manufactured in the U.S. or Canada. The importing authority shall accept the certification of the exporting authority on the airworthiness of an aircraft in making its finding that the aircraft is eligible for an airworthiness certificate. The certification by the exporting authority shall attest that the aircraft:

(a) Conforms to a type design approved by the importing authority, which meets the importing authority's standards for airworthiness and environment, as specified in the importing authority's type certificate/type approval data sheet;

(b) Is in a condition for safe operation, including compliance with applicable importing authority mandatory airworthiness modifications and special inspections; and

(c) Contains equipment which ensures compliance with the importing authority's operational requirements as notified by the importing authority.

311. Deviations from the importing authority type design. Any deviations from the importing authority type design shall be noted by the exporting authority on the certifying statement. Any such deviations shall be resolved by the applicant/installer before an aircraft is eligible for a U.S. or Canadian airworthiness certificate, or a related product is eligible for installation on an aircraft having a U.S. or Canadian airworthiness certificate.

312. Products other than complete aircraft manufactured in the U.S. or Canada. The importing authority shall accept the evaluations of a product made by the exporting authority in making its finding that the product is eligible for installation on aircraft having an airworthiness certificate issued by the importing authority, if the exporting authority makes a certification that the product conforms to a type designed configuration approved by the importing authority for installation of that type of aircraft and is in a condition for safe operation, including compliance with any applicable mandatory airworthiness modifications, special inspections, and special requirements of the importing authority.

313. Products manufactured in a third State. In making its finding of eligibility for an airworthiness certificate or approval for an aircraft, engine, or propeller manufactured in a third State, the importing authority shall accept the certification of the exporting authority as to the airworthiness of that aircraft, engine, or propeller, providing the exporting authority makes a certification to the importing authority similar to the required in Sections 310 or 312, as appropriate, and further providing that:

(a) Both the FAA and TCAG have approved the basic type design of the aircraft, aircraft engine, or propeller, as appropriate; and

(b) In the case of an aircraft, the aircraft normally would have been required and registered and certificated in the exporting authority State, or had been in the exporting State for the purpose of completion; e.g., interior installation.

32. Special Requirements for Products. The TCAG and the FAA note that the following identifies those special requirements which must be complied with as a condition of acceptance of products imported into the U.S. or Canada, or for use on U.S./Canadianregistered aircraft.

320. U.S. special requirements.

(a) Identification and marking.

(i) Aircraft, aircraft engines, and propellers must be identified in a manner outlined in FAR Section 45.11 with the information outlined in FAR Section 45.13.

(ii) Critical components to be used as spare or replacement/modification parts must be identified with a part number and serial number.

(iii) Appliances and articles of a design approved by an FAA letter of TSO design approval must be marked in accordance with the requirements outlined in Part 21, Subpart 0, and any additional marking requirements specified in the particular TSO.

(iv) Parts and materials to be used as spare or replacement/modification parts must be identified by a part number and the manufacturer's name or trade mark. In addition, information concerning the model designation or the type certificated product for which the part is eligible for installation must be furnished.

(b) Maintenance records. The products must be accompanied by maintenance records equivalent to those specified in FAR Section 91.173 that reflect the status of required inspections, life limits, etc.

(c) Operational check. In the case of engines and propellers, the engine or propeller must have been subjected to a final operational check to the manufacturer's specifications.

321. Canadian special requirements.

(a) Canadian registration. A Canadian Certificate of Registration is not required as a condition for the issuance of Canadian flight authority, with either a Certificate of Airworthiness or a Flight Permit. However, no aircraft is authorized to fly under Canadian registration without a valid Canadian flight authority. TCAG requirements for Canadian registration and ownership are established in Part II, Division I of the Air Regulations. Aircraft nationality and registration markings are currently contained in Air Navigation Order Series II, No. 1, and will shortly be republished in Air Regulations, Series II, No. 1, Identification of Aircraft and Aeronautical Products.

(b) Product identification. To be eligible for a Canadian flight authority, an aircraft must be identified with an identification plate in

accordance with requirements contained in Air Regulations, Series II, No. 1, Identification of Aircraft and Aeronautical Products.

(c) Provision of aircraft manuals. Acceptance of the first of a type or model of aircraft into Canada is conditional upon the aircraft type design approval holder providing to TCAG at no charge seven copies of the Aircraft Flight Manual, Maintenance Manual, Structural Repair Manual, Illustrated Parts Catalogue, and Service Bulletins, together with all subsequent amendments to these documents. In the case of transport category aircraft, the required number of manuals may be reduced as a result of negotiations between the aircraft type design approval holder and TCAG.

CHAPTER 4. MAINTENANCE, ALTERATION, OR MODIFICATION OF AERONAUTICAL PRODUCTS.

40. General. Maintenance, alteration, or modification may be performed on an aircraft under the airworthiness regulation of the FAA or TCAG, or on an aircraft engine, propeller, appliance, or part for installation thereon, and approved for return to service by authorized persons identified in Section 42, in either Canada or the U.S., provided that the maintenance, alteration, or modification is accomplished in accordance with the airworthiness and environmental standards, including the product record entry requirements, of the State regulating the airworthiness of the aircraft.

41. Design Approval of Alteration or Modification. Alteration or modification made under these provisions shall be made in conformity to a type design configuration approved by the CAA regulating the airworthiness and the operation of the product in service. In the case of an aircraft having an airworthiness certification issued by one State which is being operated under lease by an operator in the other State, the CAA of the State which issued the airworthiness certificate must approve the type design change which describes the alteration or modification. The operator of the leased aircraft must also ensure that the alteration or modification is in accordance with the laws and regulations of his CAA.

42. Authorized Persons. Maintenance and alteration or modification may be performed on civil aeronautical products and approved for return to service in either Canada or the U.S. when:

(a) That work is accomplished in Canada and returned to service by a Canadian company or air carrier that has been approved by the TCAG for the maintenance or alteration of the same complexity for the same product, except that maintenance work may be performed and certified in Canada on aircraft having a U.S. airworthiness certificate by Aircraft Maintenance Engineers holding a valid license from the TCAG in an appropriate category and with suitable endorsements relative to the work performed; or

(b) That work is accomplished in the U.S. and returned to service by an FAA certificated Repair Station or air carrier that has been approved by the FAA for the maintenance and alteration or modification of the same complexity for the same product, except that maintenance work may be performed and certified in the U.S., on aircraft having a Canadian airworthiness certificate by maintenance airmen holding a

valid certificate from the FAA, appropriately rated and authorized for the work performed.

43. Information and Guidance Regarding the Maintenance, Alteration, or Modification to be Performed Under the Terms of this Agreement. Due to the number of persons and organizations who may perform maintenance, alteration, or modification under this agreement, each CAA shall develop appropriate publications and circulate those publications through established methods in its respective State to:

(a) Inform persons in that State of the terms of this agreement; and

(b) Outline the regulatory requirements and any special requirements necessary for those persons to perform under the terms of this agreement.

CHAPTER 5. ACCOUNTABILITY.

50. General. Each CAA has responsibility to the other to assure design or manufacturing deficiencies are corrected on products which were imported or exported under the BAA and which have current TC/TA's or production approvals issued by that CAA to a person located in its State. In those instances where a U.S. or Canadian person has undertaken design and/or manufacturing accountability in a participating arrangement with a person from a third State, the CAA responsibility is limited to the U.S. or Canadian person's area of accountability. These responsibilities include:

510. Communication. The need for FAA/TCAG dialogue to assure that the same or consistent information and requirements are issued on a given product;

511. Notification of unsafe conditions. When the service experience in the importing State indicates the existence of an unsafe condition associated with the design, manufacture, or maintenance of a product, such information should promptly be provided to the exporting authority. When such information is so provided, the exporting authority should give expedient attention to the information and consider appropriate action to correct the condition.

512. Accident/incident investigation assistance. When an importing authority needs airworthiness information for the investigation of service incidents or accidents involving a product imported under the BAA, the request for the information should be directed to the appropriate exporting authority office. In turn, upon receipt of the request for information, the exporting authority office. In turn, upon receipt of the request for information, the exporting authority should immediately do everything necessary to make sure the requested information is provided in a timely manner. If urgency requires that the importing authority request the information directly from the manufacturer, the importing authority shall immediately inform the responsible exporting authority office of this action.

513. Mandatory airworthiness actions. In the case of mandatory airworthiness actions, each CAA shall keep the other fully informed in a timely manner of all mandatory airworthiness modifications and special inspections which are determined to be necessary on products designed or manufactured in either State. The issuing CAA shall identify the safety problem (unsafe condition) requiring the mandatory airworthiness action. A standard notification system shall be established which will

assure that all such actions are promptly notified to the other CAA. In the case of emergency airworthiness information, the issuing CAA should ensure special handling so that the other CAA is notified immediately and can take appropriate parallel action within the constraints of the original action. Unless differing operational conditions obviate the need, the other CAA shall issue expedient and consistent mandatory airworthiness information to operators of the product in its country.

CHAPTER 6. MUTUAL COOPERATION AND TECHNICAL ASSISTANCE.

60. Communications and Meetings. Applicants for product type design approval frequently request technical meetings or correspond directly with the importing authority to discuss and resolve technical issues that commonly arise in the applicants' programs. Because each CAA relies heavily on the other's understanding of its position on such issues, the exporting authority shall be included in any such meetings or correspondence. Also, each CAA shall seek the other CAA's opinions before significant issues regarding an applicant's program are resolved and, accordingly, will generally discourage a meeting with the applicant to discuss and resolve technical issues unless the other CAA is also invited. Similarly, correspondence will generally be answered through, co-ordinated with, or copied to the exporting authority.

61. Technical Evaluation Assistance. Upon request and mutual agreement, one CAA may perform technical evaluation assistance on behalf of the other CAA in furtherance of the purposes and objectives of the BAA. Such areas of assistance may include, but are not limited to witnessing tests, performing inspections, reviewing reports, doing flight tests, and obtaining data.

62. Exchange of Information on Standards and Certification Systems. It is recognized that an essential factor in a smoothly operating BAA is a thorough and uptodate knowledge by the exporting authority of the regulations, policies, practices, and interpretations of the importing authority. Early efforts should assure that each CAA has in its possession a complete set of the other CAA's written regulations, guidance, policies, practices, and interpretations, or have a source for such information. Since such regulations, policies, practices, and interpretations are continually undergoing review and revision, it is imperative that the exporting authority's maximum practicable involvement in the review and revision process be permitted and encouraged. This should take the form of early and direct notification of all comments resulting, and early notification of the text, impact, and effective date of any adopted changes.

63. Supplier Provision. Section 61 of this Schedule provides for the CAA of the State in which a product manufacturer is located to request conformity certificates of the CAA in the State in which the product manufacturer's supplier is located for certain components produced by that supplier.

630. Request for conformity certifications. Requests for such certifications would be considered appropriate when:

(a) The product manufacturer has developed and implemented quality control procedures acceptable to the product manufacturer's CAA to ensure that the supplier furnished components will meet the pertinent design data and be in a condition for safe operation. This would include provisions for the product manufacturer to make initial onsite supplier capability evaluations, first article inspections, and perform any

subsequent audits, source inspections, etc., at the supplier facility, as necessary, to make the final airworthiness determination.

(b) The product manufacturer CAA not the product manufacturer makes the request for conformity certifications when that CAA finds such certifications necessary to ensure that the product manufacturer is demonstrating adequate control of the particular supplier.

(c) The product manufacturer CAA notifies to the supplier CAA the design, test, and quality control requirements to which the component must conform.

631. Component categories. Requests for conformity certifications should be limited to components that are of such complexity that they are not inspectable by the product manufacturer prior to installation in that final product and fall into one of the following categories:

(a) Prototype components to be used for design evaluation purposes; e.g., type approval/certification programs.

(b) Preproduction components, i.e., components to be used in a completed product submitted for airworthiness certification or approval after a type approval/certificate has been issued but before production privileges have been granted.

(c) First article inspections on production components which fall into a priority part category.

(d) Production components, when feedback to the product manufacturer CAA reveals a safety problem.

632. Deviations. The supplier CAA will note any deviations from the requirements notified by the product manufacturer CAA on the conformity certification for the particular component.

633. Airworthiness determinations. The conformity certification issued by the supplier CAA should not be misconstrued as being an export airworthiness approval, since they do not constitute an airworthiness determination. Such determinations remain the responsibility of the product manufacturer and its CAA. The certifications only serve to attest to the product manufacturer's CAA that a component conforms to the design, test, and quality control requirements which that CAA has notified to the supplier CAA. Accordingly, when a product manufacturer desires to ship a component directly to an operator/user, it must make the necessary airworthiness determination. In these instances, any necessary export airworthiness approvals must be issued by the product manufacturer CAA or its designee. The only condition under which the supplier CAA could issue any export airworthiness approval for such components would be where the supplier obtains its own production approval for the particular components from the supplier CAA.

CHAPTER 7. SPECIAL ARRANGEMENTS.

It is anticipated that urgent or unique situations will develop with respect to design, product airworthiness certification or acceptance, or technical assistance which have not been specifically addressed in this Schedule of Implementation Procedures, but which are broadly covered in the BAA. When such a situation arises, it shall be reviewed by the respective FAA and TCAG Directors of Airworthiness, and a procedure developed to deal with the situation. Confirmation of the procedure shall be either by routine correspondence or, if considered significant, by the signing of a Memorandum of Understanding. Part of the process of reviewing the problem and preparing an appropriate procedure shall include a determination of the uniqueness of the situation. If it is apparent that the situation is unique, with little possibility of repetition, then a termination date may, if appropriate, be attached to the correspondence or Memorandum of Understanding. However, if the situation has anticipated new technology or management developments which will lead to further repetitions, then this Schedule of Implementation Procedures shall be revised and submitted for approval by the FAA Administrator and the Assistant Deputy Minister, Aviation at the next review meeting. It should be noted that, when the unique or urgent situation falls within the responsibility of the Director of an FAA Aircraft Certification Directorate, that Director will be responsible for developing the necessary procedures.

This revised Schedule of Implementation Procedures, which replaces the earlier schedule dated January 31, 1985, has been reviewed and approved by the undersigned.

T. Allan McArtor
Administrator, FAA

MAY 18 1988
Date

C.A. LaFrance
Assistant Deputy
Minister, Aviation

MAY 18 1988
Date

APPENDIX A

List of addresses for FAA Aircraft Certification Offices and Transport Canada Regional Offices.

1.0 FAA Aircraft Certification Offices.

Brussels ACO AEU100
Address all correspondence to Manager, Aircraft Certification Staff.
15 rue de la Loi, (3rd Floor)
B1040
Brussels, Belgium
(Mail address from North America)
c/o American Embassy
APO New York, NY 09667-1011

Tel. 322-513-3830 Ext. 2710
Fax. 322-230-0534

Boston ACO
12 New England Park,
Burlington, Mass. 01803

Tel. 617-273-7118
Fax. 617-273-2412

New York ACO
181 South Franklin Avenue
Room 202
Valley Stream, N.Y. 11581

Tel. 516-791-6680
Fax. 516-791-9024

Atlanta ACO
Suite 210
1669 Phoenix ParkWay
Atlanta, Georgia 30349

Tel. 404-991-6121
Fax. 404-991-7261

Chicago ACO
Room 232
2300 East Devon Avenue
Des Plaines, Ilinois 60018

Tel. 312-694-7357
Fax. 312-694-7310

Wichita ACO
1801 Airport Road
Room 100
Mid-Continent Airport
Wichita, Kansas 67209

Tel. 316-946-4400
Fax. 316-946-4407

Seattle ACO
17900 Pacific Highway South
Seattle, WA. 98168

Tel. 206-431-1903
Fax. 206-431-1913

Anchorage ACO
Federal Building

P.O. Box 12, 701 C Street
Anchorage, AK 99515

Tel. 907-271-5927
Fax. 907-276-7261

Denver ACO
10455 East 25th Avenue
Aurora, Colorado 80010

Tel. 303-340-5575
Fax. 303-340-5430

Los Angeles ACO
3229 East Spring Street
Long Beach, Calif. 90806-2425

Tel. 213-988-5200
Fax. 213-988-5210

Forth Worth ACO
4400 Blue Mound Road
P.O. Box 1689
Forth Worth, Texas 76101

Tel. 817-624-5150
Fax. 817-624-5031

Helicopter Certification Office

Tel. 817-624-5170

2.0 Transport Canada Headquarters and Regional Offices.

A. Transport Canada Headquarters
Centennial Towers
200 Kent Street
Ottawa, Ontario
K1A 0N8

Attn: Programs Division Tel: (613) 952-4339

B. Regional Offices
Attn: Regional Manager, Airworthiness

Transport Canada
P.O. Box 220
800 Burrard Street
Vancouver, B.C.
V6Z 2J8 Tel: (604) 666-5599

Transport Canada
Federal Building

9820-107th Street
Edmonton, Alberta
T5K 1G3 Tel: (403) 420-3855

Transport Canada
18th Floor
333 Main Street
P.O. Box 8550
Winnipeg, Manitoba
R3C 0P6 Tel: (204) 983-4352

Transport Canada
4900 Yonge Street,
Suite 300
Willowdale, Ontario
M3N 6A5 Tel: (416) 224-3130

Transport Canada
P.O. Box 5000
Montreal International
Airport
Dorval, Quebec
H4Y 1B9

Transports Canada
Gestionnaire régional
de la navigabilité
C.P. 5000
Aéroport international
de Montréal
Dorval, Québec
H4Y 1B9

Tel: (514) 633-3538

Transport Canada
P.O. Box 42
Moncton, New Brunswick
E1C 8K6 Tel: (506) 857-7114

Canada

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