

**SCHEDULE
OF
IMPLEMENTATION PROCEDURES**

for

TECHNICAL ARRANGEMENT

ON

AIRWORTHINESS CERTIFICATION

BETWEEN

**CIVIL AVIATION DEPARTMENT
HONG KONG, CHINA**

AND

**CIVIL AVIATION SAFETY AUTHORITY
AUSTRALIA**

1. INTRODUCTION

This document contains the procedures developed by the Civil Aviation Department of Hong Kong, China (HKCAD) and Civil Aviation Safety Authority of Australia (CASA), hereinafter referred to singularly as the “Authority” or collectively the “Authorities”, to implement the Technical Arrangement (TA) between HKCAD and CASA concerning the airworthiness certification of civil aviation products.

These procedures are intended to facilitate the mutual cooperation and technical assistance for airworthiness approvals issued by the Authorities. These procedures also provide for designated officials within the Authorities to make special arrangements as they deem necessary in special situations to implement this Schedule.

This Schedule of Implementation Procedures (SIP) may be jointly reviewed at any time at the request of the Authority and will be reviewed periodically, taking into account improvements, additions, or changes suggested by the Authority to ensure that the SIP remains current.

Suggestions for improvement are welcomed and can be addressed to either of the Authorities on the address as listed in Appendix A, who are responsible for the administrative process of keeping this document current. All changes to this SIP, including Appendices, will be jointly administered by; HKCAD Flight Standards and Airworthiness Division, Airworthiness Office and CASA Airworthiness & Engineering Standards Branch.

2. GENERAL

2.1 Purpose

This SIP sets forth procedures agreed upon between HKCAD and CASA to carry out the objectives of the “Technical Arrangement on Airworthiness Certification between Civil Aviation Department, Hong Kong and Civil Aviation Safety Authority, Australia”, signed on 29 October 2015.

2.2 Basis

The basis for this SIP is stated in Article 7 of the TA.

2.3 Objectives

The objectives of this SIP are to implement the clauses of the TA which address:

2.3.1 Acceptance of Airworthiness Approvals

The procedures for acceptance of airworthiness approvals by the Importing Authority.

2.3.2 Continued Airworthiness

The procedures for the continued operational safety of accepted products to be taken by each Authority to ensure that in-service safety issues are addressed and resulting corrective actions are carried out in a timely manner.

2.3.3 Accountability

The procedures for each Authority to respond to the other Authority regarding the affected products under the TA to ensure that safety issues which may arise with regard to the product in service will be satisfactorily resolved in a timely manner.

2.3.4 Mutual Cooperation and Technical Assistance

The procedures which enable the Authorities to exchange appropriate information needed to understand and conduct the approval and monitoring processes within the scope of the TA and to cooperate when technical assistance is needed by other Authorities fulfilling its airworthiness regulatory duties.

2.3.5 Special Arrangements

The procedures which provide for the resolution by the Authorities by special arrangement, as necessary, of urgent or special situations not envisaged in this SIP, provided the situation falls within the scope and purpose of the TA.

2.4 Scope

This SIP covers:

2.4.1 the acceptance by HKCAD of airworthiness approvals issued under the Civil Aviation Safety Regulations 1998 (**CASR**) of Australia* of the type listed in 3.2.2.1 of this SIP;

2.4.2 the acceptance by CASA of airworthiness approvals issued under the Air Navigation (Hong Kong) Order 1995* of the type listed in 3.2.1.1 of this SIP.

Note: *The “acceptance” does not cover approvals issued by the Authorities based on acceptance or validation of foreign approvals.

2.5 Amendment of SIP

This SIP may be jointly reviewed at any time at the request of any one of the Authorities and should be reviewed at least once a year.

Each Authority may collect comments from its industry. Amendments to this SIP shall be co-developed by the Authorities, taking into account improvements, additions, or changes suggested by any one of the Authorities. Amendments to this SIP must be approved by the Chief, Airworthiness Standards of the Flight Standards and Airworthiness Division of HKCAD; and the Manager, Airworthiness & Engineering Standards Branch of CASA.

2.6 Points of Contact

The designated officers for the administration and implementation of this SIP and its amendments are listed in Appendix A.

2.7 Termination

Any Authority may terminate this SIP upon twelve months written notice to the other Authority or any other date mutually agreed. Termination will not affect the validity of activity conducted under this SIP prior to termination. Termination of this SIP does not relieve the responsibility of the Issuing Authority for continued airworthiness of approved products.

2.8 Definitions

For the purpose of this SIP, the definitions in Article 1 of the TA shall apply. As used in this SIP, the following definitions are provided to supplement those definitions contained in Article 1 of the TA.

“Approvals” means design and manufacturing approvals of aircraft and related products, parts and appliances including design change and repair design issued by the Authorities or design organisations approved by the Authorities as specified in paragraph 3.2 of this SIP.

“Approval holder” means the holder of design approval issued by one of the Authorities, or design organisations approved or designated by the Authorities.

“Design Change” includes a modification approval issued under CASR 21.435 or CASR 21.437.

“Repair Design” includes a repair approval issued under CASR 21.435 or CASR 21.437.

3. **ACCEPTANCE OF APPROVALS**

3.1 **General**

- (a) Each Importing Authority will develop procedures for granting airworthiness approval to aeronautical products whose design or, where applicable, manufacture is under the responsibility of the Exporting Authority so as to give maximum practicable credit for technical evaluations, test results, inspections, quality system monitoring, conformity statements, marks of conformity and certificates issued by the Exporting Authority in granting its own airworthiness approval for such aeronautical products. If the laws of an Authority require or assume an application for an airworthiness approval to be made, such an application shall be made before an approval can be issued;
- (b) This document, for the purposes of regulation 21.010B of the CASR, is an agreement for the acceptance of supplemental type certificates and approvals of designs of modifications, or repairs to, aircraft, aircraft engines, propellers or appliance and the acceptance of TSOA and PMA.

3.2 **Issuance of Approval Documents**

Prior to acceptance by the Importing Authority, approval documents shall be issued by the Exporting Authority stating that the aeronautical product meets (a) the applicable airworthiness regulations/certification specifications and environmental protection requirements; (b) any airworthiness provisions not complied with are compensated for by factors that provide an equivalent level of safety; and (c) no feature or characteristic makes the product unsafe for the uses. The approval documents (or later approved documents) shall be issued in accordance with its own applicable laws, regulations, and requirements in the following manner:

3.2.1 **CAD Approvals**

The approval documents shall be issued under the Hong Kong Aviation Requirements HKAR-1 or HKAR-21.

3.2.1.1 The approval documents issued by HKCAD are in the form of:

	Approval Type	Approval Documents
(a)	STC	Supplemental Type Certificate, CAD Form 91 (Form DCA 541)
(b)	TSOA	Hong Kong Technical Standard Order Authorisation, CAD Form 92 (Form DCA 542); and Authorised Release Certificate, CAD Form One (Form DCA 1)
(c)	PMA	Hong Kong Parts Manufacturing Approval Supplement Certificate; and

		Authorised Release Certificate, CAD Form One (Form DCA 1)
(d)	DC	Airworthiness Approval Note (Form DCA 266); or Minor Change Approval Certificate, CAD Form 93 (Form DCA 262); or Minor modifications (Form DCA 261); or Approval documents per paragraph 3.2.1.2 of this SIP
(e)	RD	Minor Repair Design Approval Certificate, CAD Form 94 (Form DCA 263); or Major Repair Design Approval Certificate, CAD Form 94A (Form DCA 264) ; or
(f)	DC and RD	Approval documents for DC and RD issued by design organisations approved by HKCAD in the form as prescribed in their design organisation handbooks approved by HKCAD. Such documents shall contain a statement that the approval is issued under the Authority of its design organisation approval reference number granted by HKCAD under HKAR-21 Subpart J.

3.2.2 CASA Approvals

The approval documents issued under CASR Part 21 Certification and airworthiness requirements for aircraft and parts.

3.2.2.1 The approval documents issued by CASA are in the form of:

	Approval Type	Approval Documents
(a)	STC	Supplemental Type Certificate <i>CASA Form 986</i>
(b)	ATSOA	Australian Technical Standard Order Authorisation <i>CASA Form 1148 and Authorised Release Certificate, CASA Form One</i>
(c)	APMA	Australian Parts Manufacturer Approval <i>CASA Form 1202 (and supplements Form 1142, 1143, 1201 & 1202) Authorised Release Certificate, CASA Form One</i>
(e)	CASR 21.435 CASR 21.437	The approval documents for CASR 21.435 and 21.437 (modification/repair design approvals) issued by CASR Subpart 21.M authorised persons and CASR Subpart 21.J design organisations approved by CASA in the form as prescribed in their Manuals approved by CASA. Such documents shall contain a statement that the approval is issued under the Authority of its approval reference number granted by CASA under CASR Subparts Part 21.J or 21.M.

4. CONTINUED AIRWORTHINESS

4.1 General

The Exporting Authority is responsible for supporting the continued operational safety of the product. The Importing Authority shares in the responsibility to ensure continued airworthiness of the product while operating on its registry. Under the provisions of the TA, the Exporting Authority is accountable to the Importing Authority to resolve in-service safety issues related to design, production, or operation. The Exporting Authority shall provide applicable information which it has found to be necessary for mandatory modifications, required limitations and/or inspections to the Importing Authority to ensure continued airworthiness of the changed/repaired product. The Importing Authority will review and normally accept the corrective actions taken by the Exporting Authority in the issuance of its own mandatory corrective actions.

At the request of the Importing Authority, the Exporting Authority shall assist the Importing Authority in determining action considered necessary by the Importing Authority for the continued airworthiness of the product. The respective decision as to the final action to be taken lies solely with the Importing Authority.

4.2 Notification of Non-compliance

Each Authority agrees to provide the other Authorities with information on malfunctions, failures, defects, and accidents encountered in service to the address as listed in Appendix A.

4.2.1 Notification of Unsafe Conditions

When the service experience in the importing territory indicates the existence of an unsafe condition associated with the design, manufacture, or operation/maintenance of a product mutually accepted under the TA, a Service Difficulty Report (SDR) or Mandatory Occurrence Report (MOR) shall be raised. Such information should be provided without delay to the Exporting Authority. When such information is provided, the Exporting Authority should give expedient attention to the information and consider appropriate action to correct the condition, and so advise the Importing Authority.

4.2.2 Mandatory Airworthiness Actions

In the case of mandatory airworthiness actions, each Authority shall keep the other Authority fully informed without delay of its intent to issue and the final issuance of all mandatory modifications, special limitations, or special inspections which are determined to be necessary on the product mutually accepted under the TA. The Authority intending to take such mandatory airworthiness actions shall identify the safety problem (unsafe condition) requiring the mandatory airworthiness action and any investigation or enforcement action including suspension, revocation or change of scope of approval made by it in respect of any approvals mutually accepted by the Authority pursuant to the TA. In the case of emergency airworthiness information, the Authority intending to take such mandatory airworthiness actions should notify the other Authority within 96 hours by means of e-mail or fax.

4.2.3 Audit Findings

An Authority shall notify the other Authority when a material non-compliance has been discovered during an audit associated with its approval holder.

5. ACCOUNTABILITY

5.1 General

An Authority has responsibility to the other Authority to ensure deficiencies are corrected as specified in this chapter on products mutually accepted under the TA. These responsibilities include:

5.1.1 Communication

There is a need for continuing dialogue between the Authorities to ensure that the same or consistent information and requirements are issued on products. The Authorities agree that the airworthiness documentation exchanged will be in the English language.

5.1.2 Accident/Incident Investigation Assistance

When the Importing Authority needs airworthiness information for the investigation of service incidents or accidents involving a product mutually accepted under the TA, the request for the information should be directed to the Exporting Authority. In turn, upon receipt of the request for information, the Exporting Authority should immediately do everything necessary to make sure that the requested information is provided in a timely manner. If urgency requires that the Importing Authority request the information directly from the approval holder when immediate contacts cannot be made with the Exporting Authority, the Importing Authority shall immediately inform the Exporting Authority of this action.

5.2 Protection of Proprietary Data

The Authorities recognise that data submitted by an approval holder as being the property of that holder, and release of that data by any Authority is restricted. The Authorities agree that they will not copy, release, or show proprietary data obtained from the other Authority to anyone outside of the Authorities without written consent of the approval holder.

5.3 Enforcement Actions

The Exporting Authority shall notify the other Authority without delay of any investigation or enforcement action being taken against its approval holder when such action is related to the initial or continued airworthiness of the products mutually accepted under the TA. This notification may be combined with, or be independent of, the notification of non-compliance described in paragraph 4.2 of this SIP.

The Authorities agree to mutual cooperation and mutual assistance in the investigation of any alleged or suspected violations of regulations or requirements related to airworthiness certification.

6. MUTUAL COOPERATION AND TECHNICAL ASSISTANCE

6.1 General

In order to enhance the mutual cooperation and update this SIP, the Authorities shall meet at least once a year.

6.2 Technical Evaluation Assistance

Upon request and mutual agreement, an Authority may provide to the other Authority technical evaluation assistance in furtherance of the purposes and objectives of the TA. Such areas of assistance may include, but are not limited to, finding compliance, witnessing tests, performing

inspections, reviewing reports, and obtaining data.

6.3 Assistance on Design Change and Repair Design

Upon request the Exporting Authority shall assist the Importing Authority in determining whether the product under the jurisdiction of the Importing Authority comply with the airworthiness standards under which such product was originally approved by the Exporting Authority.

6.4 Exchange of Information on Standards and Certification Systems

6.4.1 Exchange of Information

It is recognised that an essential factor in a smoothly operating TA is a thorough and up-to-date knowledge by the Exporting Authority of the regulations, guidance, policies, practices, and interpretations of the Importing Authority. Early efforts should ensure that an Authority has in its possession a complete set of the other Authority's written regulations, guidance, policies, practices, and interpretations, or have a source for such information. The release and distribution of laws, regulations, standards and procedures by each Authority are stated in Appendix B.

6.4.2 Review and Revision Involvement

Since such regulations, guidance, policies, practices, and interpretations are continually undergoing review and revision, it is imperative that the other 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.

6.5 Significant Changes in Authority Structure

An Authority shall advise the other Authority of any significant changes in its statutory (legal) responsibilities, organisational structure, oversight, or delegated responsibilities. The other Authority shall have the right to familiarise itself with such changes, including on-site discussions with the Authority and any evaluations deemed necessary to ensure the continued acceptance of this SIP.

7. SPECIAL ARRANGEMENT

7.1 General

It is anticipated that urgent or special situations will develop with respect to airworthiness certification or acceptance, or technical assistance which have not been specifically addressed in this SIP but which are anticipated by the TA. When such a situation arises, it shall be reviewed by the respective Authority and a procedure developed to address the situation. The procedure shall be mutually agreed upon by the Authorities in a separate special arrangement document. If it is apparent that the situation is unique, with little possibility of repetition, then the special arrangement document shall be of limited duration. However, if the situation will lead to further repetitions, then this SIP shall be amended accordingly in accordance with paragraph 2.5.

7.2 Approval of Special Arrangement

Special arrangement shall be approved by the Chief, Airworthiness Standards of the Flight Standards and Airworthiness Division of HKCAD; and the Head of Aircraft Certification of CASA.

8. AUTHORITIES SIGNATURES

The foregoing represents the understandings reached between the Civil Aviation Authorities of the Government of the Hong Kong Special Administrative Region and the Government of Australia.

Signed in duplicate in English.

FOR THE GOVERNMENT OF THE HONG
KONG SPECIAL ADMINISTRATIVE REGION

FOR THE GOVERNMENT OF AUSTRALIA

Original Signed by



K.C. Man
Chief, Airworthiness Standards
Flight Standards and Airworthiness Division
Civil Aviation Department
HONG KONG

04 NOVEMBER 2015

Date of signature:

Original Signed by



Nicholas Ward
Manager Airworthiness and Engineering
Standards / Head of Airworthiness
Civil Aviation Safety Authority
AUSTRALIA

27 NOVEMBER 2015

Date of signature:

APPENDIX A
Points of Contact

1. HKCAD:

Name	Eric Cheung
Position	Senior Airworthiness Officer (Certification) Flight Standards and Airworthiness Division
Tel	(852) 2910 6155
Fax	(852) 2362 4250
E-mail	certification@cad.gov.hk
Address	Civil Aviation Department Headquarters 1 Tung Fai Road Hong Kong International Airport, Lantau Hong Kong

2. CASA:

Name	Nicholas Ward
Position	Manager Airworthiness & Engineering Standards / Head of Airworthiness
Tel	+61 02 6217 1022
Fax	+61 02 6217 1209
E-mail	aircraft.certification@casa.gov.au
Address	Aviation House 16 Furzer Street Phillip ACT 2606 Australia

APPENDIX B

Publications

HKCAD and CASA publications are released and distributed as follow;

1. HKCAD:

- a. Laws and regulations are published in Hong Kong Department of Justice website in Hong Kong Laws Chapter 448:
<http://www.legislation.gov.hk/eng/home.htm>
- b. Requirements and standards are published in the HKCAD website:
http://www.cad.gov.hk/english/publications_press_release.html
- c. Internal working procedures shall be sent to CASA within 2 weeks upon publication.

2. CASA:

- a. Laws and regulations are published in CASA website:
http://www.casa.gov.au/scripts/nc.dll?WCMS:STANDARD::pc=PC_90900
- b. Requirements and standards are published in the CASA website:
http://www.casa.gov.au/scripts/nc.dll?WCMS:STANDARD::pc=PC_91002
- c. Internal working procedures shall be sent to HKCAD within 2 weeks upon publication.