

**COOPERATION ARRANGEMENT
ON MUTUAL ACCEPTANCE OF
APPROVALS OF DESIGN CHANGE AND REPAIR DESIGN
AMONG
CIVIL AVIATION ADMINISTRATION OF CHINA,
CIVIL AVIATION DEPARTMENT OF THE HONG KONG SPECIAL
ADMINISTRATIVE REGION GOVERNMENT
AND
CIVIL AVIATION AUTHORITY OF MACAO SPECIAL
ADMINISTRATIVE REGION**

The Civil Aviation Administration of China (CAAC), the Civil Aviation Department of the Hong Kong Special Administrative Region Government (CAD), and the Civil Aviation Authority of Macao Special Administrative Region (AACM), hereinafter referred to as the "Authority" or collectively the "Authorities",

recognising -

- that each Authority has determined that the standards and systems of the other two authorities for the airworthiness certification of civil aviation products are sufficiently comparable to its own to make a cooperation arrangement practicable; and
- the interest of promoting aviation safety and preservation of the environment with a view to fostering cooperation and assistance among the Authorities in achieving common safety objectives, establishing and maintaining airworthiness standards and certification systems of civil aviation products which are similar among the three Authorities and cooperating in the reduction of the economic burden on aviation industries and operators arising from repetitive technical evaluations, tests and inspections;

and having agreed on certain principles and arrangements to:

- facilitate the airworthiness certification by the user Authority of the approvals of design change and repair design issued by the other two authorities;
- provide for the development of procedures among the Authorities for the above purposes and for facilitating the management of the emerging trend toward worldwide design, manufacture, and interchange of aircraft design approvals involving the joint interests of the Authorities in airworthiness certification; and
- provide for cooperation in sustaining safety quality objectives;

agree as follows:

1 **Definitions**

For the purpose of this Cooperation Arrangement:

"Approval" means the approval of design change and repair design issued by the Authorities or design organisations/individuals approved or designated by the Authorities.

"Design change" means the change in type design of a product.

"Issuing Authority" means the Authority that issues approvals of design change and repair design under the laws and regulations applicable to the jurisdiction of the Authority.

"Product" means an aircraft, an aircraft engine, or a propeller, including equipment/components thereof.

"User Authority" means the Authority regulating the acceptance of approvals of design change and repair design under the laws and regulations applicable to the jurisdiction of the Authority.

"Repair design" means the design of repair for the elimination of damage and/or restoration to an airworthy condition of a product.

2 Scope

This Cooperation Arrangement covers:

- a. the acceptance by CAD and AACM of approvals of design change and repair design issued under the Civil Aviation Law of The People's Republic of China*;
- b. the acceptance by CAAC and AACM of approvals of design change and repair design issued under the Air Navigation (Hong Kong) Order 1995*;
- c. the acceptance by CAAC and CAD of approvals of design change and repair design issued under the Air Navigation Regulation of Macao*;
- d. the exchange of information among the Authorities regarding certification as stated in the approvals; and
- e. the cooperation among the Authorities in providing each other with the technical evaluations and assistance in relation to certification as stated in the approvals.

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

3 Acceptance of Approvals of Design Change and Repair Design

- 3.1 Provided that each approval of design change or repair design is delivered to the Hong Kong Special Administrative Region, China in the form issued by CAAC, CAAC designated representatives, or CAAC designated organisation representatives under the Civil Aviation Law of The People's Republic of China, or in the form issued by AACM or AACM approved design organisations under the Air Navigation Regulation of Macao, stating that the changed product meets the applicable certification specifications and environmental protection requirements; any airworthiness

provisions not complied with are compensated for by factors that provide an equivalent level of safety; and no feature or characteristic makes the product unsafe for the uses for which certification is requested, CAD will accept that certification as if it had made the relevant technical evaluations, tests and inspection itself.

- 3.2 Provided that each approval of design change or repair design is delivered to Macao Special Administrative Region, China in the form issued by CAAC, CAAC designated representatives, or CAAC designated organisation representatives under the Civil Aviation Law of The People's Republic of China, or in the form issued by CAD or CAD approved design organisations under the Air Navigation (Hong Kong) Order 1995, stating that the changed product meets the applicable certification specifications and environmental protection requirements; any airworthiness provisions not complied with are compensated for by factors that provide an equivalent level of safety; and no feature or characteristic makes the product unsafe for the uses for which certification is requested, AACM will accept that certification as if it had made the relevant technical evaluations, tests and inspection itself.
- 3.3 Provided that each approval of design change or repair design is delivered to Mainland China in the form issued by CAD or CAD approved design organisations under the Air Navigation (Hong Kong) Order 1995, or in the form issued by AACM or AACM approved design organisations under the Air Navigation Regulation of Macao, stating that the changed product meets the applicable certification specifications and environmental protection requirements; any airworthiness provisions not complied with are compensated for by factors that provide an equivalent level of safety; and no feature or characteristic makes the product unsafe for the uses for which certification is requested, CAAC will accept that certification as if it had made the relevant technical evaluations, tests and inspection itself.

- 3.4 The User Authority retains the right to satisfy itself that the design change or repair design concerned by an approval issued by the Issuing Authority is able to comply with the laws and regulations applicable to the jurisdiction of the User Authority.

4 Mutual Cooperation and Assistance

- 4.1 In respect of an approval issued by an Issuing Authority, the Issuing Authority will on written request assist the User Authority in determining whether subsequent design change or repair design to be made under the control of the User Authority, comply with the airworthiness and environmental protection requirements under which such approval was originally approved by the Issuing Authority.
- 4.2 Each Authority will provide and update the other two Authorities from time to time of all its relevant airworthiness laws, regulations, standards and requirements, and of its airworthiness certification system.
- 4.3 Each Authority will as soon as practicable notify the other two Authorities of proposed significant revisions to its standards and system for airworthiness certification; offer the other two Authorities an opportunity to comment and give due consideration to the comments made by the other two authorities on the intended revisions.
- 4.4 Each Authority will as soon as practicable notify the other two Authorities of any proposed revisions to certification procedures for approvals of design change and repair design covered by this Cooperation Arrangement.
- 4.5 Each Authority will provide to other two Authorities such technical evaluation assistance, upon written request, to further the purposes and objectives of this Cooperation Arrangement when deemed appropriate by relevant Authorities.

5 Notification of Non-compliance

5.1 Each Authority will:

- a. forthwith notify the other two Authorities in writing of any failure, malfunction, defect or other occurrence which is related to a product covered by the Approval under this Cooperation Arrangement and which has resulted in or may result in an unsafe condition.
- b. promptly advise the other two Authorities in writing of any investigation or enforcement action, including revocation, suspension or change of scope of approval, against any approval holder in respect of any approval mutually accepted by the other two Authorities pursuant to this Cooperation Arrangement.

5.2 Where an Authority provides any of the other Authorities any information, including but not limited to personal information, pursuant to this paragraph and in accordance with the laws and regulations applicable to the Authority, it will clearly identify whether that information is sensitive or confidential and the nature of that sensitivity or confidentiality. The Authority giving the information, subject to its relevant laws and regulations, may also impose a limitation on the use or disclosure of the information by the receiving Authority. The Authority receiving the information will handle the information in accordance with its relevant laws and regulations and in a manner having regard to its confidentiality or sensitivity, and will not deal with personal information contrary to the privacy laws applying to the Authority.

6 Interpretation

In the case of conflicting interpretations of the airworthiness criteria prescribed by the User Authority pertaining to an acceptance under this Cooperation Arrangement, the interpretation of the User Authority will prevail.

7 Implementation

- 7.1 The Authorities will endeavour to develop a mutually agreed schedule of implementation procedures for this Cooperation Arrangement.
- 7.2 When such a schedule has been agreed among the Authorities, this Cooperation Arrangement will be implemented in accordance with the implementation procedures set out therein.
- 7.3 The Authorities will jointly review such schedule from time to time and may amend it as appropriate by written agreement.

8 Entry into Force


This Cooperation Arrangement will enter into force upon the signature by the Authorities.

9 Termination

Any Authority may at any time give written notice to the other two Authorities, of its decision to terminate this Cooperation Arrangement. This Cooperation Arrangement will terminate twelve months following the date of receipt by the other two Authorities of that notice, unless the said notice of termination has been withdrawn by mutual agreement before the expiry of such period.

Signed on 28 August 2013

on behalf of Civil Aviation Administration of China



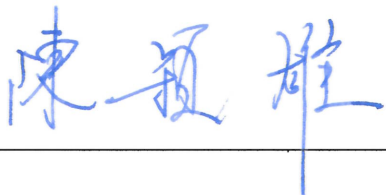
Director General of Aircraft Airworthiness Certification Department,
CAAC

and on behalf of Civil Aviation Department of the Hong Kong Special
Administrative Region Government



Director-General of Civil Aviation, CAD

and on behalf of Civil Aviation Authority of Macao Special
Administrative Region



President, AACM