



Working Arrangement

between

The Hong Kong Civil Aviation Department (HKCAD)

and

The European Union Aviation Safety Agency (EASA)

**On cooperation in Supplemental Type Certification,
ETSO Authorisation and Minor Changes/Minor Repair
Designs activities**

The European Union Aviation Safety Agency (EASA), and the Hong Kong Civil Aviation Department (HKCAD), hereinafter referred to as the Parties;

Desiring to promote a high level of civil aviation safety;

Recognising the continuous trend towards multinational design, production and interchange of civil aeronautical products;

Considering the possible reduction of the economic burden imposed on the aviation industry by redundant technical inspections, evaluations and testing;

Considering that the provisions of this Working Arrangement are based on the continuous assurance of compliance with applicable technical regulations or standards and that such assurance of compliance is demonstrated by initial and recurrent assessments by EASA of the HKCAD airworthiness system in the area of design;

Acknowledging the fruitful cooperation between EASA and HKCAD formalised in 2012 by the adoption of a Working Arrangement on cooperation in Supplemental Type Certification and European Technical Standard Order (ETSO) Authorisation activities;

Recognising that this cooperation should be extended to the cooperation of the approval of Minor Changes and Minor Repair Designs;

Being entitled by their respective constituting acts to conclude Working Arrangements in the field of civil aviation safety within the scope of their respective competence;

Have concluded the following Working Arrangement:

1. DEFINITIONS

For the purposes of this Working Arrangement, the term:

- “product” means an aircraft, engine or propeller.
- “Article” means any part and appliance to be used on civil aeronautical products.

- “European Technical Standard Order” (referred to in this Working Arrangement as “ETSO”) is a detailed airworthiness specification issued by EASA to ensure compliance with the essential requirements of Regulation (EU) No 2018/1139¹, and is a minimum performance standard for specific articles.
- “Hong Kong Technical Standard Order” (referred to in this Working Arrangement as “HTSO”) is a detailed airworthiness specification issued by HKCAD to ensure compliance with the essential requirements of the Air Navigation (Hong Kong) Order 1995, and is a minimum performance standard for specified articles.

2. PURPOSE AND SCOPE

Subject to continuous demonstration that the HKCAD system includes the same independent level of checking of compliance by Hong Kong design organisations provided by Commission Regulation (EU) No 748/2012², the purpose of this Working Arrangement is to facilitate the issuance by EASA of EASA Supplemental Type Certificate (STC), ETSO approval (ETSOA) and approval of Minor Changes or Minor Repair Designs that are approved by HKCAD or made under the privileges of a HKCAD Design Organisation Approval (DOA) holders under the oversight of the HKCAD. It also aims at ensuring the continued airworthiness of the certified product or article.

3. SUPPLEMENTAL TYPE CERTIFICATION PROCESS

Section A – EASA STC issuance

3.1 An application for the issuance of an EASA STC will be made, through HKCAD, in accordance with EASA Annex I (Part 21) to Commission Regulation (EU) No 748/2012 and EASA procedures. Applications may be submitted for products with HKCAD STC, or with application for STC accepted by HKCAD. HKCAD will ensure that the application contains the following information:

¹ Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency. L212/1 of 22.08.2018.

² Commission Regulation (EU) No 748/2012 of 3 August 2012. L 224/1 of 28.08.2012.

- (a) The appropriate EASA form for STC application duly filled in by the STC applicant;
- (b) The HKCAD STC and STC Data Sheet, if available, and a definition of the airworthiness standards upon which the HKCAD design approval was (or will be) based, and the EASA equivalent standards HKCAD believes to be satisfied by its own standards; and
- (c) In absence of the above (b), when such certificate has not yet been issued by HKCAD, copy of the original application of STC as accepted by HKCAD.

3.2 On receipt of the application for an EASA STC, EASA will nominate a Project Certification Manager (PCM) and a dedicated certification team of EASA experts for the project and advise both the STC holder and HKCAD accordingly. HKCAD and the STC applicant will provide similar information to the EASA PCM about their teams for the project.

3.3 All correspondence between HKCAD and EASA will take place between the HKCAD STC Coordinator and the EASA PCM assigned to the project.

3.4 HKCAD will provide assistance to the EASA certification Team experts and PCM, upon EASA request.

3.5 Direct discussion including the exchange of technical information, as required, may be conducted between the relevant EASA and HKCAD technical specialists authorised by the Project Manager in each case. The EASA PCM will be kept in copy of all exchanges.

3.6 EASA will notify HKCAD of any meeting(s) that EASA arranges in direct contact with the STC applicant and/or its suppliers on certification matters. EASA will inform HKCAD when its participation in a given meeting is particularly necessary and will provide adequate notice to allow HKCAD to attend. For each meeting, HKCAD will notify EASA of its intention to attend the meeting or not.

3.7 HKCAD, in co-operation with the STC applicant, will assist EASA in becoming familiar with the design of the STC and with the laws, regulations, standards, requirements and the certification system applied by HKCAD. The familiarisation will be sufficiently detailed and exhaustive to ensure comprehensive understanding of the HKCAD approved type design, and of the approval basis and means of compliance used by HKCAD for its original supplemental type certification. HKCAD will explain in particular the reasons for possible HKCAD additional technical conditions and equivalent safety findings, as well as the process followed for their adoption.

3.8 EASA will establish its certification basis and may define additional technical conditions on a case-by-case basis. EASA will notify in writing, both HKCAD and the applicant, of the certification basis necessary for the issuance of the EASA STC.

3.9 EASA will establish a certification programme which will define its level of verification.

3.10 EASA will issue a STC after completion of the certification programme and after having verified that:

- (a) The STC applicant has declared compliance to the EASA certification basis, and
- (b) HKCAD has issued a statement of compliance to the EASA type certification basis, and
- (c) HKCAD has issued a HKCAD STC for the product.

Section B – Changes to the STC

3.11 For the purpose of this procedure Design Changes to STC are classified as Major or Minor. STC holders' proposed classification of the Design Change will be reviewed and agreed by HKCAD and submitted to EASA for review and acceptance. In case of disagreement regarding the classification, EASA will communicate with HKCAD.

3.12 Minor Changes are design changes as defined by point 21.A.91 of Annex I (Part 21) to Commission Regulation (EU) No 748/2012.

3.13 Major Changes are all other design changes not classified as a Minor Change.

3.14 The STC holder will notify EASA in writing, with HKCAD endorsement, of all Design Changes classified as Major by HKCAD.

3.15 EASA may prescribe standards in addition to the STC certification basis if found necessary for approving a major change. In such cases, it will notify in writing HKCAD and the STC holder of these additional prescribed standards.

3.16 EASA will review and approve all major design changes. It will identify as early as possible the subjects for which it wishes to be involved to some degree directly in the verification of the showing of compliance, and notify it to HKCAD.

3.17 HKCAD will verify and state to EASA that compliance has been demonstrated with the EASA certification basis.

3.18 For Minor Changes to the STC, see paragraph 5 below.

4. ETSOA PROCESS

4.1 Certification

For each ETSOA certification requested from HTSOA holder, HKCAD will forward the application for the certification and related information to EASA. This application shall comprise:

- (a) An EASA Form 34 (Application for ETSOA),
- (b) An EASA Form 50 (Application for Production Organisation Approval) together with other required documents, if not already done or if new application for ETSOA is not covered by the scope of the existing EASA production organisation approval,
- (c) A copy of the HTSOA issued by HKCAD, or copy of application for HTSOA made to HKCAD.

Once EASA has received the applications from HKCAD, EASA will start the process that would lead to an ETSO Authorisation, in accordance with its internal working procedures and with EASA Part 21.

4.2 Changes

Any major change requires a separate ETSO Authorisation and needs to follow the application process as described in 4.1. Minor changes introduced by the ETSOA holder which are covered by the initial ETSOA through the use of open brackets in the Part Number, and which have been accepted by HKCAD, have to be notified on a regular basis through HKCAD to EASA. Any minor change introduced by someone else than the ETSOA holder requires a separate ETSO Authorisation and needs to follow the application process as described in 4.1.

4.3 Delivery of Articles

Parts and appliances approved under ETSOA will be delivered to Europe with an individual EASA Form 1 issued under the privileges of an EASA Production Organisation Approval issued in accordance with Commission Regulation (EU) No 748/2012, stating that the part and appliance complies with the ETSO and is in a condition for safe operation.

5. MINOR CHANGE /MINOR REPAIR DESIGN APPROVALS

5.1 This Section sets out procedures for the approval by EASA of Minor Changes to Type Certificates and STCs, and Minor Repair Designs that are approved by HKCAD or made under the privileges of a HKCAD DOA holder.

5.2 An application for an EASA Minor Change approval will be made through HKCAD in accordance with Subpart D of Annex I (Part 21) to Commission Regulation (EU) No 748/2012.

5.3 An application for an EASA Minor Repair Design approval will be made through HKCAD in accordance with Subpart M of Annex I (Part 21) to Commission Regulation (EU) No 748/2012.

5.4 HKCAD shall ensure that the application for Minor Change / Minor Repair Design approval contains the following information:

- (a) As available, HKCAD DOA, HKCAD Alternative Procedures to DOA (ADOA), HKCAD STC or EASA STC;
- (b) A completed EASA Form FO.CERT.00032; and
- (c) Associated change/repair instructions and compliance documents in which the justification of compliance is recorded.

5.5 The Applicant's demonstrated and declared compliance to EASA type-certification basis will be verified and notified by HKCAD to EASA. In the case of a change affecting the operational suitability data, the Applicant will file a declaration that the necessary changes to the operational suitability data meet the applicable operational suitability data certification basis, which will be reviewed by EASA.

5.6 EASA will issue an approval for a Minor Change/Minor Repair Design when the applicable requirements under Annex I (Part 21) to Commission Regulation (EU) No 748/2012 and this Section have been met by the Applicant, including the administrative requirements (payment of Fees and Charges), and EASA has completed its approval procedures for a Minor Change/Minor Repair Design Approval.

6. CONTINUING AIRWORTHINESS ASPECTS

6.1 EASA and HKCAD will co-operate in analysing airworthiness aspects arising from accidents and incidents or investigations involving the changes or ETSOA articles approved under this Working Arrangement.

6.2 HKCAD will report information to EASA on specific occurrences³, as soon as practicable, and will assist EASA, if necessary, in analysing their effect on the safety of products subject to changes, or ETSOA articles, approved under this Working Arrangement.

6.3 HKCAD will, where appropriate, specify any actions in relation to the STC or ETSOA it deems necessary to correct any unsafe condition of the STC or ETSOA that may be discovered after an aeronautical product or article is placed in service.

6.4 HKCAD will promptly inform EASA of all mandatory airworthiness modifications, special inspections, special operating limitations or other actions in relation to the STC or ETSOA, which it deems necessary to ensure the continuing airworthiness of the affected products or articles in service.

7. COMMUNICATION

7.1 The Airworthiness Office of the HKCAD Flight Standards and Airworthiness Division and the EASA Certification Directorate, being the certification authority, will be responsible for the implementation of this Working Arrangement.

7.2 A focal point will be assigned by each Party to facilitate the implementation of this Working Arrangement. All routine communication will take place between these focal points.

7.3 All communications between the Parties related to the activities of this Working Arrangement will be conducted in the English language.

³ For the purpose of this Working Arrangement, “occurrences” means: An operational interruption, defect, fault or other irregular circumstance that has influenced or may influence flight safety and has not resulted in an accident or serious incident.

7.4 HKCAD will promptly inform EASA of any change to applicable DOA holders within the scope of this Working Arrangement.

8. COORDINATION MEETINGS

8.1 The Parties shall meet as necessary to ensure consistent application of this Working Arrangement. The frequency of these meetings will be mutually agreed by the Parties, and will depend on the number and significance of the issues to be discussed.

8.2 The purpose of these meetings is to:

- (a) Solve any disagreement regarding the interpretation or application of this Working Arrangement;
- (b) Resolve technical issues that cannot be solved at lower level; and
- (c) Propose amendments to the Working Arrangement, if necessary.

9. OVERSIGHT

9.1 EASA will conduct an initial assessment of the HKCAD regulatory oversight system in order to assess whether the conditions laid down in paragraph 2 of this Working Arrangement are met.

9.2 The result of this assessment will be communicated to the HKCAD. In case of significant finding, EASA and HKCAD will meet according to the provisions of paragraph 7 above.

9.3 Recurrent assessments will be conducted in order to maintain the initial level of confidence. Unless otherwise agreed between the Parties, assessments will be conducted every two years.

10. NOTIFICATION OF APPLICABLE REQUIREMENTS

With respect to matters covered by this Working Arrangement, each Party will apprise the other of all its relevant regulations, airworthiness standards and requirements. Moreover, each Party will notify the other, as soon as practicable, significant revisions to its relevant regulations, airworthiness standards and requirements.

11. REPEAL, ENTRY INTO FORCE, AMENDMENT AND TERMINATION

11.1 The Working Arrangement between HKCAD and EASA on cooperation in Supplemental Type Certification and ETSO Authorisation activities signed by EASA on 21.09.2012 and by HKCAD on 05.10.2012 shall be repealed as from the date of signature of the present Working Arrangement.

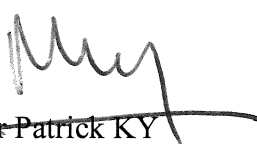
11.2 The present Working Arrangement shall apply as from the date of its signature. When the signature process is performed by exchange of letters, the Working Arrangement shall enter into force at the date of the last signature of the Authorities' duly authorized representatives.

11.3 This Working Arrangement may be amended in writing by mutual consent of the Parties.

11.4 This Working Arrangement will continue to apply until terminated by either Party by written notice. Such termination will be effected upon the sixty-calendar day's period following the date of receipt of the written notification, unless the notice of termination has been withdrawn by mutual consent before the expiry of the aforesaid period. Such termination shall not affect the validity of any certificate and other approval granted by the Parties under the terms of this Working Arrangement.

Signed in duplicate in English language in Montreal, CANADA on 25 September 2019.

For EASA



Mr Patrick KY
Executive Director

For HKCAD



Mr LI Tin-chui, Simon, JP
Director-General of Civil Aviation