

**TECHNICAL ARRANGEMENT ON AVIATION MAINTENANCE BETWEEN THE
TRANSPORT CANADA CIVIL AVIATION DIRECTORATE AND THE
"DEPARTAMENTO DE AVIAÇÃO CIVIL", BRAZIL**

1. GENERAL

- 1.1 Transport Canada, Civil Aviation Directorate (TCCA), legally assigned as the Civil Aviation Authority in Canada, and the "Departamento de Aviação Civil", Brazil (DAC), legally assigned as the Civil Aviation Authority in Brazil, hereafter referred to within this document as "The Authorities" agree to the following arrangement on aviation maintenance.
- 1.2 TCCA and DAC will work in accordance with this arrangement from the date on which it is signed in the official languages of both Authorities, until such time as it is replaced by some other arrangement, revised by mutual agreement, or revoked by either Authority.
- 1.3 Any existing agreements, arrangements or approvals for the acceptance of aviation maintenance between Brazil and Canada, shall be superseded by this Technical Arrangement.
- 1.4 Except as provided in 1.4.1, or by mutual consent in particular cases, to cater for circumstances that are not adequately addressed by this Technical Arrangement, neither Authority shall issue any further approvals to maintenance organisations in the territory of the other Authority.
 - 1.4.1. Under the provisions of this Technical Arrangement, the State of Registry shall recognize the ratings and limitations issued by the State of Oversight to organisations that comply with the terms of this Technical Arrangement as equivalent to those issued in accordance with its own national requirements.
 - 1.4.2. This section is not applicable to air operator's line stations.
- 1.5 The Authorities agree that their respective laws, regulations, standards, practices, procedures and systems for the approval and oversight of aviation maintenance in general, and approved maintenance organisations in particular, are sufficiently similar to permit the acceptance of each other's maintenance certification systems, subject to the procedures described in this Technical Arrangement. Therefore, and without prejudice to the obligations of either Authority under its own regulations, the purpose of this arrangement is to avoid duplication of inspections and evaluations by:
 - 1.5.1. Enabling each Authority to give the same validity to the other Authority's inspection and evaluation findings for the approval of maintenance organizations as to its own inspection and evaluation findings; and
 - 1.5.2. Enabling each Authority to give the same validity to the other Authority's system for the release of civil aeronautical products to service after maintenance as to its own maintenance release system.

2. DEFINITIONS

2.1 Within this technical arrangement, the following terms shall have the meanings specified:

“*Aeronautical product*” means any civil aircraft, and any aircraft engine, propeller, sub-assembly, appliance, material, part or component intended to be installed thereon.

“*Convention*” means the Convention on International Civil Aviation signed in Chicago on December 7, 1944, as amended from time to time.

“*Maintenance*” means the inspection, overhaul, repair, preservation, modification and replacement of parts of an aeronautical product.

“*Manual*” means a company Exposition, Maintenance Policy Manual (MPM) or Inspection Procedures Manual (IPM), that outlines an organization’s means of compliance with the applicable regulations and standards.

“*Modification*” means a change to the type design of an aeronautical product.

“*Oversight*” means the periodic surveillance by an Authority to determine continuing compliance with the appropriate standards.

“*State of Registry*” means the Civil Aviation Authority having responsibility pursuant to the Convention for the airworthiness of an aircraft maintained pursuant to this Technical Arrangement, or for the airworthiness of an aircraft, upon which parts that have undergone maintenance pursuant to this Technical Arrangement, are to be installed.

“*State of Oversight*” means the Civil Aviation Authority that granted approval to, and has jurisdiction over, an organisation that performs maintenance pursuant to this Technical Arrangement.

“*Technical Employee*” means a person whose duties are subject to the maintenance regulations of the State of Oversight.

3. SCOPE OF THE ARRANGEMENT

3.1 This arrangement applies to:

3.1.1. The acceptance by one Authority of aeronautical product maintenance performed under the maintenance system of the other Authority;

3.1.2. The acceptance by one Authority of the evaluation and approval of maintenance organisations, performed by the other Authority;

3.1.3. The exchange of information regarding maintenance standards and maintenance certification systems; and

3.1.4. Co-operation and assistance with respect to the maintenance of aeronautical products;

3.2 Unless otherwise agreed between the Authorities in a particular case, this Technical Arrangement only applies to maintenance organisations that are located within the territory of the State of Oversight.

4. MAINTENANCE AND CERTIFICATION

4.1 Each maintenance organisation that is approved by the State of Oversight to perform or certify maintenance functions in accordance with Annex 1 of this Technical Arrangement may be recognised by the State of Registry for the performance of those same functions.

- 4.2 Subject to paragraphs 4.3 and 4.4, the certification of aeronautical product maintenance pursuant to this Technical Arrangement will be accepted by the Authorities as follows:
- 4.2.1. A Canadian Aviation Regulations (CAR) 571.10 Maintenance Release issued in accordance with this Technical Arrangement shall be accepted by DAC as equivalent to a DAC RBHA 43.7 Approval for Return to Service.
 - 4.2.2. A DAC RBHA 43.7 Approval for Return to Service issued in accordance with this Technical Arrangement shall be accepted by TCCA as equivalent to a Canadian Aviation Regulations (CAR) 571.10 Maintenance Release.
 - 4.2.3. A TCCA Authorised Release Certificate 24-0078 issued in accordance with this Technical Arrangement shall be accepted by DAC as equivalent to a DAC Form SEGVÔO 003.
 - 4.2.4. A DAC Form SEGVÔO 003 issued in accordance with this Technical Arrangement shall be accepted by TCCA as equivalent to a TCCA authorised release certificate 24-0078.
- 4.3 The design of major repairs and major modifications shall be in accordance with data approved by the State of Registry
- 4.4 The criteria used to determine if a repair or modification is a major repair or modification shall be the criteria established by the State of Registry.
- 4.5 The work shall be performed under the control of maintenance organisation approved by the State of Oversight and recognized by the State of Registry in accordance with this Technical Arrangement.

5. MUTUAL CO-OPERATION AND TECHNICAL ASSISTANCE

- 5.1 The Authorities shall provide interested parties with information regarding the terms of this Technical Arrangement, and shall develop appropriate advisory publications and circulate those publications through established methods in their respective territories to outline the special requirements necessary for persons to perform and certify work under the terms of this Technical Arrangement.
- 5.2 The Authorities agree to provide each other with technical evaluation assistance upon request, to further the purposes and objectives of this Technical Arrangement. Such areas of assistance may include, but are not limited to, the provision of standards relating to any additional requirements established for acceptance under this Technical Arrangement, and reports on affected maintenance organisations' continued compliance with the requirements of this Technical Arrangement.
- 5.3 The Authorities shall provide each other with any regulations, standards, guidance material, check lists, policies, practices and interpretations relevant to this Technical Arrangement, and shall ensure that such documents are updated in a timely manner. In addition, each Authority will notify the other Authority of any proposals to amend such documents and provide the other Authority the opportunity to review and comment on those proposals.
- 5.4 Where urgent or unusual situations develop that are within the scope of this Technical Arrangement but are not specifically addressed within it, the Authorities will review and consult each other, and upon mutual consent take appropriate action, including, where necessary, amendment of this Technical Arrangement.

- 5.5 The Authorities shall by mutual co-operation and with reasonable prior notice, allow each other to participate in each other's inspections and audits as observers to confirm the effective implementation of this Technical Arrangement.
- 5.6 Subject to reasonable prior notification, the Authorities shall allow each other to conduct independent inspections of each other's maintenance organisations, to investigate safety issues.
- 5.7 The authorities shall review their respective regulations and standards to identify any changes that may be necessary to facilitate this Technical Arrangement, and notify each other of any action taken as result of this review.

6. OVERSIGHT

- 6.1 The State of Oversight shall ensure that every organisation recognized under this Technical Arrangement:
 - 6.1.1. Is inspected at intervals no greater than 12 months, such inspections to include at least a review of the findings and corrective actions recorded by the internal quality system established pursuant to paragraph 8 of Annex 1; and
 - 6.1.2. Undergoes an audit covering all aspects of the organization's activities pursuant to this Technical Arrangement at intervals no greater than 36 months.
- 6.2 The State of Oversight shall make the results of these audits and inspections available to the State of Registry.

7. NOTIFICATION

- 7.1 Each Authority shall notify the other Authority of any instance of unsatisfactory compliance with any applicable regulations or with any condition set forth in this Technical Arrangement that affects the ability of an organisation to comply with the terms of this Technical Arrangement.
- 7.2 Each Authority shall promptly advise the other Authority of any investigations or enforcement action, including revocation, suspension or change in the scope of privileges, of any maintenance organisations approved in accordance with this Technical Arrangement.
- 7.3 Upon notification, each Authority shall take prompt action to ensure compliance with the terms of this Technical Arrangement.

8. ADMINISTRATION AND IMPLEMENTATION

- 8.1 The TCCA Director of Maintenance & Manufacturing and the DAC Technical Subdepartment Manager shall be responsible for the administration and implementation of this Technical Arrangement.
- 8.2 The Authorities shall advise each other of any significant changes to their internal organizations that affect the administration and implementation of this technical arrangement, including the identity of the persons identified in paragraph 8.1.
- 8.3 The Authorities shall jointly review this Technical Arrangement from time to time and may amend it as appropriate by mutual consent.
- 8.4 The State of Registry shall identify the organisations that are authorised to perform maintenance in accordance with this Technical Arrangement by:
 - 8.4.1. Where the State of Registry is Brazil, issuing a Maintenance Organisation Certificate to validate the ratings and limitations issued by the State of Oversight.

- 8.4.2. Where the State of Registry is Canada, by issuing a letter acknowledging that the ratings and limitations issued by the State of Oversight have been found equivalent to those of a Canadian Approved Maintenance Organization.
- 8.5 Certificates and Letters issued by State of Registry in accordance with 8.4 of this Technical Arrangement shall be valid only so long as the certificate issued by the State of Oversight remains valid.
- 8.6 Any disagreement regarding the interpretation or application of this Technical Arrangement shall be resolved by consultation between the persons identified in paragraph 8.1
- 8.7 Notwithstanding any of the foregoing, either Authority may revoke the recognition of an organization pursuant to this Technical Arrangement, where the Authority finds that the organization is not maintaining the applicable standards or is otherwise not achieving the intent of the Arrangement.

9. ENTRY INTO FORCE

- 9.1 This Technical Arrangement shall be prepared in the official languages of the Authorities, in three versions of equal wording and force. Any discrepancies between the three language versions shall be resolved through mutual consent of the persons identified in paragraph 8.1.
- 9.2 This Technical Arrangement shall enter into force upon signature of the English, French and Portuguese documents by the persons identified in paragraph 8.1.

10. TERMINATION

- 10.1 Either Authority may terminate this Technical Arrangement at any time by giving written notice of its decision to the other Authority. This Technical Arrangement shall terminate 90 days following the date of receipt of such notice, unless the said notice is withdrawn by mutual agreement before the expiry of the 90-day period.

Signed at Montreal, this 30th day of April 2002.

Donald Sherritt
Director, Maintenance and Manufacturing
Transport Canada Civil Aviation

Brig. do Ar - Renilson Ribeiro Pereira
Technical Subdepartment Manager
"Departamento de Aviação Civil", Brazil

ANNEX 1

The State of Oversight shall ensure that the following criteria are met by, or in respect of, each organization it authorizes to maintain aeronautical products in accordance with this technical arrangement:

1. Except as provided otherwise in accordance with paragraph 3.2 of this Technical Arrangement, the maintenance organization shall be located within the territory of the State of Oversight. Organizations outside the territory of the State of Oversight may be accepted in specific cases by mutual consent of the two Authorities.
2. The maintenance organization shall hold an approval issued by the State of Oversight, including privileges for the type and scope of work authorized under this Technical Arrangement, and an equivalent document, issued by the State of Registry, validating the ratings and limitations.
3. The maintenance organization shall comply with all of the applicable regulations and standards of the State of Oversight, and all the conditions specified by the owner or operator of the aeronautical products maintained.
4. Except as provided in this Technical Arrangement, the maintenance organization need not comply with the applicable regulations, standards and supporting documentation of the State of Registry.
5. The maintenance organization shall comply with the aeronautical product record requirements of the State of Registry.
6. Organizations approved to maintain aeronautical products in accordance with this Technical Arrangement may subcontract work to:
 - 6.1 Appropriate organizations approved by of the State of Oversight within its territory;
 - 6.2 Where the State of Registry is Canada, appropriate organizations outside of Brazil, provided that the organizations concerned are approved by Canada or otherwise acceptable to Canada, in accordance with other Technical Arrangements.
 - 6.3 Where the State of Registry is Brazil, appropriate organizations outside of Canada, provided that the organizations concerned are approved by Brazil or otherwise hold a FAA or JAA approval or are acceptable to Brazil in accordance with other Technical Arrangements.
7. The maintenance organization shall implement an internal quality assurance system to ensure compliance with its approved procedures and the terms of its approval under this Technical Arrangement.
8. On or before December 31, 2003 the maintenance organization shall implement a human factors training program for all technical employees.
9. The maintenance organisation shall include the following information in its manual, either within the body of the manual proper, or by means of a suitable supplement:
 - 9.1 A statement signed by the current Certificate Holder, Chief Executive Officer or Accountable Executive directing that personnel of the organization must comply with the policies and procedures contained therein.
 - 9.2 Acknowledgement that failure to comply with the terms of this Technical Arrangement, or with the policies and procedures described in the manual may be

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grounds for suspension or cancellation of any privileges granted pursuant to the Technical Arrangement.

- 9.3 Acknowledgement that the State of Registry may have access to the organisation to confirm compliance with the requirements of this Technical Arrangement.
- 9.4 Details of the internal quality assurance system required by paragraph 7 of this Annex.
- 9.5 Procedures to ensure that:
 - 9.5.1 Any parts installed pursuant to the Technical Arrangement have been manufactured and maintained by organisations that are acceptable to the State of Registry;
 - 9.5.2 The owner or operator of the product being maintained has obtained the approval of the State of Registry in respect of any major modifications and repairs incorporated;
 - 9.5.3 The criteria used to determine whether repairs and modifications are major are those of the State of Registry;
 - 9.5.4 Airworthiness Directives, Airworthiness Limitations, and other requirements declared mandatory by the State of Registry are available to maintenance personnel;
 - 9.5.5 Maintenance is released in accordance with the regulations of the State of Oversight;
 - 9.5.6 In the case of aeronautical products other than complete aircraft, maintenance is released using the authorized release certificate of the State of Oversight;
 - 9.5.7 Appropriate entries are made in the applicable aeronautical product records in accordance with the requirements of the State of Registry; and
 - 9.5.8 Owners of aeronautical products are notified regarding any unairworthy conditions that are required by the State of Registry to be reported, to enable the owners to comply with those reporting requirements.
 - 9.5.9 Maintenance performed under this Technical Arrangement is reported as required by State of Registry, in an acceptable format and frequency. This shall include the name of the customer, aeronautical product description and the scope of work performed.
 - 9.5.10 The maintenance organization has an acceptable system to correctly interpret the customer requirements and make technical record entries in the language specified by the customer.
 - 9.5.11 In the case of Canadian maintenance organizations, major repairs and modifications of Brazilian aeronautical products are reported on DAC Form SEGVÓO 001.
10. Once the above criteria are met and have been found acceptable by the State of Oversight, the State of Oversight shall make a recommendation to the State of Registry regarding the recognition of the organisation and the scope of work that may be performed.
11. Subject to the conditions of this Technical Arrangement, The State of Registry may then recognize the ratings and limitations of the Certificate issued by the State of Oversight.
12. The State of Oversight shall advise the State of Registry of changes in the ratings and limitations of the maintenance organization.