

## 中国民用航空局与香港特别行政区政府民航处 关于相互接受零部件制造人批准书的合作安排

中国民用航空局（CAAC）和香港特别行政区政府民航处（CAD）  
（以下均简称“主管当局”或者统称为“双方主管当局”），

鉴于：

- 每一方主管当局认为对方有关航空器零部件合格审定的标准和系统与本方的标准和系统充分等效，使得制定合作安排是可行的；和
- 为了促进航空安全起见，和目的是促进双方主管当局的合作和协助以达至共同的安全目标；建立和保持与对方尽可能相似与航空器零部件相关的适航标准和审定系统；以及就航空器零部件而言，合作减轻航空工业界和运营人由于重复的技术评估、试验和检查引致的经济负担；

因此，在不使各方主管当局按自己法律所承担的义务受损害的前提下，双方主管当局决定订立本合作安排，而目的是：

- 便利用户当局接受按另一方主管当局制造的航空器零部件；
- 为上述目的订定双方主管当局之间的程序，和为了便利航空器零部件朝着世界性的设计、生产和交换显著发展趋势的管理，而涉及的航空器零部件是双方主管当局在适航审定领域有共同利益的；和
- 促进以保持航空安全为目标的合作。

## 1 定义

### 1.1 为施行本合作安排:

**“零部件制造人批准书”**是指根据“CCAR-21 民用航空产品和零部件合格审定规定”的第八章或者“HKAR-21 航空器及其产品、零部件和机载设备，以及设计和生产机构的合格审定”的 K 分部的要求，为制造产品的加改装件或者替换件（包括材料、零部件、工艺和设备）而颁发的设计和生产批准。

**“制造人当局”**是指根据本合作安排的条款颁发零部件制造人批准书的主管当局。

**“产品”**是指航空器，航空器发动机或螺旋桨。

**“用户当局”**是指根据本合作安排的条款规定接受航空器零部件的主管当局。

## 2 范围

本合作安排涵盖:

- a. 中国民用航空局接受根据 HKAR-21 的 K 分部零部件制造人批准书制造的零部件;
- b. 香港民航处接受根据 CCAR-21 第 8 章零部件制造人批准书制造的零部件;
- c. 双方主管当局就航空器零部件的合格审定的信息交流; 和
- d. 双方主管当局就航空器零部件互相提供技术评估和协助的合作。

### **3 接受依据零部件制造人批准书生产的零部件**

3.1 倘若每一件交付到中国内地地区新生产的零部件是附有以 CAD Form One 表形式的合格审定, 而该 CAD Form One 表是按照经香港民航处处长根据 1995 年飞航(香港)令及后续的修订版颁发的 HKAR-21 的 K 分部零部件制造人批准书所签发的, 并声明该航空器零部件是符合经香港民航处处长批准的设计, 而且处于可安全运行的状态, 中国民用航空局会接受该合格审定, 犹如该局已进行了相关的技术评估、试验和检查。

3.2 倘若每一件交付到中华人民共和国香港特别行政区新生产的零部件是附有以 AAC-038 表形式的合格审定, 而该 AAC-038 表是按照经中国民用航空局根据中华人民共和国民用航空法及后续的修订版颁发的 CCAR-21 的第 8 章零部件制造人批准书所签发的, 并声明该航空器零部件是符合经中国民用航空局批准的设计, 而且处于可安全运行的状态, 香港民航处处长会接受该合格审定, 犹如该处已进行了相关的技术评估、试验和检查。

### **4 互相合作和协助**

4.1 当涉及到某一制造人当局颁发的某一零部件制造人批准书, 制造人当局当接获用户当局的书面要求, 将协助用户当局来确定一些受着用户当局监管的设计更改或者修理是否符合制造人当局初始批准该航空器零部件所依据的适航标准。

4.2 每一主管当局将不时向对方主管当局提供该局所有相关的适航法律、规章、标准和要求以及适航审定系统, 并为对方提供最新

近的有关信息。

4.3 每一主管当局将在切实可行范围内尽快通知对方主管当局有关该局用作适航审定或者批准的标准和系统的预期重大更改；以使对方主管当局有机会发表意见，并且把对方主管当局对预期修订的意见予以应有的考虑。

4.4 每一主管当局将在切实可行范围内尽快通知对方主管当局对本合作安排涵盖的航空器零部件的合格审定程序的任何预期更改。

4.5 双方主管当局将在书面要求下，互相提供技术评估和协助，以双方认为适当的情况下，延续本合作安排的目的及目标。

## **5 不符合状况的通知**

每一方主管当局须：

- a. 就零部件制造人批准书持有人，对按照合作安排制定或者与本合作安排相关的任何规章或者任何条件的严重不符合或不安全的情况，立即书面通知对方主管当局；和
- b. 对任何双方主管当局根据本合作安排而相互接受的零部件制造人批准书的任何调查或者强制措施，及时以书面通知对方主管当局。强制措施包括撤销、暂停或者被改变批准的范围。

## **6 解释**

就本合作安排的某一接受，如对用户当局订明的适航准则有相抵触的诠释，则将以用户当局的诠释为准。

## **7 执行**

7.1 双方主管当局将为本合作安排，致力制定双方同意的实施

程序细则。

7.2 双方主管当局就该细则达成一致后，将根据列明的实施程序实施本合作安排。

7.3 双方主管当局将定期共同审核该细则，并可通过书面协议适当修订该细则。

## **8 生效**

本合作安排将在双方主管当局签字后生效，并将取代下述文件：

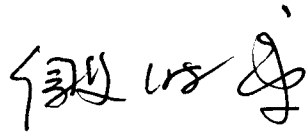
8.1 2009 年 5 月 13 日签署的“中国民用航空局与香港特别行政区政府民航处关于相互接受零部件制造人批准书的合作安排”。

## **9 终止**

任何一方主管当局可随时以书面通知对方主管当局其终止本合作安排的决定。本合作安排将在对方主管当局收到通知起 12 个月后终止，除非所说的终止通知在该期限到期前通过共同商定被撤回。

于二零一三年八月二十八日签署

1 代表中国民用航空局签署



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中国民用航空局航空器适航审定司司长

代表香港特别行政区政府民航处签署



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香港特别行政区政府民航处处长

**COOPERATION ARRANGEMENT  
ON MUTUAL ACCEPTANCE OF  
PARTS MANUFACTURER APPROVALS  
BETWEEN  
CIVIL AVIATION ADMINISTRATION OF CHINA  
AND  
CIVIL AVIATION DEPARTMENT OF THE HONG KONG SPECIAL  
ADMINISTRATIVE REGION GOVERNMENT**

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

whereas

- each Authority has considered that the standards and systems of the other Authority for the certification of aircraft parts are sufficiently equivalent to its own to make a cooperation arrangement practicable; and
- in the interest of promoting aviation safety and with a view to fostering cooperation and assistance between the Authorities in achieving common safety objectives, establishing and maintaining airworthiness standards and certification systems of aircraft parts which are as similar to those of the other Authority as practicable and cooperating in the reduction of the economic burden on aviation industries and operators arising from repetitive technical evaluations, tests and inspections in relation to aircraft parts;

therefore, without prejudice to the obligation of each Authority under its own regulations, the Authorities have decided to enter into this Cooperation Arrangement with a view to:

- facilitating the acceptance by the User Authority of the aircraft parts produced by the other Authority;

- providing for the procedures between the Authorities for the above purposes and for facilitating the management of the emerging trend toward worldwide design, manufacture, and interchange of aircraft parts involving the joint interests of the Authorities in airworthiness certification; and
- facilitating the cooperation between the Authorities for the purposes of sustaining aviation safety.

## 1 **Definitions**

1.1 For the purpose of this Cooperation Arrangement:

**"Parts Manufacturer Approval"** means the design and production approval issued for the production of modification or replacement parts of a product (including materials, parts, processes, and appliances) in accordance with the Chapter 8 of "CCAR-21 Certification Procedures for Civil Aviation Products and Parts" or Subpart K of "HKAR-21 Certification of Aircraft and Related Products, Parts and Appliances, and of Design and Production Organisations" requirements.

**"Producer Authority"** means the Authority that issues the Parts Manufacturer Approvals under the provisions of this Cooperation Arrangement.

**"Product"** means an aircraft, aircraft engine, or propeller.

**"User Authority"** means the Authority regulating the acceptance of aircraft parts under the provisions of this Cooperation Arrangement.

## 2 **Scope**

This Cooperation Arrangement covers:

- a. the acceptance by CAAC of parts produced under the HKAR-21, Subpart K, Parts Manufacturer Approval;



- b. the acceptance by CAD of parts produced under the CCAR-21, Chapter 8, Parts Manufacturer Approval;
- c. the exchange of information between the Authorities regarding certification of aircraft parts; and
- d. the cooperation between the Authorities in providing each other with the technical evaluations and assistance in relation to aircraft parts.

### **3 Acceptance of Parts produced under Parts Manufacturer Approval**

- 3.1 Provided that each part is delivered to Mainland China with a certification in the form of a CAD Form One, issued in accordance with the HKAR-21 Subpart K Parts Manufacturer Approval granted by the Director-General of CAD, stating that the aircraft part conforms with the design approved by the Director-General of CAD and is in a condition for safe operation, CAAC will accept that certification as if it had made the relevant technical evaluations, tests and inspection itself.
- 3.2 Provided that each part is delivered to the Hong Kong Special Administrative Region of the People's Republic of China with a certification in the form of Form AAC-038, issued in accordance with the CCAR-21 Chapter 8 Parts Manufacturer Approval granted by the CAAC under the Civil Aviation Law of The People's Republic of China as amended from time to time, stating that the aircraft part conforms with the CAAC approved design and is in a condition for safe operation, the Director-General of CAD will accept that certification as if it had made the relevant technical evaluations, tests and inspection itself.

### **4 Mutual Cooperation and Assistance**

- 4.1 In respect of a Parts Manufacturer Approval issued by a Producer Authority, the Producer Authority will on written request assist the

User Authority in determining whether the design of changes or repairs made under the control of the User Authority, comply with the airworthiness standards under which such aircraft parts were originally approved by the Producer Authority.

- 4.2 Each Authority will provide and update the other Authority 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 Authority of proposed significant revisions to its standards and system for airworthiness certification or approval; offer the other Authority an opportunity to comment and give due consideration to the comments made by the other Authority on the intended revisions.
- 4.4 Each Authority will as soon as practicable notify the other Authority of any proposed revisions to certification procedures for aircraft parts covered by this Cooperation Arrangement.
- 4.5 The Authorities will provide to each other such technical evaluation assistance, upon written request, to further the purposes and objectives of this Cooperation Arrangement as they agree is appropriate.

## **5 Notification of Non-compliance**

Each Authority shall:

- a. forthwith notify the other Authority in writing of any material non-compliance or unsafe conditions, by any Parts Manufacturer Approval holder, with any regulation or any condition made in accordance with or relating to this Cooperation Arrangement; and
- b. promptly advise the other Authority in writing of any investigation or enforcement action, including revocation, suspension or change of scope of approval made by it in respect of any Parts

Manufacturer Approval mutually accepted by both Authorities pursuant to this Cooperation Arrangement.

## **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 between 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 both Authorities and supersede the following instrument:

8.1 The Cooperation Arrangement on Mutual Acceptance of Parts Manufacturer Approvals between CAAC and CAD signed on 13 May 2009.

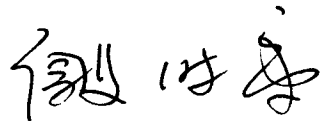
## **9 Termination**

Either Authority may at any time give written notice to the other Authority, of its decision to terminate this Cooperation Arrangement.

This Cooperation Arrangement will terminate twelve months following the date of receipt by the other Authority 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



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Director General of Aircraft Airworthiness Certification Department, CAAC

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



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Director-General of Civil Aviation, CAD