

**Memorandum Of Understanding
(MoU)**

Between

The Civil Aviation Administration of China

And

**Department of Transportation,
Communications and Infrastructure of
The Federated States of Micronesia**

**For Validation of Type Certificate and
Continued Airworthiness
of Aircraft Produced in China and Operated
in The Federated States of Micronesia**

The Civil Aviation Administration of China (CAAC) and Department of Transportation, Communications and Infrastructure of the Federated States of Micronesia (TC&I), competent authorities of the respective governments of both states:

- Desiring to promote the air safety and the quality of environment, to reinforce their cooperation and to increase their efficiency in the field of civil aviation and of air trading;
- Desiring to apply to this Memorandum of Understanding (MoU) in accordance with the principles and provisions of the Annexes to the Convention on International Civil Aviation, as signed at Chicago on 7th December 1944.

Have concluded as follows:

1. Objective

This MoU is concluded to prescribe the procedures for validation of the type certificate of aircraft issued by CAAC and to ensure the continued airworthiness of aircraft produced in China and operated in the Federated States of Micronesia (FSM).

2. General provisions

TC&I agrees to validate the type design approval of civil aircraft for which the CAAC is the basic type certification authority. Therefore, this MoU defines the procedures for the validation of type certificates of aircraft issued by CAAC and the responsibilities of both Administrations, in accordance with the aircraft operation regulation in FSM on execution of the following obligations:

- a) To promote for cooperation and assistance on acceptance of the appropriate airworthiness certificate;
- b) To promote for cooperation and assistance on the application of airworthiness directives;
- c) To promote a cooperation, an assistance and an exchange of information on the continued airworthiness of civil aircraft;
- d) To promote a cooperation in the course of technical control and assistance;
- e) To facilitate investigation of accidents or incidents of civil aircraft.

3. TC&I procedures for validation of type certificate of aircraft

- a) TC&I procedures for validation of type certificate of aircraft are provided in Appendix I;
- b) Applications for TC&I validation of type certificate from Chinese applicants should be made through CAAC, with a request that the application be forwarded to the importing Authority. Applications should include all information designated in Appendix I;

- c) CAAC will review the application package and if finds acceptable, will forward the application to TC&I;
- d) TC&I issues validation of type certificate when it finds the application acceptable.

4. Mutual cooperation and assistance

- a) Each Administration shall cooperate in the analysis of airworthiness concerns occurred on the aircraft to which this MoU applies;
- b) CAAC shall specify any appropriate actions that it finds necessary to correct any unsafe condition discovered on the model, after the aircraft operation;
- c) CAAC shall assist TC&I in the determination of actions considered necessary for the continued airworthiness of the civil aircraft;
- d) CAAC shall communicate to TC&I the airworthiness directives, mandatory modifications, the special inspections, the special limits of operation, or the other necessary specific actions for the continued airworthiness of the concerned aircraft;
- e) The content of the airworthiness limitations section according to ICAO, flight manual and further change approved by CAAC shall be accepted by TC&I during the aircraft operation;
- f) TC&I shall inform CAAC of the applicable design related operation requirements in the FSM before the aircraft delivery;
- g) TC&I shall inform CAAC of all notification of serious service difficulties noted during the operation. The content of this related is listed in appendix II;
- h) TC&I shall inform CAAC of all accidents occurred within 72 hours. Investigations on aircraft accidents will be performed in accordance with procedures of the annex 13 of Convention on International Civil Aviation;
- i) Upon request from TC&I, the CAAC will provide technical support to the TC&I for the oversight of the aircraft operation.

5. Communication

Communication concerning TC&I validation of type certificate of aircraft and continued airworthiness information exchange between both Administrations should be provided to the addresses listed in Appendix III.

Correspondence and documentation will be produced in English.

Unless otherwise specified, CAAC shall be copied into all correspondence between the applicant and TC&I related to the activities of this MoU in order to support the applicant and TC&I in the future.

6. Implementation

- a) The two Administrations shall work in accordance with this present Memorandum of Understanding from the date of its signature. It could be reviewed by mutual agreement of both parties;

- b) Each Administration shall inform the other party by notification of any changes intervened in its competence in regard to this present Memorandum of Understanding.

7. Termination

Each Administration may terminate this present MoU by writing to the other party a notice of ninety (90) days.

8. Coming into force

This present MoU shall come into force from the date of signature by the two competent authorities.

**For the Civil Aviation Administration of
China**

**For Department of Transportation,
Communications and Infrastructure of
The Federated States of Micronesia**

Name: Li Jiaxiang

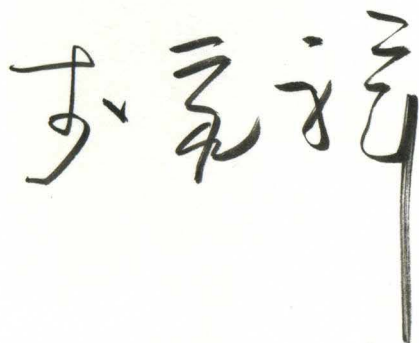
Name: Lorin Robert

Title: Administrator of CAAC

Title: Secretary of Foreign Affairs

Done in: Nadi, Fiji

Date: November 22, 2014



APPENDIX I

TC&I PROCEDURES FOR VALIDATION OF TYPE CERTIFICATE OF AIRCRAFT

1. APPLICABILITY

The Aeronautics Code title 20 of the FSM empowers the Secretary of TC&I to validate type certificates to aircraft, designed/ manufactured in another country and type certificated by the regulatory authority of that country.

PART 5 of the Civil Aviation Regulations (§5.2) prescribes the validation of airworthiness issued by another State.

2. APPLICATION FOR VALIDATION OF TYPE CERTIFICATE

Application for validation of type certificate may be submitted, as per Annex I, to the Assistant Secretary of Division of Civil Aviation, PO BOX PS-2 Palikir Pohnpei FM 96941.

3. REQUIREMENTS FOR VALIDATION OF TYPE CERTIFICATE

The Assistant Secretary of Civil Aviation Division would validate the type certificate, in respect of any aircraft that may be imported, provided that:

- (a) The airworthiness authority of the country in which it is manufactured has issued the type certificate or similar document, in respect of that aircraft or components;
- (b) It meets the airworthiness requirements laid down by the Secretary.

4. DOCUMENTS TO BE SUBMITTED

The applicant shall furnish the following documents:

- I. Type certificate (TC),
- II. Type Certificate data sheets (TCDS),
- III. Supplemental type certificate data sheets (if applicable),
- IV. Noise standard to which it has been certified,
- V. The basis of ETOPS certification, if applicable,
- VI. Copies of aircraft, engine, propellers specifications, special conditions and/or exemption including the certification basis,
- VII. Engineering description of the aircraft with required illustrations,
- VIII. A statement of compliance with applicable design standards/ certification basis,
- IX. Details of non-conformity with design standards,
- X. Details of concessions from applicable certification basis sought from the Regulatory Authority for the Type Certification,
- XI. Copies of tests reports for flight, ground/water tests, etc,
- XII. A database on various defects noted on the aircraft,
- XIII. All applicable Airworthiness Directives,
- XIV. Copies of maintenance review board (MRB) report and MMEL for aircraft type certificated in transport category,
- XV. Weight and Balance report, Flight Manual, Structural Repair Manual,
- XVI. Any other documentation required by Secretary.

4.1 If clarifications are to be sought about the complexities of design or any special design feature, representative of the manufacturer shall familiarize the Secretary with the system and design of the aircraft. Representatives of the Secretary may also visit the manufacturing sites to discuss specific design/manufacturing issues with the representatives of the manufacturers, designer and/or airworthiness authority of the country of manufacture.

4.2 Special conditions may be imposed on foreign type certificate and type certificate data sheets by the Secretary in specific cases for safe operation of the aircraft in the FSM. The special conditions so imposed will be communicated to the applicant/manufacturer and Airworthiness Authority of that country by the Secretary.

5. VALIDATION OF TYPE CERTIFICATE

If the Assistant Secretary of Civil Aviation Division is satisfied that the aircraft conforms to the relevant acceptable standards in respect of design and performance (with such exceptions as he may permit), he may issue to the applicant a certificate validating the Type Certificate issued by the regulatory authority of the 'state of design' in respect of the aircraft. The validation shall refer only to the aircraft conforming, in detail with the documents specified on such approval.

6. SERVICE EXPERIENCE CHANGE

Where the Assistant Secretary of Civil Aviation Division finds, as a result of service experience or otherwise that an unsafe condition exists with respect to a design feature or characteristic of the validated aircraft, he may issue a directive specifying conditions and limitations including inspections for continued operation in aircraft or may altogether prohibit the use of the same till the unsafe condition has been corrected. When design changes are considered necessary, the holder of the Type Certificate shall submit appropriate design changes for approval of the Secretary.

7. EXCEPTIONS

Notwithstanding what has been stated in the preceding paragraphs, the Assistant Secretary of Civil Aviation Division may waive/reject any of the requirements relating to design in respect of the aircraft type certificated in a foreign country, but built under license in the FSM. For this purpose, the applicant shall submit to the Director General of Civil Aviation complete Type Record Documents and Manuals specified in Para 4.

8. CANCELLATION, SUSPENSION OR ENDORSEMENT OF VALIDATED TYPE CERTIFICATE

If at any time, the Assistant Secretary of Civil Aviation is satisfied that there is a reasonable doubt to indicate that the safety of the aircraft is imperiled because of an unsafe condition in the aircraft, he may cancel, suspend or endorse the validated type certificate or may require the incorporation of any modification as a condition of the validated type certificate remaining in force.

ANNEX I to APPENDIX I

Application for validation of Type Certificate of Aeroplane

1. Constructor of aircraft
2. Address (in full)
3. General description of aircraft
4. Aircraft model
5. Airworthiness category
6. Country of construction
7. Year of type certification by state of design
8. Serial number eligible
9. Certification basis
10. Production basis
11. Airworthiness authority of the country
12. Type certification in other countries
13. Registration marks
14. Dimensions Wing span
 - a. Wing aspect ratio
 - b. Length overall
 - c. Height overall
 - d. Wheel track
 - e. Wheel base
 - f. Wing area
15. Type of engine
16. Number of engines
17. Engine limits
18. Propeller & propeller limits
19. Fuel
20. Oil
21. Airspeed limits Maximum operating speed
 - a. Maneuvering speed
 - b. Maximum flap extended speed
 - c. Single engine minimum control speed
 - d. Landing gear extended speed
 - e. Demonstrated cross wind component
22. Datum
23. Leveling means

24. C.G. range
25. Weights Maximum take-off weight
 - a. Maximum landing weight
 - b. Zero fuel weight
 - c. Maximum taxiing weight
26. Minimum crew
27. Number of seats
28. Maximum baggage
29. Fuel capacity
30. Oil capacity
31. Control surface movements Wing flaps
 - a. Ailerons,
 - b. Elevator,
 - c. Trim tab
 - d. Rudder
32. Maximum operating altitude
33. Maximum operating temperature
34. Import requirements
35. Operating manuals
36. Airworthiness limitations
37. Service information & documents
38. Equipment

I hereby declare that the above particulars are true in every respect.

Signature of applicant _____ Date _____

Designation _____

Note: the following items should be enclosed.

1. A three view drawing of the aircraft.
2. Design and test reports of the aircraft as required by the Assistant Secretary of Civil Aviation Division.
3. Any additional data regarding design, calculations, reports, etc. that may be required

APPENDIX II

All notification of serious service difficulties (malfunctions or defect reports/aircraft operational main event reports) will be provided to the CAAC designated office within 20 working days of the TC&I receiving notification. Both Administrations will use the most expedient means available to deliver this information (fax, electronic mail, etc).

Notification will be provided of the following failures, malfunctions or defects encountered in service:

- i. Structural or flight control system malfunction, failing capable to cause an interference with the normal control of the aircraft which derogate the qualities of flight;
- ii. A complete loss of power of one electrical power generating system or hydraulic power system during a given operation of the aircraft;
- iii. Failure or malfunction of more than one altimeter, of a airspeed or of their respective display systems;
- iv. The loss in flight of parts or assemblies such as engines, flaps, etc;
- v. Hazardously misleading information navigation systems;
- vi. Failure or malfunction of the alarm warning systems;
- vii. Failure of the whole system of the aircraft braking;
- viii. De-pressurization of the aircraft;
- ix. Any other situation capable to compromise the safety of the aircraft.

APPENDIX III

What follows are the contact addresses between the CAAC and TC&I.

People's Republic of China

Aircraft Airworthiness Certification Department

Civil Aviation Administration of China

155 Dongsixidajie Beijing 100710

China

Tel: 86-10-64091329 / 86-10-64091331

Fax: 86-10-64091390 / 86-10-64092331

E-mail: jl_wang@caac.gov.cn / zhangsen@caac.gov.cn

Department of Transportaion, Communcations and Infrastructure of the Federated States of Micronesai Civil Aviation Division

P.O. Box PS-2

Palikir, Pohnpei FM 96941

Tel: 691-320-2865

Fax: 691-320-5853

Email: ncaa@mail.fm