

**Memorandum Of Understanding
(MoU)**

Between

The Civil Aviation Administration of China

And

**The Civil Aviation Division (MOT)
of Tonga**

**For Continued Airworthiness
of Aircraft Produced in China and Operated
in Tonga**

The Civil Aviation Administration of China (CAAC) and Civil Aviation Division (MOT) of Tonga (CAD(MoT)), competent authorities of the respective governments of both states:

- Desiring to promote the air safety, security 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 MoU in accordance with the principles and provisions of the convention of International Civil Aviation Organisation (ICAO) signed at Chicago, 7th December 1944.

Have concluded as follows:

1. Objective

This Memorandum of Understanding (MoU) is concluded to ensure the continued airworthiness of aircraft produced in China and operated in Tonga.

2. General provisions

CAD(MoT) accepts the type design approval of civil aircraft for which the CAAC is the basic type certification authority. Therefore, this MoU defines the responsibilities of both Administrations, in accordance with the aircraft operation regulation in Tonga 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. 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 CAD in the determination of actions considered necessary for the continued airworthiness of the civil aircraft ;
- d) CAAC shall communicate to CAD 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 maintenance program, flight manual and further change approved by CAAC shall be accepted by CAD during the aircraft operation ;
- f) CAD shall inform CAAC of the applicable design related operation requirements in Tonga before the aircraft delivery ;

- g) CAD shall inform CAAC of all serious service difficulties noted during the operation. The content of this notification is listed in appendix I;
- h) CAD shall inform CAAC of all accidents occurred within 48 hours. Investigations on aircraft accidents will be performed in accordance with procedures of the annex 13 of the International Civil Aviation Organisation (ICAO);

4. Communication

Communication concerning continued airworthiness information exchange between both Administrations should be provided to the addresses listed in Appendix II. Correspondence and documentation will be produced in English.

5. 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.

6. Termination

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

7. Coming into force

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

**For the Civil Aviation Division (MOT) of
Tonga,**

**For the Civil Aviation Administration of
China,**

Tuivakano

Name:
Lord Tu'ivakano
Prime Minister
Minister for Foreign Affairs
Date: June 6th 2012



王京玲

Name:
Wang Jingling
Deputy Director General of Aircraft
Certification Department of CAAC
Date: June 6th 2012

Witness

Samiu K. Vaipulu
Name:
Hon. Samiu K. Vaipulu
Deputy Prime Minister
Minister for Transport



Date: June 6th 2012

APPENDIX I

All notification of serious service difficulties (malfunction or defect reports/aircraft operational main event reports) will be provided to the CAAC designated office within 20 working days of the CAD(MoT) receiving notification from the aircraft operator. 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 or 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 of compromising the safety of the aircraft.

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APPENDIX II

What follows are the contact addresses between the Civil Aviation Administration of the People's Republic of China and Civil Aviation Division (MOT) of The Kingdom of Tonga.

The People's Republic of China

Civil Aviation Administration of China
Aircraft Airworthiness Certification Department
155 Dangsi St. West Beijing 100710
China
Tel: 86-10-64091390 / 86-10-64091331
Fax: 86-10-64091380 / 86-10-64092331
E-mail: jy_zhao@caac.gov.cn / xf_zhu@caac.gov.cn

The Kingdom of Tonga

Civil Aviation Division
2nd floor Otto Sanft Building
Cnr Wellington & Taufa'ahau Rds
Nuku'alofa
Kingdom of Tonga
Tel: 676- 28024 / Mobile: 676-7718500
Fax: 676- 28032
E-mail: vcocker@transport.gov.to/vilicocker@gmail.com

