

AIRWORTHINESS ARRANGEMENT

BETWEEN

**THE GENERAL ADMINISTRATION OF CIVIL AVIATION
OF CHINA**

AND

**THE GENERAL DIRECTION OF CIVIL AVIATION
OF FRANCE**

Related to airworthiness certification and environmental protection,
to the approval of the imported products
and to the cooperation in this field

Issue 1 dated 18 June 2001

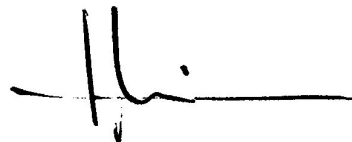
The **General Administration of Civil Aviation of China (CAAC)** and the **General Direction of Civil Aviation of France (DGAC)**, named "Contracting Authorities" in the following arrangement, have agreed to the following principles and arrangements to promote cooperation in order to :

- facilitate type certification and environmental protection and approval by the Importing State Airworthiness Authority of some civilian aeronautical products imported or exported between the two States of the Contracting Authorities.
- encourage the development of procedures between the two authorities.
- face the rising tendency to the internationalisation of the design, manufacturing and civilian aeronautical products exchanges when they imply the joint interest of the Contracting Authorities and their states when they deal with airworthiness certification and environmental protection.
- implement the cooperation in order to guarantee the quality objectives for safety and environment protection.

have consequently signed the following arrangement :

ARTICLE 1- BASIS

- a) Although our authorities technical exchanges in the airworthiness and environmental protection experience is too low to determine that the standards of airworthiness certification and environmental protection and the approval of the civilian aeronautical products are equivalent, the good safety level reached by the both countries allow us to consider that a sufficient basis exists to sign an arrangement limited in its scope and duration allowing the Contracting Authorities to take into account as much as possible the certification granted by the other authority.
- b) Each Contracting Authority wishes to develop and employ procedures for granting airworthiness and environmental certification or acceptance for civil aeronautical products exported from the other Contracting State such as to give maximum practicable credit for technical evaluations, tests results and inspections accepted or issued by or on behalf of the Civil Airworthiness Authority of the Exporting State in granting its own domestic certification of the products.
- c) The specific procedures developed for each programme, respecting article 10 a) of this arrangement, will allow each authority to become familiar with the rules and systems of the other Contracting Authority in order to go towards a revised arrangement when the procedures will have been mutually considered as sufficiently equivalent.
- d) In the interest of promoting aviation safety and environmental quality, each Contracting Authority wishes to encourage cooperation and assistance between its Civil Airworthiness Authority and that of the other Contracting Authority toward achieving common safety and environmental quality objectives, to establish and maintain airworthiness and environmental standards and certification systems, and to cooperate to reduce, to the minimum, the economic burden imposed on each Contracting Authority's aviation industries and operators by avoiding redundant technical evaluations, tests and inspections.
- e) This arrangement will be used in respect of the international agreements and the two states national laws for the security and the confidentiality of the documentation.



ARTICLE 2- SCOPE OF COVERAGE

This arrangement applies to :

- (a) The acceptance by the Importing State's airworthiness authority of the type design approval, including environmental approval, and the finding of compliance made by the Exporting State's authority with the Importing Authority's design related airworthiness, environmental and operational requirements for civil aeronautical products, for which the Exporting State's airworthiness authority is the primary type certification authority.
- (b) The acceptance by the Importing State's Airworthiness Authority of the airworthiness certification of the civil aeronautical products that may be exported from the state of the other Contracting Authority including the new products that have been designed or manufactured entirely or partially in the other state.
- (c) Cooperation and assistance on continued airworthiness of aircraft in service.
- (d) Cooperation, assistance and exchange of information regarding safety and environmental standards and certification systems.
- (e) Cooperation to give assistance to the other Contracting Authority for the technical evaluation.

ARTICLE 3- CONVENTIONS AND DEFINITIONS

For the purpose of this arrangement :

3.1 Conventions

"Type Design Approval" includes also the approval of the modifications made after the initial type certificate.

"Certification" includes also the terms of homologation, approval and acceptance.

"Approval" includes also the term acceptance.

"Modification" includes also the terms of change and alteration.

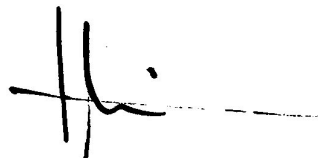
3.2 Definitions

"Type Design Approval" means the issuance of a certificate by, or on behalf of, an Airworthiness Authority for the type design of a product.

"Product Airworthiness Approval" means the issuance of an airworthiness certificate by or on behalf of an Airworthiness Authority for a particular civil aeronautical product to allow operation or use of the product under the laws, regulations, standards and requirements of the issuing Contracting State.

"Civil Airworthiness Authority" or "Airworthiness Authority" means the organisation which, by the State laws, is in charge of airworthiness and environmental protection for the civil aeronautical products.

"Exporting Authority" see "Exporting State".



"Importing Authority" see "Importing State".

"Additional Technical Conditions" means the terms notified by the Importing State for the approval of the type design of an aeronautical product to take into account the differences between Contracting States rules in :

- 1) Adopted airworthiness and environmental standards.
- 2) Special conditions relating to the product design which are not covered by the adopted airworthiness standards when there are some novel or unusual design or operation features or when the experience with some similar products makes it necessary.
- 3) Application of exemptions or equivalent safety findings from the adopted airworthiness and environmental standards.
- 4) Mandatory airworthiness actions taken to correct unsafe condition.

"Airworthiness Criteria" means criteria governing the design, performance, materials, workmanship, manufacture, maintenance or modification of civil aeronautical products as prescribed by the Civil Airworthiness Authority of a State to enable it to find that the design, manufacturing, and condition of these products comply with the laws, regulations, standards, and requirements of this State concerning airworthiness.

"Environmental Criteria" means criteria governing the design, performance, materials, workmanship, manufacturing, maintenance, and modification of civil aeronautical products as prescribed by the Civil Airworthiness Authority of a State, to enable it to find that these products comply with the laws, regulations, standards, and requirements of this State concerning noise abatement and emissions.

"Date of first application" means the date when the application was received for the approval of the product type design, or for a derivative product for its modification, by the Exporting Authority.

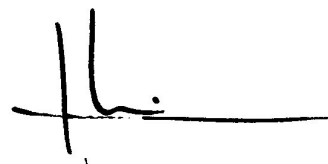
"Type Design" means the description of all characteristics of a product including its design, manufacture, limitations and continued airworthiness instructions which determine its airworthiness.

"Design-related operational requirements" means the operational requirements affecting either the design features of the product or data on the design relating to the operation of the product that make it eligible for a particular kind of operation in a State.

"Exporting State" means the contracting State exporting a type design, or a modification or a product under the provisions of this arrangement. The Airworthiness Authority of the Exporting State will be referred to as the "Exporting Authority".

"Importing State" means the Contracting State importing a type design, or a modification or a product under the provisions of this arrangement. The Airworthiness Authority of the Importing State will be referred to as the "Importing Authority".

"Modification" means a change to the Type Design.



"Civil Aeronautical Product" herein also referred to as "product" or "aeronautical product" means any civil aircraft, or aircraft engine, propeller, appliance, material, part (including spare part) or component to be installed thereon.

ARTICLE 4- TYPE DESIGN APPROVAL

The approval by the Importing Authority of the Type Design of a product or a modification to its Type Design will be managed as follows through this arrangement:

- (a) The Importing Authority shall prescribe the airworthiness and environmental criteria that are felt necessary to guarantee that the Type Design will comply with the airworthiness and environmental standards equivalent to which would be required to a similar product designed or manufactured in the Importing State **at the date of first application**. The requirements may be notified in terms of laws, regulations, standards, requirements and certification system applied by the Exporting Authority in granting its own Type Design approval together with the Additional Technical Conditions. For this, the Importing Authority will keep the right to become familiar with the product and with the laws, regulations, standards, requirements and certification system applied by the Importing Authority.
- (b) Those airworthiness and environmental criteria will be transmitted to the Exporting Authority as soon as possible after the product familiarisation process.
- (c) On request of the Importing Authority, the Exporting Authority, using its own certification system, including technical evaluations, tests, and inspections, will determine and will certify that the Type Design or modification complies with the criteria specified in 4)a). In case of absence of interpretative material or means of compliance to those criteria notified by the Importing Authority, the Exporting Authority will use the method that the Exporting Authority feels appropriate to demonstrate the compliance.
- (d) The Importing Authority will determine the compliance to its own laws, regulations, standards and requirements giving the appropriate credit to the conformity statement of the Exporting Authority as defined in c).

ARTICLE 5- TYPE DESIGN APPROVAL RELATED TO OPERATIONNAL REQUIREMENT

The Importing Authority, on request from the Exporting Authority, shall advise the Exporting Authority of its current design-related operational requirements. If by mutual consent between the authorities, the Exporting Authority certifies to the Importing Authority that the design of the product or data on the design relating to the operations or maintenance of the product comply with those design-related operational requirements prescribed by the Importing Authority, the Importing Authority, in finding compliance with its own operational requirements, shall give the same validity to the technical evaluations, determinations, tests and inspections made by the Exporting Authority as if it had made them itself.

ARTICLE 6- PRODUCT AIRWORTHINESS APPROVAL ACCEPTANCE

- (a) The Importing Authority will have the right to become familiar with the Exporting Authority quality insurance system in order to establish an appropriate level of



confidence, which is considered as mandatory by the Importing Authority, to accept a product airworthiness approval.

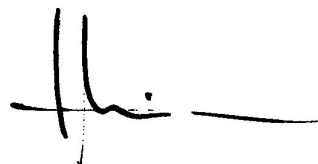
- (b) If the Exporting Authority certifies to the Importing Authority that a product conforms in construction to a Type Design description notified by the Importing Authority and is in a condition for safe operation, the Importing Authority shall give the same validity to the technical evaluations, tests, and inspections made by the Exporting Authority as if it had made them itself on the date of the certification by the Exporting Authority.
- (c) Additional inspections may be made or specified by the Importing Authority as it seems necessary at the time of its airworthiness and environmental certification approval of an aeronautical product to verify that the product has not been modified and has not been altered since its Exporting Authority approval.

ARTICLE 7- CONTINUED AIRWORTHINESS

- (a) The Airworthiness Authorities of both Contracting States shall cooperate in analysing airworthiness aspects of accident and incidents occurring on products to which this Arrangement applies and which are such as would raise questions concerning the airworthiness of such products.
- (b) The Exporting Authority shall, in respect of products designed or manufactured in that State, accept the responsibility to specify any appropriate action, as it finds necessary to correct any unsafe condition of the Type Design that may be discovered after the product is placed in service, including any actions in respect of components designed and/or manufactured by a supplier under contract to a prime contractor in its State.
- (c) On request of the Importing Authority, the Exporting Authority, shall in respect of products designed or manufactured in that State, assist the Importing Authority in determining any action considered to be necessary by the Importing Authority for the continued airworthiness of the product. The final decision is always the responsibility of the Importing Authority.
- (d) The Airworthiness Authorities of each Contracting State shall keep the Airworthiness Authorities of the other State informed of all mandatory airworthiness modifications, special inspections, special operating limitations, or other actions which it determines are necessary for the continued airworthiness of products designed or manufactured in the other State, that have been imported or exported under this Arrangement.

ARTICLE 8- MUTUAL COOPERATION AND ASSISTANCE

- (a) On request of the Importing Authority, the Exporting Authority shall, in respect of products designed or manufactured in that State, assist the Importing Authority in determining whether the design of major changes or repairs made under the control of the Importing Authority comply with the airworthiness and environmental standards under which the product was originally approved by the Exporting Authority.
- (b) The Airworthiness Authorities of both Contracting States may agree to variations in procedures in respect to joint projects for products covered by this Arrangement.



(c) Each authority will check, whenever it is possible, that the other authority is informed of its important envisaged revisions of laws, regulations, standards, airworthiness and environmental requirements and certification system. As much as possible, this authority will offer to the other the possibility to comment the proposed documents in order to take them into account.

(d) Each Contracting Authority may provide a technical assistance if requested by the other.

ARTICLE 9- PREVAILING INTERPRETATION

In the case of conflicting interpretations of the airworthiness or of the Environmental Criteria or design-related operational requirements prescribed by the Importing Authority, pertaining to certifications, approvals or acceptances under this Arrangement, the interpretation of the Importing Authority shall prevail.

ARTICLE 10- IMPLEMENTATION

(a) This Arrangement will be implemented in accordance with the procedures and conditions agreed by the two Airworthiness Authorities of the Contracting States in some specific agreement for each programme and set out in a schedule of implementation procedures. These procedures and conditions shall be on the basis and within the scope of this Arrangement.

(b) Each Contracting State shall keep the other Contracting State advised as to the identity of its civil Airworthiness Authority and any change in the scope of some responsibility covered by this Arrangement.

ARTICLE 11- END OF ARRANGEMENT

This arrangement has no duration.

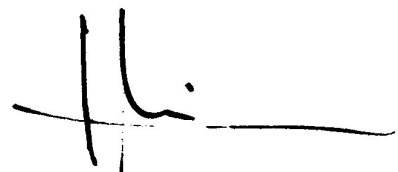
Each Contracting Authority can decide to end this arrangement 6 months after having advised the other authority. Nevertheless, each Contracting Authority shall act as defined in the article 7 of this Arrangement as long as an imported aircraft is registered in the Importing State.

ARTICLE 12- REVISION

This arrangement may be revised in order to take into account the experience.

ARTICLE 13- ENTRY INTO FORCE

This Arrangement shall enter into force on the date of its signature by both parties.



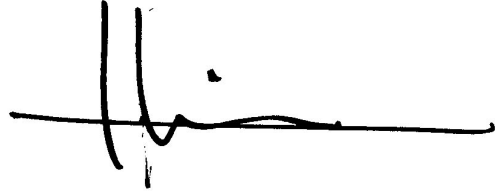
Done in Paris on 18 June 2001 in English language only,

**General Administration of Civil
Aviation of China**



By Mr Li Keli
Deputy Director General
Department of International Affairs
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