

**Memorandum of Understanding (MOU)
On the Acceptance of Airworthiness Statements for
Aeronautical Products**

Between

**Directorate General of Air Communications
The Republic of Indonesia**

And

**Civil Aviation Administration of China
The People's Republic of China**

**Memorandum of Understanding (MOU)
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1. Introduction and Objectives.

The Directorate General of Air Communications of the Republic of Indonesia and the Civil Aviation Administration of China of The People's Republic of China, as the competent Authorities of the respective Governments, desiring to promote to aviation safety and environmental quality, to enhance cooperation and increase efficiency and relating to civil aviation and civil air commerce.

Whereas the both Authorities desiring to conclude a Memorandum of Understanding (MOU) on the Acceptance of Airworthiness Statements for Aeronautical Products.

Have agreed on the following objectives for a cooperation on Airworthiness matters

- a). Each Authority agrees to develop and apply procedures for granting Airworthiness and environmental certification, approval, or acceptance for civil aeronautical products exported from the other state so as to give maximum practicable credit for technical evaluations, test result, inspection, conformity statement, marks of conformity, and certificates accepted or issued by or on behalf of the Exporting State's Authority in granting its own domestic certification of the products.
- b). In the interest of promoting aviation safety and environmental quality, the each Authorities agree to encourage cooperation and assistance toward achieving common safety and environmental quality objectives, to establish and maintain Airworthiness and environmental standard and certification systems which are as similar in both states as is practicable, and to cooperate to reduce to the minimum the economic burden imposed on each State's aviation industries and operators by avoiding redundant technical evaluations, tests and inspections.

2. SCOPE Of COVERAGE

This Memorandum of Understanding applies to:

- a). The acceptance by the Importing State's Authority of the type design approval and the finding of compliance made by the Exporting State's Authority with the Importing State's design related operational and environmental requirements, for civil aeronautical products for which the Exporting State's Authority is the basic and primary type certifying Authority;
- b). The acceptance by the Importing State's Authority of the Airworthiness certification, approval, or acceptance of civil aeronautical products exported from the other State, including both new and used products which were designed or manufactured partially or wholly in third states, with whom both Contracting Authorities have a similar agreement for the acceptance of aeronautical products;

Note: For the acceptance of civil aeronautical products designed and/or manufactured partially or wholly in third state's, a separate agreement may be negotiated.

- c). Cooperation and assistance on continued Airworthiness of in-service aeronautical products;
- d). Cooperation, assistance, and exchange of information regarding safety and environmental standards and certification systems.

3. DEFINITIONS

The following definitions are provided to supplement to this Memorandum of Understanding:

- a). "Additional Technical Condition" means the terms notified by the Importing State's Airworthiness Authority ("Importing Authority") for the acceptance of the type design, to account for differences between states in :
 - i). Adopted Airworthiness and environmental standards;
 - ii). Special condition relating to novel or unusual features of the product design which are not covered by adopted Airworthiness and environmental standards;
 - iii). Application of exemptions or equivalent safety findings from the adopted Airworthiness and environmental standards;
 - iv). Design-related operational requirements;
 - v). Mandatory Airworthiness actions taken to correct unsafe.
- b). "Airworthiness Criteria" means criteria governing the design, performance material, workmanship, manufacture or modification of Authority of States enabling it to find the design, manufacture, and condition of these products comply with the applicable laws, regulations, standards and requirements of this State concerning Airworthiness.
- c). "Compliance" means that, after examination by inspections, analysis, test, etc., the type design of a product is found to satisfy the notified Airworthiness criteria.
- d). "Conformity" means that a product is examined against pertinent type design, test, and quality control data, and is found to meet these data.
- e). "Equivalent safety finding" means a determination that alternative action taken provides a level of safety equal to that provided by the requirements for which equivalency is being sought.
- f). "Modification" means making a change to the type design.

- g) "Civil Aeronautical Products" means "product" and "part" and "appliances"
 - (i) "Product" means an aircraft, aircraft engine, or propeller
 - (ii) "Part and appliances" means any instruments mechanism, equipment, part, apparatus, appurtenance, or accessory, including communication equipment, that it used or intended to be used in operating or controlling an aircraft in flight and is installed in or attached to the aircraft. It included parts of an airframe, engine, or propeller.
- h). "Civil Airworthiness Authority" means the national aviation organization within a State (i.e. The DGAC, Republic of Indonesia, and the CAAC, The People's Republic of China) charged by the Airworthiness and environmental certification, approval or acceptance of civil aeronautical product.
- i). "Design-related operational requirements" means the operational requirements affecting 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.
- j). "Environmental Criteria" means criteria governing the design, performance, materials, workmanship, manufacture or modification of civil aeronautical products as prescribed by the Civil Airworthiness Authority of a State, to enable it to find that these product comply with the laws, regulations, standards, and requirements of this State concerning noise and emission abatement.
- k). "Exporting Authority" means the national organization within the exporting states, charged by the laws of the importing state with regulating the Airworthiness certification, approval, or acceptance of civil aeronautical product. The exporting civil airworthiness authority will be referred to herein as the Exporting Authority.
- l). "Importing Authority" means the national organization within the importing states, charged by the laws of the importing state with regulating the Airworthiness certification, approval, or acceptance of civil aeronautical product. The importing civil airworthiness authority will be referred to herein as the Importing Authority.
- m). "Manufacturer" means the person responsible for the final assembly of a product under civil Airworthiness authority approved quality assurance system which ensures conformity of the product to an approved type design and its conditions for safe operation.
- n) "Quality assurance (including quality control)" means a systematic process which provided confidence that aeronautical product will conform to the approved type design and will be in a condition for safe operation.
- o). "Product Airworthiness approval" means the issuance of an Airworthiness certificate, approval, or acceptance, as appropriate, by or on behalf of a contracting Authority for a particular civil aeronautical product to permit operation or use of the product under laws, regulations, standards, and requirements of the respective State.
- p). "Type design" means the description of all characteristics of a product, including its design, manufacture, limitations, and continued Airworthiness instructions which determine its Airworthiness.

- q). "Type design approval" means the certification, approval, or acceptance, by the issuing Airworthiness authority of the design of a product including its performance, operating characteristic, operating limitation, and environmental qualities.
- r). "Validation" means the acceptance by the Importing Authority of products and/or product modifications first certificated or approved under the Exporting Authority's System.

4. AERONAUTICAL PRODUCT TYPE DESIGN APPROVAL

- a) If the Exporting Authority certifies to the Importing Authority that the type design of an aeronautical product or a change to the type design of an aeronautical product previously approved by the Importing Authority, complies with the airworthiness and environmental requirements of the Importing Authority, the Importing Authority shall, in finding compliance with its own laws, regulations, standards, and requirements for granting type design approval, give the same validity to the technical, determinations, tests and inspections made by the Exporting Authority as if it had made itself, provided that the certification by Exporting Authority was based on evaluations of the type design using the acceptance certification system it would have applied in finding compliance with its own requirements.
- b) The Importing Authority shall communicate to the Exporting Authority all airworthiness, environmental and additional technical and administrative conditions, in effect at the time of first application for the type certification to the Exporting Authority necessary to ensure that the product meets all respective legal and airworthiness requirements of the Importing Authority.
- c) The exporting Authority shall enable to the Importing Authority to familiarize itself with the product to be imported and to be operated under the jurisdiction of the Importing Authority and with the type certification requirements, regulations, laws, and procedures applied by the Exporting Authority. The Importing Authority may identify the additional technical conditions, which it finds necessary to ensure that the product meet airworthiness and environmental standard equivalent.
- d) The importing Authority upon request from the Exporting Authority shall advise the Exporting Authority of its current operational requirements having an impact on the design of the product. If by mutual consent of the each Authority that the design of the product, or data on the design relating to the operation of the product comply with these operational requirements, the Importing Authority shall give the same validity to the technical evaluations, determinations, that tests, and inspections made by the Exporting Authority as if had made them itself Mutual consent may be accomplished either on a case by case basis, or by development of a permanently updated list of design related operational requirements for specific kinds of products and/or categories of operation.
- e) Additional type investigation test may be required and witnessed by the Importing Authority to ensure compliance to airworthiness and other requirements and/or interpretations of requirements unique to the Importing Authority.

5. PRODUCTION AIRWORTHINESS APPROVAL

- a) If the Exporting Authority certifies to the Importing Authority that a product, the type design of which has been approved by the Exporting Authority and validated by the Importing Authority, conforms to the type design definitions (built standard) on which the validation is based, and that it is in condition for safe operation, the Importing Authority shall give the same validity to the technical evaluations, determinations, tests, and inspections made by the Exporting Authority as if it had performed them itself on the date of the certification by the Exporting Authority.
- b) Additional inspections may be required and/or carried out by the Importing Authority as deemed necessary at the time of approval or acceptance of an aeronautical product.

6. CONTINUED AIRWORTHINESS

- a) Each Authority shall cooperate in analyzing airworthiness concerns originating from accidents and incidents having occurred on products to which this Memorandum of Understanding applies.
- b) For product designed and/or manufactured in its State the Exporting Authority shall specify any appropriate action that it finds necessary to correct, any unsafe condition of the type design discovered after the product is placed into service, including any action in respect to components designed and/or manufactured by a supplier under contract to the type certificate holder in its state.
- c) For product designed and/or manufactured in its state the Exporting Authority shall assist the Importing Authority in determining actions considered necessary by the Importing Authority for the continued airworthiness of the product.
- d) Exporting Authority shall keep the Importing Authority fully informed on all airworthiness directives, mandatory modifications, special inspection, special operating limitations, or other actions determined to be necessary for the continued airworthiness of product.

7. MUTUAL COOPERATION AND ASSISTANCE

- a) The Exporting Authority shall, in respect of products design or manufactured in its States, assist the Importing Authority in determining whether the design of major changes or repairs made under the control of the airworthiness and environmental standards under which the product was originally approved by the Exporting Authority.
- b) Each Authority may agree to variations of procedures in respect to certification for products covered by this Memorandum of Understanding.
- c) Importing Authority may delegate to the Exporting Authority any task of certification test witnessing, and conformity inspections on behalf of Importing Authority.

8. PREVAILING INTERPRETATION

In the case of conflicting interpretations of the airworthiness or environmental criteria or design-related operational requirements prescribed by the Importing Authority pertaining to certifications, approvals, or acceptance under this Memorandum of Understanding, the interpretation of the Importing Authority shall prevail.

9. IMPLEMENTATION

- a) Each Authority will work in accordance with this Memorandum of Understanding from the date at which it has been signed by both authorities. It may be revised by mutual agreement of the two authorities.
- b) Each Authority shall keep the other Authority advised as to its identify and of any changes in its competence with relevance to this Memorandum of Understanding.

10. COMMUNICATION

Communication between both Authorities address concerning airworthiness statement and continued airworthiness see appendix I.

11. TERMINATION

This Memorandum of Understanding shall enter into force upon signature of both parties on the date of the latest signature.

Either each Authority may terminate this Memorandum of Understanding upon 90 days of written notice to the other each authority.

Directorate General of Air Communications
Republic of Indonesia


Soenaryo Y
Director General of Air Communications

General Administration of Civil Aviation
of China
the People's Republic of China


Wang Zhong
Acting Director General of Airworthiness
Department

Dated : *May. 22, 2000*

APPENDIX I

There are the contact address between Civil Aviation Administration of China and Directorate General of Air Communications – Indonesia.

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