

法規名稱：WORKING ARRANGEMENT BETWEEN THE CIVIL AERONAUTICS ADMINISTRATION (CAA) IN TAIPEI AND THE AVIATION SAFETY AGENCY (EASA) IN COLOGNE ON VALIDATION BY CAA OF CERTIFICATES ISSUED BY EASA ON CIVIL AERONAUTICAL PRODUCTS AND PARTS AND APPLIANCES

簽訂日期：民國 98 年 11 月 30 日

生效日期：民國 98 年 11 月 30 日

The Civil Aeronautics Administration (CAA) in Taipei and the European Aviation Safety Agency (EASA) in Cologne hereinafter referred to as the “Authorities” ,

Considering the common interest of CAA and EASA to preserve aviation safety and environmental compatibility,

Willing to reduce the economic burden imposed on the aviation industry by redundant technical inspections, evaluations and testing,

Being entitled by their respective constituting acts to conclude Working Arrangements in their field of competence,

Have agreed the present Working Arrangement:

1. PURPOSE AND SCOPE

1.1 This Working Arrangement defines the working relationship between CAA and EASA to facilitate and accomplish the CAA validation of certificates issued by EASA on civil aviation products (aircraft, engines and propellers) and parts and appliances, for which EASA carries out on behalf its Member States the functions and tasks of the State of Design.

1.2 This Working Arrangement applies to the validation of EASA certificates on civil aviation products and parts and appliances.

1.3. This Working Arrangement does not in any way affect the legal responsibilities that CAA and EASA respectively have under international, EU and/or national law. The final

validation decision will be entirely the sovereign responsibility of CAA.

2. OBJECTIVES

This Working Arrangement intends to accomplish the following objectives:

- 2.1 To define the working procedures under the respective responsibilities of each authority:
 - a) for the type certificate validation process;
 - b) for subsequent post type certificate validation activities;
 - c) for the validation of Supplemental Type Certificates (STC);
 - d) for the validation of parts and appliances;
 - e) for the validation of EASA-European Technical Standard Order Authorization (ETSOA) design approval.
- 2.2 To co-operate on ensuring the continued airworthiness of civil aviation products and parts and appliances covered by this Working Arrangement.

3. COMMUNICATION

- 3.1 The CAA Flight Standards Division and the EASA Certification Directorate, being the product certification authority, will be responsible for the implementation of this Working Arrangement.
- 3.2 A focal point will be assigned by each Authority to facilitate the implementation of this Working Arrangement. All routine communication will take place between these focal points (see Appendix). The list of focal points will be amended as agreed by the authorities, by exchange of letters.
- 3.3 All communications between the Authorities related to the activities of this Working Arrangement will be made in English language.
- 3.4 Unless otherwise specified, EASA shall be copied with all correspondence between the applicant and CAA related to the

activities of the considered project conducted under the provisions of this Working Arrangement in order for EASA to support the applicant and the CAA where necessary pursuant to this Working Arrangement.

4. TYPE-CERTIFICATE VALIDATION PROCESS

4.1 Application

EASA will forward the application for validation and related information to CAA.

4.2 Type Certificate Validation

4.2.1 EASA will assist the CAA in getting familiarised with the design of the product, including environmental protection, with the assistance of the EASA Type Certificate(TC) holders (applicant) and explain in particular the reasons for possible EASA special conditions and equivalent safety findings, as well as the process followed for their adoption.

4.2.2 CAA will establish a certification basis for the product as including the EASA type certification basis plus any additional technical conditions imposed by the CAA in order to comply with CAA requirements. The CAA will define these additional technical conditions on a case-by-case basis. CAA will notify in writing both EASA and the applicant of any additional technical conditions necessary for the CAA type validation.

4.2.3 The CAA will accept the findings and approvals of EASA, unless notified formally as subjects to be retained against additional technical conditions defined under 4.2.2.

4.2.4 The CAA will assist EASA in understanding and applying its additional technical conditions. Subject to availability of resources and the required technical expertise, EASA will assist CAA, upon request, in evaluating compliance with those additional technical conditions. It may in this context, at the request of CAA, evaluate whether the data

submitted by the EASA TC holder demonstrates compliance with the CAA additional technical conditions.

4.2.5 The CAA will make the compliance determination with its requirements and will be responsible for the issuance of a Type Validation Certificate based on that determination.

5. Part and Appliance Validation

5.1 For each ETSOA validation, EASA will forward the application for the validation and related information to CAA and shall provide a certification statement that the performance of the appliance or article complies with the applicable EASA ETSO standard, unless that ETSOA already validated by CAA together under product type validation The CAA will make the compliance determination with its requirements and will issue a Letter of Design Approval based on that determination.

5.2 For other parts and appliances validation, EASA will forward the application for the validation and related information to the CAA and shall provide a certification statement that the performance of the appliance or article complies with the applicable EASA standard, unless that part and appliance already validated by CAA together under product type validation The CAA will make the compliance determination with its requirements and will issue a Letter of Design Approval based on that determination.

6. ACCEPTANCE OF CHANGES AND REPAIRS

6.1 For major design changes and repairs affecting CAA additional technical conditions (if identified during the original Type Certificate Validation), application needs to be made to the CAA. CAA will determine acceptance of that data under the CAA authorised system.

6.2 The CAA will accept without further action, the approval of any other design changes and repairs, issued by EASA or EASA approved design organisations, unless otherwise specifically

required and notified by CAA. In that case CAA will advise EASA of any additional technical conditions to be imposed on the product. In such case the provisions of paragraph 4.2.4 will apply.

7. AIRWORTHINESS SUPPORT ACTIVITIES

7.1 Individual product deliveries

- a) When required, each aircraft will be delivered to Taiwan, with an export certificate of airworthiness, based on the individual EASA Form 52 issued in accordance with a Production Organisation Approval (POA) granted under Commission Regulation (EC) No 1702/2003, stating that the aircraft is in conformity with the CAA approved type design, and is in condition for safe operation.
- b) A Flight Manual (FM) in the English language will be provided with each aircraft to be delivered to Taiwan. The FM will be approved under the EASA system on behalf of CAA, upon confirmation by CAA of their agreement of the relevant drafts.
- c) In the case of engines and/or propellers, an Installation Drawing and Manual, an Operating Instruction Manual as well as a Maintenance and Overhaul Manual in the English language will be provided for each engine and/or propeller to be delivered to Taiwan. The documents will be in accordance to the approved type design, and the airworthiness limitations sections of these documents and will be approved under the EASA system on behalf of CAA.
- d) Each engine and/or propeller will be delivered to Taiwan with an individual EASA Form 1, issued in accordance with a POA granted under Commission Regulation (EC) No 1702/2003, stating that the engine and/or propeller complies with the identified approved type design and is in a condition for safe operation, with a note in Block Remarks of EASA Form 1 stating that the engine and/or propeller is eligible for export to Chinese Taipei.



- e) Each part and appliance will be delivered to Taiwan with an individual EASA Form 1, issued in accordance with a POA granted under Commission Regulation (EC) No 1702/2003.

7.2 Continued Airworthiness

- a) In accordance with International Civil Aviation Organization(ICAO)Annex 8, EASA will inform CAA of all mandatory airworthiness modifications, special inspections, special operating limitations or other actions necessary for maintaining the airworthiness of the products, parts and appliances, subject to this Working Arrangement, for which EASA carries out on behalf its Member States the functions and tasks of the State of Design.
- b) CAA will promptly notify EASA and the applicant of any unsafe condition associated with the design or manufacturing of the products, parts and appliances for which EASA carries out on behalf its Member States the functions and tasks of the State of Design that are in service in the area administrated by the CAA.
- c) In addition, CAA will report information to EASA on specific occurrences , as soon as practicable, and will assist EASA, if necessary, in analyzing their effect on the safety of the products that are in service in the area administrated by the CAA.

8. RULEMAKING CO-OPERATION AND TRAINING

8.1 Rulemaking co-operation

The EASA Rulemaking procedure is an open process available through EASA website. CAA is entitled to comment as appropriate. EASA will take into account CAA comments as much as feasible and will provide response to comments in its Comment Response Document available on the EASA website.

- ### 8.2 Technical training to CAA staff
- On request of CAA and when EASA resources permit, EASA may provide technical training to CAA staff involved in the regulatory oversight activities

in the field covered by the present Working Arrangement.

9. ENTRY INTO FORCE, INTERPRETATION, AMENDMENT, DURATION AND TERMINATION

9.1 Entry into force

This Working Arrangement is effective from the latter date of signature by the Authorities' duly authorised representatives and will be applied from the date the last authority signs it.

9.2 Interpretation and amendment

Any disagreement regarding the interpretation or application of this Working Arrangement will be resolved by consultation between the Authorities.

This Working Arrangement may be amended by mutual consent. Such amendments shall be in writing and shall enter into force at the date of the last signature of the Authorities' duly authorised representatives or its designees.

9.3 Duration and termination

This Working Arrangement will remain in force until terminated by either Authority upon prior notice.

Either Authority may at any time give written notice to the other Authority of its decision to terminate this Working Arrangement. This Working Arrangement shall terminate three months after the receipt of the notice by the other Authority, unless the said notice has been withdrawn by mutual agreement before the expiry of the three months period.

IN WITNESS WHEREOF, the undersigned being duly authorized thereto, have signed this Working Arrangement.

Signed in duplicate in English language.



For Civil Aeronautics
Administration

For European Aviation
Safety Agency

Lee, Long-Wen
Director General

Patrick Goudou
Executive Director

Date :
Nov. 30, 2009

Date :
Nov. 25, 2009

Place :
Taipei

Place :
Cologne