MAINTENANCE IMPLEMENTATION PROCEDURES

Under the Agreement for the Promotion of Aviation Safety

dated June 12, 2000

Between the

Government of the United States of America

and the

Government of Canada

March 14, 2011

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CHAPTER I -- GENERAL

1.0 Purpose

(a) This document sets forth the Federal Aviation Administration (FAA) and the Transport Canada, Civil Aviation Directorate (TCCA) procedures for implementing the maintenance and alteration or modification provisions of the Agreement for the Promotion of Aviation Safety between the Government of the United States (U.S.) and the Government of Canada signed June 12, 2000. The Agreement provides, in pertinent part, that the FAA and the TCCA will pursue mutual cooperation and technical assistance in evaluation and acceptance of each other's systems and continued monitoring of maintenance and alteration or modification facilities.

(b) The objective of these Maintenance Implementation Procedures (MIP), in accordance with the Agreement, is to outline the terms and conditions under which the FAA and the TCCA can accept each other's inspections and evaluations of United States repair stations and Canadian Aircraft Maintenance Organizations (AMO) along with FAA certificated mechanics and Canadian Aviation Maintenance Engineers (AME) for findings of compliance, thereby reducing redundant regulatory oversight, without adversely affecting aviation safety.

1.1 Authorization.

The authorization for this MIP is Article III of the Agreement for the Promotion of Aviation Safety, and in that respect, the FAA and the TCCA have assessed each other's standards and systems relating to the approval of repair stations/AMOs/AMEs and FAA certificated mechanics that perform maintenance and alterations or modifications on civil aeronautical products, and as a result, have established an understanding of such standards and systems.

1.2 Entry Into Force And Termination

This MIP shall enter into force 60 days after the date of the last signature and shall remain in force until terminated. The MIP may be terminated upon 60 days' written notice by either the FAA or the TCCA. Termination of this MIP will not affect the validity of activity conducted under its provisions prior to termination.

1.3 Amendments

(a) This MIP may be amended by mutual consent of the FAA and the TCCA. Appendixes also may supplement it. The details of any such amendment or appendix shall be recorded and signed by the representatives identified in paragraph 1.5b, or their designees.

(b) Suggestions for improvement are welcome and can be addressed to the appropriate offices described in paragraph 1.5.

(c) The FAA and the TCCA recognize that significant revision by either authority to its organization, regulations, procedures, or standards may affect the basis on which this MIP is executed. Accordingly, each authority agrees to promptly advise the other authority of plans for such changes, and to give an opportunity for comment. Upon notice of such changes by one authority, the other authority may request consultation to review the need for amendment to this MIP.

1.4 National Requirements

(a) The legal standards for safety regulation by the TCCA are contained in Canadian Aviation Regulations (CAR) and are explained in ancillary documents and procedures.

(b) The legal standards for safety regulation by the FAA are contained in Title 14 of the Code of Federal Regulations (14 CFR) and are explained in ancillary documents and procedures.

1.5 Accountability

(a) The designated offices for the technical implementation of this MIP are:

(1) For the FAA:
FAA, Flight Standards Service
Aircraft Maintenance Division, AFS-300
950 L'Enfant Plaza, S.W. 5th Fl.
Washington, DC 20024
telephone +1–202–385–6435
facsimile +1–202–385–6474

(2) For the TCCA:
Standards Branch (AART)
Transport Canada Civil Aviation
330 Sparks Street
Ottawa, ON K1A 0N8
Canada
Telephone 1–613–952–4371
facsimile +1–613–952–3298

(b) The designated offices for the technical coordination of this MIP are:

(1) For the FAA:
FAA, Flight Standards Service
International Programs and Policy Division, AFS-50
800 Independence Avenue, SW.
Washington, DC 20591
telephone +1–202–385–8070
facsimile +1–202–493–5888

(2) For the TCCA:
Standards Branch (AART)
Transport Canada Civil Aviation
330 Sparks Street
Ottawa, ON K1A 0N8
Canada
telephone +1–613–952–4371
facsimile +1–613–952–3298

(c) The designated offices for the administrative coordination of this MIP are:

(1) For the FAA:
FAA, Assistant Administrator for International Aviation, API-1
800 Independence Avenue, SW.
Washington, DC 20591
telephone +1–202–385–8900
facsimile +1–202–267–7198

(2) For the TCCA: Standards Branch (AART)
Transport Canada Civil Aviation
330 Sparks Street
Ottawa, ON K1A 0N8
Canada
telephone +1–613–952–4371
facsimile +1–613–952–3298

1.6 Resolution Of Disagreements

As stated in Article IV of the Agreement for the Promotion of Aviation Safety, any disagreement over the interpretation or application of this MIP shall be resolved by consultation between the FAA and the TCCA. If appropriate, resolution of such disagreements will be recorded as an amendment or appendix to this MIP, in accordance with paragraph 1.3.

1.7 Definitions

For the purposes of this MIP (and notwithstanding definitions contained in 14 CFR or the CARs), the following definitions apply:

(a) ACA. Aircraft Certification Authority issued by an AMO under CAR 573.

(b) Administrator. The Administrator of the Federal Aviation Administration

(c) Alteration or Modification. Making a change to the construction, configuration, performance, environmental characteristics, or operating limitations of the affected civil aeronautical product.

(d) Canada. In a geographical sense (1) the Provinces and Territories, including territorial waters, and (2) the airspace of those areas.

(e) CAR. Canadian Aviation Regulations.

(f) CFR—Code of Federal Regulations, specifically in Title 14 of the Code of Federal Regulations, parts 1 through 199.

(g) Civil Aeronautical Product. Any civil aircraft, aircraft engine, or propeller or subassembly, appliance, material, part, or component to be installed thereon.

(h) Compliance with 14 CFR Part 43. Compliance with the latest issue of CAR 571 and the FAA special conditions as set forth in this MIP and associated TCCA guidance material, as applicable.

(i) Compliance with 14 CFR Part 145. In the case of an AMO, compliance with the latest issue of CAR 573 and the FAA special conditions as set forth in this MIP and associated TCCA guidance material as applicable when maintenance, preventive maintenance, or alterations are performed in Canada.

(j) Compliance with CAR 571. Compliance with the latest issue of 14 CFR part 43 and the TCCA special conditions as set forth in this MIP, recognizing that advisory circulars (AC) provide additional guidance in this area.

(k) Compliance with CAR 573. In the case of a part 145 repair station, compliance with the latest issue of 14 CFR part 145 and the TCCA special conditions as set forth in this MIP when maintenance, preventive maintenance, or modifications are performed in the United States, recognizing that ACs provide additional guidance in this area.

(l) Data Approved by the FAA. Data that is approved by the Administrator or the Administrator's designated representative.

(m) Data Approved by the TCCA. Data that is approved by the Minister or a delegate of the Minister

(n) FAA Acceptable. Data that is acceptable to the Administrator, such as service information recommended by a type certificate (TC) holder, or industry standard data that supports eligibility of installation of standard parts (such as bolts and nuts) conforming to established industry or U.S. specifications.

(o) FAA-Certificated Mechanic. An individual issued a mechanic certificate or repairman certificate by the FAA, under 14 CFR part 65.

(p) Maintenance. The performance of inspection, overhaul, repair, preservation, and the replacement of parts, materials, appliances, or components of a civil aeronautical product to ensure the continued airworthiness of that product, excluding alterations or modifications.

(q) MPM. Maintenance Policy Manual approved by the TCCA for an AMO.

(r) Preventive Maintenance. Simple or minor preservation operations, and the replacement of small standard parts not involving complex assembly operations.

(s) RCA. Restricted Certification Authority issued by the TCCA under CAR 571.11.

(t) Required Inspection Items. The items of maintenance and alterations that must be inspected by a person other than the one who performed the work. These items include at least those that could result in a failure, malfunction, or defect endangering the safe operation of the aircraft, if not performed properly or if improper parts or materials are used.

(u) SCA. Shop Certification Authority issued by an AMO under CAR 573.

(v) Special Conditions. See chapter 3 of this MIP. FAA special conditions are those requirements in 14 CFR parts 43, 121, and 145 that the FAA has determined are not contained in CARs 571 and 573. TCCA special conditions are those requirements in CARs 571 and 573 that the TCCA has determined are not contained in 14 CFR part 43 or 145.

(w) United States. In a geographical sense, (1) the States, the District of Columbia, Puerto Rico, and the possessions, including the territorial waters, and (2) the airspace of those areas.

CHAPTER II -- RECIPROCAL ACCEPTANCE OF FINDINGS OF COMPLIANCE

2.0 General

(a) The FAA and the TCCA agree, subject to the terms of this MIP, to accept each other's inspections and monitoring for findings of compliance with their respective requirements as the basis for the acceptance of eligible repair stations/AMOs/AMEs and FAA-certificated mechanics.

(b) Maintenance and modifications performed on a civil aeronautical product under the regulatory control of the TCCA may be accomplished and that product returned to service by an FAA-certificated repair station or FAA-certificated mechanic that is properly trained, qualified, and authorized to perform that work when the product is located in the United States.

(c) Maintenance and alterations performed on a civil aeronautical product under the regulatory control of the FAA may be accomplished and that product returned to service by an AMO or AME that has been certificated by the TCCA and is properly trained, qualified, and authorized to perform the work when the product is located in Canada.

2.1. Eligibility Requirements

(a) The FAA agrees that an AMO or AME that has been approved or rated for maintenance and modification work by the TCCA in accordance with CARs 571 and 573, and complies with the special conditions set forth in Chapter 3, paragraph 3.5, will be eligible to perform maintenance, preventive maintenance, and alteration work on aeronautical products under the regulatory authority of the FAA.

(b) The TCCA agrees that a repair station or FAA-certificated mechanic that is authorized and qualified to perform maintenance, preventive maintenance, and alteration work by the FAA, and complies with the special conditions set forth in chapter 3, paragraph 3.1, will be eligible to perform maintenance, preventive maintenance, and modification work on aeronautical products under the regulatory authority of the TCCA.

CHAPTER III -- SPECIAL CONDITIONS

3.0 Special Conditions Applicable To Any Person Required To Comply With This MIP

(a) Only FAA or TCCA-approved or acceptable parts or components as applicable are used to perform maintenance, preventive maintenance, or alterations to United States aeronautical products or maintenance, preventive maintenance, or modifications to Canadian aeronautical products.

(b) Maintenance, preventive maintenance, and alterations or modifications must be performed in accordance with current instructions for continued airworthiness or manufacturers' recommendations that will return the aeronautical product to its original or properly altered condition.

(c) Maintenance and alterations or modifications must be certified by an approval for return to service or a maintenance release that meets the requirements of 14 CFR part 43, sections 43.9 and 43.11 or CAR 571.10, as applicable, for aircraft and the use of the FAA Form 8130–3 or TCCA Authorized Release Certificate for aircraft components, and any other information required by the owner or operator, as appropriate. For the purposes of compliance with this MIP, the requirements of 14 CFR part 43, sections 43.9, 43.11, and CAR 571.10 are considered equivalent.

(d) Where maintenance, alterations, or modifications are performed by a maintenance organization, the maintenance organization must hold a valid FAA repair station certificate that is compliant with the most current 14 CFR part 145 issued as a final rule or a valid Canadian AMO certificate issued in accordance with the applicable CAR.

(e) Major repairs and alterations on U.S. aeronautical products must be recorded on FAA Form 337 and a copy provided to the owner/operator of the aircraft and a copy sent to the FAA by mail or electronic means within 48 hours of the aircraft's return to service.

(f) Major repairs or major modifications performed on a Canadian aircraft must be recorded on FAA Form 337 or in accordance with CAR Standard 571, Appendix L, and a copy provided to the owner/operator of the aircraft.

(g) Maintenance, preventive maintenance, or alterations performed on an aeronautical product under the control of a 14 CFR part 121 or 135 air carrier must be performed in accordance with that air carrier's manual.

(h) Any serious defects or unairworthy conditions on civil aeronautical products must be reported to the FAA or the TCCA, as applicable.

(i) AMO's should submit reports to the FAA under the FAA Suspected Unapproved Parts (SUP) program detailed in Advisory Circular (AC) 21-29, Detecting and Reporting Suspected Unapproved Parts, in respect of any such parts found on a U.S. aeronautical product, in accordance with AC 21-29. SUP information should be reported on FAA Form 8120-11, Suspected Unapproved Parts Notification.

(j) FAA-approved repair stations should submit reports of any suspected unapproved parts found on Canadian aeronautical products to the air operator concerned, for reporting to Transport Canada in accordance with the operator's approved procedures.

3.1 TCCA Special Conditions Applicable To U.S.- Based Repair Stations And Mechanic Certificate Holders

3.1.1 The TCCA agrees that an FAA-certificated repair station or mechanic may perform maintenance, preventive maintenance, and modifications (with the exception of annual inspections) on a civil aeronautical product under the regulatory control of the TCCA and approve that product for return to service if the repair station or mechanic certificate holder complies with the following special conditions.

(a) All repairs and modifications as defined by TCCA requirements must be accomplished in accordance with data approved by or acceptable to the TCCA.

(b) In the case of work performed by a repair station, the work will not exceed the scope of the ratings and limitations contained in the 14 CFR part 145 certificate and authorized functions listed on the repair station Capabilities List or operations specifications.

(c) In the case of a major repair or major modification performed by a mechanic certificate holder, the mechanic may perform the work. However, a mechanic with inspection authorization must approve the product for return to service.

(d) In the case of maintenance or modifications performed on aircraft that are operated in commercial air service pursuant to part VII of the CARs, a repair station that meets the additional requirements specified in paragraphs 3.2 and 3.3 shall perform the work.

3.2 Repair Stations Performing Maintenance, Preventive Maintenance, Or Modifications On Aircraft That Are Operated In Commercial Air Service Pursuant To Part VII Of The CARs.

3.2.1. In addition to the other requirements specified in this MIP, a repair station performing maintenance, preventive maintenance, or modifications on aircraft that are operated in commercial air service pursuant to part VII of the CARs shall have:

(a) Procedures to ensure compliance with the air operator's work order or contract, including notified TCCA airworthiness directives and other notified mandatory instructions contained in TCCA-approved air carriers' manuals;

(b) Procedures to ensure that all current airworthiness directives published by the TCCA that are applicable to the work being performed are available to maintenance personnel;

(c) Procedures to ensure that major repairs and major modifications as defined in CAR I are accomplished in accordance with data approved by the TCCA;

(d) Major repairs or major modifications performed on a Canadian aircraft must be recorded on FAA Form 337 or in accordance with CAR Standard 571, Appendix L, and a copy provided to the owner/operator of the aircraft

(e) Procedures for reporting to the TCCA any serious defects or unairworthy conditions on civil aeronautical products;

(f) Procedures to ensure compliance with the manufacturer's maintenance manuals or instructions for continued airworthiness, and for handling deviations; and

(g) A training program that ensures each employee assigned to perform maintenance, preventive maintenance, or modifications is capable of performing the assigned task, and that each person who approves an aircraft for return to service following maintenance or modification has been trained on the aircraft type. Records of such training must be retained for a minimum of 2 years.

3.2.2 In addition to the other requirements specified in this MIP, a repair station performing maintenance, preventive maintenance, or modifications on aircraft that are operated in commercial air service pursuant to part VII of the CARs must include in its manual a supplement describing the procedures specified in par. 3.2.1, or explain where in the repair station manual those procedures are described, and which are accepted by the FAA. The supplement may contain procedures unique to the Canadian aeronautical products, specific training requirements, and reporting requirements. This supplement applies only to repair stations that are performing maintenance on Canadian aircraft that are operated in commercial air service pursuant to part VII of the CARs, or installing components on those aircraft. The supplement is not required for those repair stations that perform maintenance only on components.

3.3 Repair Station Authorization To Maintain Canadian Aircraft Operated In Commercial Air Transport.

(a) The repair station must continue to comply with 14 CFR part 145 and these special conditions.

(b) The repair station must allow the TCCA, or the FAA on behalf of the TCCA, to inspect it for continued compliance with 14 CFR part 145 and these special conditions and to make its manual and the supplement required by these special conditions available for inspection.

(c) Investigations and enforcement by the TCCA may be undertaken in accordance with TCCA rules and directives.

(d) The repair station must cooperate with any investigation or enforcement action.

(e) An FAA-certificated repair station that does not cooperate with a TCCA investigation will not continue to be recognized by TCCA under this agreement.

3.4 Effectivity

(a) For maintenance agreements entered into after the effective date of this MIP, a repair station must comply with all the requirements of this MIP.

(b) For maintenance agreements entered into prior to the effective date of this MIP, a repair station must be in compliance with these special conditions within six months after the effective date of this MIP.

3.5 FAA Special Conditions Applicable To Canadian-Based AMOs And AMEs

3.5.1. The FAA agrees that a TCCA AMO or AME may perform maintenance, preventive maintenance, and alterations (with exception of annual inspections) on an aeronautical product under the regulatory control of the FAA and approve that product for return to service if the AMO or AME complies with all of the following special conditions.

(a) The AMO or AME must hold a valid AMO certificate or AME license issued by the TCCA and that is in compliance with the most current CARs, and be rated for the maintenance, preventive maintenance, or modifications to be performed.

(b) The AMO employee or AME responsible for supervision or final inspection and approval for return to service of a civil aeronautical product must be able to read, write, and understand English.

(c) All repairs and alterations as defined by FAA requirements must be accomplished in accordance with data approved by or acceptable to the FAA.

(d) In the case of work performed by an AMO, the work will not exceed the scope of the ratings and limitations contained in the CAR 573 certificate and the MPM.

(e) In the case of work performed and certified by an AME, the work will not exceed the AME's privileges specified in CAR 571.

(f) In the case of a major repair or alteration, the AME who approves the product for return to service shall not have been involved in the performance of the work.

(g) In the case of maintenance or alterations performed on aircraft operated by air carriers in commercial operations under 14 CFR part 121 or 135, the work shall be performed by an AMO that meets the additional requirements specified in paragraphs 3.6 and 3.7.

3.6 AMOs Performing Maintenance, Preventive Maintenance, Or Alterations For 14 CFR Part 121 Or 135 Air Carriers In Commercial Operations.

3.6.1. In addition to the other requirements specified in this MIP, an AMO performing maintenance, preventive maintenance, or alterations for 14 CFR part 121 or 135 air carriers shall have:

(a) Procedures to ensure compliance with 14 CFR part 121 or 135 air carriers' manuals.

(b) Procedures to show separation of quality control functions from other maintenance functions, including the separation of maintenance from inspection on those items identified as required inspection items as defined by the 14 CFR part 121 or 135 air carrier, in accordance with the requirements of 14 CFR part 121, subpart L, or 135, subpart J. (Transport Canada Maintenance Staff Instruction (MSI) 55 specifies that the AMO must assign specified Aircraft Certification Authority (ACA) holders, who were not involved in the work, to perform an independent inspection on required inspection items, and sign a separate release.)

(c) Procedures to ensure compliance with the air carrier's work order or contract, including FAA airworthiness directives and mandatory requirements contained in 14 CFR part 121 or 135 air carriers' manuals;

(d) Procedures for approval for release or approval for return to service for aircraft, and use of FAA Form 8130-3 or TCCA Authorized Release Certificate for components. All supporting information required to be made and kept by the owner or operator must be in English.

(e) Procedures to ensure that all current airworthiness directives published by the FAA that are applicable to the work being performed are available to maintenance personnel.

(f) Procedures to ensure that only FAA-approved or acceptable parts or components are used in the performance of maintenance, preventive maintenance, or alterations to U.S. aeronautical products.

(g) Procedures to ensure that major repairs and major alterations as defined in 14 CFR part 43, appendix A, are accomplished in accordance with data approved by the FAA. This includes a repair or alteration that changes the operating limitations and/or flight data; the revised limitations/data must be set forth in the aircraft flight manual. Each major repair or major alteration must be recorded on an FAA Form 337 or the air carrier equivalent form.

(h) Procedures for reporting to the FAA any serious defects or unairworthy conditions on civil aeronautical products.

(i) Procedures to ensure compliance with the manufacturer's maintenance manuals or instructions for continued airworthiness, and for handling deviations.

(j) A training program that ensures each employee assigned to perform maintenance, preventive maintenance, or alterations is capable of performing the assigned task. Records of such training must be retained for a minimum of two years.

3.6.2. In addition to the other requirements specified in this MIP, an AMO performing maintenance, preventive maintenance, or alterations on aircraft operating in commercial air service under 14 CFR part 121 or 135 must include in its manual a supplement that describes the procedures specified in par. 3.6.1, or explains where in the MPM those procedures are described, and which is approved by the TCCA.

3.7. AMO Authorization To Maintain U.S. Aeronautical Products.

(a) The AMO must continue to comply with CAR 571, 573, and these special conditions.

(b) The AMO shall allow the FAA, or the TCCA on behalf of the FAA, to inspect it for continued compliance with CAR 571, 573, and these special conditions and to make its AMO certificate, MPM, and the supplement required by these special conditions available for inspection.

(c) Investigations by the FAA may be undertaken in the same manner as would apply to a U.S. repair station.

(d) The AMO must cooperate with any investigation or enforcement action.

(e) A Canadian AMO that does not cooperate with an FAA investigation will not continue to be recognized by the FAA under this agreement.

3.8 Effectivity

(a) For maintenance agreements entered into after the effective date of this MIP, an AMO must comply with all the requirements of this MIP.

(b) For maintenance agreements entered into before the effective date of this MIP, an AMO must be in compliance with these special conditions within six months after the effective date of this MIP.

CHAPTER IV -- MUTUAL COOPERATION AND TECHNICAL ASSISTANCE

4.0 Periodic Meetings

The FAA and the TCCA offices designated in Chapter 1, paragraph 1.5(a), shall meet regularly, but at least once per year, to discuss the technical implementation of the MIP. Discussions may address the resolution of technical issues, continued improvements to the process, ongoing projects, changes in their organizations, any revisions to their requirements (as notified in accordance with Chapter. I, paragraph. 1.3(c), technical assistance requests, and any other matters relating to the MIP. The frequency of these meetings will depend on the resources available to each authority, as well as the significance of any outstanding issues.

4.1 Information

The FAA and the TCCA shall provide information and assistance regarding the maintenance and alterations or modifications to be performed under the terms of these implementation procedures, and shall develop appropriate publications and circulate these publications through their respective methods. The FAA and the TCCA shall:

(a) Inform the public of the terms of the MIP and any amendments or appendixes.

(b) Outline the regulatory requirements and special requirements necessary for persons to perform work under the terms of the MIP.

4.2 Technical Evaluation Assistance

The FAA and the TCCA agree to provide technical evaluation assistance to each other, upon request, to further the purposes and objectives of the MIP. Such areas of assistance may include, but are not limited to:

(a) Performing surveillance and providing reports regarding continued compliance with the requirements described in this MIP by AMOs and AMEs in Canada and repair stations and mechanic certificate holders in the United States.

(b) Conducting and reporting on investigations at the request of the other authority.

(c) Obtaining and providing data for reports when requested.

4.3 Exchange Of Information

The FAA and the TCCA shall provide each other with copies of regulations and documents concerning policies, guidance material, practices, and interpretations relevant to the MIP, and shall ensure that such documents are updated in a timely manner. In addition, any FAA or TCCA proposal to amend such documents shall be provided to the other authority for the opportunity to review prior to the amendment being effected, consistent with its national laws and administrative procedures.

4.4 Establishing And Amending Regulations, Policies, And Guidelines

To the extent permitted by its national laws and administrative procedures, each authority agrees to provide technical assistance to the other in efforts to establish and amend regulations, policies, guidance, practices, and interpretations relevant to this MIP.

4.5 Urgent Or Unusual Situations

When urgent or unusual situations develop that are within the scope of the MIP, but not specifically addressed, the FAA and the TCCA will review and consult and take appropriate action, including developing amendments or appendixes to the MIP as set forth in Chapter 1, paragraph 1.3.

4.6. Notification Of Noncompliance And Safety Issues

(a) The FAA and the TCCA agree to notify each other promptly of any investigation into noncompliance by a repair station or AMO under the regulatory control of the other authority that could result in revocation, suspension, or penalty. The notification shall be sent to the other authority's representative identified in Chapter 1, paragraph 1.5(a). The FAA and the TCCA agree that noncompliance will be corrected in a timely manner.

(b) The FAA and the TCCA retain the right to take enforcement action but, in some cases, an authority may choose to consider a remedial action taken by the other authority. The enforcement consultation process under this MIP will be subject to a regular joint review by the FAA and the TCCA.

4.7 Protection of Proprietary Data and Authorized Disclosure.

(a) Proprietary Data. Both authorities recognize that certain data submitted by a repair station, certificated mechanic, AMO, or AME may be the property of that facility or another person and release of that data by the FAA or the TCCA is restricted. The FAA and the TCCA agree that they will not copy, release, or show proprietary data obtained from the other authority to anyone outside of the FAA or the TCCA without written consent of the owner of the proprietary data unless compelled to do so pursuant to a subpoena, in which case the affected party may seek a protective order or other such judicially recognized protection for proprietary data.

(b) Freedom of Information Act (FOIA) Requests. The FAA often receives requests from the public under the Freedom of Information Act (FOIA) to release information that the FAA may have in its possession. Any information that the FAA has in its possession must be disclosed under the FOIA unless it falls within certain exceptions, including trade secrets, or financial or commercial data that would be considered confidential or privileged. When the FAA receives such a request for the release of information related to an AMO or AME in Canada and covered by the MIP, the FAA will advise the TCCA of any information received from the TCCA and submitted to the FAA that might be released. The FAA also may request the TCCA's assistance, in cooperation with the AMO or AME, in determining if the information submitter would object to release and which portions of the information received from the submitter or generated by the TCCA might be withheld under the FOIA exceptions, if any.

(c) Access to Information and Privacy Act (ATIP) Requests. The TCCA often receives requests from the public through the Access to Information and Privacy Acts (ATIP) to release information in its possession. Any information that the TCCA has in its possession must be disclosed under the Access to Information Act unless it falls within certain exceptions, including information covered by the Privacy Act, trade secrets, or financial or commercial data that would be considered confidential or privileged. When the TCCA receives such a request for the release of information related to a repair station or certificated mechanic located in the United States and covered by the MIP, the TCCA will advise the FAA of any information received from the FAA and submitted to the TCCA that might be released. The TCCA also may request the

FAA's assistance, in cooperation with the repair station, in determining if the information submitter would object to release and which portions of the information received from the submitter or generated by the FAA might be withheld under the ATIP exceptions, if any.

4.8. Accident/Incident Investigation Requests

When the FAA or the TCCA needs information regarding repair stations, certificated mechanics, AMOs, or AMEs for the investigation of accidents or incidents involving civil aeronautical products, the request for information should be directed to the office identified in Chapter 1, paragraph 1.5(a). In turn, upon receipt of the request for information, the other authority will provide the requested information in a timely manner.

CHAPTER V -- INSPECTION AND CONTINUING VALIDITY PROVISIONS

5.0 Inspection Provisions

The FAA and the TCCA agree to the conduct of inspection, monitoring, and surveillance of repair stations, FAA certificated mechanics, AMOs, and AMEs currently under their regulatory control in accordance with this MIP.

5.1 Continuing Validity

The FAA and the TCCA acknowledge that:

(a) Unrestricted Access. With notice, each authority may conduct independent inspections of repair stations, FAA-certificated mechanics, AMOs, and AMEs, and review the other authority's surveillance records and other pertinent information. This applies to maintenance, preventive maintenance, or alterations and modifications performed on aeronautical products by repair stations, FAA-certificated mechanics, AMOs, and AMEs, consistent with the objective of this MIP and the applicable laws and regulations.

(b) Cooperation in Enforcement. The maximum permissible mutual cooperation and assistance in any investigation or enforcement proceedings of any alleged or suspected violations of any regulations or special conditions identified in the MIP is essential. The FAA and the TCCA acknowledge that repair stations, FAA- certificated mechanics, AMOs, and AMEs remain subject to the regulatory requirements and enforcement procedures described in Chapter 3, paragraphs 3.3 and 3.7 of this MIP.

(c) Continued Confidence Program. The FAA and the TCCA shall conduct periodic joint evaluations of each other's continued compliance with the terms of the MIP. Such evaluations may include repair stations, FAA-certificated mechanics, AMOs, and AMEs to ensure the responsible authority is adequately applying the MIP.

CHAPTER VI -- AUTHORITY

The FAA and the TCCA agree to the provisions of these Maintenance Implementation Procedures as indicated by the signature of their duly authorized representatives.

FEDERAL AVIATION ADMINISTRATION
DEPARTMENT OF TRANSPORTATION
UNITED STATES OF AMERICA

By _____
John Allen
Title: Director, Flight Standards Service

Date 3/14/2011

TRANSPORT CANADA CIVIL AVIATION

By _____
Jacqueline Booth
Title: A/Director, Standards

Date: March 14th, 2011