

IMPLEMENTATION PROCEDURES

FOR

AIRWORTHINESS

Covering

DESIGN APPROVAL, PRODUCTION ACTIVITIES,
EXPORT AIRWORTHINESS APPROVAL
POST DESIGN APPROVAL ACTIVITIES, AND
TECHNICAL ASSISTANCE BETWEEN AUTHORITIES

Under the Agreement between
The Government of the United States of America
and
The Government of Canada
For Promotion of Aviation Safety

**Amendment 1
to
Revision 1**

September 15, 2015

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CHAPTER 1: PURPOSE AND GENERAL PROVISIONS

The purpose of this document is to amend the U.S./Canada Bilateral Aviation Safety Agreement (BASA) Implementation Procedures for Airworthiness (IPA) Covering Design Approval, Production Activities, Export Airworthiness Approval, Post Design Approval Activities, and Technical Assistance Between Authorities, dated June 5, 2008. The Amendment consists of changes to TSO Sections I (General), II (Scope of These Implementation Procedures), III (Design Approval Procedures) and VII (Export Airworthiness Approval Procedures).

This Amendment has been developed in accordance with Section I, paragraph 1.7 of these Implementation Procedures and will be incorporated into the next IPA revision.

CHAPTER 2: AMENDMENT

Section I **General**

1.9 **Definitions**

- (a) – (d) Unchanged
- (e) “**Appliance**” (TSO Appliance) means any instrument, mechanism, equipment, part, apparatus, appurtenance, or accessory, including communications equipment that is used or intended to be used in operating or controlling an aircraft in flight, is installed in or attached to the aircraft, and is not part of an airframe, engine, or propeller.
- For the FAA, TSO Appliance means a TSO article approved under 14 CFR part 21 subpart O.
 - For TCCA, means an appliance issued either an Appliance Type Certificate issued in accordance with predecessor regulations CAR Part V, Subpart 11 or a Canadian Technical Standard Order (CAN-TSO) design approval under CAR Part V, Subpart 21, and produced under a CAR Part V, Subpart 61 Manufacturer Certificate. Canadian Technical Standards for appliances are listed in Airworthiness Manual Chapter 537.
- (f) – (oo) Unchanged
- (op) “**Reciprocal Acceptance**” means when a certificating authority grants an approval, issues a certificate, or makes a formal determination of compliance; and the validating authority considers that approval, issuance, or determination as satisfactory evidence that the product complies with the applicable standards, and based on this, issues its own approval or accepts, as appropriate.

Section II **Scope of These Implementation Procedures**

2.1.3 **U.S. Acceptance of Canadian Authorized Release Certificates for the Following Products, Appliances and Parts:**

- (a) Unchanged
- (b) Unchanged
- (c) New TSO Appliances, and
- (d) Unchanged

Table 2: Note the following changes on Table 2:

- (a) Replace Column 4 Title: “TCCA Appliance Type Certificates or Equivalent” with “TCCA TSO Appliances”;
- (b) Replace Note 4: with “For TCCA includes Appliance Type Certificates issued under CAR Part V, Subpart 11, and where the FAA has issued a corresponding TSO under 14 CFR part 21 subpart O”; and
- (c) Replace Note 7: with “TCCA TSO Appliances include CAN-TSO Design Approvals or Appliance Type Certificates together with their associated Production Approval, refer to Appendix B, B.2, item 4”.

Section III Design Approval Procedures

3.0 General

- (a) Unchanged
- (b) Unchanged
- (c) The FAA does not normally issue a design approval for a product manufactured outside the United States, unless it is to be imported (i.e., an aircraft to be U.S.-registered, an engine or propeller to be incorporated into the design of a U.S.-registered aircraft or U.S. manufactured product). Therefore, Canadian applicants for a U.S. design approval should provide the FAA with evidence that the product will be imported into the United States, or will be installed on a U.S.-registered aircraft or U.S. manufactured product.
- (d) Unchanged
- (e) Unchanged
- (f) Unchanged
- (g) Unchanged
 - (1) Unchanged
 - (2) Unchanged

3.1 Design Approval Procedures for Type Certificates and Amended Type Certificates

3.1.0 Unchanged

- 3.1.0.1 (a) Unchanged
- 3.1.0.1 (b) Unchanged
- 3.1.0.1 (c) TCCA should forward the application for the following products to the office indicated in the table below:

Product	FAA Office
Helicopters	Unchanged
Very Light Aircraft	Unchanged
Engines	Unchanged
All other products including fixed wing aircraft	New York ACO

Appendix A contains a list of addresses for these FAA offices

3.3 Reciprocal Acceptance of TSO Appliances

NOTE: Section 3.3 has been replaced with the following: 3.3.0 – 3.3.6

3.3.0 General

- (a) The process, hereafter referred to as reciprocal acceptance, requires that the FAA and TCCA accept each other's TSO Appliance approvals without the need for the other to issue its own equivalent approval. The FAA and TCCA share similar certification requirements and procedures leading to the approval of the design and manufacturing of appliances. Given the high level of confidence that the FAA and TCCA have placed on each other's certification work over the years, and the relatively low risks that a TSO offers compared to the certification of aircraft, engine, and propellers, the FAA and TCCA concluded that their respective TSO approvals can benefit from a full and automatic acceptance by each other.
- (b) Under this reciprocal acceptance, a TSO Appliance approval issued by the FAA or TCCA is considered equivalent to the other having issued its own approval. Both the FAA and TCCA further recognize and agree that the reciprocal acceptance of each other's TSO is not an installation approval.
- (c) The FAA or TCCA shall not accept an application from the other authority for approval of a TSO Appliance where such appliance has already been issued an approval by the other under its authority.
- (d) The FAA may issue an approval of an article that is not based on a U.S. technical standard in accordance with 14 CFR 21.8 (d). Such approval will be eligible for reciprocal acceptance under these implementation procedures provided the FAA makes their finding of compliance to that technical standard, and the article is produced and marked in accordance with their system.
- (e) The reciprocal acceptance of TSO Appliances is based on the following conditions and provisions as noted:
 - (1) The appliance meets the applicable TSO or CAN-TSO as evidenced by a statement or declaration of conformity by the appliance approval holder;
 - (2) Any deviations from the applicable TSO or CAN-TSO accepted by the FAA and TCCA are substantiated and have been approved by the exporting authority; and
 - (3) The FAA or TCCA retain the right to suspend the privilege of reciprocal acceptance of a particular TSO following consultation with each other and where there is no mutually acceptable resolution of airworthiness concerns raised by the importing authority.

3.3.1 Procedures for Reciprocal Acceptance

The reciprocal acceptance of TSO Appliances shall be implemented by the FAA and TCCA solely on the basis of each other's approval without the need for submission of an application and validation by the other. A TSO Appliance

approval originally granted by the FAA or TCCA shall be automatically accepted by the other as being equivalent to having granted and issued its own approval.

3.3.2 Marking Requirement

Under reciprocal acceptance of TSO Appliances, the FAA and TCCA accept each other's identification and marking requirements as being compliant with their own legal requirements, provided such marking is accomplished in accordance with the regulations of the authority granting the appliance approval.

3.3.3 Installation of TSO Appliances

An FAA Letter of TSO Design Approval, FAA TSO Authorization, a TCCA Appliance Type Certificate, or CAN-TSO is an approval of the appliance only and does not constitute an approval for the installation of the appliance on an aircraft. The installer must obtain installation approval for use on an aircraft registered under that authority.

3.3.4 Provision of TSO Data for Installation Approval

The FAA or TCCA may find it necessary to obtain additional data on a TSO Appliance, including those on non-TSO functions, in order to complete their compliance findings on the installation interface of the TSO Appliance with an aircraft system. Upon request, the FAA or TCCA, as the approving authority for the affected TSO Appliance, shall support the data request, subject to permission or authorization from the TSO approval holder to release such data.

3.3.5 Acceptance of Non-TSO Functions

- (a) The FAA and TCCA will accept, without further validation, data on non-TSO functions where those functions are integrated into an existing or proposed appliance when:
 - (1) The non-TSO functions included in the appliance have been shown not to interfere with the TSO functions and/or ability to comply with the TSO standard;
 - (2) The data provided with the appliance relative to non-TSO functions is valid data, as processed by the approving authority; and
 - (3) The non-TSO functions are covered under the FAA TSO or CAN-TSO approval holder's quality system.
- (b) The acceptance of data on non-TSO functions does not constitute installation approval.

3.3.6 Submission of Electronic Data

- (a) Where an applicant intends to submit electronic data, the applicant must ensure that the data is in a format that is compatible with the FAA's and TCCA's respective information systems. There must be an arrangement between the applicant and the FAA or TCCA for the use, storage, and access to this electronic data under paragraph 3.0(g) (1).
- (b) For the purposes of the FAA, if an applicant in the U.S. complies with FAA Order 8000.79, the applicant is considered to have an arrangement acceptable to the FAA for the submission and storage of electronic data.

Section VII Export Airworthiness Approval Procedures

7.1.2 TSO Appliances

- (a) The FAA shall accept Canadian Authorized Release Certificates for appliances produced under a TSO Letter of Design Approval when TCCA certifies that each TSO Appliance:
 - (1) Unchanged
 - (2) Unchanged
 - (3) Unchanged
 - (4) Unchanged
- (b) The FAA shall accept Canadian Authorized Release Certificates for appliances produced under a CAN-TSO manufacturer certificate.
- (c) Each appliance exported to the U.S. will have a Canadian Authorized Release Certificate that identifies, in the case of an FAA TSO Letter of Design Approval; the FAA's approved design data or CAN-TSO.

7.2.1 TSO Appliances

- (a) Unchanged
 - (1) Unchanged
 - (2) Unchanged
 - (3) Unchanged
- (b) Unchanged

CHAPTER 3: AUTHORITY

The FAA and TCCA agree to the amendment of these Implementation Procedures for Airworthiness, as indicated by the signature of their duly authorized representatives.

FEDERAL AVIATION ADMINISTRATION

By



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Title Director, Aircraft Certification Service (AIR)

Date

15 / Sept / 2015

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