

**TECHNICAL ARRANGEMENT  
ON  
AIRWORTHINESS CERTIFICATION**

**BETWEEN**

**CIVIL AVIATION DEPARTMENT  
HONG KONG, CHINA**

**AND**

**CIVIL AVIATION SAFETY AUTHORITY  
AUSTRALIA**

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AND  
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The Government of the Hong Kong Special Administrative Region of the People's Republic of China, represented by the Civil Aviation Department (HKCAD), and the Government of Australia, represented by the Civil Aviation Safety Authority (CASA), hereinafter referred to singularly as the "Authority" or collectively the "Authorities",

recognising -

- that each Authority has determined that the standards and systems of the other Authority for the airworthiness approval of civil aviation products are sufficiently comparable to its own to make a technical arrangement practicable; and
- the interest of promoting aviation safety and preservation of the environment with a view to fostering cooperation and assistance between the Authorities in achieving common safety objectives, establishing and maintaining airworthiness standards and certification systems of civil aviation products which are similar between the two Authorities and cooperating in the reduction of the economic burden on aviation industries and operators arising from repetitive technical evaluations, tests and inspections;

and having decided on certain principles and arrangements to:

- facilitate the airworthiness approval by the Importing Authority of aircraft and related products, parts and appliances issued by the Exporting authority;
- provide for the development of procedures between the Authorities for the above purposes and for facilitating the management of the emerging trend toward worldwide design, manufacture, and interchange of airworthiness

approvals involving the joint interests of the Authorities in airworthiness certification; and

- provide for cooperation in sustaining safety quality objectives;

have decided as follows:

## 1 Definitions

For the purpose of this Technical Arrangement:

**"Airworthiness approval"** means approvals of aircraft and related products, parts and appliances including design change and repair design issued by the Authorities or design organisations approved by the Authorities.

**"Design change"** means a change in type design of a product.

**"Exporting Authority"** means the airworthiness authority exporting an aeronautical product under the provisions of this agreement.

**"Importing Authority"** means the airworthiness authority importing an aeronautical product under the provisions of this agreement.

**"Product"** means an aircraft, an aircraft engine, or a propeller, including equipment/components thereof.

**"Repair design"** means the design of repair for the elimination of damage and/or restoration to an airworthy condition of a product.

## 2 Scope

This Technical Arrangement covers:

- a. the acceptance by HKCAD of airworthiness approvals issued under the Civil Aviation Safety Regulations 1998 of Australia\*;
- b. the acceptance by CASA of airworthiness approvals issued under the Air Navigation (Hong Kong) Order 1995\*;

- c. the exchange of information between the Authorities regarding certification as stated in the airworthiness approvals; and
- d. the cooperation between the Authorities in providing each other with the technical evaluations and assistance in relation to certification as stated in the airworthiness approvals.

\*Note: The “acceptance” does not cover airworthiness approvals issued by the Authorities based on acceptance or validation of foreign airworthiness approvals.

This document embodies the understandings of the Government of Australia and the Government of the Hong Kong Special Administrative Region and does not create legally binding rights or obligations. This Arrangement is subject to the applicable laws, regulations and policies of Australia and Hong Kong.

### **3 Acceptance of Airworthiness Approvals**

3.1 Provided that each airworthiness approval is delivered to the Hong Kong Special Administrative Region, China in the form issued by CASA, or CASA approved organisations or persons under the Civil Aviation Safety Regulations 1998 of Australia, stating that (a) the product meets the applicable certification specifications; (b) any airworthiness provisions not complied with are compensated for by factors that provide an equivalent level of safety; and (c) no feature or characteristic makes the product unsafe for the uses for which certification is requested, HKCAD will accept that certification as if it had made the relevant technical evaluations, tests and inspection itself for the purpose of considering whether to issue airworthiness approvals in respect of the product concerned.

3.2 Provided that each airworthiness approval is delivered to Australia in the form issued by HKCAD or HKCAD approved organisations under the Air Navigation (Hong Kong) Order 1995, stating (a) that the product meets the applicable certification specifications; (b) any airworthiness provisions not complied with are compensated for by factors that provide an equivalent level of safety; and (c) no feature or characteristic makes the product unsafe for the uses for which certification is requested,

CASA will accept that certification as if it had made the relevant technical evaluations, tests and inspection itself.

- 3.3 The Importing Authority retains the right to satisfy itself that the airworthiness approval issued by the Exporting Authority complies with the laws and regulations applicable to the jurisdiction of the Importing Authority.

#### 4 **Mutual Cooperation and Assistance**

- 4.1 In respect of an airworthiness approval issued by an Exporting Authority, the Exporting Authority will on written request by the Importing Authority assist it in determining whether subsequent design change or repair design to be made under the control of the Importing Authority, comply with the airworthiness and environmental protection requirements under which such airworthiness approval was originally approved by the Exporting Authority.
- 4.2 Each Authority will provide and update the other Authority from time to time of all its relevant airworthiness laws, regulations, standards and requirements, and of its airworthiness certification system.
- 4.3 Each Authority will as soon as practicable notify the other Authority of proposed significant revisions to its standards and system for airworthiness certification; offer the other Authority an opportunity to comment and give due consideration to the comments made by the other Authority on the intended revisions.
- 4.4 Each Authority will as soon as practicable notify the other Authority of any proposed revisions to certification procedures for airworthiness approvals covered by this Technical Arrangement.
- 4.5 Each Authority will provide to the other Authority such technical evaluation assistance, upon written request, to further the purposes and objectives of this Technical Arrangement when deemed appropriate by the Authority making the request.



## 5 Notification of Non-compliance

### 5.1 Each Authority will:

- a. forthwith notify the other Authority in writing of any failure, malfunction, defect or other occurrence which is related to a product covered by the airworthiness approval under this Technical Arrangement and which has resulted in or may result in an unsafe condition.
- b. promptly advise the other Authority in writing of any investigation or enforcement action, including revocation, suspension or change of scope of airworthiness approval, against any approval holder in respect of any airworthiness approval mutually accepted by the other Authority pursuant to this Technical Arrangement.

5.2 Where an Authority provides the other Authority any information, including but not limited to personal information, pursuant to this paragraph and in accordance with the laws and regulations applicable to the Authority, it will clearly identify whether that information is sensitive or confidential and the nature of that sensitivity or confidentiality. The Authority giving the information, subject to its relevant laws and regulations, may also impose a limitation on the use or disclosure of the information by the receiving Authority. The Authority receiving the information will handle the information in accordance with its relevant laws and regulations and in a manner having regard to its confidentiality or sensitivity, and will not deal with personal information contrary to the privacy laws applying to the Authority.

## 6 Interpretation

In the case of conflicting interpretations of the airworthiness criteria prescribed by the Importing Authority pertaining to an acceptance under this Technical Arrangement, the interpretation of the Importing Authority will prevail.

## 7 **Implementation**

- 7.1 The Authorities will endeavour to develop a mutually agreed schedule of implementation procedures for this Technical Arrangement.
- 7.2 When such a schedule has been agreed between the Authorities, this Technical Arrangement will be implemented in accordance with the implementation procedures set out therein.
- 7.3 The Authorities will jointly review such schedule from time to time and may amend it as appropriate by written agreement.

## 8 **Entry into Force**

This Technical Arrangement will enter into force upon the signature by the Authorities.

## 9 **Termination**

Any Authority may at any time give written notice to the other Authority, of its decision to terminate this Technical Arrangement. This Technical Arrangement will terminate twelve months following the date of receipt by the other Authority of that notice, unless the said notice of termination has been withdrawn by mutual agreement before the expiry of such period.

Handwritten signatures in black ink, appearing to be initials or names, located at the bottom right of the page.

The foregoing represents the understandings reached between the Civil Aviation Authorities of the Government of the Hong Kong Special Administrative Region and the Government of Australia.

Signed in duplicate in Manila, the Philippines in English.

FOR THE GOVERNMENT OF  
THE HONG KONG SPECIAL  
ADMINISTRATIVE REGION

FOR THE GOVERNMENT OF  
AUSTRALIA

Original Signed by

Original Signed by



Norman Lo  
Director-General of Civil Aviation  
CIVIL AVIATION DEPARTMENT  
HONG KONG

Mark Skidmore AM  
Chief Executive Officer and Director of  
Aviation Safety  
CIVIL AVIATION SAFETY AUTHORITY  
AUSTRALIA

29-10-2015  
Date of signature:

29-10-2015  
Date of signature: