



# Advisory Circular

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**Subject:** United States–Canadian  
BASA/MIP Maintenance

**Date:** 10/3/06  
**Initiated by:** AFS-300

**AC No:** 43-10B

This advisory circular (AC) provides air carriers, repair stations, and certificated airmen with recommended procedures for maintenance, preventive maintenance, and alterations (excluding annual inspections) performed on United States aeronautical products located in Canada by Canadian Approved Maintenance Organizations (AMO) and Aircraft Maintenance Engineers (AME) and Canadian aeronautical products located in the United States by U.S. repair stations and certificated airmen.

The AC was developed to provide guidance relating to the Bilateral Aviation Safety Agreement (BASA) and accompanying Maintenance Implementation Procedures (MIP) between the United States and Canada.

This AC is not mandatory and does not constitute a regulation. This AC presents recommendations for an acceptable means, but not the only means, to comply with the MIP.

ORIGINAL SIGNED BY  
James J. Ballough  
Director, Flight Standards Service



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## **PART 1. GENERAL**

**100. ORGANIZATION.** This AC has four parts. Part 1 contains general information about the AC. Part 2 addresses the BASA between the United States and Canada. Each chapter within part 2 addresses a separate operational aspect of maintenance related to the United States–Canadian BASA/MIP. Part 3 addresses special conditions related to performing maintenance, preventive maintenance, or alterations on U.S. or Canadian aeronautical products. Part 4 tells how to get more information regarding this AC. Finally, the appendices contain useful information such as the regulatory basis of the AC, a list of related publications, related definitions, and acronyms. Also contained in the appendices is a copy of the BASA and the MIP.

**101. CANCELLATION.** AC 43-10A, Mechanical Work Performed on U.S. and Canadian Registered Aircraft, dated February 25, 1983, is canceled.



## **PART 2. BILATERAL AVIATION SAFETY AGREEMENT (BASA)**

### **CHAPTER 1. GENERAL INFORMATION**

**100.** Part 2 of this AC gives guidance on the implementation of maintenance procedures negotiated with the BASA. This applies to U.S. repair stations, U.S.-or FAA-certificated airmen, Canadian AMOs, and Canadian AMEs.

**101.** The Federal Aviation Administration (FAA) recommends that persons maintaining U.S. or Canadian aeronautical products be familiar with the BASA and the associated MIP. In particular, U.S. air carriers should ensure that Canadian AMOs comply with the requirements of any special conditions listed in the MIP and procedures contained in the air carrier manual.

### **CHAPTER 2. BASA**

**200.** The United States and Canada, to facilitate acceptance by each country of airworthiness approvals along with environmental testing and approval of civil aeronautical products, entered into the BASA. The BASA also includes the approvals and monitoring of maintenance facilities and alteration or modification facilities, maintenance personnel, and airmen of the other party. The BASA Executive Agreement may be found at [http://www.faa.gov/aircraft/air\\_cert/international/bilateral\\_agreements/](http://www.faa.gov/aircraft/air_cert/international/bilateral_agreements/).

**201.** Each contracting party designated its civil aviation authority as the executive agent to implement this agreement. For the United States of America, the executive agent is the FAA of the Department of Transportation (DOT). For the Government of Canada, the executive agent is the Transport Canada Civil Aviation (TCCA) of the Department of Transport.

**202.** The FAA and the TCCA acknowledge that oversight of repair stations, FAA-certificated airmen, AMOs, and AMEs is necessary to ensure quality of work performed and adherence to the regulatory requirements of each party. To facilitate this, each party agrees to provide access on an unconditional basis to repair stations, FAA-certificated airmen, AMOs, AMEs, and noncertificated maintenance facilities performing maintenance on a U.S. or Canadian aeronautical product. Notification of visits to maintenance facilities needs to be made to the regulatory oversight agency for the repair facility being inspected. With this notification each authority may conduct independent inspections. Also, each authority may review the other authority's surveillance records and other pertinent information for compliance to the MIP. The inspection will be conducted to ascertain that the performance of maintenance, preventive maintenance, and alterations are performed in accordance with the special conditions set forth in the MIP. The inspection is limited to the performance of work on the U.S. or Canadian aeronautical product. The inspection will not include determining the validity of the repair station, FAA-certificated airman, AMO, or AME certification or rating approvals.

**a.** Repair stations, certificated airmen, AMOs, and AMEs remain subject to the regulatory requirements and enforcement procedures described in subparagraphs 3.0.2b and 3.1.2b of the

MIP. FAA personnel will use the guidance in FAA Order 2150.3, Compliance and Enforcement Program, to process any enforcement actions against an AMO or AME.

b. The FAA and TCCA will conduct periodic joint evaluations of each other's continued compliance with the terms of the MIP. Such evaluations may include visits to repair stations/certificated airmen/AMOs/AMEs to ensure the accurate application of the MIP.

### **CHAPTER 3. MAINTENANCE IMPLEMENTATION PROCEDURES**

**300.** This chapter describes the FAA and the TCCA procedures for implementing the maintenance and alteration or modification provisions of the Agreement for the Promotion of Aviation Safety (BASA) between the Government of the United States and the Government of Canada, signed 12 June 2000. The objective of the MIP is to outline the terms and conditions under which the FAA and the TCCA can accept each other's inspections and evaluations of U.S. repair stations and Canadian AMOs along with FAA-certificated airmen and Canadian AMEs.

**301.** The authorization for the MIP is Article III of the BASA. 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 airmen that perform maintenance and alterations or modifications on civil aeronautical products, and as a result, have established an understanding of such standards and systems.

**302.** The MIP may be amended by mutual consent of the FAA and the TCCA. Significant revision by either authority to its organization, regulations, procedures, or standards may affect the basis on which the MIP is executed. Accordingly, each authority agrees to promptly advise the other 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 the MIP.

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

### **CHAPTER 4. U.S. REPAIR STATIONS**

**400.** A person who applies for a repair station certificate must meet the requirements of 14 CFR part 145. These requirements include the manner of application, facility requirements, personnel requirements, quality control, and training requirements. Along with the certification requirements of part 145, applicants should use AC 145-9, Guide for Developing and Evaluating Repair Station and Quality Control Manuals, and AC 145-10, Repair Station Training Program.

**401.** To be able to perform maintenance, preventive maintenance, and alterations on Canadian aeronautical products, repair stations must meet the applicable requirements contained in CAR 571 and 573. This may require revision to a repair station manual to incorporate a supplement to accommodate these requirements. The supplement may contain procedures unique to the Canadian aeronautical products, specific training requirements, and reporting

requirements. This supplement may need approval by both the FAA and TCCA. The special condition in part 3, chapters 1 and 3 of the MIP, specify these unique requirements.

## **CHAPTER 5. CANADIAN APPROVED MAINTENANCE ORGANIZATIONS**

### **500. APPLICANTS.**

**a.** An applicant for an AMO certificate or for an amendment of an AMO certificate makes an application in the form and manner specified in ch. 573 of the Airworthiness Manual. In addition, a person who holds an AMO certificate issued in accordance with CAR 573 cannot provide a service that is outside the scope of the person's AMO certificate.

**b.** An applicant has to submit to the TCCA with an application, a copy of its maintenance policy manual (MPM) that is required by subsection 573.10(1). The TCCA then issues to a maintenance organization an AMO certificate authorizing the maintenance of specified aeronautical products or the provision of specified maintenance services.

**501. RATINGS.** The AMO certificate will specify any category in which ratings have been issued and lists the aeronautical products that the AMO is authorized to maintain or the maintenance services that the AMO is authorized to perform. The scope of the work that may be performed under each rating specified on the AMO certificate is determined by limitations that are set out in the certificate. Unless an expiration date is specified in an AMO certificate, the certificate remains in effect until it is surrendered, suspended, or canceled. A capabilities list or other list will identify by make, model, or other nomenclature designated by the article manufacturer the articles on which the AMO is authorized to perform maintenance. The list is located in the AMO's manual or as a referenced stand-alone document. The AMO must have the proper equipment, personnel, housing/facilities, materials, and technical data to maintain each article on the list. The list is an extension of the AMO's certificate and its use depends on the AMO establishing procedures for conducting self-audits of its facility and capabilities, which are approved and accepted by the TCCA.

**502. FACILITIES.** An AMO certificate holder must provide the facilities and equipment specified in chapter 573 of the Airworthiness Manual associated with the work to be performed. Except in cases provided for in an MPM, work will be performed in the AMO's facilities. If unforeseen circumstances do not permit the work to be performed in those facilities and the safety of the aircraft is not affected, the work may be performed elsewhere. An AMO will use the standards equivalent to those of the manufacturer of an aeronautical product for the performance of work. Those standards are identified in the CARs.

**503. CONTRACTING.** An AMO must have the material and equipment necessary to perform the functions appropriate to its rating, but need not have the tools and equipment for functions it is authorized to contract out. An AMO may contract functions to TCCA certificated facilities and non-TCCA certificated sources as authorized and identified in its FAA Supplement to its manual. "Contracting" encompasses "subcontracting" as specified in TCCA requirements. TCCA will approve the list of functions to be contracted. Before contracting out a maintenance function, the AMO should:

- a.** Establish procedures to qualify the contractor.

- b. Establish procedures to audit the contractor.
- c. List the contractor in its FAA Supplement.
- d. Provide technical training for receiving inspection personnel in contracted functions.
- e. Establish inspection procedures that provide enough technical detail so an airworthiness determination can be made based on a technical review of contractor-source documentation.

#### **504. CONTRACTING TO NON-TCCA CERTIFICATED SOURCES.**

a. If an AMO contracts work to a non-TCCA certificated source or another AMO, the AMO must be appropriately rated to perform the work. The AMO is responsible for the following:

- (1) Approving return to service items on which work has been performed.
- (2) Ensuring each item's airworthiness.

b. Any non-TCCA certificated source to which work is contracted must be under the control of the AMO's quality monitoring system for the work performed. The AMO must inspect each item on which contracted work has been performed to ensure the airworthiness of the item. Receiving inspection procedures must enable the AMO to make an airworthiness determination of each item received. If the AMO cannot determine the quality of contracted work, the work can be contracted only to a TCCA certificated facility that is able to inspect the work performed for compliance with CAR 571.

**505. CONTRACTING TO TCCA CERTIFICATED FACILITIES.** If an AMO contracts functions to another organization that is TCCA certificated, that organization is responsible for approval for return to service of each item on which work has been performed. The AMO should be able to determine that the TCCA certificated organization to which work is contracted is properly certificated to perform the work. Through the AMO's receiving inspection procedures, the AMO must properly process items received from a TCCA certificated facility.

**506. AUDITS, TRAINING, AND RECORDS.** The AMO should establish procedures to audit contractors and ensure that they comply with operators' manuals, manufacturers' manuals, and instructions for continued airworthiness (ICA). The AMO also must provide technical training for receiving inspection personnel who inspect contracted out functions. The organization also must establish a method of recording contracted work to ensure the records are retained for 2 years.

**507. MAINTENANCE RELEASE.** A maintenance release cannot be signed unless a person is authorized to sign in accordance with an MPM established by the holder of an AMO certificate issued under subsection 573.02. The AMO must have a rating for a category appropriate to the work performed. The person must have successfully completed a course of maintenance training that has been approved by the TCCA and that is applicable to the type of aircraft, engine, or system on which the maintenance is performed.

## CHAPTER 6. U.S.-CERTIFICATED AIRMEN

**600.** The requirements for a mechanic certificate and ratings, and the privileges, limitations, and general operating rules for certificated mechanics, are prescribed in 14 CFR part 65. When performing maintenance, preventive maintenance, or alterations on Canadian aeronautical products, the airman must comply with the appropriate sections of CAR 571.

**601.** Maintenance performed on Canadian aeronautical products by FAA-certificated airmen must comply with the manufacturer's recommendations or other TCCA-approved data. This applies to all maintenance, preventive maintenance, or alterations, with the exception of annual inspections. The airman who performed the work cannot approve major repairs or alterations for return to service. An airman with Inspection Authorization must make the return to service certification.

**602.** Part 65 prescribes recency of experience requirements for certificated airman. These requirements state that the airman must have performed or supervised the work within the last 24 months. The airman may have supervised in an executive capacity the performance of work on an aircraft. In lieu of these requirements, the airman must be found able to perform the work by the FAA.

## CHAPTER 7. CANADIAN AIRCRAFT MAINTENANCE ENGINEERS

**700.** To gain an AME license, a person must submit an application in form and manner specified in chapter 566 of the TCCA's Airworthiness Manual. This also applies to any endorsement of an AME license with a rating. The CARs state that an AME cannot exercise the privileges of an AME license unless the person holds an AME license, exercises the privileges in accordance with the ratings and any limitations endorsed on the license, exercises the privileges in accordance with Part V of the CARs. Any person who does not meet the conditions specified may sign a maintenance release if the person holds a restricted certification authority issued in accordance with Part V of the CARs. An AME license is valid for the period specified in the license.

**701.** Recency of experience requirements in the CARs state that privileges cannot be exercised unless a person has had a license for the preceding 24 months. Also, the holder of the license must have, for at least 6 months within the preceding 24 months, performed or supervised aircraft maintenance, or supervised in an executive capacity the performance of aircraft maintenance. The AME may also have served as an aviation maintenance instructor or supervised another aviation maintenance instructor in an aircraft maintenance-training course provided by an AMO.

**702.** AMEs are authorized to return aircraft to service. The AME cannot permit anyone whom the AME supervises to sign a maintenance release, unless the standards of airworthiness applicable to the maintenance performed and stated in chapter 571 of the Airworthiness Manual have been complied with and the maintenance release meets the applicable requirements specified in section 571.10 of the Airworthiness Manual.

**a.** AMEs cannot sign a maintenance release for specialized maintenance unless the requirements of section 571.04 have been met. The exception to this is provided in its subsections 2 and 7; no person other than the holder of an aircraft maintenance engineer (AME) license issued under part IV, specifying a rating appropriate to the aeronautical product being maintained, can sign a maintenance release as required by section 571.10.

**b.** If a maintenance release is signed by a person with respect of work performed by another person, the person signing the maintenance release must personally observe the work to the extent necessary to ensure that it is performed in accordance with the requirements of any applicable standards of airworthiness and, specifically, the requirements of sections 571.02 and 571.10.

**703. RESTRICTED CERTIFICATION AUTHORITY.** A person who is not the holder of an AME license specifying a rating appropriate to the aeronautical product being maintained may sign a maintenance release if the person holds a restricted certification authority. The TCCA must issue a restricted certification authority and specify therein its validity period and the scope of the work that may be performed, if:

**a.** Application is made in accordance with section 571.11 of the Airworthiness Manual;

**b.** The applicant demonstrates to the TCCA that there is no holder of an AME license specifying a rating appropriate to the aeronautical product being maintained available within a geographical area accessible within 1 hour by surface transportation;

**c.** The person to whom the restricted certification authority is to be issued has received the training and has the knowledge equivalent to that of a holder of an AME license specifying a rating appropriate to the aeronautical product being maintained; and

**d.** The level of aviation safety is not affected by the issuance of the restricted certification authority.

## **PART 3. SPECIAL CONDITIONS**

### **CHAPTER 1. GENERAL INFORMATION ABOUT PART 3**

**100.** Part 3 provides guidance on the special conditions that must be complied with when performing maintenance, preventive maintenance, and alterations on aeronautical products from the United States or Canada. These special conditions apply to Canadian AMOs and AMEs as well as U.S. repair stations and certificated airmen. These special conditions can be found in appendix 4 of this AC. Only FAA or TCCA-approved or acceptable parts or components as applicable are used to perform maintenance, preventive maintenance, or alterations to U.S. or Canadian aeronautical products.

**101.** Both Canadian AMOs and AMEs along with U.S. repair stations and certificated airmen must comply with the special conditions specified in the MIP. Certain conditions are applicable to both maintenance entities.

### **CHAPTER 2. SPECIAL CONDITIONS FOR U.S. AERONAUTICAL PRODUCTS**

**200.** FAA special conditions are applicable to Canadian-based AMOs and AMEs. These special conditions are required to be complied with to meet the requirements of 14 CFR part 43. These special conditions are in addition to any requirements of CAR 571 and 573. An AMO that applies to work on an aeronautical product under the regulatory control of the FAA may perform maintenance, preventive maintenance, and alterations (with exception of annual inspections) on that product. In order to perform maintenance, the AMO must hold a valid AMO certificate issued by the TCCA in compliance with the most current CAR 571 and 573.

**201.** AMOs that perform maintenance, preventive maintenance, and alterations for 14 CFR part 121 or 135 air carriers in commercial operations must have these additional items that include procedures to ensure compliance with part 121 or 135 air carriers' manuals. The AMO will have a TCCA-approved FAA Supplement to its MPM that will specify how maintenance, preventive maintenance, and alterations are to be performed on U.S. aeronautical products. This supplement will include 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 part 121 or 135 air carrier/customer, if performing maintenance for air carriers in accordance with the requirements of part 121, subpart L or part 135, subpart J.

**202.** To continue to hold an AMO authorization to maintain U.S.-certificated products, the FAA, or the TCCA on behalf of the FAA, may inspect it for continued compliance with CAR 571, 573 and the special conditions. Investigations and enforcement by the FAA may be undertaken in accordance with FAA rules and directives and the AMO must cooperate with any investigation or enforcement action.

**203.** To perform maintenance, preventive maintenance, and alterations on U.S. aeronautical products, Canadian AMEs must comply with the FAA special conditions. The AME must,

among other requirements, ensure only FAA-approved parts or components are used. In addition, the AME must use the current manufacturer's recommendations or ICA. Other special conditions are contained in the MIP located in appendix 4.

### **CHAPTER 3. SPECIAL CONDITIONS FOR CANADIAN AERONAUTICAL PRODUCTS**

**300.** An FAA-approved repair station or FAA-certificated airman may perform maintenance, preventive maintenance, and alterations (with exception of annual inspections) on a civil aeronautical product under the regulatory control of the TCCA. The TCCA acceptance will not exceed the scope of the ratings and limitations contained in the 14 CFR part 145 certificate, and authorized functions will be listed on the repair station capabilities list. Procedures must be included in the repair station manual that meets the requirements of the special conditions in the MIP (see appendix 4). FAA-certificated airmen must comply with the current CARs when performing maintenance on Canadian aeronautical products.

**301.** A repair station that performs maintenance on Canadian air carriers operating in commercial air service under CAR IV or CAR VII must include in its manual a supplement that describes the procedures specified in the MIP, or explains where in the repair station manual those procedures are described, and is approved by the FAA.

**302.** A repair station or FAA-certificated airman may continue to perform maintenance, preventive maintenance, and alterations on Canadian aeronautical products if inspection by the TCCA is allowed and the repair station cooperates with any investigation or enforcement action taken by the TCCA.

## **PART 4. ADMINISTRATIVE INFORMATION**

**100.** The Air Carrier Maintenance Branch, AFS-330, developed this AC. For information concerning this AC, contact AFS-330 at 202-267-3546.

**101.** Submit direct comments regarding this AC to:

U.S. Department of Transportation  
Federal Aviation Administration  
Aircraft Maintenance Division, AFS-300  
800 Independence Avenue, SW.  
Washington, DC 20591



## APPENDIX 1. RELATED DOCUMENTS

**1. TITLE 14 CFR PARTS.** You may view and print 14 CFR parts 43, 121, and 145 and Aircraft Certification Service and Flight Standards Service ACs on the FAA Web page located at <http://www.airweb.faa.gov/rgl>.

**2. ADVISORY CIRCULARS.** You may obtain copies of the current editions of these ACs from the United States Department of Transportation, Subsequent Distribution Center, SVC-121.23, Ardmore East Business Center, 3341 Q 75th Avenue, Landover, Maryland 20785.

- (1) AC 00.2–15, Advisory Circular Checklist.
- (2) AC 00–44, Status of Federal Aviation Regulations.
- (3) AC 00–58, Voluntary Disclosure Reporting Program.
- (4) AC 20–62, Eligibility, Quality, and Identification of Aeronautical Replacement Parts.
- (5) AC 21–1, Production Certificates.
- (6) AC 21–29, Detecting and Reporting Suspected Unapproved Parts.
- (7) AC 120–16, Air Carrier Maintenance Programs.
- (8) AC 140–7, FAA Certificated Repair Stations Directory.
- (9) AC 145–9, Guide for Developing and Evaluating Repair Station and Quality Control Manuals.

### 3. FAA FORMS.

- (1) FAA Form 337, Major Repair and Alteration.
- (2) FAA Form 8130–3, Authorized Release Certificate, Airworthiness Approval Tag.

**4. FAA ORDERS.** You may purchase copies of the current versions of these documents from the Superintendent of Documents, P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954.

- (1) Order WA 0000.5, Washington Headquarters Directives Checklist.
- (2) Order 8000.85, FAA Program for the Establishment of a MIP Under the Provisions of a BASA.
- (3) Order 8110.53, Reciprocal Acceptance of Repair Design Data Approvals Between FAA and TCCA.
- (4) Order 8120.2, Production Approval and Certificate Management Procedures.
- (5) Order 8300.10, Airworthiness Inspector's Handbook.

**5. CANADIAN PUBLICATIONS.**

- (1) Canadian Aviation Regulations 571 and 573.
- (2) Canadian Aviation Regulations Part IV and VII.
- (3) Transport Canada Maintenance Staff Instruction (MSI) 58.
- (4) TCCA Authorized Release Certificate.
- (5) TCCA Form 24-0078.

## APPENDIX 2. DEFINITIONS

**a. ACA.** Aircraft Certification Authority issued by an Approved Maintenance Organization (AMO) under Canadian Aviation Regulation (CAR) 573.

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

**c. CAR.** Canadian Aviation Regulations.

**d. CFR.** Code of Federal Regulations. This AC references Title 14 of the Code of Federal Regulations, parts 1 through 199.

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

**f. Compliance with 14 CFR Part 43.** Compliance with the latest issue of CAR 571 and the Federal Aviation Administration (FAA) special conditions as set forth in the maintenance implementation procedures (MIP) and associated Transport Canada Civil Aviation (TCCA) guidance material, as applicable.

**g. Compliance with 14 CFR Part 145.** In the case of a Canadian organization, compliance with the latest issue of CAR 573 and the FAA special conditions as set forth in the MIP and associated TCCA guidance material as applicable when maintenance, preventive maintenance, or alterations are performed in Canada.

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

**i. 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 the MIP when maintenance, preventive maintenance, or alterations are performed in the United States recognizing that ACs provide additional guidance in this area.

**j. Data Approved by the FAA.** Data that is approved by the Administrator or the Administrator's designated representative in accordance with the BASA/IPS.

**k. Data Approved by the TCCA.** Data that is approved by the TCCA or by an organization approved by the TCCA for that purpose in accordance with the IPA.

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

- m. FAA-Certificated Airman.** An individual issued a mechanic certificate or repairman certificate by the FAA under 14 CFR part 65.
- n. 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.
- o. MPM.** Maintenance Policy Manual approved by TCCA for an AMO.
- p. Preventive Maintenance.** Simple or minor preservation, operations, and the replacement of small standards parts not involving complex assembly operations.
- q. Required Inspection Items.** The items of maintenance and alterations, which must be inspected by a person other than the one who performed the work, and includes 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.
- r. RCA.** Restricted Certification Authority issued by TCCA under CAR 571.11.
- s. SCA.** Shop Certification Authority issued by an AMO under CAR 573.
- t. Special Conditions.** These are contained in chapter 3 of this MIP. FAA special conditions are those requirements in 14 CFR part 43, 121, and 145 that the FAA has determined are not contained in CAR 571 and 573. TCCA special conditions are those requirements in CAR 571 that the TCCA has determined are not contained in 14 CFR part 43 or 145.
- u. 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.

**APPENDIX 3. ACRONYMS AND ABBREVIATIONS**

<b>14 CFR</b>	Title 14 of the Code of Federal Regulations
<b>AC</b>	advisory circular
<b>AME</b>	Aircraft Maintenance Engineers
<b>AMO</b>	Approved Maintenance Organization
<b>BASA</b>	Bilateral Aviation Safety Agreement
<b>CAR</b>	Canadian Aviation Regulations
<b>FAA</b>	Federal Aviation Administration
<b>MIP</b>	Maintenance Implementation Procedures
<b>MPM</b>	maintenance policy manual
<b>TCCA</b>	Transport Canada Civil Aviation
<b>U.S.</b>	United States



**APPENDIX 4. IMPLEMENTATION PROCEDURES**

*MAINTENANCE IMPLEMENTATION*  
  
*PROCEDURES*

Under the Agreement Between

the Government of the United States of America

and

the Government of Canada

for Promotion of Aviation Safety



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## CHAPTER 1. 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, TCCA acceptance, 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 airmen 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 airmen 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. Appendices also may supplement them. 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 either of the 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  
800 Independence Avenue, SW.  
Washington, DC 20591  
phone +1-202-267-3546  
fax +1-202-267-5115
- (2) For the TCCA: Aircraft Maintenance and Manufacturing (AARP)  
Transport Canada  
330 Sparks Street  
Ottawa, ON K1A 0N8  
Canada  
phone 1-613-952-4371  
fax +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  
phone +1-202-385-8070  
fax +1-202-493-5888
- (2) For the TCCA: Aircraft Maintenance and Manufacturing (AARP)  
Transport Canada  
330 Sparks Street  
Ottawa, ON K1A 0N8  
Canada  
phone +1-613-952-4371  
fax +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  
phone +1-202-385-8900  
fax +1-202-267-7198

(2) For the TCCA: Aircraft Maintenance and Manufacturing (AARP)  
Transport Canada  
330 Sparks Street  
Ottawa, ON K1A 0N8  
Canada  
phone +1-613-952-4371  
fax +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. **Alteration or Modification**—Making a change to the construction, configuration, performance, environmental characteristics, or operating limitations of the affected civil aeronautical product.
- c. **CAR**—Canadian Aviation Regulations.
- d. **CFR**—Code of Federal Regulations, specifically in Title 14 of the Code of Federal Regulations, parts 1 through 199.
- e. **Civil Aeronautical Product**—Any civil aircraft, aircraft engine, or propeller or subassembly, appliance, material, part, or component to be installed thereon.
- f. **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.
- g. **Compliance with 14 CFR Part 145**—In the case of a Canadian organization, 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.
- h. **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.
- i. **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 alterations are performed in the United States, recognizing that ACs provide additional guidance in this area.

**j. Data Approved by the FAA**—Data that is approved by the Administrator or the Administrator’s designated representative.

**k. Data Approved by the TCCA**—Data that is approved by the TCCA or by a person or organization delegated or approved by the TCCA for that purpose.

**l. 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.

**m. FAA-Certificated Airman**—An individual issued a mechanic certificate or repairman certificate by the FAA, under 14 CFR part 65.

**n. 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.

**o. MPM**—Maintenance Policy Manual approved by TCCA for an AMO.

**p. Preventive Maintenance**—Simple or minor preservation, operations, and the replacement of small standard parts not involving complex assembly operations.

**q. RCA**—Restricted Certification Authority issued by TCCA under CAR 571.11.

**r. 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.

**s. SCA**—Shop Certification Authority issued by an AMO under CAR 573.

**t. 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.

**u. 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 2. 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 airmen.

**b.** Maintenance and alterations 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 airman that is properly trained, qualified, and authorized to perform that work when the product is located in the United States.

**c.** Maintenance and alterations or modifications performed on a civil aeronautical product under the regulatory control of the FAA may be accomplished and that product returned to service by a TCCA 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 alteration or modification work by the TCCA in accordance with CARs 571 and 573, and complies with the special conditions set forth in chapter 3, paragraph 3.1, 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 airman 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 3.0, will be eligible to perform maintenance, preventive maintenance, and alteration work on aeronautical products under the regulatory authority of the TCCA.

## **CHAPTER 3. 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 or Canadian aeronautical products.

**b.** Maintenance, preventive maintenance, and alterations must be performed in accordance with current ICA or manufacturers' recommendations that will return the aeronautical product to its original or properly altered condition.

**c.** Maintenance or alterations 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 or alterations are performed by a maintenance organization, the maintenance organization must hold a valid FAA repair station certificate or Canadian AMO certificate issued in accordance with the most current 14 CFR part 145 issued as a final rule, or 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 alterations performed on a Canadian aeronautical product must be recorded on FAA Form 337 or in accordance with Standard 571, appendix L, and sent to the TCCA within 48 hours by mail or electronic means.

**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 TCCA, as applicable.

**i.** AMOs 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.**

**a.** The TCCA agrees that an FAA-certificated repair station or mechanic certificate holder may perform maintenance, preventive maintenance, and alterations (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.

**b.** All repairs and alterations as defined by TCCA requirements must be accomplished in accordance with data approved by or acceptable to the TCCA.

c. 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.

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

e. In the case of maintenance or alterations performed on aircraft operated in commercial air service pursuant to Part IV or 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, AND ALTERATIONS FOR CAR IV OR CAR VII COMMERCIAL OPERATORS.**

**3.2.1.** In addition to the other requirements specified in this MIP, a repair station performing maintenance, preventive maintenance, or alterations on aircraft operating in commercial air service under CAR IV or CAR VII 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 alterations as defined in CAR I are accomplished in accordance with data approved by the TCCA;

d. Procedures to ensure that major repairs and major alterations are reported to TCCA using FAA Form 337 or an equivalent method acceptable to TCCA;

e. Procedures for the 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 ICA, and handling deviations; and

g. A training program that ensures each employee assigned to perform maintenance, preventive maintenance, or alterations is capable of performing the assigned task, and that each person who approves an aircraft for return to service following maintenance or alteration 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 alterations on aircraft operating in commercial air service under CAR IV or CAR VII must include in its manual a supplement describing the

procedures specified in par. 3.2.1, or explains where in the repair station manual those procedures are described, and which are approved by the FAA.

### **3.3. TO HOLD A REPAIR STATION AUTHORIZATION TO MAINTAIN COMMERCIALY OPERATED CANADIAN AIRCRAFT.**

- 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.

### **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 6 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 in compliance with the most current CARs, and be rated for the maintenance, preventive maintenance, or alterations to be performed.
- b.** The AMO employee or AME responsible for supervision or final inspection and 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 under 14 CFR part 121 or 135 air carriers in commercial operations, 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, AND 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 operators 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/customer, in accordance with the requirements of 14 CFR part 121, subpart L, or 135, subpart J. (Transport Canada Maintenance Staff Instruction (MSI) 58 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 operator's work order or contract, including FAA airworthiness directives 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 and all information required to be made or kept by the owner or operator, as appropriate. Such required information 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 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. The major repair or alterations must be recorded on 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 that all current airworthiness directives published by the FAA that are applicable to the work being performed are available to maintenance personnel.
- j. Procedures to ensure compliance with the manufacturer's maintenance manuals or ICA, and handling deviations.
- k. 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 2 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. TO HOLD AN 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 and enforcement by the FAA may be undertaken in accordance with FAA rules and directives.
- d. The AMO must cooperate with any investigation or enforcement action.

### **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 6 months after the effective date of this MIP.

## **CHAPTER 4. MUTUAL COOPERATION AND TECHNICAL ASSISTANCE**

**4.0. PERIODIC MEETINGS.** The FAA and TCCA offices designated in Chapter 1, paragraph 1.5a 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 1, paragraph 1.3c), 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 TCCA shall:

- a. Inform the public of the terms of the MIP and any amendments or appendices.
- 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 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 regulations, policies, guidance, 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 appendices to the MIP, if appropriate, 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 1.5a. 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, FREEDOM OF INFORMATION ACT (FOIA), AND ACCESS TO INFORMATION ACT REQUESTS.**

a. **Proprietary Data.** Both authorities recognize that certain data submitted by a repair station/AMO/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.

b. **FOIA Requests.** The FAA often receives requests from the public under the 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 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, 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 Program (ATIP) Requests.** The TCCA often receives requests from the public through the 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 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/AMOs/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 1.5a. In turn, upon receipt of the request for information, the other authority will provide the requested information in a timely manner.

## CHAPTER 5. 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 station, FAA certificated mechanics/AMO/AME certificates 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 performed on aeronautical products by repair stations, FAA-certificated mechanics, AMOs, and AMEs, consistent with the objective of this MIP and the authority's 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 3.0.2b and 3.1.2b of this MIP.

**c. Continued Confidence Program.** The FAA and 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/AMEs to ensure the responsible authority is adequately applying the MIP.

## CHAPTER 6. 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.

DONE at [INSERT APPLICABLE COUNTRY], this .... day of .... .

FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION,  
UNITED STATES OF AMERICA

By

Nicolas Sabatini  
Associate Administrator for  
Regulation and Certification

FOR....  
Transport Canada Civil Aviation

By

Don Sherritt  
Director, Aircraft Maintenance & Manufacturing