

6/9/05

SUBJ: FAA PROGRAM FOR THE ESTABLISHMENT OF A MIP UNDER THE PROVISIONS OF A BASA

1. PURPOSE. This order sets forth the Federal Aviation Administration (FAA) program for the establishment of Maintenance Implementation Procedures (MIP) under the provisions of a Bilateral Aviation Safety Agreement (BASA). This order provides FAA personnel and National Aviation Authorities (NAA) information on the procedures and requirements for developing a MIP.

2. DISTRIBUTION. This order is distributed to the division level in the Flight Standards Service in Washington headquarters; to the branch level in the regional Flight Standards Divisions; to the Flight Standards District Offices; to the International Field Offices; and to the Regulatory Standards Division at the Mike Monroney Aeronautical Center.

3. BACKGROUND.

a. The FAA certifies repair stations located outside the United States that operate under the provisions of Title 14 Code of Federal Regulations (14 CFR) part 145. The certification of foreign repair stations responds to the need to perform maintenance, alteration or modification of aeronautical products subject to U.S. airworthiness regulations in foreign countries. Maintaining aircraft and components outside the United States has continued to expand with the corresponding increase in international air travel and rise in the number of foreign-manufactured aeronautical products used by U.S. operators.

b. Similarly, foreign countries have also experienced an increase in the use of U.S. facilities to perform maintenance, alteration, or modification of aeronautical products subject to foreign national requirements. NAAs in countries where certificated maintenance facilities are located have also developed their own extensive inspection, surveillance, evaluation, and certification programs. The NAAs have developed these programs to ensure that the maintenance, preventive maintenance, and alteration of aeronautical products subject to their airworthiness regulations is accomplished according to specific national standards.

c. In the absence of a BASA and corresponding MIP, a repair facility in a foreign country that performs work on aeronautical products subject to the airworthiness regulations of that country and on aeronautical products subject to the airworthiness regulations of the United States may be required to be inspected, surveilled, and evaluated by the FAA and the NAA. Therefore, the repair facility must conform to two sets of standards—the FAA's and the NAA's. A repair station located in the United States that performs work on aeronautical products subject to U.S. and foreign airworthiness regulations may also be required to conform to two or more sets of standards.

d. The conclusion of a MIP provides for either:

(1) The reciprocal acceptance of recommendations for certification and renewal, and documentation of surveillance findings, when the NAA issues certificates to U.S.-based repair stations,

(2) FAA acceptance of NAA recommendations for certification and renewal, and documentation of surveillance findings, when the NAA does not issue certificates to U.S.-based repair stations, or

(3) Either case results in increased efficiency by reducing or eliminating duplicative surveillance, evaluation, and inspection of repair facilities conducted by the FAA and NAA. Program goals are achieved when duplicative activities are reduced or eliminated while maintaining equivalent levels of safety.

e. MIPs are based on an FAA and NAA evaluation of 14 CFR part 145 and foreign national regulations governing repair stations or Approved Maintenance Organizations (AMO). This evaluation has been designed to determine the areas where these regulations and requirements are harmonized and identify areas where they differ. The evaluation also determines the FAA's and NAA's ability to carry out surveillance on each other's behalf.

4. **DEFINITIONS.** The following definitions apply:

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

NOTE: The above definition is consistent with wording in current MIPs. Additional description of alteration/modification/environmental characteristics may be considered.

(1) **Alteration.** A change, using technical data that has been approved by the FAA Administrator or NAA, to the construction, configuration, performance, environmental characteristics or operating limitations of the affected civil aeronautical product.

(2) **Modification.** A change, using technical data that is being presented to the FAA Administrator or NAA for approval, to the construction, configuration, performance.

(3) Environmental characteristics or operating limitations of the affected civil aeronautical product.

b. **Approved Maintenance Organization (AMO).** A maintenance organization certificated by the NAA.

c. **Bilateral Aviation Safety Agreement (BASA) (ref. AC 21.23).**

(1) A government-to-government agreement, consisting of one Executive Agreement and one or more Implementation Procedures, to facilitate the recognition of procedures for the reciprocal acceptance of:

- (a) Airworthiness approvals of civil aeronautical products.
- (b) Environmental approvals and environmental testing.
- (c) Approval and monitoring of maintenance facilities and alterations or modification facilities.
- (d) Approval and monitoring of maintenance personnel.
- (e) Approval and monitoring of crews.
- (f) Approval and monitoring of flight operations.
- (g) Approval and monitoring of aviation training establishments.

(2) The term NAA will be used; the Aviation authority of a contracting State that has responsibility for the establishment, implementation, and oversight responsibilities of aviation regulation within their country. These agreements are replacing Bilateral Airworthiness Agreements (BAA).

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

e. Compliance with Part 145. Compliance with the latest issue of NAA requirements and guidance material plus the FAA Special Conditions as set forth in a MIP.

f. Compliance with Foreign National Requirements and Guidance. Compliance with the latest issue of CFRs. Part 145 and the NAA Special Conditions as set forth in a MIP recognizing that ACs provide additional guidance in this area.

g. Data Approved by the FAA. Data approved by the Administrator or the Administrator's designated representative.

h. Data Approved by the NAA. Data approved by the NAA or an organization approved by the NAA for that purpose.

i. Geographic Authorization. An approval provided to a foreign repair station to perform maintenance support under contract for a U.S. air carrier, or operator of U.S.-registered aircraft under part 129, at a location other than the repair station facility. A geographic authorization is issued by the FAA to respond to the need of a U.S. air carrier or part 129 operator for maintenance at a station where the frequency and scope of that maintenance does not warrant permanently staffing and equipping the station for its accomplishment.

j. NAA Procedures. NAA application of regulation and procedures in its national systems, rules, practices, and policies.

k. NAA Regulations and Guidance. A uniform set of regulations issued by the NAA. They are interpreted and implemented by the NAA policy guidance in the form of written Administrative and Guidance Material.

l. Main Base. The primary location of a repair station that includes the facilities where all aspects of maintenance under its rating can be performed and records are maintained.

m. 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.

n. Maintenance Implementation Procedures (MIP). The procedural document authorized by the BASA Executive Agreement related to the performance of maintenance, alterations, and modifications on civil aeronautical products. This document defines the process for reciprocal acceptance of each authority's recommendations for certification, renewal, and acceptance of eligible repair stations and maintenance organizations. (Ref. AC 21.23, for Engineering and certification agreements, also AC 145.7, for maintenance agreements.)

o. National Aviation Authority (NAA). The aviation regulatory authority of a foreign country or body.

p. Perceived Need. A current or future operational or economic necessity for the maintenance, preventive maintenance or alteration of aeronautical products subject to the regulatory oversight of the FAA at a facility located outside the United States.

q. Required Inspection Items (RII). The items of maintenance and alterations that must be inspected by a person other than the one that performed the work, to include at least those items 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. Special Conditions. Conditions in a MIP that specify the requirements in 14 CFR part 145 that the FAA has determined are not in NAA requirements (FAA Special Conditions) and the NAA requirements that an NAA has determined are not in part 145 (NAA Special Conditions).

s. Title 14 of the Code of Federal Regulations. United States aviation regulations consisting of parts 1 through 199 for Aeronautics and Space.

t. Unapproved Part. A part that does not meet the requirements of an "approved part" as specified in AC 21-29.

u. Repair Station Manual and Quality Control Manual/Section. This manual explains the inspection system and internal procedures of a 14 CFR part 145 certificated repair station. It describes how the repair station will comply with the quality control and overall operational requirements contained part 145.

5. RELATED PUBLICATIONS (current editions). Copies of these documents may be obtained from the U.S. Department of Transportation, Subsequent Distribution Office, Ardmore East Business Center, 3341 Q 75th Avenue, Landover, Maryland 20785.

a. AC 20-62, Eligibility, Quality, and Identification of Aeronautical Replacement Parts.

b. AC 21-2, Export Airworthiness Approval Procedures.

c. AC 21-23, Airworthiness Certification of Civil Aircraft, Engines, Propellers, and Related Products Imported to the United States.

d. AC 21-29, Detecting and Reporting Suspected Unapproved Parts.

e. AC 140-7, FAA Certificated Repair Station Directory.

f. AC 145-7, Issuance of Repair Station Certificates to Foreign Approved Maintenance Organizations Under the Maintenance Implementation Procedures of a Bilateral Aviation Safety Agreement.

g. AC 187-1, Flight Standards Service Schedule of Charges Outside the United States.

h. Order 8300.10, Airworthiness Inspector's Handbook.

i. Title 14 CFR, part 43, Maintenance, preventive maintenance, rebuilding, and alteration.

j. Title 14 CFR, part 145, Repair stations.

6. APPLICABILITY. This order applies to FAA personnel involved in the development of a MIP with a NAA under the terms of a BASA. Adherence to the procedures in this order is necessary for uniform administration of this directive material. Any deviations from this guidance material must be coordinated with, and approved by the Aircraft Maintenance Division, AFS-300. Any such approvals shall be communicated in writing to the appropriate entity.

NOTE: The development of a MIP between the FAA and a NAA requires a long-term commitment of considerable resources by both authorities. An NAA wishing to undertake such an initiative should have a viable aircraft maintenance surveillance and certification program, including competent personnel capable of finding compliance with national aircraft maintenance standards, practices, and procedures. The FAA prioritizes requests for a MIP based on FAA's strategic goals and the results of a capability assessment of the NAA. The NAA may develop its own process of evaluating the FAA's ability to comply with the NAA's needs and requirements for concluding a MIP.

7. DESCRIPTION OF MIPS. A technical implementation agreement between the FAA and the executive agent of another country or body under the provisions of the BASA, which pertain to maintenance, alterations, and modifications of aeronautical products.

a. When a country's aviation regulations for issuing certificates to facilities for the maintenance and alteration of aeronautical products and the general operating rules for holders of those certificates are completely harmonized with the requirements of 14 CFR, compliance with NAA regulations satisfies compliance with the intent of the requirements of 14 CFR part 43 and the requirements of part 145.

b. In those instances where the regulations are not equivalent, the MIP will include special conditions that address those requirements of an authority that may not be addressed in the other authority's regulations. In this case, compliance with the regulations of one authority and any

special conditions contained in the MIP will be equivalent to compliance with the other authority's regulations.

c. Greater harmonization of regulations can reduce the number of special conditions. Changes to either authority's regulations after entry into force of the MIP could result in changes to special conditions in the MIP. Regulatory changes should be coordinated to the greatest extent possible.

d. Once a MIP is concluded, the authorities will be able to recommend:

- (1) Issuance of initial certification of repair stations.
- (2) Renewal of a repair station certificate with all of its current ratings.
- (3) Amendment to a repair station certificate.
- (4) Denial of the renewal of a repair station certificate.

e. Under the terms of the MIP, FAA-certificated repair facilities located in the MIP partner country performing maintenance on products under the regulatory authority of the FAA are certificated by the FAA, but are surveilled, evaluated, and inspected by the NAA. The FAA, however, retains the right to participate in these actions and, if necessary, to suspend or revoke its certification of the repair facility. The FAA also retains the authority to inspect an FAA-certificated repair facility and its contractors at any time.

f. Under the terms of the MIP, repair facilities located in the United States performing maintenance on products under the regulatory authority of another country are certificated, approved, or accepted by that NAA, but are surveilled, evaluated, and inspected by the FAA. The NAA, however, retains the right to participate in these actions and, if necessary, to suspend or revoke its certification, approval, or acceptance of the repair facility. The NAA also retains the authority to inspect an NAA-certificated repair facility and its contractors at any time.

g. Maintenance Implementation Procedures address the following areas. (See AFS-300 Web page for sample MIP documents.)

(1) The terms and conditions by which the results of the signatories' surveillance, evaluation, and inspections will be accepted by each signatory.

(2) Indicate that the MIP are drafted in accordance with a BASA and pursuant to a mutual assessment of the signatory NAA's.

(3) Provide procedures for initiating, terminating, and amending the MIP.

(4) Designate a specific individual as the responsible party, within the executive agencies responsible for implementing the agreement.

(5) Specify a dispute resolution procedure.

(6) Define terms critical to the MIP.

(7) Specify the requirements for a signatory to certificate or approve a repair facility located in the other signatory country.

(8) Set forth procedures where each signatory may audit the surveillance, evaluations, and inspections conducted by the other signatory.

(9) Specify that the signatories retain the right to initiate enforcement action against any repair facility that it certificates in the other signatory country.

(10) Set forth any special conditions which ensure that the surveillance, evaluation and inspections conducted by one signatory ensure compliance with requirements equivalent to those in 14 CFR parts 43 and 145 (for actions taken by the NAA) and the NAA's equivalent of 14 CFR parts 43 and 145 (for FAA actions).

(11) Establish requirements guaranteeing that the signatories will provide mutual assistance in implementing the provisions of the agreement. This assistance will include: technical evaluation assistance, exchanging of information pertaining to each country's regulations and policies, guidance, practices, interpretations, and amendments to the regulations; exchanging of findings of regulatory noncompliance and information critical to flight safety; and assistance in investigations or enforcement actions.

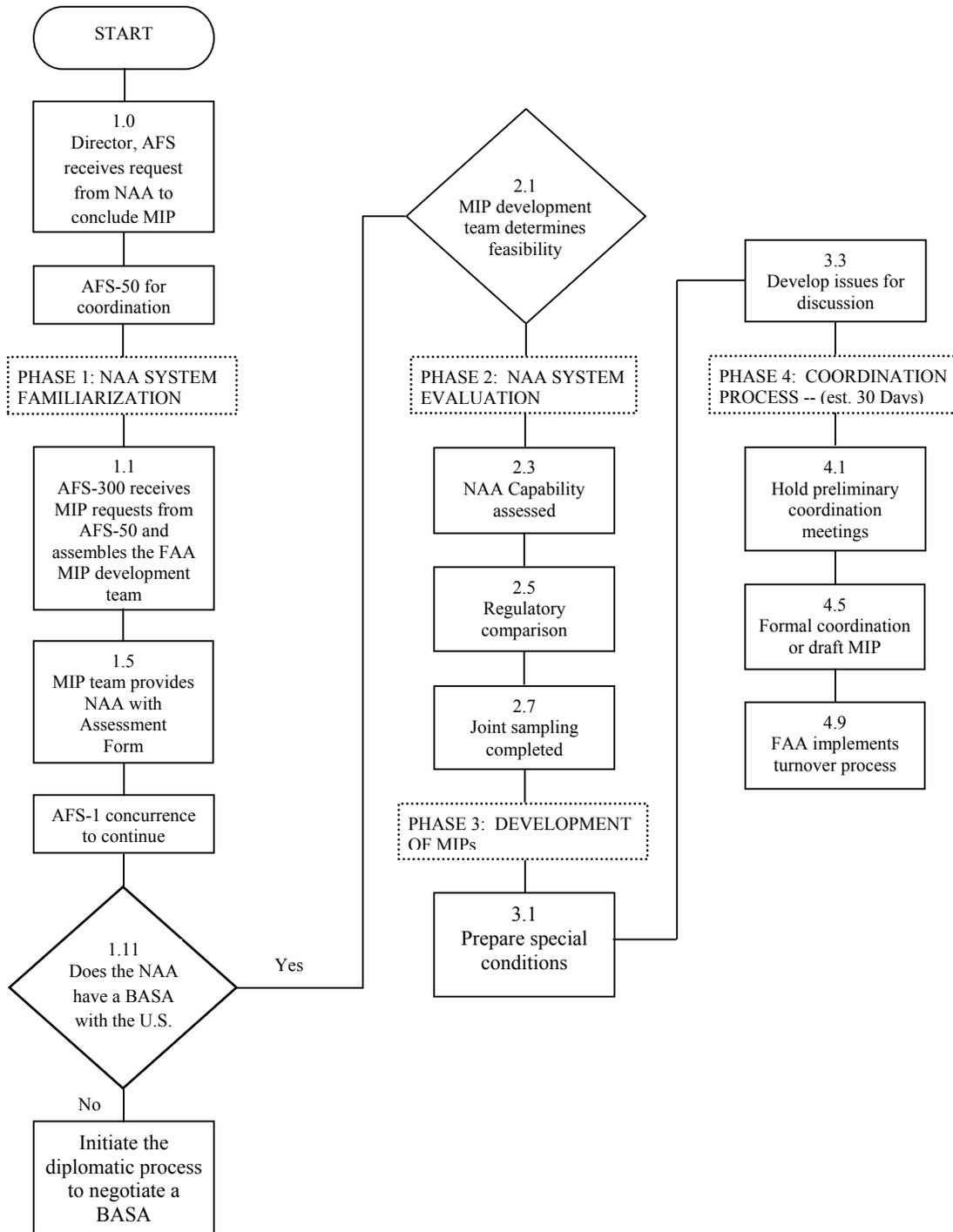
h. Additional information required for implementation and compliance with the MIP is included in guidance materials such as AC 145-7 and Order 8300.10.

8. SELECTION OF NAAS FOR POTENTIAL MIPS.

a. NAAs seeking to conclude a MIP with the FAA should submit a written request to the Director, Flight Standards Services, AFS-1, 800 Independence Ave., SW., Washington, D.C. 20591.

b. AFS-300, maintains a prioritized list of NAAs under consideration for a MIP. FAA priorities are based on strategic goals, priorities, resource requirements and perceived need.

FIGURE 1. MIP PROCESS FLOW



NOTE 1: Throughout the process, in the event that the FAA and NAA teams cannot agree to mutually acceptable terms and conditions, the FAA team will refer to AFS-1 to either continue or terminate the process.

NOTE 2: If the country does not have a BASA signed, the team may continue, provided the country initiates the process.

c. To obtain membership in a regional aviation organization or coordination or coordinating group and the harmonization of regulatory structures. Harmonizing the standards, regulations, and policies among a group of similarly situated countries greatly facilitates the task of concluding a bilateral maintenance agreement.

(1) Participation in a regional organization should be looked upon by the NAA seeking to enter into a MIP with the United States as an important (though not mandatory) step in securing an agreement. Harmonization among members greatly simplifies the FAA's task of determining the level of similarity between the aviation regulations of a group of NAAs seeking MIPs and compliance with 14 CFR.

(2) The adoption of common regulations facilitates the ability of the FAA and the NAA to agree on the basis of a MIP, because the parties can conduct one regulatory comparison that applies to all members. The FAA can therefore concentrate its evaluation efforts on determining the ability of each NAA to certificate and surveil maintenance organizations to a standardized set of regulations.

9. PHASE 1. NAA SYSTEM FAMILIARIZATION.

a. Once AFS-300 receives the NAA request from AFS-1, AFS-300 forms a team, which includes, at a minimum, representatives (or designees) from AFS-300, the International Programs and Policy Division, AFS-50, and the appropriate regional office and International Field Office (IFO). Team composition is designed to provide a standardized approach to the development of a MIP. The team is responsible for implementing the process below in order to determine whether it would be feasible to enter into a MIP with the NAA. The team composition detailed above may be changed depending on the complexity of the assignment with the approval of AFS-300.

b. AFS-300 will be responsible to assemble the team at an appropriate location to brief the team on the content of this order as well as stressing the importance of treating each country in a standard manner. The team will be advised of the sensitivity relating to assessments. The briefing will also provide the team with the FAA philosophy on using a system approach when assessing the NAA as well as a descriptions of the FAA international goals.

NOTE: At no point in the process should a team member express personal views or indicate to the NAA that they are ready for a MIP. This is a management decision that will be made at the conclusion of the process.

c. Upon receipt of the initial request, AFS-50 will notify the appropriate desk officer in the Office of International Aviation (AIA) and Office of the Chief Counsel (AGC-7) of the request. AFS-50 will review the international aviation safety assessment program (IASA) status of the NAA (if applicable) and, in coordination with AIA, determine if there are any U.S. policy concerns that would affect the FAA's ability to enter into an agreement with the requesting NAA. AFS-50 should respond back to AFS-300 within 30 days from receipt of the request.

d. If there are no policy or other concerns preventing the pursuit of a MIP with the requesting NAA, the team will provide the NAA with an assessment form. The appropriate assessment form and sample documents, i.e., rule comparison, sample letters, etc., can be found on the AFS-300 Web page <http://www.faa.gov/avr/afs/300/>. The NAA should complete and

submit its portions of the assessment form as well as a copy of applicable regulations in the English language to the designated team lead within 90 days of receipt of the assessment form. However, the FAA recognizes the difficulties associated with language differences and the time needed for translation to the English language. Therefore, the 90 day time period is a recommendation and additional time may be needed. The team will evaluate the completed assessment form and copies of NAA regulations and procedures to determine whether there is sufficient compatibility between FAA and NAA systems to progress with the MIP process. Depending on the complexity of the NAA response to the assessment form and regulations, the team should complete this preliminary review within 90 days of receipt of the material.

e. If the team determines there is sufficient compatibility, it will prepare a detailed project plan including projected timelines, budget requirements, and availability of personnel. The plan may require some prior contact with NAA contacts/team as applicable.

f. The team will prepare a decision memorandum summarizing the action plan, costs, timelines, (see AFS-300 Web page MIP process documents) and a request for concurrence on whether to proceed to Phase 2. The memorandum and project plan will be prepared for signature by the team lead, coordinated with AFS-300 and AFS-50 for concurrence, and submitted to AFS-1 for a written decision.

g. If the decision from AFS-1 is to proceed, the team will continue to Phase 2. If the decision is not to proceed, the team will prepare a letter from AFS-1 to the NAA stating the reasons and recommendations for possible future MIP cooperation.

h. If AFS-1 concurs with a decision to proceed with an NAA whose government has not concluded a BASA with the United States, the FAA or the NAA should formally initiate the diplomatic process to negotiate a BASA in accordance with this order.

NOTE: This process may be time consuming, and a MIP cannot be concluded until a BASA is in effect.

10. PHASE 2. NAA SYSTEM EVALUATION.

a. If the FAA determines that a MIP with the NAA is feasible based on the review in Phase 1, the FAA and NAA will enter into Phase 2, NAA System Evaluation. The NAA System Evaluation phase permits the FAA to: 1) observe and document the NAA's evaluation procedures and assess the NAA's regulatory basis for certificating and surveilling a repair station, 2) conduct an in-depth comparison of FAA/NAA regulations and procedures, 3) gain a working knowledge of the practical application of regulations and procedures by the NAA and repair stations under its authority, and 4) confirm differences that could result in special conditions. The FAA team must consider this MIP process as a systems approach. The NAA system may not be identical to the FAA system; however, the NAA system should meet the objectives and surveillance goals of the FAA.

b. **Capability Assessment of NAA.** The FAA team will use the completed NAA Assessment Form (see AFS-300 Web page for assessment for), and other documentation submitted by the NAA to perform an in-country capability assessment. The purpose of the in-country capability assessment is to confirm the NAA's responses to the assessment form. The visit should take place in the NAA's headquarters, and may include visits to regional and field

offices, as applicable. At the conclusion of the visit, the team leader will prepare a summary report, (see AFS-300 Web page for sample documents), assessment form completed by the team, and any other associated documentation provided by the NAA. The report will identify any areas of concern that need to be addressed by the NAA. The team leader will submit a letter, to the NAA point of contact identifying the results of the assessment and any issues that need to be resolved.

c. Regulatory Comparison.

(1) The FAA team will provide for a comparison between part 145 and applicable sections of part 43, as well as applicable procedures and guidance materials for the counterpart NAA regulations. The team will complete three columns of the comparison matrix, indicating FAA requirements, NAA requirements and potential differences. The fourth column of the matrix is reserved for the Joint Repair Station Evaluation below, (see AFS-300 Web page for a sample matrix). The matrix will note any differences between the regulations, and how they should be applied.

NOTE: The team leader may request AFS-300 to provide contractor services to develop the regulatory comparison.

(2) Simple differences in wording should not automatically be considered substantive differences in standards or regulations. If the intent of the respective regulations is equivalent and compliance with the local regulation would result in compliance with the corresponding section of 14 CFR, the comparison should state that no substantive differences exist. Differences from compliance with the procedures specified in part 145 should, however, be specifically noted. The team should consider, but not give excessive weight, to guidance material. AFS-300 will make the final determination of equivalency or differences between regulations. Differences could include the following:

- (a) The use of approved replacement parts.
- (b) The use of approved data for major repairs and major alterations.
- (c) Contracting of certain functions to another repair facility.
- (d) Certification of foreign manufacturers' maintenance facilities as repair stations.
- (e) Compliance with the recordkeeping requirements of sections 43.5, 43.9, and 43.11.
- (f) Compliance with the required inspection function specified in section 145.205.
- (g) Compliance with change of address requirements specified in section 145.51.
- (h) Possession of equipment and materials appropriate to a repair station's rating.
- (i) Differences between ratings issued by the FAA and the NAA.
- (j) Additional personnel qualifications.
- (k) Incoming inspection system.

(l) English language capability requirements for certain personnel as specified in sections 145.151, 145.153, 145.155, and 145.157.

(m) Reporting of serious defects or unairworthy conditions to the FAA per sections 145.219 and 145.221.

(n) The use of FAA Form 337, Major Repair and Alteration (Airframe, Powerplant, Propeller, or Appliance), and the completion of FAA Form 8130-3, Airworthiness Approval Tag, in English.

d. Joint Sampling of Repair Stations.

(1) The focus of the joint sampling is not directed specifically at the repair stations, but rather it is directed at observing and documenting the NAA's surveillance process and procedures, noting the techniques and practices used in normal surveillance. The team will work with the NAA to identify a representative sampling of repair stations. The sampling will include FAA, and non FAA-certificated repair stations. The repair stations should vary in size, complexity, and ratings. The number of repair stations in the sampling should be based on the number of FAA-certificated repair stations and the amount and type of aeronautical maintenance activity. If the NAA uses a rolling surveillance system, each repair station in the sampling should be in a different phase of the surveillance system. NAAs with many regions and/or repair stations spread over a large geographical area may require an extended visit or more than one visit.

(2) The team should request the NAA to contact the repair stations in order to establish an itinerary for the joint visits within a specified timeframe. The team, along with the NAA, will visit the agreed sample of repair stations to observe NAA oversight in various areas, thereby confirming or eliminating previously identified differences, or adding additional differences identified during the visit. The FAA team will complete the fourth column of the Comparison, (see AFS-300 Web page for sample), in order to finalize the identification of differences.

e. Discussion.

(1) Following the joint samplings, the FAA team will hold discussions with the NAA to resolve or confirm differences identified in paragraph 10c above. The team should avoid applying personal interpretations to the evaluations.

NOTE: Resolution of differences between 14 CFR and the NAA's regulations prior to the drafting of a MIP facilitates the adoption of the agreement and simplifies the drafting of any special conditions to the MIP.

(2) **NAA System Evaluation Report.** The team analyzes the results of the capability assessment, the regulatory comparison and the joint evaluations (including a list of repair stations visited). Any issues identified in the Capability Assessment Summary Report should be resolved by this point. Once the NAA has demonstrated the requisite capability to conduct oversight on behalf of the FAA, the team will submit a NAA System Evaluation report to AFS-300 which includes the following:

(a) An indication of whether the NAA has demonstrated the requisite capability to issue certification recommendations and conduct surveillance on behalf of the FAA.

(b) An analysis of the NAA's regulatory system and highlight areas in NAA regulations, standards, practices, and procedures that may result in special conditions.

(c) Identify areas of existing inspector guidance material that might need to be modified to accommodate a MIP with the NAA.

(d) Identify basic surveillance procedures, documentation, and reporting requirements that would be required of the NAA under a MIP.

NOTE: The team may take into consideration information and knowledge about the practices of an NAA with which the FAA has a close, long-term working relationship.

11. PHASE 3. DEVELOPMENT OF MIPS.

NOTE: In the absence of a BASA, the team should ensure that adequate progress toward the conclusion of a BASA is being made before initiating formal MIP discussions with the NAA.

a. Scope of Maintenance Implementation Procedures. Once the final System Evaluation Report has been submitted to AFS-300, the FAA team will proceed to the development of a MIP, Phase 3. The FAA team and the NAA will discuss the technical provisions that will form the basis for the development of the MIP. Using the template MIP (see AFS-300 Web page for a sample MIP), the team will discuss the following technical areas with the NAA: 1) Definitions in chapter 1.8, 2) special conditions in chapter 3, 3) mutual cooperation and technical assistance in chapter 4, and 4) transfer and continuing validation provisions of chapter 5. In order to maintain a standard process, template language should be followed to the greatest extent possible. All other chapters of the MIP contain standard-approved language and are not open for negotiation at the team level. However, any potential deviations should be noted, discussed with AFS-300 management, and coordinated as appropriate.

b. If necessary, the FAA team and NAA may discuss and recommend the addition of definitions that are not included in the template MIP to address terminology that is unique to the NAA's system.

c. Preparation of Special Conditions. The team meets with NAA representatives to discuss their individual comparisons of the regulations under which the repair stations operate. After joint evaluations and joint discussions of the comparisons, the FAA and NAA should agree to any FAA or NAA special conditions for inclusion in the MIP. Any special conditions the repair facility must meet when performing work on an aeronautical product that is maintained under the airworthiness regulations of the NAA of another country, should be stated in the MIP. Special conditions may relate, but are not limited, to one or more of the following areas:

(1) Approval for return-to-service procedures.

(2) Compliance statement regarding approved data.

- (3) Defect reporting.
- (4) Enforcement.
- (5) Facility requirements.
- (6) Inspection procedures and access.
- (7) Investigation procedures.
- (8) Language requirements.
- (9) Manual requirements.
- (10) Major/minor repairs/alteration and /or modifications documentation.
- (11) Personnel requirements.
- (12) Procedures for contracting/subcontracting work.
- (13) Quality control and monitoring.
- (14) Records to document the acceptability of parts.
- (15) Records and recordkeeping.
- (16) Repair facility certification.
- (17) Repair facility requirements.

d. Issues for Discussion with NAA. The team and NAA representatives must address the procedures contained in the MIP and associated guidance material that the FAA and NAA must follow to comply with the provisions of the MIP or any significant considerations that could affect the implementation of the agreement. A number of significant considerations that must be resolved before implementing a MIP are discussed in the sections that follow:

(1) Implementation of the Agreement. The FAA and the NAA will perform all duties necessary to ensure compliance with the provisions of the MIP. These actions will include the certification of repair facilities recommended to the FAA to perform work under the provisions of the agreement, a program for maintaining confidence in each other's system, surveillance of selected repair facilities, and the enforcement of the agreement's provisions.

(2) Publication of Guidance. AFS-300 will develop appropriate guidance material explaining the privileges and limitations placed upon repair facilities as set forth in each agreement as well as any special conditions that may apply to work performed under the agreement. AFS-300 will also issue guidance material to FAA personnel specifying how to comply with the terms of the MIP (e.g., Order 8300.10 and AC 145-7).

(3) Accident/Incident Investigation Assistance. Maintenance records for an aeronautical product that was repaired by a facility approved under a BASA and MIP could be an important factor in an accident/incident investigation. The FAA has determined that the MIP

must include provisions for the expeditious transfer of information that may be relevant to an accident/incident between the FAA and an NAA.

(4) Surveillance and Enforcement.

(a) The FAA must retain the ability to enforce U.S. regulations governing FAA-certificated repair facilities located in a country with which the United States has concluded a BASA and MIP. To retain this authority, all repair stations certificated as a result of evaluations conducted pursuant to a BASA and MIP, will be issued certificates in accordance with the provisions of 14 CFR section 145.53 and will be required to comply with the term and conditions of the agreement when performing maintenance on U.S. aeronautical products. All MIPs will include procedures for the FAA to take enforcement action against an FAA-certificated foreign repair station that is evaluated by the NAA. If the NAA or the FAA determines that a repair station is not in compliance with the terms of the MIP, the FAA will retain the authority to suspend or revoke a repair facility's FAA certificate and/or take any enforcement actions that the FAA deems appropriate.

(b) All MIPs include provisions for the FAA and the NAA to surveil any repair facility that is certificated, approved, or accepted under the terms of a MIP. The MIP allows the FAA and the NAA to use its own enforcement resources and to enlist each other's support to ensure compliance with all applicable regulatory requirements.

(5) FAA and NAA Surveillance Reporting Requirements. The FAA and the NAA should discuss and agree to the reporting requirements and forms to be used by each authority during the conduct of required surveillance. These documents should contain any special conditions identified by the FAA and/or the NAA, as well as any other specific procedural requirements for initial certification and ongoing surveillance. The FAA and NAA should agree to the frequency of the submission of these documents.

(6) Language Requirements. The language in which maintenance records are retained is an important element in any maintenance agreement. The FAA will specify those records that are required to be retained in English, to include those portions of the repair station's manual that are currently required by 14 CFR. The repair station's maintenance manuals do not need to be in English. The release and approval for return to service documents should meet the requirements of sections 43.9 and 43.11 and describe the work performed in English; however, work cards are not required to be retained in English. A MIP and any special conditions should include provisions that require supervisory personnel to read, write, and understand English. A detailed specification which records must be in English will be included in the MIP and special conditions. Normally, a MIP would have a generic statement that requires any record required by the owner/operator of a U.S.-registered aircraft to be in English.

(7) Training. The FAA and NAA should discuss and agree to conduct training for the FAA and NAA inspector workforce. Both parties should develop a plan including timeframes (training should be completed prior to the turnover process), curriculum and MIP procedures. Initial training should occur prior to the commencement of the turnover process referred to in chapter 5 of the MIP.

NOTE: In the event that the FAA and NAA teams cannot agree to mutually acceptable terms and conditions, the FAA team will refer the issues to AFS-1.

12. PHASE 4. COORDINATION PROCESS. Once a satisfactory working draft has been developed by the FAA and the NAA, the MIP must be coordinated with all responsible parties. The normal coordination period is 30 days.

a. Preliminary Coordination Meeting. The team will hold a meeting with AGC-7, the appropriate AIA desk officer, and any other organizations as necessary to discuss the draft MIP. The team should highlight any deviations from the standard text and request AGC-7 and AIA to review the document within a specified time period. The AFS team will disposition all comments.

b. Resolution of any Issues with NAA. The NAA should conduct its own informal internal review of the draft MIP. Any issues affecting the document raised by either party should be noted and brought to the other party's attention. Any issues raised between the FAA and NAA may require a meeting to resolve the issues.

c. Formal Coordination. When the FAA team and NAA have agreed with the draft MIP, each party will forward the draft MIP through their individual coordination process. For the FAA, the process involves sending the draft MIP to AIA for formal coordination. This may include internal legal review and coordination with the U.S. Department of State.

d. If the U.S. Department of State concurs with the document, it will be presented to the NAA for final approval. If approved by the NAA, the final document will be signed by FAA and NAA representatives. These organizations will serve as the executive agencies for the implementation of the MIP under the BASA.

NOTE: AIA-1 holds signature authority for international agreements. This may be delegated to other FAA officials.

e. Once the MIP has been signed, the FAA office having geographic responsibility for the MIP, will schedule a meeting with the NAA to discuss the implementation of the turnover process as described in FAA Order 8300.10.

/s/ James J. Ballough
Director, Flight Standards Service

APPENDIX 1. ASSESSMENT FORM.

FAA Auditors Assessment Checklist of National Aviation Authority Requesting a BASA/MIP

**1.00—National Aviation Authority Complexity
General Information**

OBJECTIVE: To aid in the collection of information needed to assess a National Aviation Authority’s maintenance oversight of operations for consideration of a MIP under a BASA. Information gathered will assist the FAA in determining the system, procedures and regulatory basis for certification, inspection and continuing surveillance of approved maintenance organizations. It contains specific information proprietary to the FAA. Completed Form responses should be analyzed to determine assessment resource needs.

Instructions: This form has been developed for computer use and is printable as a Word document. When completing this form, **Tab** to each field and fill in the information requested. If more space is needed, indicate in the comment field “attachments are provided”. Attachments should reference the question number being addressed. If referencing an NAA document while completing a question, please indicate if the document is available in the English language and provide the document number, and if possible attach the applicable section(s) of the document.

Country to be assessed:

Assessment checklist sent to NAA for completion: Received:

Assessment planned date: Assessment completed date:

FAA to complete- **What are the names and positions of the FAA officials on the Assessment team:
(Select team leader and members)**

Names	Positions
1.	1.
2.	2.
3.	3.
4.	4.
5.	5.
6.	6.
7.	7.

1.01 What are the names and positions of the NAA officials with whom the assessment will be conducted?

Names	Positions
1.	1.
2.	2.
3.	3.
4.	4.
5.	5.

1.02 Who are the specific persons to which the FAA should direct all correspondence regarding findings / questions noted during the assessment?

Names	Title	Telephone #	Facsimile #

1.	1.	1.	1.
2.	2.	2.	2.
3.	3.	3.	3.
1.03 Who is the specific person (or persons) in the NAA who is authorized to sign official correspondence to the FAA regarding the NAA's compliance with national, international, and FAA aviation safety requirements?			
Names	Title	Telephone #	Facsimile #
1.	1.	1.	1.
2.	2.	2.	2.
3.	3.	3.	3.
1.04 NAA Headquarters office(s).			
Provide complete address and location information.			
Address			
	Name and title of person in charge of the maintenance section:		
FAA to complete- NAA headquarters office(s) visited. Attach information for offices visited.			
1.05 Regional office(s).			
Provide complete address and location information for each Regional office. If more space is needed please attach.			
Address			
Comments			
FAA- Regional office(s) visited. Attach information for offices visited.			
1.06 Field office(s).			
Provide complete address and location information for each Field office. If more space is needed, please attach.			
Address			
Comments	Name of person in charge of maintenance section:		
FAA- Field office(s) visited. Attach information for offices visited.			
Comments			
FAA- Is the country a member of the International Civil Aviation Organization (ICAO)?			
<input type="checkbox"/> Yes. <input type="checkbox"/> No. If no, explain why.			

FAA Finding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Finding: Follow up action: Date: Initials:			
1.07 Has the country being assessed signed a BAA / BASA with the United States? <div style="text-align: center;"><input type="checkbox"/> Yes <input type="checkbox"/> No</div> If yes, Auditor must identify the type of agreement in place, BAA or BASA, and area covered under the agreement. i.e., IPA, MIP, SIM, etc.				
Comments				
1.08 Is the country a member of a multi-national organization or coordinating group seeking to harmonize the national aviation regulations of its members? <div style="text-align: center;"><input type="checkbox"/> Yes <input type="checkbox"/> No If yes, with whom?</div>				
Comments				
1.09 If yes, to question 1.08, is the multi-national organization or coordinating group undertaking efforts to harmonize its regulations or recommended practices with 14 CFR? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe at what level of harmonization or completion the process is at.				
Comments				
1.10 How many maintenance organizations hold valid maintenance certifications?				
Comments				
1.11 How many new applicant certifications for AMO's are in process or planned?				
Comments				
FAA- How many Air Agencies are FAA certified under Part 145? ___ Provide total amount of employees working at each agency and the types of ratings held. (List 5 largest FAA certificated Air Agencies and Check appropriate Boxes.)				
Operator Name	Number of personnel	Rating Airframe	Rating Powerplant	Rating Avionic / ACC
1.	_____	1. <input type="checkbox"/> Yes	1. <input type="checkbox"/> Yes	1. <input type="checkbox"/> Yes
2.	_____	2. <input type="checkbox"/> Yes	2. <input type="checkbox"/> Yes	2. <input type="checkbox"/> Yes
3.	_____	3. <input type="checkbox"/> Yes	3. <input type="checkbox"/> Yes	3. <input type="checkbox"/> Yes
4.	_____	4. <input type="checkbox"/> Yes	4. <input type="checkbox"/> Yes	4. <input type="checkbox"/> Yes
5.	_____	5. <input type="checkbox"/> Yes	5. <input type="checkbox"/> Yes	5. <input type="checkbox"/> Yes

FAA- Review FAA materials for background information on the NAA and list / attach any findings. Mast inspection reports <input type="checkbox"/> Yes <input type="checkbox"/> No IFO inspection reports <input type="checkbox"/> Yes <input type="checkbox"/> No FRA-IFO Country Assessment Reports <input type="checkbox"/> Yes <input type="checkbox"/> No Accident / incident investigation reports <input type="checkbox"/> Yes <input type="checkbox"/> No Enforcement reports <input type="checkbox"/> Yes <input type="checkbox"/> No Review of information should be limited to 2 years prior to this assessment	
Comments	
FAA Finding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Finding: Follow up action: Date: Initials:
1.00—National Aviation Authority Complexity Organizational Structure and Safety Oversight Functions	
1.12 Provide a description of the organization and legal structure governing civil aviation. e.g., ministry / department, aviation authority.	
Comments	
FAA Finding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Finding: Follow up action: Date: Initials:
1.13 Has a master organizational structure for the National Aviation Authority been established? <input type="checkbox"/> Yes If yes, describe NAA policy. <input type="checkbox"/> No If no, explain reasoning. (Organizational Chart)	
FAA Finding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Finding: Follow up action: Date: Initials:
1.14 Describe the mission and functions for which the NAA is responsible. (Attach copy of functional statement outlining duties and responsibilities.)	
Comments	
FAA Finding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Finding: Follow up action: Date: Initials:

1.15 Is the Maintenance inspection organization integrated by:

1. Maintenance only (stand alone): Yes No

2. Operations and maintenance: Yes No

3. Different specialties: Yes No

4. Certification and maintenance: Yes No

Describe the mission and function from the selection made above.

Comments	
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FAA Finding	Finding:
<input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Follow up action: Date: Initials:

1.16 If the maintenance inspection organization is not a combined one, what provisions are made for communicating with other departments responsible for safety regulations?

i.e., the communications between operations, engineering, certification, maintenance.

(Describe how the system works.)

Comments	
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FAA Finding	Finding:
<input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Follow up action: Date: Initials:

1.17 Describe the responsibilities of the maintenance inspection organization regarding:

1. Recommendations regarding issuance of AMO certificates.

2. Development of regulations for maintenance and AMO's.

3. Recommendations regarding enforcement.

4. Surveillance of AMO's.

(If more space is needed provide attachments and documents.)

Comments	
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FAA Finding	Finding:
<input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Follow up action: Date: Initials:

1.18 Does the NAA delegate any of its maintenance oversight responsibilities to other organizations or personnel that are not directly affiliated with the NAA such as:

a) Other State bodies: Yes No

b) Private agencies: Yes No

c) Designated persons to include, inspectors, auditors, surveyors: Yes No

d) other countries: Yes No

e) Other: Yes No

(Where applicable, provide reference documents by number and attachments.)

Comments		
FAA Finding		Finding:
<input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented		Follow up action: Date: Initials:
1.19 If yes to any selection in question 1.18, what is the relationship with the NAA?		
Comments		
FAA Finding		Finding:
<input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented		Follow up action: Date: Initials:
1.20 If yes to any selection in question 1.18, what mechanism is in place to keep these delegated organizations / persons under supervisory and technical control?		
Comments		
FAA Finding		Finding:
<input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented		Follow up action: Date: Initials:
1.21 If yes to any selection in question 1.18, what are the requirements and procedures for designation?		
Comments		
FAA Finding		Finding:
<input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented		Follow up action: Date: Initials:
1.22 Are Regional office(s) responsible for maintenance safety oversight?		
<input type="checkbox"/> Yes If yes, describe NAA policy. <input type="checkbox"/> No If no, explain reasoning.		
Comments		
1.23 If yes to question 1.22, what is the extent of their responsibility and has the NAA established a system for coordination and/or control of the Regional offices?		
(Please describe the policy)		

Comments	
FAA Finding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Finding: Follow up action: Date: Initials:
	1.24 Is the NAA independent from entities subject to its regulatory oversight? <input type="checkbox"/> Yes If yes, verify separation of NAA from industry <input type="checkbox"/> No If no, explain reasoning.
Comments	
FAA Finding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Finding: Follow up action: Date: Initials:
	1.00—National Aviation Authority Complexity Staffing and Resources 1.25 Provide over-all staffing resources in the following areas: Staffing at Headquarters: <ul style="list-style-type: none"> • Maintenance section: Directors, managers, supervisors: • Technical Staff Development of Policy, procedures, regulations: • Training staff: _____ Staffing at Regional Offices: <ul style="list-style-type: none"> • Maintenance section: Directors, managers, supervisors: _____ • Technical Staff Application of Policy, procedures, regulations: _____ • Training staff: _____ Staffing at Field offices: _____ <ul style="list-style-type: none"> • Management/Supervisor: _____ • Inspectors /surveyors: _____
FAA Finding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Finding: Follow up action: Date: Initials:
	1.26 Are sufficient inspection personnel available for maintaining oversight responsibility of certificated maintenance organizations? <input type="checkbox"/> Yes If yes, describe NAA policy. <input type="checkbox"/> No If no, explain reasoning.

Comments	
FAA Finding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Finding: Follow up action: Date: Initials:
	1.27 Describe methods / policy in place on how the NAA determines appropriate inspection personnel levels and allocation.
Comments	
FAA Finding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Finding: Follow up action: Date: Initials:
	1.28 Describe the NAA's average attrition rate for inspection personnel. e.g., retirements, transfers, etc.
Comments	
FAA Finding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Finding: Follow up action: Date: Initials:
	1.29 Are NAA inspectors responsible for oversight of manufacturing facilities? <input type="checkbox"/> Yes If yes, how many manufacturing facilities are located in your country? <input type="checkbox"/> No
Comments	
FAA Finding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Finding: Follow up action: Date: Initials:
	<p style="text-align: center;">2.00—Primary Aviation Legislation and Regulation Content and Amendment Procedure</p>
2.00 Describe the primary aviation legislation rules of maintenance for AMO's.	

Comments		
FAA Finding		Finding:
<input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented		Follow up action: Date: Initials:
2.05 Describe the legal status (mandatory vs. advisory) of such orders, directives and/or instructions.		
Comments		
FAA Finding		Finding:
<input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented		Follow up action: Date: Initials:
2.06 Are the maintenance regulations, orders, directives, and amendments readily available to all users? <input type="checkbox"/> Yes If yes, describe NAA policy. <input type="checkbox"/> No If no, explain reasoning. (Describe how the NAA provides this information to Regional and Field offices.)		
Comments		
FAA Finding		Finding:
<input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented		Follow up action: Date: Initials:
2.07 If part of a multinational organization, are there differences between the national regulations and the multinational regulation. <div style="text-align: center;"><input type="checkbox"/> Yes <input type="checkbox"/> No</div> If yes, explain how the NAA complies with the regulation set forth by the multinational organization.		
Comments		
FAA Finding		Finding:
<input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented		Follow up action: Date: Initials:
2.00—Primary Aviation Legislation and Regulation Enforcement of Civil Aviation Regulations – General / Maintenance		
2.08 Who is responsible for the enforcement of the maintenance regulations? Describe the policy in place used by the NAA.		

Comments	
FAA Finding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Finding: Follow up action: Date: Initials:
	2.09 Describe how enforcement is implemented.
Comments	
FAA Finding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Finding: Follow up action: Date: Initials:
	2.10 Provide an overview of enforcement action(s) taken on maintenance organisations in the last twelve months. e.g., certificates, ratings, non-compliance, etc.
Comments	
FAA Finding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Finding: Follow up action: Date: Initials:
	2.11 Does the NAA have adequate resources to enforce its regulations? <input type="checkbox"/> Yes If yes, describe NAA policy. <input type="checkbox"/> No If no, explain reasoning.
Comments	
FAA Finding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Finding: Follow up action: Date: Initials:
	2.12 Describe NAA regulations for providing unrestricted access to inspect AMO's.
Comments	
FAA Finding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Finding: Follow up action: Date: Initials:

2.13 Describe the NAA policy on who has the authority to refuse, withdraw, revoke or vary any maintenance operations of approved maintenance organizations.	
Comments	
FAA Finding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Finding: Follow up action: Date: Initials:
2.00—Primary Aviation Legislation and Regulation Aircraft Maintenance Organizations (AMO) – Approval	
2.14 Describe NAA policy requirements for approval of maintenance organizations.	
Comments	
FAA Finding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Finding: Follow up action: Date: Initials:
2.15 Do regulations require that a maintenance organization procedures manual be submitted to the NAA? <input type="checkbox"/> Yes If yes, describe NAA policy. <input type="checkbox"/> No If no, explain reasoning.	
Comments	
FAA Finding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Finding: Follow up action: Date: Initials:
2.16 Does the NAA review the maintenance procedure manual to ensure that it provides users with the necessary policy guidance and instructions in a clear and concise manner? <input type="checkbox"/> Yes If yes, describe NAA policy. <input type="checkbox"/> No If no, explain reasoning.	
Comments	
FAA Finding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Finding: Follow up action: Date: Initials:
2.17 Describe whether the maintenance procedure manual is approved or accepted by the NAA as part of the AMO approval process.	

Comments	
FAA Finding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Finding: Follow up action: Date: Initials:
	2.18 Do procedures require the NAA to review and accept revisions to the maintenance organization procedures manual? <input type="checkbox"/> Yes If yes, describe NAA policy. <input type="checkbox"/> No If no, explain reasoning.
Comments	
FAA Finding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Finding: Follow up action: Date: Initials:
	2.19 Do NAA regulations define what must be included in the maintenance organization procedures manual? <input type="checkbox"/> Yes If yes, describe NAA policy. <input type="checkbox"/> No If no, explain reasoning.
Comments	
FAA Finding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Finding: Follow up action: Date: Initials:
	2.20 Do NAA regulations require a system for qualifying and or certification of AMO personnel? <input type="checkbox"/> Yes If yes, describe NAA policy. <input type="checkbox"/> No If no, explain reasoning.
Comments	
FAA Finding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Finding: Follow up action: Date: Initials:
	2.00—Primary Aviation Legislation and Regulation Exchange of continuing airworthiness information
2.21 Has the NAA established a mandatory system whereby information on faults, malfunctions and defects is reported to the organization responsible for the design of the aircraft or article? <input type="checkbox"/> Yes If yes, describe NAA policy. <input type="checkbox"/> No If no, explain reasoning.	

Comments		
FAA Finding		Finding:
<input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented		Follow up action: Date: Initials:
2.22 Are regulations established requiring AMO's to report faults, malfunctions and defects to the NAA? <input type="checkbox"/> Yes If yes, describe NAA policy. <input type="checkbox"/> No If no, explain reasoning.		
Comments		
FAA Finding		Finding:
<input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented		Follow up action: Date: Initials:
2.23 Does the NAA have a system for alerting owners and operators of items that are of critical importance to aviation safety (e.g., Airworthiness directives)? <input type="checkbox"/> Yes If yes, describe NAA policy. <input type="checkbox"/> No If no, explain reasoning.		
Comments		
FAA Finding		Finding:
<input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented		Follow up action: Date: Initials:
3.00—Technical Guidance Maintenance Division - Maintenance Inspection		
3.00 Is the NAA prepared to implement surveillance procedures and make recommendations to the FAA? <input type="checkbox"/> Yes <input type="checkbox"/> No Specific examples: a) certification of AMO's: <input type="checkbox"/> Yes <input type="checkbox"/> No b) FAA Special Conditions from MIP / AC 145-7A: <input type="checkbox"/> Yes <input type="checkbox"/> No c) Approval of FAA AMO manual supplements on behalf of the FAA: <input type="checkbox"/> Yes <input type="checkbox"/> No d) AMO maint. procedures manual revisions on behalf of the FAA: <input type="checkbox"/> Yes <input type="checkbox"/> No <div style="text-align: center;">Explain NAA plan</div>		
Comments		
FAA Finding		Finding:
<input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented		Follow up action: Date: Initials:

3.00—Technical Guidance
Maintenance Division - Maintenance documentation

3.01 Is there an airworthiness technical library available for maintenance personnel?
 Yes If yes, describe NAA policy. No If no, explain reasoning.

Comments

FAA Finding	Finding:
<input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Follow up action: Date: Initials:

3.02 Does the NAA retain up-to-date copies of the AMO maintenance organization procedures manual?
 Yes If yes, describe NAA policy. No If no, explain reasoning.

Comments

FAA Finding	Finding:
<input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Follow up action: Date: Initials:

3.03 Are there requirements for the maintenance organization procedures manual to contain an inspection system and/or quality control procedures?
 Yes If yes, describe NAA policy. No If no, explain reasoning.

Comments

FAA Finding	Finding:
<input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Follow up action: Date: Initials:

4.00—Qualified Technical Personnel
Personnel/Training

4.00 Describe how NAA personnel are trained and qualified in the implementation of inspection and surveillance policies.

Comments

FAA Finding	Finding:
<input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Follow up action: Date: Initials:

4.01 Does the NAA operate a training center to satisfy its need for trained and qualified personnel?
 Yes If yes, describe NAA policy. No If no, explain reasoning.

Comments	
FAA Finding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Finding: Follow up action: Date: Initials:
	4.02 Does the NAA have a policy on qualifications, experience, and minimum standard requirements for inspection personnel? <input type="checkbox"/> Yes If yes, describe NAA policy. <input type="checkbox"/> No If no, explain reasoning.
Comments	
FAA Finding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Finding: Follow up action: Date: Initials:
	4.03 Are inspection personnel provided with initial training and recurrent training? <input type="checkbox"/> Yes If yes, describe NAA policy. <input type="checkbox"/> No If no, explain reasoning.
Comments	
FAA Finding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Finding: Follow up action: Date: Initials:
	5.00—Aircraft Maintenance Organisations (AMO) -Surveillance
5.00 Does the NAA maintenance inspection organization carry out inspections of the maintenance organizations on an ongoing basis? <input type="checkbox"/> Yes If yes, describe NAA policy. <input type="checkbox"/> No If no, explain reasoning.	
Comments	
FAA Finding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Finding: Follow up action: Date: Initials:
	5.01 Does the NAA certificate and inspect facilities that are outside its domestic jurisdiction?

Comments	
FAA Finding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Finding: Follow up action: Date: Initials:
	5.02 Is a formal schedule established for conducting inspections? <input type="checkbox"/> Yes If yes, describe NAA policy. <input type="checkbox"/> No If no, explain reasoning.
Comments	
FAA Finding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Finding: Follow up action: Date: Initials:
	5.03 Is there official guidance material for certification and surveillance of maintenance organizations? <input type="checkbox"/> Yes If yes, describe NAA policy. <input type="checkbox"/> No If no, explain reasoning.
Comments	
FAA Finding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Finding: Follow up action: Date: Initials:
	5.04 What forms or checklists, if any, are used during surveillance/inspections of AMO's?
Comments	
FAA Finding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Finding: Follow up action: Date: Initials:
	5.05 Does the NAA require that repair organizations inspection systems ensure all maintenance, preventive maintenance, repairs, and alterations are performed in accordance with approved or acceptable manuals / data? <input type="checkbox"/> Yes If yes, describe NAA policy. <input type="checkbox"/> No If no, explain reasoning.
Comments	
FAA Finding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Finding: Follow up action: Date: Initials:

5.06 Does the NAA require maintenance records to be retained for the work performed? <input type="checkbox"/> Yes If yes, describe NAA policy. <input type="checkbox"/> No If no, explain reasoning.	
Comments	
FAA Finding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Finding: Follow up action: Date: Initials:
5.07 Do NAA regulations have requirements for determining acceptability of parts? (i.e. Suspected Unapproved parts Program) <p style="text-align: center;">Yes If yes, describe NAA policy.</p>	
Comments	
FAA Finding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Finding: Follow up action: Date: Initials:
5.08 Does the NAA have an internal evaluation program/Quality control system for internal evaluation of its systems? <input type="checkbox"/> Yes If yes, describe NAA policy. <input type="checkbox"/> No If no, explain reasoning.	
Comments	
FAA Finding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Finding: Follow up action: Date: Initials:
5.09 Do NAA field office procedures require retaining current and past inspection surveillance documents and vital information on the AMO? <input type="checkbox"/> Yes If yes, describe NAA policy. <input type="checkbox"/> No If no, explain reasoning.	
Comments	
FAA Finding <input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory <input type="checkbox"/> Not implemented	Finding: Follow up action: Date: Initials:

APPENDIX 2. PHASE 1 DECISION MEMORANDUM.Subject: **ACTION**: Decision to Pursue MIP with [NAA]

Date:

From: Team Lead

Reply to
Attn. of:To: AFS-1
THRU: AFS-300, AFS-50

The FAA is considering the pursuit of Maintenance Implementation Procedures (MIP) with the [NAA] of [country]. AFS-50 has reviewed [NAA]'s IASA standing and has coordinated the proposal with AIA. A team of AFS experts has reviewed the [NAA]'s completed assessment checklist and maintenance regulations, and has determined that there is a sufficient basis for pursuing a MIP with [NAA]. The team has prepared an action plan detailing the process for developing and concluding a MIP with [NAA]. The following highlights from the action plan address major milestones and resource requirements. Please indicate your concurrence/non-concurrence with the proposal to pursue a MIP with [NAA].

FAA Capability Assessment of [NAA] System: A team consisting of [number] representatives from AFS-300, AFS-50, [name] International Field Office, and [name] Region will conduct an in-country assessment of the [NAA] between [date] and [date]. The team will visit [NAA] headquarters and [number] regional offices in [country] and, using the checklist as completed by [NAA], assess the ability of [NAA] to conduct repair station surveillance on behalf of the FAA. The team estimates the cost of the in-country assessment to be \$[xxxxx].

Regulatory Comparison: AFS-300, in conjunction with the team, will review all [NAA] regulations, procedures, and guidance pertaining to the certification of repair stations. Contract support for this activity will be necessary and is estimated to cost \$[xxxx]. The comparison is estimated to be completed by [date].

Joint Sampling of Repair Stations: Upon completion of the regulatory comparison, the team will meet with the [NAA] in [country] to review the comparison table and address items that were identified as potential differences. In addition, the FAA, together with the [NAA], will visit [number] repair stations throughout [country] in order to observe the practical application of [NAA]'s regulations by the industry, and to verify the comparison table. At the conclusion of the visits, the FAA and the [NAA] will discuss the FAA observations and resolve any remaining questions. The cost of the Joint Sampling is estimated to be \$[xxxx].

Development of MIP: The team will develop a proposed draft MIP with [NAA] based on the MIP template and conclusions from the regulatory comparison and joint samplings. The team estimates that it will be necessary to hold [number] discussion sessions with

[NAA] at an estimated cost of \$[xxxx]. In addition to addressing the content of the MIP, periodic discussions provide the FAA with an opportunity to ensure that conditions, regulations, and processes at the [NAA] have not changed during the development of the MIP. In addition, the FAA and [NAA] will discuss the eventual implementation of the MIP, including necessary forms, guidance, training, regular meetings, etc. The team estimates these discussions can be concluded by [date].

Please indicate below whether you concur with the total resource commitment of \$[xxxx] that this project will require.

Concur _____

Non-concur _____

File:

2. Primary Aviation Legislation and Regulation

[Insert description of legislative and regulatory structure of NAA].

Overall, the FAA was satisfied with the [NAA]'s legislative and regulatory structure.

The FAA also conducted a review of the [NAA] regulations and procedures for approval, surveillance, and enforcement, of aircraft maintenance organizations (AMOs). The FAA evaluated information on the [NAA] overall policy of certificating an AMO, maintenance procedures manual policies, and approval/acceptance requirements of manuals, required procedures manual instructions, and AMO personnel qualifications. In addition, the FAA reviewed enforcement policies, procedures, and recent actions. Finally, the FAA reviewed the [NAA] procedures for the exchange of airworthiness information, including incident reporting and mechanisms for alerting operators of critical safety information. The FAA found the [NAA]'s policies and procedures to be adequate.

3. Technical Guidance

This section required the [NAA] to clarify their position on the ability to implement surveillance procedures and make recommendations to the FAA regarding certification of AMOs, MIP special conditions, and approval of FAA supplements and revisions. The [NAA] indicated some reluctance regarding the burden this could create, depending on what terms are negotiated under an eventual MIP. This did not bring into question the *ability* of the [NAA] to oversee U.S. repair stations, but it did foretell an area of negotiations that will require special attention.

Additionally, the [NAA] demonstrated their policy and procedures for the retention of documents, the use of a technical library, revision capabilities for regulatory materials, and the requirements for inspection procedures manuals to contain an inspection system/quality control procedures. [NAA] retention of documents (both electronically and in hard copy) was adequate, as well as their database of certifications and regulations. They were also able to demonstrate adequate policy and procedures for the Inspection Procedures Manual (IPM) requirements.

4. Personnel Qualifications and Training

The FAA found the [NAA] personnel requirements and training procedures to be adequate to maintain a highly capable management structure and cadre of surveyors. In addition to high initial educational and training requirements, surveyors have on-the-job training and are required to participate in surveillance activities of other teams for purposes of cross-training. The FAA will need to ensure that the [NAA] maintains adequate personnel levels to oversee part 145 repair stations.

5. Maintenance Surveillance of AMOs

This section required the [NAA] to demonstrate adequate policy and procedures for the surveillance of AMOs. Specifically, questions were asked in the following areas: scheduling of inspections, audit procedures, reporting and retention requirements, frequency of inspections and other associated questions pertaining to the surveillance of

AMOs. Because of the rolling audit system, many larger repair stations had surveyors on the premises many times per year. In addition, surveyors are rotated among approval holders every 2-3 years. No findings or concerns were noted in this area.

CONCLUSION

The FAA team found no technical areas of concern that would prevent the [NAA] from surveilling and certificating part 145 repair stations on behalf of the FAA, once the FAA has determined that EASA rules and procedures will not alter that assessment. Following the completion of a comparison of the applicable FARs and EASA implementing rules, the FAA will make a final determination as to whether a further review of the [NAA] would be necessary.

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APPENDIX 4. CAPABILITY ASSESSMENT LETTER TO NAA.

[Name]
[Title]
[Name of NAA]
[Street Address]
[Street Address 2][City]
[Country]

Dear [Name]:

Thank you for accommodating the visit of the FAA maintenance assessment team from [Date to Date]. The information and access you provided was very helpful toward establishing an understanding of the [NAA] of [name of country] system, processes, and procedures for repair station certification.

[Additional questions/issues that need resolution]

The FAA will now conduct a comprehensive comparison of [NAA] and FAA regulations, procedures, and guidance for repair station certification and surveillance to determine those areas where FAA and [NAA] rules and procedures may differ. After the comparison, the FAA and [NAA] will discuss the comparison and visit several repair stations in [name of country] in order to observe the practical application of [NAA]'s regulations. Following this system evaluation, the FAA will proposed a draft MIP and suggest timeframes for further discussions.

We look forward to the completion of this process. In the mean time, we should remain in contact and exchange any information that is relevant to maintaining an understanding of each other's repair station oversight system.

Sincerely,

Team Lead

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APPENDIX 5. REGULATORY COMPARISON MATRIX.

**SAMPLE REGULATORY COMPARISON FOR THE PURPOSES OF DETERMINING
FAA SPECIAL CONDITIONS TO BE MET BY REPAIR STATIONS UNDER A BASA/MIP**

NAA's Part 145	14 CFR Parts 43 and 145	Comparison Indicators	Joint Sampling
<p><i>145.A.10, Scope</i> This section establishes the requirements to be met by an organization to qualify for the issuance or continuation of an approval for the maintenance of aircraft and components.</p>	<p><i>§ 145.1, Applicability</i> This part describes how to obtain a repair station certificate. This part also contains the rules a certificate repair station must follow related to its performance of maintenance, preventive maintenance, or alterations of an aircraft, airframe, aircraft engine, propeller, appliance, or component part to which part 43 applies. It also applies to any person who holds, or is required to hold, a repair station certificate issued under this part.</p>	<p>Not a difference! Intent of the regulations is the same. National Aviation Authority's (NAA) part 145 uses the term "scope" in the same manner as the § 145.1, Applicability.</p>	
<p><i>Implementing Regulation, Article 2, Definitions</i> In par.2(c), "component" means any engine, propeller, part, or appliance</p>	<p><i>§ 145.3 (b), Article</i> Means an aircraft, airframe, aircraft engine, propeller, appliance, or component part.</p>	<p>Not a difference! Intent of the regulations is the same. FAA and NAA use "component" differently; and NAA does not use the term "article." FAA "article" = NAA "component" + aircraft + airframe. Appears to be no effect since each side, when using its own terms to define a class of applicability of a requirement, uses them consistently with the other's definition of a class and the applicable ratings.</p>	
<p><i>145.A.20, Terms of approval</i> The organization shall specify the scope of work deemed to constitute approval in its exposition (Appendix annex II to</p>	<p><i>§ 43.1, Applicability</i> This part prescribes rules governing the maintenance, preventative maintenance, rebuilding, and alteration</p>	<p>Regulations are the same. Applies to aircraft having an airworthiness certificate issued by the country of registration</p>	

**SAMPLE REGULATORY COMPARISON FOR THE PURPOSES OF DETERMINING
FAA SPECIAL CONDITIONS TO BE MET BY REPAIR STATIONS UNDER A BASA/MIP**

NAA's Part 145	14 CFR Parts 43 and 145	Comparison Indicators	Joint Sampling
<p>this Part Annex contains a table of all classes and ratings).</p>	<p>of any; Any aircraft having a U.S. airworthiness certificate, Foreign registered civil aircraft used in common carriage or carriage of mail under the provisions of part 121 or 135 of this chapter . . . etc. <i>§ 145.5, Certificate and operations specifications requirements</i> (a) No person may operate as a certificated repair station without, or in violation of, a repair station certificate, ratings, or operations specifications issued under this part.</p>	<p>and may be operated by another operator in a different country but must meet the country of registration's requirements.</p>	
<p><i>145.A.15, Application</i> An application for the issue or variation of an approval shall be made to the competent authority in a form and manner established by such authority.</p>	<p><i>§ 145.51, Application for certificate</i> (a) An application for a repair station certificate and rating must be made in a format acceptable to the FAA . . . etc. (d) An application for an additional rating, amended repair station certificate, or renewal of a repair station certificate must be made in a format acceptable to the FAA. The application must include only that information necessary to substantiate the change or renewal of the certificate. <i>§ 145.53, Issue of certificate</i> (a) Except as provided in paragraph (b) of this section, a person who meets the requirements of this part is entitled to a repair station certificate with appropriate ratings prescribing such operations specifications and limitations as are necessary in the interest of safety.</p>	<p>No major differences here. The 14 CFR is slightly more prescriptive.</p>	

**SAMPLE REGULATORY COMPARISON FOR THE PURPOSES OF DETERMINING
FAA SPECIAL CONDITIONS TO BE MET BY REPAIR STATIONS UNDER A BASA/MIP**

6/9/05

NAA's Part 145	14 CFR Parts 43 and 145	Comparison Indicators	Joint Sampling
<p><i>145.A.85, Changes to the organization</i> The organization shall notify the competent authority of any proposal to carry out any of the following changes before such changes take place to enable the competent authority to determine continued compliance with this part, and to amend, if necessary, the approval certificate . . . :</p> <ol style="list-style-type: none"> 1. the name of the organization; 2. the main location of the organization <p align="center">* * *</p> <p>(b) If the holder of a repair station certificate sells or transfers its assets, the new owner must apply for an amended certificate in accordance with § 145.51.</p>	<p><i>§ 145.57, Amendment to or transfer of certificate</i> (a) The holder of a repair station certificate must apply for a change to its certificate in a format acceptable to the FAA. A change to the certificate is necessary if the certificate holder—</p> <ol style="list-style-type: none"> (1) Changes the location of the repair station, or (2) Requests to add or amend a rating. 	<p>Regulations are the same, with the following exception: Neither the NAA nor the guidance material specifically address this situation. Need discussion.</p>	
<p><i>145.A.90, Continued validity</i> (a) An approval shall be issued for an unlimited duration. It shall remain valid subject to:</p> <p align="center">* * *</p> <ol style="list-style-type: none"> 2. the competent authority being granted access to the organization to determine continued compliance with this Part . . . etc. 	<p><i>§ 145.223, FAA inspections</i> (a) A certificated repair station must allow the FAA to inspect that repair station at any time to determine compliance with this chapter. (b) A certificated repair station may not contract for the performance of a maintenance function on an article with a noncertificated person unless it provides in its contract with the noncertificated person that the FAA may make an inspection and observe the performance of the noncertificated person's work on the article. (c) A certificated repair station may not return to service any article on which a maintenance function was performed</p>	<p>§ 145.223(a) provision for entering "at any time" is more specifically forceful than 145.A.90. Would not impede FAA access. Intent of the regulations are the same.</p>	

**SAMPLE REGULATORY COMPARISON FOR THE PURPOSES OF DETERMINING
FAA SPECIAL CONDITIONS TO BE MET BY REPAIR STATIONS UNDER A BASA/MIP**

NAA's Part 145	14 CFR Parts 43 and 145	Comparison Indicators	Joint Sampling
	<p>by a noncertificated person if the noncertificated person does not permit the FAA to make the inspection described in paragraph (b) of this section.</p>		
<p><i>145.A.45, Maintenance data</i> (a) The organization shall hold and use applicable current maintenance data in the performance of maintenance, including modifications and repairs. "Applicable" means relevant to any aircraft, component or process specified in the organization's approval class rating schedule and in any associated capability list. In the case of maintenance data provided by an operator or customer, the organization shall hold such data when the work is in progress, with the exception of the need to comply with 145.A.55(c). (b) For the purposes of this Part, applicable maintenance data shall be any of the following: 1. Any applicable requirement, procedure, operational directive or information issued by the authority responsible for the oversight of the aircraft or component; 2. Any applicable airworthiness directive issued by the authority responsible for the oversight of the aircraft or component; 3. Instructions for continuing airworthiness, issued by type certificate holders, supplementary type certificate holders, any other organization required</p>	<p><i>§ 145.109, Equipment, materials, and data requirements</i> (d) A certificated repair station must maintain, in a format acceptable to the FAA, the documents and data required for the performance of maintenance, preventive maintenance, or alterations under its repair station certificate and operations specifications in accordance with part 43. The following documents and data must be current and accessible when the relevant work is being done: (1) Airworthiness directives, (2) Instructions for continued airworthiness, (3) Maintenance manuals, (4) Overhaul manuals, (5) Standard practice manuals, (6) Service bulletins, and (7) Other applicable data acceptable to or approved by the FAA.</p>	<p>The 14 CFR only requires data to be current and accessible when the work is being done. It also does not require a specific procedure for keeping data current as NAA's § 145.45(h). <u>Major difference:</u> NAA's part 145 requires NAA-approved or acceptable data for NAA-registered aircraft or components. <u>FAA difference:</u> FAA-approved or acceptable data for U.S.-registered aircraft or article to be installed on U.S.-registered aircraft.</p>	

**SAMPLE REGULATORY COMPARISON FOR THE PURPOSES OF DETERMINING
FAA SPECIAL CONDITIONS TO BE MET BY REPAIR STATIONS UNDER A BASA/MIP**

NAA's Part 145	14 CFR Parts 43 and 145	Comparison Indicators	Joint Sampling
<p>to publish such data by Part 21 and in the case of aircraft or components from third countries the airworthiness data mandated by the authority responsible for the oversight of the aircraft or component;</p> <p>4. Any applicable standard, such as but not limited to, maintenance standard practices recognized by the agency as a good standard for maintenance;</p> <p>5. Any applicable data issued in accordance with paragraph (d).</p>			

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APPENDIX 6. TEMPLATE MIP.

**MAINTENANCE IMPLEMENTATION
PROCEDURES**

under the

Agreement for the Promotion of Aviation Safety

between the

Government of the United States of America

and the

Government of [INSERT APPLICABLE COUNTRY]

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CHAPTER 1. GENERAL.

1.0. Purpose.

(a) This document sets forth the Federal Aviation Administration (FAA) and the [National Aviation Authority (NAA)] 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 and the Government [INSERT APPLICABLE COUNTRY] signed [insert date of BASA signature]. The Agreement provides, in pertinent part, that the FAA and the [NAA] will pursue mutual cooperation and technical assistance in evaluation and acceptance of each other's systems, including recommendations for FAA certification and renewal of certification, [NAA] [acceptance] [approval] [certification], and continued monitoring of maintenance and alteration or modification facilities.

(b) In accordance with the Agreement, the objective of these Implementation Procedures is to outline the terms and conditions under which the FAA and the [NAA] can accept each others inspections and evaluations of maintenance facilities for findings of compliance, thereby reducing redundant regulatory oversight, without adversely affecting aviation safety.

1.1. Authorization. The authorization for these Implementation Procedures is Article III of the Agreement for the Promotion of Aviation Safety. In that respect, the FAA and the NAA have assessed each other's standards and systems relating to the approval of repair stations/ maintenance organizations that perform maintenance and alterations or modifications on civil aeronautical products. As a result, have established an understanding of such standards and systems.

1.2. Entry into Force and Termination. These Implementation Procedures shall enter into force sixty (60) days after the date of the last signature and shall remain in force until terminated. They may be terminated upon sixty (60) days' written notice by either the FAA or the [NAA]. Termination of these Implementation Procedures will not affect the validity of activity conducted under their provisions prior to termination.

1.3. Amendments.

(a) These Implementation Procedures may be amended by mutual consent of the FAA and the NAA. They also may be supplemented by appendices. The details of the amendment or appendix shall be recorded and signed by the representatives identified in paragraph 1.6(b), or their designees.

(b) Suggestions for improvement are welcome and can be addressed to either of the offices described in paragraph 1.6.

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

1.4. Membership in a Regional Organization [if applicable].

(a) The FAA recognizes that the [NAA] is a member of [insert name of regional organization] and that membership includes obligations of the [NAA] to other [insert name of regional organization] members with respect to development of regulations, procedures, and standards, and that the [NAA] has adopted [insert name of regional organization] regulations, procedures, and standards, including standards for approval of maintenance organizations.

(b) The [NAA] will carry out the obligations contained in these Implementation Procedures in accordance with [insert name of regional organization] procedures. For example, the obligations of the [NAA] to receive or provide information will be accomplished under [insert name of regional organization] procedures.

1.5. National Requirements.

(a) The legal standards for safety regulation by the NAA are contained in [insert title of NAA's regulatory code], 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.

1.6. Accountability.

(a) The designated offices for the technical implementation of these Implementation Procedures are:

(1) For the FAA:

Flight Standards Service
FAA (AFS-300)
800 Independence Avenue, S.W.
Washington, DC 20591
Phone: +1-202-267-3546
Fax: +1-202-267-5115

(2) For the [NAA]:

[NAA]
[ADDRESS]

(b) The designated offices for the technical coordination of these implementation procedures are:

(1) For the FAA:

Flight Standards Service
 FAA (AFS-50)
 800 Independence Avenue, S.W.
 Washington, DC 20591
 Phone: +1-202-385-XXXX
 Fax: +1-202-385-XXXX

(c) The designated offices for the administrative coordination of these Implementation procedures are:

(1) For the FAA:

Office of International Aviation
 FAA (AIA-[appropriate division])
 800 Independence Avenue, S.W.
 Washington, DC 20591
 Phone: +1-202-385-XXXX
 Fax: +1-202-385-xxxx

(2) For the [NAA]:

For:

[NAA]

1.7. Resolution of Disagreements. As stated in Article IV of the Agreement for the Promotion of Aviation Safety, any disagreement regarding the interpretation or application of these Implementation Procedures shall be resolved by consultation between the FAA and the [NAA], and, if appropriate, resolution of such disagreements will be recorded as an amendment or appendix to these Implementation Procedures, in accordance with paragraph 1.3.

1.8 Definitions. These Implementation Procedures (and notwithstanding definitions contained in 14 CFR or the [insert title of NAA's regulatory code], the following definitions apply:

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

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

(c) **Compliance with CFR Part 145.** Compliance with the latest issue of [insert reference to counterpart NAA regulation] and the FAA Special Conditions as set forth in these Implementation Procedures [and associated NAA guidance material as applicable].

(d) **Compliance with [insert reference to counterpart NAA regulation].** Compliance with the latest issue of CFR part 145 and the [NAA] Special Conditions as set forth in the

Implementation Procedures recognizing that advisory circulars (AC) provide additional guidance in this area.

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

(f) Data Approved by the [NAA]. Data that is approved by the [NAA] or by an organization approved by the [NAA] for that purpose.

(g) Title 14 of the Code of Federal Regulations. United States aviation regulations consisting of parts 1 through 199 for Aeronautics and Space.

(h) [Insert title of NAA regulatory code]. [Insert legal reference to NAA regulations]

(i) 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.

(j) Required Inspection Items. The items of maintenance and alterations, that must be inspected by a person other than the one that 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.

(k) Special Conditions. Conditions in chapter 3, paragraph 3.0 of these Implementation Procedures. FAA Special Conditions are those requirements in 14 CFR part 145 that the FAA has determined are not contained in [insert reference to counterpart NAA regulation]. [NAA] Special Conditions are those requirements in [insert reference to counterpart NAA regulation] that the [NAA] has determined are not contained in 14 CFR part 145.

CHAPTER 2. RECIPROCAL ACCEPTANCE OF FINDINGS OF COMPLIANCE.**2.0. General.**

(a) Subject to the terms of these Implementation Procedures, the FAA and the NAA agree to accept each other's inspections and monitoring for findings of compliance with their respective requirements as the basis for the issuance of certificates to [or acceptances/approvals of] eligible repair stations/maintenance organizations.

(b) Maintenance and alterations or modifications performed on a civil aeronautical product under the regulatory control of the [NAA] may be accomplished and that product returned to service by an FAA-certificated repair station that has been [certificated][approved][accepted] by the [NAA].

(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 [NAA]-approved maintenance organization that has been certificated by the FAA.

[or]

(a) The FAA agrees, subject to the terms of these Implementation Procedures, to accept [NAA] inspections and monitoring for findings of compliance with FAA requirements as the basis for the issuance of FAA certificates to eligible repair stations/maintenance organizations located in [INSERT APPLICABLE COUNTRY]. The [NAA] agrees to continue to accept FAA certification and surveillance of part 145 approved repair stations in the United States without further showing.

(b) 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 an [NAA]-approved maintenance organization that has been certificated by the FAA.

2.1. Eligibility Requirements.

(a) The FAA agrees that a maintenance organization will be eligible for a certificate if it has been approved for maintenance and alteration or modification work by the [NAA] in accordance with the [insert title of NAA regulatory code], and has complied with the Special Conditions set forth in chapter 3 paragraph 3.0, as well as having received an [NAA] endorsement for approval on its application to the FAA, will be eligible for a certificate.

(b) The [NAA] agrees that a repair station that has been approved for maintenance and alteration or modification work by the FAA, and has complied with the Special Conditions set forth in chapter 3, paragraph 3.1, as well as having received an FAA endorsement for acceptance of its application to the [NAA], will be eligible for a certificate and listing by the [insert title of NAA regulatory code].

[or]

(a) The [NAA] agrees that a repair station that has been approved for maintenance and alteration or modification work by the FAA shall be eligible to perform maintenance and

alteration or modification work on aeronautical products under the regulatory authority of the [NAA].

NOTE: This paragraph will be used in the event that the NAA does not issue certificates to U.S. repair stations and has no special conditions. In this case, there would not be a need for paragraph 3.1.

(b) FAA certificated repair facilities and applicants for FAA certificates located in [INSERT APPLICABLE COUNTRY] and not requiring [NAA] approval are excluded from the provisions of the Implementation Procedures. Applications by [NAA] approved maintenance organizations for FAA ratings or limitations that are not contained in their [NAA] certificates also are excluded from these Implementation Procedures. [NAA] approved maintenance organizations in the United States not requiring an FAA certificate also are excluded from the provisions of these Implementation Procedures.

CHAPTER 3. SPECIAL CONDITIONS.

3.0. [NAA] Special Conditions Applicable to U.S.-Based Repair Stations. [This is an example of special conditions that have appeared in previous MIPs. Special conditions in this MIP will be based on the FAA-NAA regulatory comparison.]

3.0.1. The [NAA] agrees that an FAA-approved repair station that applies to work on a civil aeronautical product under the regulatory control of the [NAA] is eligible for a NAA [certificate][acceptance][approval] if the FAA endorses that the repair station complies with all of the following Special Conditions:

(a) The repair station must hold a valid FAA repair station certificate issued in accordance with the most current part 145 issued as a final rule.

(b) The repair station must provide a supplement to its Repair Station Manual accepted by the FAA on behalf of the [NAA], to include the following:

(1) Procedures for the release or approval for return to service that meet the requirements of [insert reference to counterpart NAA regulation] for aircraft and the use of the FAA Form 8130-3 for aircraft components, and any other information required by the owner or operator as appropriate.

(2) Procedures to ensure that repairs and modifications as defined by [NAA] requirements are accomplished in accordance with data approved by the [NAA].

(3) Procedures to ensure completeness of and compliance with the customer or operator work order or contract including notified [NAA] Airworthiness Directives and other notified mandatory instructions.

(c) The NAA certification will not exceed the scope of the ratings and limitations contained in the part 145 certificate.

3.0.2. To continue to be [insert reference to counterpart NAA regulation] accepted:

(a) The repair station shall allow the [NAA] to inspect it for continued compliance with the requirements of part 145 and these Special Conditions, i.e., compliance with [insert reference to counterpart NAA regulation].

(b) Investigation and enforcement action by the [NAA] may be taken in accordance with [NAA] regulations - and [NAA] procedures.

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

(d) The repair station must continue to comply with part 145 and these Special Conditions.

3.1. FAA Special Conditions Applicable to [INSERT APPLICABLE COUNTRY]-Based Maintenance Organizations. [This is an example of special conditions that have appeared in previous MIPs. Special conditions in this MIP will be based on the FAA-NAA regulatory comparison.]

3.1.1. The FAA agrees that an [NAA]-approved maintenance organization that applies to work on a aeronautical product under the regulatory control of the FAA is eligible for an FAA repair station certificate, if the [NAA] endorses to the FAA that the maintenance organization complies with all of the following Special Conditions:

(a) The maintenance organization must hold a valid [insert reference to counterpart NAA regulation] certificate issued by the [NAA] in compliance with the most current [insert reference to counterpart NAA regulation] and all applicable guidance material.

(b) The maintenance organization must provide an English language supplement to the maintenance organization manual for acceptance by the [NAA] on behalf of the FAA, and maintained at the maintenance organization. In addition, the [NAA] may require this supplement to be in the local language. All revisions must be provided to the [NAA]. This supplement must be made available to the FAA upon request and shall include the following:

- (1) A description of its management system and a summary of its quality system.
- (2) Procedures for approval for release or approval for return to service that satisfy the requirements of part 43 for aircraft and use of [NAA] Form [#] for components, including the information required by sections 43.9 and 43.11, and all information required to be made or kept by the owner or operator, as appropriate. Such required information must be in the English language.
- (3) Procedures to ensure that Major Repairs and Major Alterations/modifications as defined in 14 CFR are accomplished in accordance with data approved by the FAA.
- (4) Procedures for the reporting to the FAA of serious defects or unairworthy conditions on civil aeronautical products.
- (5) 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.
- (6) Procedures to ensure compliance with air carriers' manuals, including the separation of maintenance from inspection on those items identified as required inspection items as defined by the air carrier/customer.
- (7) Procedures to ensure compliance with the manufacturer's maintenance manuals or instructions for continued airworthiness, and handling deviations.
- (8) Procedures to ensure a hidden damage inspection are accomplished when applicable.

(c) FAA certification under these Implementation Procedures will not exceed the scope of the ratings and limitations contained in the [insert reference to counterpart NAA regulation] certificate.

(d) The maintenance organization employee responsible for supervision or final inspection of a civil aeronautical product must be able to read, write, and understand the English language.

(e) The maintenance organization must list the functions and items to be contracted and have procedures in place to ensure that contractors meet the terms of these Implementation Procedures. When contracting to a non FAA-certificated source, the maintenance organization returning the product to service is responsible for ensuring its airworthiness.

(f) [Pending TSA final rule] The FAA and the [NAA] recognize that the U.S. Department of Homeland Security (DHS) is required to audit FAA-certificated foreign repair stations to ensure compliance with security requirements. Under certain conditions, DHS may require the FAA to suspend or revoke repair station certificates, and may prevent the FAA from issuing certificates to new applicants.

3.1.2. To continue to hold a part 145 repair station certificate:

(a) The maintenance organization shall allow the FAA, or the [NAA] on behalf of the FAA, to inspect it for continued compliance with [insert reference to counterpart NAA regulation] and these Special Conditions, and part 145.

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

(c) The maintenance organization must cooperate with any investigation or enforcement action.

(d) The maintenance organization must continue to comply with [insert reference to counterpart NAA regulation] and these Special Conditions.

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CHAPTER 4. MUTUAL COOPERATION AND TECHNICAL ASSISTANCE.

4.0. Periodic Meetings. The FAA and NAA offices designated in paragraph 1.6 (a) shall meet at least once per year, to discuss the technical implementation of these Implementation Procedures. Discussions may address the resolution of technical issues, continued improvements to the process, on-going projects, changes in their organizations and any revisions to their requirements (as notified in accordance with paragraph 1.3(c)), technical assistance requests, and any other matters relating to these Implementation Procedures. 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 [NAA] 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:

- (a) Inform the public of the terms of these Implementation Procedures and any amendments or appendices.
- (b) Outline the regulatory requirements and special requirements necessary for persons to perform work under the terms of these Implementation Procedures.

4.2. Technical Evaluation Assistance. Upon request, the FAA and the NAA agree to provide technical evaluation assistance to each other to advance the purposes and objectives of these Implementation Procedures. Such areas of assistance may include, but are not limited to:

- (a) Providing recommendations or endorsements for certification of repair stations to the FAA and maintenance organizations to the [NAA].
- (b) Performing surveillance and providing reports regarding continued compliance with the requirements described in these Implementation Procedures by maintenance organizations in [INSERT APPLICABLE COUNTRY] and repair stations in the United States.
- (c) Conducting and reporting on investigations at the request of the other authority.
- (d) Obtaining and providing data for reports where requested.

4.3. Exchange of Information. The FAA and the [NAA] shall provide each other with regulations, policies, guidance, practices, and interpretations relevant to these Implementation Procedures, and shall ensure that such documents are updated in a timely manner. In addition, any FAA or [NAA] 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 their 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 these Implementation Procedures.

4.5. Urgent or Unusual Situations. When urgent or unusual situations develop that are within the scope of the Implementation Procedures, but not specifically addressed, the FAA and the [NAA] will review and consult and take appropriate action, including developing amendments or appendices to these Implementation Procedures, if appropriate, as set forth under paragraph 1.

4.6. Notification of Noncompliance and Safety Issues.

(a) The FAA and the [NAA] agree to notify each other promptly of any investigation into noncompliance by a repair station or maintenance organization 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 paragraph 1.6(a). The FAA and the [NAA] agree that noncompliance will be corrected in a timely manner.

(b) The FAA and the [NAA] retain the right to take enforcement action. However, in some cases, an authority may choose to consider a remedial action taken by the other authority. The enforcement consultation process under these Implementation Procedures will be subject to a regular joint review by the FAA and the [NAA].

4.7. Protection of Proprietary Data and Freedom of Information Act (FOIA) Requests.

(a) Proprietary - Data. Both authorities recognize that certain data submitted by a repair station/maintenance organization may be the property of that facility or another person and release of that data by the FAA or the [NAA] is restricted. The FAA and the [NAA] agree that, they will not copy, release, or show proprietary data obtained from either authority to anyone outside of the FAA or the [NAA] 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 a maintenance organization located in [INSERT APPLICABLE COUNTRY] and covered by these Implementation Procedures, the FAA will advise the [NAA] of any information received from the [NAA] and submitted to the FAA that might be released. The FAA also may request the [NAA]'s assistance, in cooperation with the maintenance organization, in determining if the information submitter would object to release and which portions of the information received from the submitter or generated by the [NAA] might be withheld under the FOIA exceptions, if any.

4.8. Accident/Incident Investigation Requests. When the FAA or the NAA needs information regarding repair stations/maintenance organizations for the investigation of accidents or incidents involving civil aeronautical products, the request for information should be directed to the office identified in paragraph 1.6(a) in turn, upon receipt of the request for information, the other authority will provide the requested information in a timely manner.

CHAPTER 5. TRANSFER AND CONTINUING VALIDITY PROVISIONS.

5.0. Transfer Provisions. The FAA and the [NAA] agree to transfer the activities of inspecting, monitoring, and surveillance of repair station maintenance organization certificates currently under their regulatory control in accordance with these Implementation Procedures in the following manner:

NOTE: In cases where NAA does not issue certificates to U.S.-based repair stations, following paragraphs will not be reciprocal.

(a) Current Certificates. The FAA and the [NAA] will agree on a procedural plan and time schedule for the transfer of surveillance and certification activities, and will address the correction of any open items. Each authority shall provide the other authority a copy of the current certificate and operations specifications/scope of work for each repair station/maintenance organization based in the other authority's territory. The FAA and the [NAA] agree to conduct all inspections, monitoring and surveillance of repair station/maintenance organization certificates currently under the other's regulatory control within 2 years from the entry into force of these Implementation Procedures unless otherwise agreed on by the FAA and the [NAA] in the procedural plan.

(b) Initial Certification. Each authority agrees to begin conducting inspection for initial certification of approved repair stations/maintenance organizations no later than 2 years from the entry into force of these Implementation Procedures unless otherwise agreed on by the FAA and the [NAA] in the procedural plan.

5.1. Continuing Validity. The FAA and the [NAA] acknowledge that:

(a) Unrestricted Access. Each authority may conduct independent inspections at maintenance facilities, and to review the other authority's surveillance records and other pertinent information regarding maintenance facilities consistent with the objective of these Implementation Procedures 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 these Implementation Procedures is essential. The FAA and the [NAA] acknowledge that FAA and [NAA] certificates issued under these Implementation Procedures and any amendments and appendices remain subject to the regulatory requirements and enforcement procedures described in paragraphs 3.0.2(b) and 3.1.2(b) of these Implementation Procedures.

(c) Continued Confidence Program. The FAA and NAA shall conduct periodic joint evaluations of each other's continued compliance with the terms of these Implementation Procedures. Such evaluations may include repair stations/maintenance organizations in order to ensure the responsible authority is adequately applying these Implementation Procedures.

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CHAPTER 6. AUTHORITY.

The FAA and the [NAA] agree to the provisions of these 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:

Name:

Title:

Associate Administrator for
Aviation Safety

[RESPONSIBLE NAA PERSON]
FOR
[INSERT APPLICABLE COUNTRY]

By:

Name:

Title: