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**FURTHER WORKING ARRANGEMENT
BETWEEN
TRANSPORT CANADA CIVIL AVIATION
AND THE
UNITED KINGDOM CIVIL AVIATION AUTHORITY
ON THE
CONTINUITY OF VALIDATION PROJECTS**

DATE: 30 March 2021

1. **Introduction**

1.1 Basis

The Working Arrangement between Transport Canada Civil Aviation (TCCA) and the Civil Aviation Authority (CAA) of the United Kingdom of Great Britain and Northern Ireland (UK) acknowledges the common desire for cooperation in promoting increasing efficiency in matters relating to civil aviation. TCCA and the CAA recognize the mutual benefit of having improved procedures that reduce the economic burden imposed on the aviation industry by removing redundant technical inspections, evaluations and testing.

1.2 Purpose

The purpose of this document is to establish procedures that allow for the continuity of validation services of design approvals between TCCA and CAA following the exit of the UK from the European Union (EU). Specifically, this document outlines each Participant's expectations and procedures in processing validation applications already received but whose approvals are pending with either the European Union Aviation Safety Agency (EASA) or TCCA as of December 31, 2020. Both TCCA and the CAA have committed, to the greatest extent practicable, to recognise the validation work and progress already accomplished by EASA. EASA ceased being the Technical Agent for the CAA after December 31, 2020, meaning that all UK State of Design functions were transferred back to the CAA as the sovereign authority for the UK on civil aviation.

1.3 Authorization

This Further Working Arrangement is established in accordance with Section VIII of the Technical Implementation Procedures for Airworthiness (TIP) between TCCA and CAA.

2. **Definitions**

- 2.1 UK Design Approval Holder (UK DAH) – A natural or legal person under the jurisdiction of the CAA who has a valid CAA design approval.
- 2.2 Canadian Design Approval Holder (Canadian DAH) – A natural or legal person under the jurisdiction of TCCA who has a valid TCCA design approval.

3. **Validation Scenarios and Corresponding Procedures**

- 3.1 *Scenario 1:* EASA has issued a design approval to a UK DAH and TCCA validation is in progress. The procedure for continued validation is:
 - a. TCCA will accept the prior application by EASA as an application already made by the CAA to TCCA on behalf of the UK DAH, and no re-submission to TCCA will be required;

- b. The CAA will request all documentation associated with the original design approval from EASA or from the UK DAH;
- c. TCCA and CAA will recognize and accept all EASA and TCCA validation decisions made to date and continue to follow or maintain the EASA/TCCA project validation plan to the greatest extent practicable; and
- d. TCCA and the CAA will follow the validation procedures in the TIP that are applicable to the remaining activities of the project until TCCA issues its validation design approval.

3.2 **Scenario 2:** EASA has not completed the certification process for a UK applicant as of December 31, 2020 and TCCA validation is in progress. The procedure for continued validation is:

- a. TCCA will accept the prior application by EASA as an application already made by the CAA to TCCA on behalf of the UK applicant, and no re-submission to TCCA will be required;
- b. The CAA will request from either EASA or the UK applicant all documentation associated with the application;
- c. TCCA and CAA will recognize and accept all EASA and TCCA validation decisions made to date and continue to follow or maintain the EASA/TCCA project validation plan to the greatest extent practicable; and
- d. TCCA and the CAA will follow the validation procedures in the TIP that are applicable to the remaining activities of the project until TCCA issues its validation design approval.

3.3 **Scenario 3:** TCCA has issued a design approval to a Canadian DAH and EASA validation is in progress. The procedure for continued validation is:

- a. The Canadian DAH will apply for a CAA validation pursuant to the TIP, and provide the CAA with the same documentation and data package provided to EASA; and
- b. At the discretion of the Canadian DAH, validation may be completed under one of the following alternatives;
 - (i) If the current EASA validation activity for that application will result in an EASA validation design approval issued no later than December 31, 2022, the CAA will take into consideration the completion of the EASA validation activity and issuance of EASA design approval as a basis for the CAA to issue its own approval without further technical involvement by the CAA,

Or

- (ii) If the EASA validation will not be completed by December 31, 2022, the CAA and TCCA will mutually recognize and accept all EASA and TCCA validation decisions made to date and continue to follow or maintain the EASA/TCCA project validation plan to the greatest extent practicable. TCCA and the CAA will follow the validation procedures in the TIP that are applicable to the remaining parts of the project.

3.4 **Scenario 4:** TCCA has not completed the certification process for a Canadian applicant and EASA validation is in progress. The procedure for continued validation is:

- a. The Canadian applicant will apply for a CAA validation pursuant to the TIP, and provide the CAA with the same documentation and data package provided to EASA; and
- b. At the discretion of the Canadian applicant, validation may be completed under one of the following alternatives;
 - (i) If the current EASA validation activity for that application will result in an EASA validation design approval issued no later than December 31, 2022, the CAA will take into consideration the completion of the EASA validation activity and issuance of EASA design approval as a basis for the CAA to issue its own approval without further technical involvement by the CAA,

Or

- (ii) If the EASA validation will not be completed by December 31, 2022, the CAA and TCCA will mutually recognize and accept all EASA and TCCA validation decisions made to date and continue to follow or maintain the EASA/TCCA project validation plan to the greatest extent practicable. TCCA and the CAA will follow the validation procedures in the TIP that are applicable to the remaining parts of the project.

4. **Design Approval Holders in the UK – Other Considerations**

- 4.1 In accordance with Annex 8 of the Chicago Convention (Convention for International Civil Aviation) the UK has been and continues to be the State of Design for all design approvals issued by EASA or the CAA to entities in the UK. However, upon the exit of the UK from the EU from January 1, 2021, EASA is no longer the CAA's Technical Agent for the purposes of continued airworthiness. The responsibility for design approvals that were previously issued by EASA to UK DAH, and validated by

TCCA, have been transferred and the CAA will be considered the Certifying Authority in the context of the TIP.

4.2 The CAA will make all reasonable efforts to obtain all data associated with the original design approval from EASA and update TCCA on the progress of transfer of design approvals. If the CAA cannot obtain all the data required from EASA, it will request the data from the Design Approval Holder. No new certification or validation activities will be required for existing design approvals. The CAA will endeavour to provide TCCA with a list of certificates transferred from EASA to the CAA. Neither the CAA nor TCCA will reissue the design approvals solely to reflect this transfer of responsibilities.

5. **Resolution of Disagreements.**

Any disagreement regarding the interpretation or application of the procedures established in this document will be resolved through consultations between the TCCA and the CAA.

6. **Date of Operation and Termination**

- 6.1 This Further Working Arrangement will come into operation on the date it is signed by the duly authorised representatives of the CAA and TCCA. The participants understand that electronic signatures are equivalent to physical signatures in each of their jurisdictions.
- 6.2 Either Participant may terminate this Further Working Arrangement at any time by providing sixty (60) days' written notice to the other Participant.
- 6.3 In the absence of a termination described immediately above, this Further Working Arrangement will nevertheless terminate on January 1, 2023.

SIGNED, in duplicate, at Ottawa and London on this, the 30th day of March 2021 in the English language. The French version will be signed at a later date. Each version being equally valid.

For Transport Canada Civil Aviation

For The Civil Aviation Authority
of the United Kingdom of Great
Britain and Northern Ireland



2021-03-30

30/03/2021

Nicholas Robinson Date
Director General, Civil Aviation

Robert Bishton Date
Director of the Safety and Airspace
Regulation Group
Civil Aviation Authority