

PART 1

UNITED STATES/CANADA

BILATERAL AIRWORTHINESS AGREEMENT

DATED AUGUST 31, 1984;

AND ITS IMPLEMENTATION SCHEDULE

REVISED ON MAY 18, 1988

importing State at the time of its airworthiness and environmental certification, approval, or acceptance as it deems necessary to assure that the product has not been changed or has not deteriorated since the date of certification by the airworthiness authority of the exporting State.

7. MAINTENANCE OR ALTERATIONS

- (a) If maintenance or an alteration is performed, approved, or certified in one Contracting State on an aircraft which is under airworthiness regulation by the other Contracting State, or on an aircraft engine, propeller, appliance, material, part, or component for installation thereon, by a person in the first Contracting State who is authorized by the airworthiness authority of that State to perform the same work, approval, or certification, the airworthiness authority of the Contracting State regulating the airworthiness of the aircraft shall give the same validity to the work performed, and to the approvals or certifications made therefor as if they were made by an equivalently authorized person

in the Contracting State regulating the airworthiness of the aircraft, provided the work, approvals, and certifications are performed on the product in accordance with the applicable laws, regulations, standards, and requirements of the Contracting State regulating the airworthiness of the affected aircraft.

- (b) For the purposes of this Agreement, a Contracting State regulates the airworthiness of an aircraft where it is the State responsible for the issuance of an airworthiness certificate for the aircraft or is the State responsible for the certification of an air carrier operating, under lease or charter, an aircraft which possesses an airworthiness certificate issued by another State.

8. NOTIFICATION OF MANDATORY ACTIONS

The airworthiness authorities of each Contracting State shall keep the airworthiness authorities of the other Contracting State fully informed of all mandatory airworthiness modifications, special inspections, special operating limitations, or other actions which it determines are necessary for continuing airworthiness of products designed or manufactured in either Contracting

Information Note:

Pursuant to section 605.85 of the CARs, where an aircraft has undergone maintenance, a maintenance release with respect to maintenance performed shall be completed prior to take off in the affected aircraft. It is a declaration that, with respect to the maintenance performed, the performance rules of section 571.02 of the CARs have been complied with and the applicable standards of airworthiness have been met.

(amended 2002/03/01; previous version)

(1) For the purpose of this section the following definitions apply:

“under the person’s supervision” - means that the person, by way of the organisation chart or assignment of responsibilities in an approved manual, exercises supervisory authority over the person making a maintenance release.

“similarly worded statement” - means that an error in wording will not invalidate the release. The intent is to provide flexibility for operators who may prefer somewhat different wording, and allows for certifications made under the rules of other countries with whom Canada has agreements. This statement may be omitted when the Technical Record, established pursuant to section 605.92 of the CARs, clearly indicates that a signature in a specified signature block constitutes a maintenance release.

(2) Maintenance Release Record Keeping

(a) A maintenance release applies only to the particular maintenance task or tasks to which it relates. Therefore:

(i) it is acceptable to sign a maintenance release in respect of a single task or group of tasks, even if other work is outstanding on the aircraft, provided that the wording of the entry leaves no doubt as to the scope of work being certified; and

(ii) it is the responsibility of the person signing a maintenance release to ensure that the technical record is correct in respect of the status of any outstanding task.

(b) Each maintenance release must include the following information:

(i) product identification (aircraft registration marking, nomenclature, type/model number, name of manufacturer, part number, and serial number), unless the release is being made in an established Technical Record that contains this information;

(ii) a brief description of the work performed, including applicable reference data, when the reference data is not included in the maintenance publications of the manufacturer, and the work order number; and

(iii) where a part that has been accepted pursuant to Appendix H of this standard, a statement included in the certification documents, providing as follows:
(amended 2002/03/01; previous version)

“This part has been determined to conform to the approved type design, or to be acceptable under section 571.13 of the CARs”.

(c) The maintenance release shall contain a statement indicating when a part is removed from an airworthy aircraft.

(d) Where a maintenance release is made using an “Authorized Release Certificate” (form # 24-0078), Appendix J would normally apply.

Information Note:

Appendix J to this standard contains information to complete form 24-0078, respecting certification of new and used aeronautical products, other than complete aircraft.
(amended 1998/06/01; previous version)

(e) Where a maintenance release is made under the authority of an AMO it must include the identification of both the signatory and the AMO. Identification of the signatory may be either by AME licence number, or by other means that clearly identifies the signatory within that organisation.

(f) Where a maintenance release is made by a person holding a restricted certification authority (RCA) issued pursuant to section 571.11 of the CARs, the number of that authority must be entered.
(amended 2000/12/01; previous version)

(3) Responsibility for compliance with airworthiness directives (ADs) is assigned to the owner of the aircraft in accordance with section 605.84 of the CARs.

Information Notes:

(i) *Some inspection check sheets contain a check box with a statement to the effect that “...all applicable ADs have been complied with”. Such a statement transfers this responsibility to the AME signing the maintenance release for the inspection, even though it may be impractical for the AME to undertake the level of research required.*

Since compliance with ADs are the responsibility of the owner, AMEs should strike out this item on the inspection check sheets that they sign.

(ii) If the owner wishes to have this research undertaken by the AME as a separate maintenance task, it can be raised as a separate item on the work order, work card, or other document detailing the maintenance arrangement.

(4) Notwithstanding the requirement to comply with the Performance Rules in accordance with section 571.02 of the CARs, the following additional standards of airworthiness, developed in conformity with section 571.10 of the CARs, apply with respect to the types of work indicated in the following table: