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EMAD R

RECOGNITION

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Introduction

The implementation of common rules and procedures between Authorities will facilitate the recognition of certificates and organizational approvals issued by any of the Authorities amongst pMS. A primary objective of the airworthiness harmonization activity being undertaken by the MAWA Forum is that a certification or approval of any product or organization, based on EMARs, by one pMS can therefore be recognized by another pMS' Authority. This will significantly reduce the regulatory activities required by each pMS' Authority.

However, to achieve this objective, 'recognition' must first be achieved of one Authority by another Authority. This is required if the objective of 'regulating once and using the outcome many times' is to be achieved. It is an essential principal that recognition is a national responsibility and decision, hence sovereign regulatory responsibility cannot be transferred to another nation. Therefore, in order to achieve and sustain recognition between one or more Recognition Partners, it is important that confidence is gained in the regulatory structure and documentation being used by either party. The harmonised requirements contained within the EMARs provide a common framework and baseline for establishing Recognition. Recognition can only be achieved through openness and transparency between the Recognition Partners, whilst fully respecting each other's sovereign national positions and responsibilities.

The recognition process consists of 3 phases, all of which are supported by some form of coordination activity. Each of these phases (as well as the processes that should be used within each phase) are described in detail in this document.

a. Initial Recognition Phase. This is the phase where Recognition Partners work towards achieving initial recognition. It starts with the identification of a need for Recognition and the benefits that this will deliver, through to the issuing of a Recognition Certificate(s). The activities associated with this phase are detailed in Steps 1 to 16. They describe the activity required for 2 or more Authorities to initiate the recognition process, to form an agreement on the processes to be used, to conduct an analysis of each other and then, when satisfied, to declare Recognition. Within the Initial Recognition Phase are a number of activities that could be satisfied by the Coordinating Support Function.

b. Recognition Review Phase. This is the activity associated with sustaining the already achieved recognition beyond the initial issue of the Recognition Certificate(s). The duration of the proposed recognition period will have already been established in the Recognition Agreement, therefore the resource that will be required to support the Recognition Review Phase will also have been assessed and assigned when the Recognition Agreement was made. Managing the Recognition Review Phase will be a Coordinating Support Function.

c. Realisation of Benefits Phase. This is the activity associated with exploiting the benefits of having the Recognition Certificate in place. Benefits will broadly fall into 3 categories:

- (1) Primary benefits - such as the 'adoption' of organisational approvals & aircraft certifications that have been previously awarded by one partner, together with the ability to conduct joint organisational approvals & conduct joint aircraft certification activities.
- (2) Secondary benefits - such as enabling a nation's procurement agencies to place contracts with shared maintenance facilities and to utilise common spares pools.
- (3) Tertiary benefits - which the Coordinating Support Function is charged with identifying and exploiting on behalf of all pMS.

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Coordination Activity. This is the support to the recognition that is provided by the Coordinating Support Function. The Coordinating Support Function will be carried out by the EDA Airworthiness Office. The activities include the:

- a. Management of the support to the Initial Recognition Phase and the Recognition Review Phase.
- b. Provision of advice and guidance to Authorities throughout the Initial Recognition Phase and the Recognition Review Phase where appropriate (or if requested).
- c. Recording and archiving of shared recognition data and the maintenance of all records of the recognition activity.

Determining the most appropriate type of recognition

The type of recognition being sought between Recognition Partners needs to be established and agreed at the beginning of the process. Three different types of recognition are possible:

- a. Mutual Recognition (MR) – Where all the Authorities involved identify that there are advantages in adopting each other’s assurance activity. (e.g. adopting organisational approvals or aircraft certification evidence, or conducting joint organisational approvals or aircraft certification activities associated with a common aircraft type on a cooperative programme basis). This form of recognition could be bi-lateral or multi-lateral.
- b. Internal Recognition (IR) – Where an Authority, or several Authorities working together on a particular project, wish to recognise the outputs of another Authority, but the relationship is not reciprocal (e.g. when one pMS procures an aircraft ‘off the shelf’), it would be advantageous for them to adopt any existing certification or organisational approvals already granted by the Authority of the pMS that is selling the aircraft. This form of recognition is uni-lateral.
- c. External Recognition (ER) – This is the recognition of an Airworthiness Authority that has not formally agreed to both the principles contained within the Basic Framework Document and implemented the EMARs. This form of recognition could be bi-lateral, multi-lateral or uni-lateral (as described above for Mutual Recognition or Internal Recognition), except that one or more of the airworthiness authorities involved is ‘External’ to the EDA pMS. In this case, additional mechanisms and processes will need to be developed in order to achieve External Recognition.

The Recognition Process

Flow-diagrams to achieve Mutual Recognition, Internal Recognition and External Recognition are described at Annex A. Within these process flow-diagrams, the activities associated with the Initial Recognition Phase, the Recognition Review Phase, the Realisation of Benefits Phase and the Coordination Activities are clearly identified in the following steps.

INITIAL RECOGNITION PHASE

Step 1: Identify Common Need

An assessment will need to be carried out by recognition partners of the benefits that will be gained from Recognition. This assessment should include specific projects/aircraft types that have mutual involvement, external requirements (e.g. operational need), or a pMS’s desire to establish recognition with other pMS for national reasons. Early liaison with potential recognition partners is essential during this stage, and a cost/benefit analysis should be conducted to ensure that both parties are fully understanding of the full scope of benefits that could be realised, together with the activity associated with achieving and maintaining the Recognition Certificate.

Step 2: Determine if Mutual Recognition/External Recognition/Internal Recognition is appropriate

Based on the outcome of the activities at Step 1, determination of the appropriate type of recognition being sought between the recognition partners must be established. Where external recognition is appropriate, the Recognition Partners (RPs) must decide the type of assessment to be employed so that the recognition agreement can be developed accordingly.

Three different types of external recognition assessments are possible depending on the level of engagement that can be achieved between the AAs. Flow-diagrams showing the processes to achieve ER are at Annex A Fig 3. The activities associated with the entire process are clearly identified in the following steps.

Step 3: Legal Constraints

It must be accepted that pMS may have differing national legal structures and requirements which may provide constraints to the recognition process. However, these should not prohibit recognition. It is therefore important that any national legal differences are identified at this stage and managed throughout the recognition process.

Recognition Partners must make every effort to determine, and make known, any potential legal constraints and/or conditions that may have an impact on the recognition process. Differences in the Recognition Partners' legal structures and requirements need to be assessed to determine the most effective resolution. Recognition Partners must consider what activity they will need to undertake to reach a mutually acceptable resolution and this should be detailed in the Recognition Agreement e.g. 'Intellectual Property Rights' constraints.

The Coordinating Support Function is to assist in developing the Recognition Agreement for IR and MR, if requested by the Recognition Partners. The Coordinating Support Function will assist in developing the RA for ER where appropriate.

Step 4: Resourcing (Immediate and for Future Reviews/Type Audit)

The scope of the recognition activity will be based upon, and resourced according to, the common need identified at Step 1. Whilst not exhaustive, as a minimum the factors presented below must be considered and, where appropriate, detailed in the Recognition Agreement. Recognition Partners may consider utilising previous recognition activity that may have been undertaken by any of the Recognition Partners involved (if this is considered valid) to reduce the required resource. Additionally, the Coordinating Support Function is to be able to provide guidance in this area, based on previous recognition activity carried out by other pMS. Each phase of the recognition process will have differing resource requirements which will vary and will depend upon a number of factors:

a. Initial Recognition Phase Resource

(1) It is essential to agree at this stage what resource each Recognition Partner is willing to commit to each phase of the recognition process. The 'default position' for Mutual Recognition should be that the resource costs to achieve recognition should be borne by the partner undertaking the specific activity. Therefore, this should be considered when determining the common need. Factors to consider when determining the resource that will be required include:

- (a) Timescales for recognition activity to be completed within.
- (b) The number of Recognition Partners involved in the process.
- (c) The established baselines (e.g. level of EMAR implementation already achieved by the Recognition Partners, noting that partial implementation of EMARs (with alternative/national AMC) is workable but may have an impact on the level and scope of recognition that can be achieved).
- (d) Availability of Suitably Qualified and Experienced Personnel (SQEP) to carry out the necessary recognition activities.

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The Recognition Agreement template (Annex B) may be used to detail all the required resources.

(2) Establishment of the required SQEP resource for the recognition process will be necessary. If agreed by all Recognition Partners a nation may supplement their own resources by outsourcing to a third-party where appropriate. The Coordinating Support Function is to be able to provide assistance in identifying suitable third-parties.

(3) The sharing of resource and information between Recognition Partners during this phase is important in order to validate the cost/benefit analysis. Specifically, the longer term advantages and benefits provided by recognition in the cost/benefit analysis may need to be highlighted to justify short-term resource requirements and might prove to be a determining factor on whether to continue with the recognition process.

(4) Mentoring by more experienced (in the field of military airworthiness) Recognition Partners or the Coordinating Support Function may be of benefit to less experienced nations, thus enabling the provision of more effective resource, or even the development of their own SQEP personnel.

b. Recognition Review Phase Resource

This is the resource necessary for the activities associated with the sustainment of the achieved recognition. Recognition Partners should consider the impact of this recognition on any extant recognition review activity that may already be in place for the sustainment of previous Recognition Certificates. Recognition Partners should also liaise with the Coordinating Support Function to establish any new requirements that could arise from this new Recognition Certificate.

c. Coordinating Support Function Resource

The specific resource requirements for the Coordinating Support Function are identified in Annex C.

For expediency throughout the process it is beneficial to identify a 'lead' Authority where one exists. Primacy will be with the 'hosting pMS" e.g. where the aircraft are currently registered or intended to be registered or the nation where the approval or certification is based. If the hosting pMS is unable to take the lead then an alternative authority can be considered. It is to be noted that this does not offer a solution to all proposals. What is essential is that all Recognition Partners agree.

Step 5: Establish Baselines

An analysis of each of the Recognition Partner Authority's experience, scope of responsibilities, and ability to perform the required airworthiness functions is required so that the most effective recognition process can be tailored to meet the needs of the Recognition Partners involved. The lower the number (or degree) of the differences that exist between the Recognition Partners, then the easier it will be to achieve recognition. If the differences are considered too great, then the only realistic solution may be to seek Internal Recognition.

Once this analysis has been completed, an agreed baseline must be established that meets the minimum acceptable set of requirements that must be met for all Recognition Partners. This process allows pMS with differing levels of experience, responsibility and ability to recognise each other. Where one Recognition Partner is assessed as not meeting this baseline, an agreement will need to be reached on how to resolve the differences. (e.g. a possible solution could be additional mitigation or remedial actions put in place by one of the Recognition Partners for the duration of the validity of the Recognition Certificate). The Coordinating Support Function may facilitate a resolution process where appropriate.

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Whilst many topics must be included, the following 2 factors will be pivotal when considering the establishment of a baseline:

a. Levels of EMAR Implementation.

- (1) All pMS, intending to undertake any form of recognition activity, are committed to provide information to EDA on their level of EMAR implementation. Additionally, the responses of each Authority to the EMAR specific question sets will provide valuable information as to the level of EMAR Implementation within a pMS's national airworthiness regulations. The provision of this data to the EMAR Implementation Matrix managed by EDA will be a useful tool for Recognition Partners to use as a baseline reference and in support of the self-assessments. (The Recognition Review Phase will have the added benefit of verifying the EMAR Implementation record held as a Coordinating Support Function).
- (2) Recognition Partners will need to consider which EMARs are relevant for the particular recognition activity that is intended to be carried out.
- (3) Recognition Partners will need to reach an agreement on how to facilitate recognition activity when each nation may have differing national levels of EMAR implementation (a possible solution may be for Recognition Partners to use the Coordinating Support Function to assist in determining and resolving EMAR differences and then providing recommended workarounds or remedial actions).
- (4) If it is the intent for the Recognition Partners to achieve implementation of the EMARs, then the timescales to achieve this will need to be understood along with the impact this will have on the recognition activity.
- (5) Where an external AA is involved then a comparison of its regulations with the pMS's regulations will be required. This could involve a 100% like-for-like comparison or a less onerous identification of significant differences. Differences found by either approach should be addressed in Steps 13-14.

b. Recognition Partner Authority structure.

Where Recognition Partner's Authorities have significantly different structures, experience and responsibilities, it will be necessary to establish a baseline for recognition assessment.

Note: To ensure that the recognition process is manageable between Recognition Partners with significantly differing structures, experience and responsibility, it may be necessary at this stage to set out a strategy for identifying, assessing, agreeing and resolving key differences.

Step 6: Timeline/Plan

Recognition Partners should develop a timeline for the completion/implementation of all elements of the recognition process. The agreed timelines for each of the Recognition Partners will be communicated to the Coordinating Support Function to ensure that any dependencies are highlighted within a single plan. Advice may be sought from the Coordinating Support Function if required.

Recognition Partners should liaise with the Coordinating Support Function to ensure the proposed timeline/plan is supportable.

Recognition Partners should consider exploiting previous recognition activity (e.g. completed MARQs) to reduce timelines. The Coordinating Support Function should be able to provide advice, information and documentation to support the recognition process.

Recognition Partners may wish to state the time-period for which the Recognition Certificate is required to remain valid. This will affect the amount of resource required to support the Recognition Review Phase activity. The Recognition Partners will seek advice/support from the

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Coordinating Support Function for the Recognition Review Phase activity to determine the future resource requirements that will be required to maintain the recognition.

A Recognition Certificate will not remain valid for more than 4 years without additional verification action.

Step 7: MARQ Scope

The Military Authorities' Recognition Question Set, derived from ICAO documents amended for the military environment, is at Annex D and consists of 4 sub-sections. Each is written to allow an Authority to provide evidence on how it conducts its national airworthiness assurance responsibilities:

- a. Airworthiness Regulator – always invoked. This includes the code, structure and organization of the authority.
- b. Airworthiness Inspection. This includes assurance of continuing airworthiness by the authority
- c. Production Oversight. This includes the authority's assurance of regulation compliance by production organisations.
- d. Aircraft Certification. This includes the authority's assurance of certification activities.

The selection of the appropriate sub-sections of the MARQ to be invoked is dependent on the assurance responsibilities of the Recognition Partners involved in the recognition activity and the scope of recognition. (e.g. There would be little value in completing the certification element of the MARQ if the only purpose of gaining recognition is to exploit common maintenance opportunities. However, other areas could also be invoked in the agreement, if it can be seen that this will be beneficial for future engagements.)

MARQs completed during previous recognition activity by one or all of the Recognition Partners might be accepted as valid for use in this recognition process.

Step 8: Resolve Initial Differences

The activities carried out by the Recognition Partners will have determined the basis for the Recognition Agreement. Based on these activities, all the Recognition Partners need to declare their intentions for what will be included in the detailed content of the Recognition Agreement. Any differences will need to be identified, classified and resolved. The steps towards achieving resolution are:

- a. Define the differences.
- b. Consider if the differences are temporary or permanent.
- c. Decide whether the differences prevent or limit the achievement of recognition.
- d. If recognition is prevented or limited, then an assessment of the impact must be conducted and a decision made as to whether resolution is appropriate, based on the likely activity required and the cost/benefit analysis carried out. e.g. Differences in how privileges have been applied due to national policy. The assistance of the Coordinating Support Function may be sought for this activity, since it is likely that it will have a broader view gained through experience. Any differences will be detailed in the Recognition Agreement.
- e. Define a plan to resolve differences.

Step 9: Sign Recognition Agreement

The template at Annex B is provided as a basis for the Recognition Agreement.

Following signature of the Recognition Agreement, the Recognition Partners should also send a copy to the Coordinating Support Function and initiate planning with the Coordinating Support Function for the Recognition Review Phase of IR and MR audit activity.

Step 10: Nations Complete Self-Assessment Using the MARQ

Recognition Partners should conduct self-assessments using the MARQ, with any additional sub-sections as identified at Step 8. When conducting ER, Steps 10 to 14 may be replaced by Acceptance or Conditional Assessment.

Responses must be sufficiently comprehensive, honest and open to provide sufficient initial information and detail for the other Recognition Partners involved in the recognition process to be able to make an adequate assessment of the responses. It is essential that evidence is provided against the individual goals to demonstrate how that goal has been achieved (rather than a simple yes/no answer). The more information that is made available, then the easier it will be for Recognition Partners to analyse and accept the responses.

Sufficient resource must be made available by each of the self-assessing Recognition Partners to ensure that the MARQs are completed within the planned timescale.

Step 11: Exchange Completed MARQs

The completed MARQs should be exchanged between Recognition Partners in a timely manner to meet the timescale agreed in the Recognition Agreement. Copies should also be provided to the Coordinating Support Function for archiving and Recognition Review Phase activities and audit purposes (see Step 17). Recognition Partners and the Coordinating Support Function must respect any sovereignty, legal and 'Intellectual Property Rights' constraints stipulated in the Recognition Agreement when handling completed MARQs.

Step 12: Nations Review/Validate Each Other's Completed MARQs

Recognition Partners must provide sufficient resource to assess each other's completed MARQ to determine if goals have, and have not, been demonstrated as being achieved in an acceptable manner.

Recognition Partners may arrange assessment audits to validate the MARQ responses if required/agreed. However, there is an expectation that such audits will seek to involve all Recognition Partners whenever practicable. The following guidelines for the composition of an audit team should be followed:

- a. A Lead Auditor will be appointed. The Lead Auditor is responsible for the compilation of the audit report.
- b. The audit team will:
 - (1) Be impartial and independent.
 - (2) Be appropriately experienced in order to have credibility.
 - (3) Have undergone audit training/audit qualification.
 - (4) Be empowered to make a judgement on the suitability of the organisation being audited.
 - (5) Have the necessary expertise in the fields that are being audited/assessed.
 - (6) Have the required language skills to carry out the audit and provide a suitable report in English.
 - (7) Possess a suitable security clearance sufficient for the audit activity being carried out.
- c. The balance of the skills and nationalities within an Audit Team must be considered.
- d. The size of the audit team must be established. The scope of the required Recognition Certificate will be a significant factor in determining the size of the audit team.

Note: Recognition Partners must also be sympathetic to the impact of being audited/assessed by a large audit team. Confidence and trust must be established.

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e. Lessons identified and learnt when establishing an audit team and conducting audits must be documented and sent to the Coordinating Support Function. This will provide a repository of experience that can be drawn upon by subsequent Recognition Partners when establishing their own audit teams.

f. Consideration should also be given to the benchmarking of other authorities' audit teams to determine 'Best practice'.

Reports should be produced in English, noting that a Recognition Partner may wish to have a translation made into their own national language. The use of a Non-Disclosure Agreement/Confidentiality Charter can be considered where appropriate.

Step 13: Determine Goals that have not been met

Based on the results of the self-assessments, together with any audit findings, a list of goals that have not been met should be created. This must be agreed by all Recognition Partners.

Step 14: Address Goals that have not been met

Where any of the goals in the MARQ are considered as having not been met, Recognition Partners must strive to resolve the issue. It may be possible that a 'full' resolution to the issue is not necessary – the scope of the Recognition Certificate may allow enough scope for mitigation to be put in place that provides a limited solution that could be satisfactory to Recognition Partners. The issues, and how they were addressed, must be entered in the appropriate MARQ columns.

Support and guidance may be sought from the Coordinating Support Function in resolving shortfalls against required goals.

The MARQ responses may need to be updated following Steps 12 to 14. This will also aid future use.

Step 15: Nations Issue Recognition Certificate

Recognition Partners issue and sign a Recognition Certificate, dependent upon the type of Recognition being sought. The template at Annex E is provided as a basis for the Recognition Certificate.

The scope of the recognition (e.g. benchmarked against which EMARs, limitations to specific aircraft types, etc.) must be included as an Appendix to the Recognition Certificate.

Copies of the finalised MARQs and Recognition Certificates should also be provided to the Coordinating Support Function for archiving and Recognition Review Phase activities and audit purposes.

RECOGNITION REVIEW PHASE

Step 16: Recognition Review Audit

The Coordinating Support Function is to ensure a review of IR and MR (and ER where appropriate) is initiated, either as part of the normal periodic review cycle as determined by the validity period that is agreed by the Recognition Partners, or ad-hoc if required, and make recommendations to the Recognition Partners of the extant agreements. The Recognition Partners will then assess any findings and recommendations that are made during the review and re-validate the Recognition Certificate(s), if required.

The review activity is to be recorded and retained by the Coordinating Support Function for audit purposes.

Recognition Partners are to consult with the Coordinating Support Function to determine the human resources required to sustain the review phase and record in the Recognition Agreement. Failure to provide sufficient resource to the Recognition Review Phase could result in the Recognition Certificate expiring before the recognition period stated in the Recognition Agreement.

Step 17: Audit Reveals, or Nation Notifies, Significant Change to Self-Assessment of Recognition Partner

All nations that have signed, or which are already in the Initial Recognition Phase for issuing/receiving, a Recognition Certificate, are required to notify the Recognition Partners and Coordinating Support Function of a significant change¹. Additionally, significant changes may be discovered during an audit. The following are examples of what would constitute a significant change:

- a. Change of Key Personnel (e.g. Signatories).
- b. Significant changes to national airworthiness regulations.
- c. Change of Authority status (e.g. Independence).
- d. Significant reduction in manpower.
- e. Significant loss of SQEP within the Authority.

Step 18: Monitoring Significant Change without official notification.

Should the coordinating support function become aware of any Significant Changes without official notification they are to inform the Recognition Partners of all Recognition Certificates that could potentially be affected by the change(s).

Step 19: Decide if the Recognition Certificate is Affected?

The changes/audit findings revealed at Steps 16, 17 and 18 may trigger the need to review the scope of the Recognition Certificates that have been issued to the Recognition Partners. Recognition Partners must consider all of the changes/audit findings that have been notified to them in order to enable the most appropriate action to be determined.

Step 20: Is there a requirement for Recognition Partners to resolve an issue as a result of a change/audit finding?

Recognition Partners should attempt to jointly determine the most appropriate action to take to address any changes/audit findings. Possible actions could include, but are not limited to:

- a. Change of scope of the Recognition Certificate.
- b. Requesting corrective actions be put in place to maintain the current scope of recognition.
- c. Additional measures to mitigate any concerns.

Significant changes/audit findings may result in issuing a revised Recognition Certificate. The revised Appendix should reflect any change of scope.

If agreement cannot be reached, or if a Recognition Partner does not have the necessary resources to resolve a change/audit finding or the cost/benefit to a nation of addressing the change/audit finding far outweighs any benefit to that Recognition Partner, then a nation will always retain the sovereign privilege of withdrawing their approval of a Recognition Certificate.

Step 21: Coordinating Support Function Records and Archives Recognition Status

The Coordinating Support Function is to amend records accordingly.

Note: The Coordinating Support Function does not have any executive authority in its own right. It's function is to record decisions and changes made by nations and then to advise other nations of these changes, with possible implications.

¹ The action of the Coordinating Support Function upon notification of a significant change by an external AA will be actioned on a case-by-case basis.

REALISATION OF BENEFIT PHASE

Step 22: Artefacts

Artefacts are the outputs of regulatory processes issued by an authority (e.g. approvals, certificates, directives and licences). This phase potentially delivers the largest benefits to pMS. The Coordinating Support Function is to retain records of the various Recognition Certificates that are in place. Nations should review these regularly to determine if they are able to gain any potential benefits by either becoming a signatory to a Mutual Recognition Certificate that is already in place, or seeking Recognition with a nation with which they currently have no formal agreement. The following benefits, whilst not exhaustive, provide an indication of types of Benefits that could be realised:

- a. Adoption of Other Nations' Organisational Approvals.
- b. Joint Assessment for Approvals. In order to undertake this activity, an agreement that the audit and surveillance team has representatives from each of the Recognition Partners may be made. An agreement to resourcing, timescales and sharing of surveillance information will be made within the Recognition Agreement. Recognition Partners may agree to each issue an organisational approval following joint assessment activity.

If a Recognition Partner chooses to accept artefacts from another nation's authority, this confers no liability on the providing authority.

In principle, the process to be followed for the Realisation of Benefits Phase will be tailored to meet the needs of the Recognition Partners involved. Steps 1 – 16 should be used as a guideline, noting that with the existence of previously issued Recognition Certificates, many of the Steps may require only limited activity, thus making the process significantly quicker and would require less resource.

Step 23: Information sharing

Recognition Partners will need to consider what information is required to be shared and might consider specifying it in the Recognition Certificate. Examples of information that could be shared are:

- a. Audit Reports;
- b. Organisational Approvals;
- c. On-going formal surveillance reports as well as any emergent concerns/issues associated with approvals and certificates;
- d. Changes to organisational expositions;
- e. Changes to Military Type Certificates;
- f. Technical Airworthiness Information (e.g. Airworthiness Directives).

Permission may need to be sought from specific organisations if the information is about them or their products.

External Recognition Assessments

Where a pMS seeks to recognise an AA which operates outside of the EDA BFD and EMARs, it should utilise one of the following methods to gain assurance that the subject AA activities are conducted in a manner acceptable to that pMS, such that subsequent benefits might be achieved. The different methods to achieve ER, require different levels of scrutiny, dependent upon the AA being assessed:

- a. **Acceptance:** This assessment process would be used by an AA to accept the competence of a Civil Aviation Authority (CAA) verified as having assurance by a body deemed acceptable to the AA such as EASA or FAA. This assessment relies on the acceptable body having carried out their assurance assessment and therefore the AA of a

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pMS could determine its responsibilities for airworthiness are likewise assured. This process minimizes the effort required from the involved AAs and could lead to an expeditious decision. Verification would be required that the assurance:

1. Is extant and remains so for the required period;
2. Covers the same scope of recognition;
3. Is applicable to the required artefacts;
4. Is subject to surveillance and not undergoing sanctions;
5. Satisfies the intended environment of operation. The CAA shall be informed about the results of this accepted recognition and about the time period the acceptance remains valid.

The relevant information for accepted recognition can be provided by the certifying authority or by the AA itself.

b. MARQ: This process would be used by AAs to accept the competencies of an External AA based on the response and assessment using the MARQ. This would be the preferred assessment approach for CAAs where the assurance of an accepted body such as EASA or FAA is not available or MAAs. This option relies on the cooperation of the external AAs and leads to the most substantiated decision basis.

c. Conditional Assessment: For those scenarios where assessment by processes (a) and (b) cannot be achieved, the AA might elect to make an assessment from other appropriate sources of information available. This process is unlikely to be comprehensive and should be accompanied by appropriate conditions and risk assessments.

The AA of a pMS might decide to use an airworthiness statement of the external AA and/or a visit to assess potential recognition partner, when acceptance or MARQ assessments could not be performed due to limitations of time, resource or operational necessity. Based on the results of the analysis, together with any visit findings, a list of goals that have not been met should be created. The AA should conduct a risk assessment to determine whether the deficiencies are acceptable or whether mitigating action may be appropriate.

Open-source information should be considered in the risk assessment. This process can be used to substitute a review cycle of recognition if justified confidence in the competence of the AA exists.

Conditional Assessment Visit

The visit team shall consist of experienced independent experts appropriate to the scope for which acceptance can be granted.

The visit team will visit the external AA and evaluate its:

- a. Organization;
- b. Internal monitoring procedures;
- c. Resources and expertise;
- d. Ability to maintain the expertise of its personnel at adequate level;
- e. Conformity to the organization handbook with the applicable certification procedures;
- f. performance against selected goals;
- g. evaluation of the legal status of the organisation.

Coordinating Support Function

The entity providing the coordinating support function does not have any responsibility for ensuring the airworthiness of a nation's aircraft. Recognition Partners retain their sovereign decision making responsibilities and authority to act in the best interests of their nation. Similarly the coordinating support function is only advisory – it is the responsibility of each Recognition Partner to determine the appropriate action to take based on the information received. The Coordinating Support Function will support any pMS carrying out ER, as described above. The Coordinating Support Function is detailed at Annex C.

Definitions

Definitions are at Annex F.

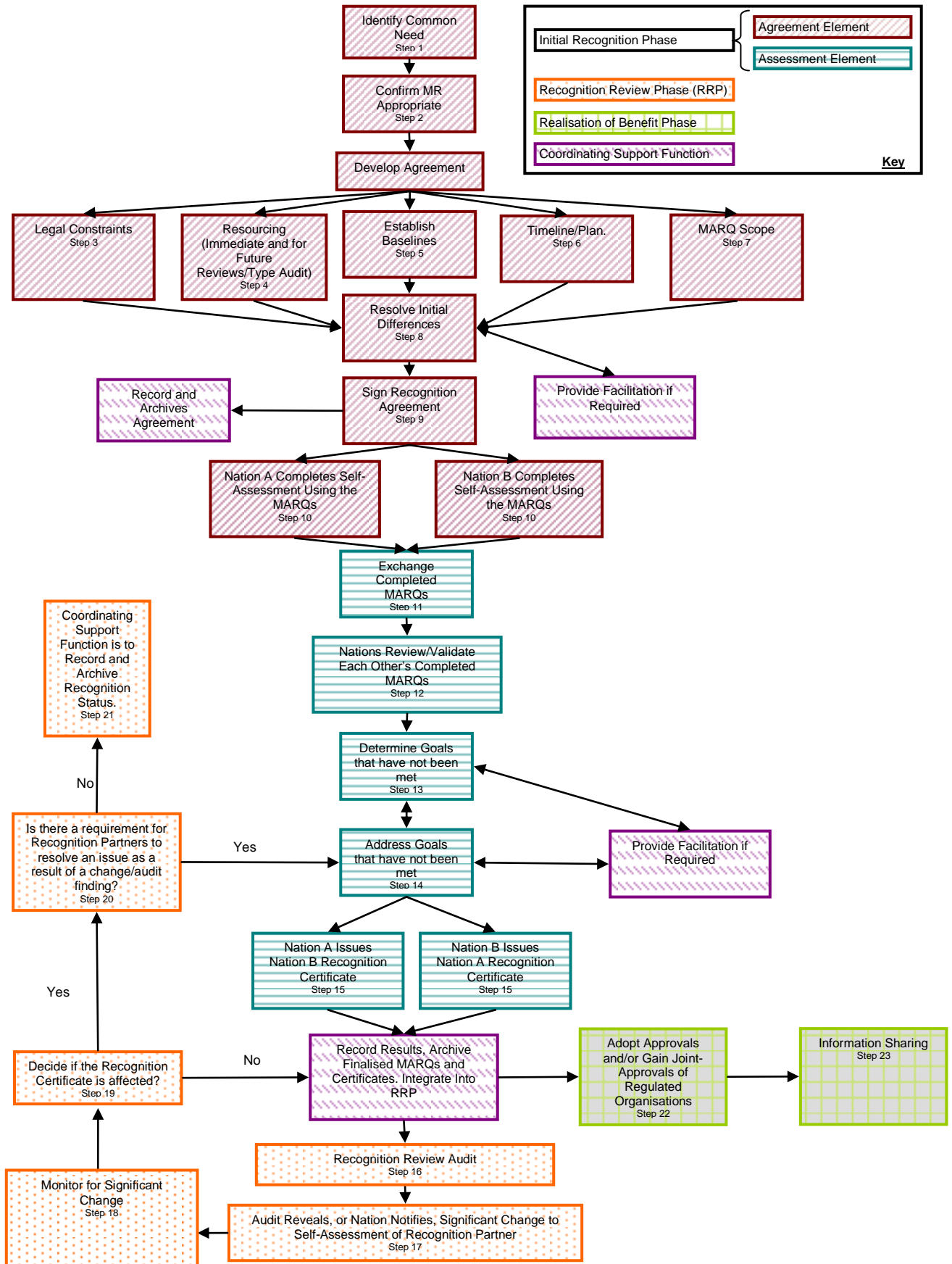


Fig. A-1: Mutual Recognition Process Map (e.g. MR between Nation A and Nation B)

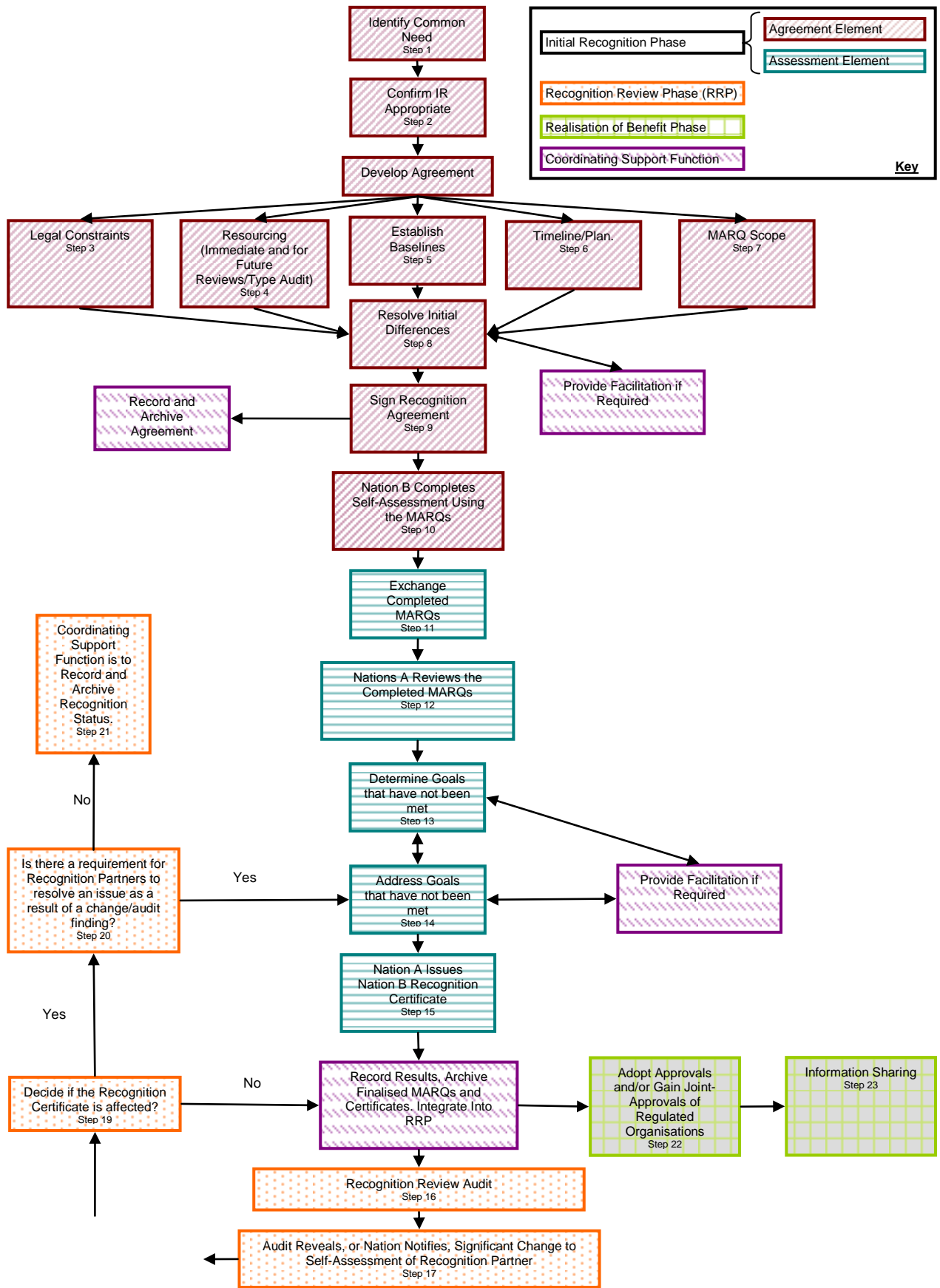


Fig. A-2: Internal Recognition Process (e.g. Nation A Recognising Nation B)

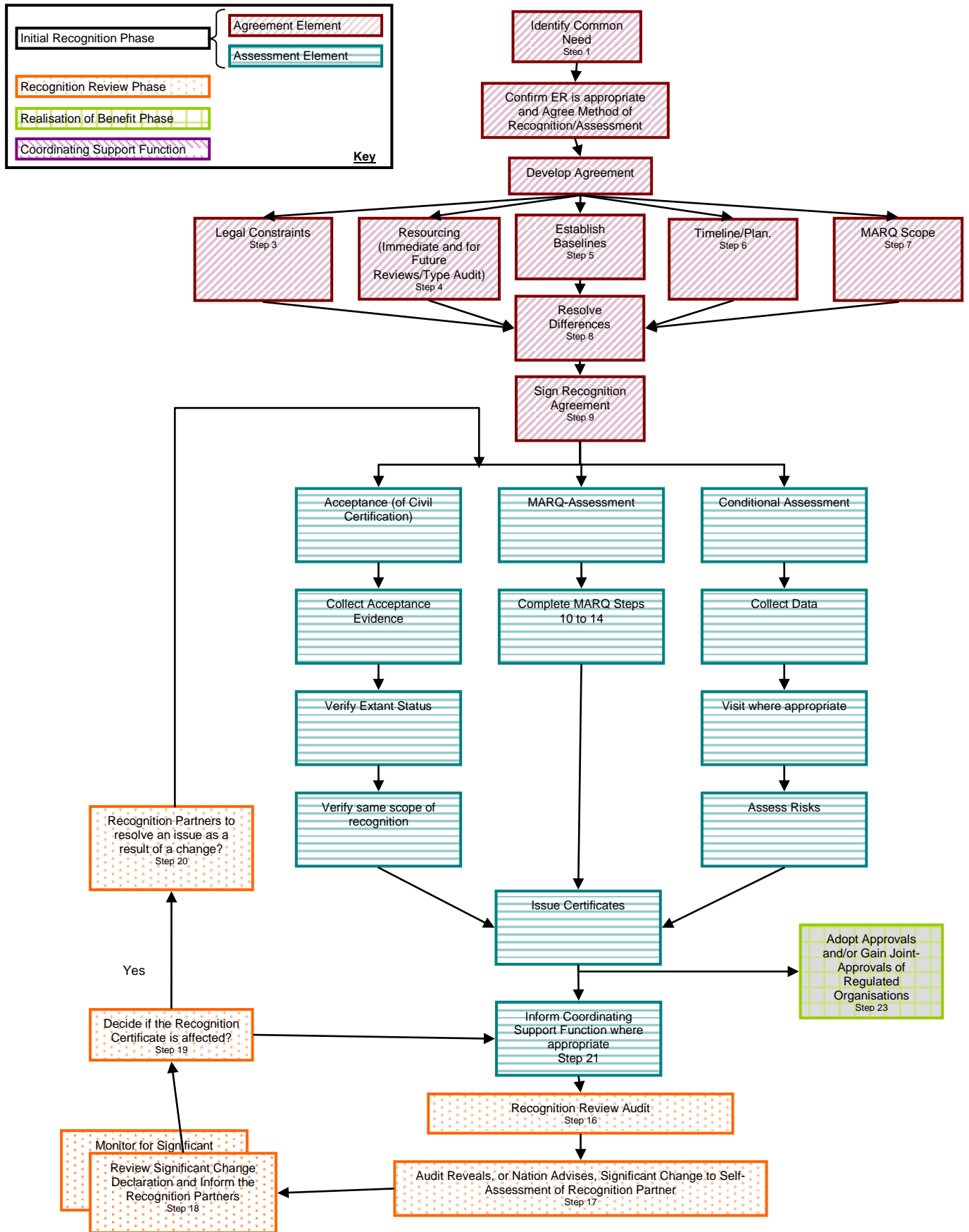


Fig. A-3: External Recognition Process (Between a MAWA and a Non-MAWA Nation)

Recognition Agreement Template

**Template for Recognition Agreement
between the National Military
Airworthiness Authorities of
Insert Nation
And
*Insert Nation/s***

Section 1 Agreement Basis

This agreement details the activity, resource and timescales that the Recognition Partners listed in Table 1 will endeavour to meet for the purpose of gaining and maintaining Recognition, as defined in EMAD R.

Authority	Nation
	<i>Expand this table as required</i>

Table 1

Section 2 Recognition Basis

We, the Recognition Partners, have identified the potential for benefits to be made in the programmes/platforms listed in Table 2. Consequently, it has been agreed that Mutual Recognition/Internal Recognition/External Recognition* is the most appropriate arrangement for the Recognition Partners.

**Delete as appropriate.*

Programme/Platform	Recognising Authority	Recognised Authority
		<i>Expand this table as required</i>

Table 2

Section 3 National Legal and Policy Considerations

Any national policy and legal requirements by which we, the Recognition Partners are bound have been assessed as follows:

- a. There are no national policy and/or legal requirements which impinge upon or prevent the application of this recognition process. *
- b. National policy and/or legal requirements which impinge upon or prevent the application of this recognition process are identified in Table 3*

**Delete as appropriate.*

Legal Constraint (Including References)	Action
	<i>Expand this table as required</i>

Table 3

Section 4 Resourcing

Initial Recognition Phase resourcing

For the purpose of conducting self-assessments against the MARQ² in the recognition process, we, the Recognition Partners, commit to providing adequate Suitably Qualified and Experienced Personnel (SQEP) resources to meet the agreed timeline at Section 6.

Where recognition agreement differences need to be resolved after the date of this agreement, we, the Recognition Partners commit to providing adequate SQEP resources to address those agreement differences within the agreed timeline at Section 6.

Recognition Review Phase resourcing for sustainment of recognition -

We, the Recognition Partners, have consulted with the Coordinating Support Function and commit to providing adequate SQEP resource for the sustainment of the recognition. Due consideration will be given to any previous recognition agreements when considering future resource requirement.

Previous Recognition Activity

Previous recognition activity, undertaken by us, the Recognition Partners, has been assessed and it has been agreed that:

- a. The elements, listed in Table 4, can be exploited for the efficiency of this recognition process.*
- b. It is not transferrable to this recognition process.*

**Delete as appropriate.*

Section 5 Baselines

Levels of EMAR Implementation

We, the Recognition Partners, have declared our respective levels of EMAR implementation to the Coordinating Support Function and to each other. We have assessed that our comparative levels of EMAR implementation will:

- a. Not hinder achievement of recognition.*
- b. Need to be addressed so as not to hinder achievement of recognition. Therefore we, the Recognition Partners, commit to address the agreement differences which have been included in Section 6.*

**Delete as appropriate.*

Comparative Recognition Partner Authority Structure, experience and responsibility

We, the Recognition Partners, have declared our comparative level of Authority structure, experience and scope of responsibility to each other. It has been determined that the comparative levels will:

- a. Not hinder achievement of recognition.*
- b. Need to be addressed so as not to hinder achievement of recognition. Therefore we, the Recognition Partners, commit to address the baseline differences that are included in Section 6.*

**Delete as appropriate.*

² MARQ : Military Authorities' Recognition Question-Set

Previous recognition activity to be exploited and its reference.	Date registered with Coordinating Support Function	Comments
	(dd/mm/yyyy)	
	(dd/mm/yyyy)	
		<i>Expand this table as required</i>

Table 4

Section 6 Timeline/Plan

	Action	Target Date (dd/mm/yyyy)	Details/Actionees
1	Register agreement with the Coordinating Support Function		
2	Identify/agree facilitation of support from Coordinating Support Function		
3	Resolve agreement differences Identified in Section 8 e.g. Level of EMAR implementation and complete appropriate EMAR Question Sets.		
4	Complete MARQs (see Section 7)		
5	Exchange MARQ responses		
6	Recognition Partners review each other's MARQ responses		
	Perform Audit or visit if necessary		
7	Determine unmet goals		
8	Resolve/Sentence/Agree unmet goals.		
9	Issue Recognition Certificate(s)		
10	Register Recognition Certificates with Coordinating Support Function		
11	Liaise with Coordinating Support Function to incorporate this review phase into the overall review activity		
12	Set plan for the realisation of potential benefits e.g. adopting/joint approvals		
13	Date that current recognition certificate validity expires		
14	First review as part of		
			<i>Expand this table as required</i>

Table 5

Section 7 MARQ Scope

The elements of the MARQ to be assessed are:

- a. Airworthiness Regulator
- and
- b. Airworthiness Inspection.*
- c. Production Oversight.*
- d. Aircraft Certification.*

**Delete as appropriate.*

Section 8 Agreement Differences

a. There are no identified differences, other than those in sections 3 and 5, which need resolving.*

b. Other than those in sections 3 and 5, any agreement differences that need resolving are listed in Table 6 and we, the Recognition Partners, will resolve these differences in accordance with the timeline at table 5, as necessary. *

**Delete as appropriate.*

Agreement Differences	Date to be resolved (included in timeline at Table 4)	Resolution Action required
	(dd/mm/yyyy)	
		<i>Expand this table as required</i>

Table 6**Section 9 Signatures**

The Recognition Partners' signatories below are duly authorised to make the agreements given above and do so in light of the EDA Steering Board decision dated 10 Nov 2008 in Ministerial formation.

Authority: pMS:	Name: Title: Signature:	Date:
Authority: pMS:	Name: Title: Signature:	Date:
		<i>Expand this table as required</i>

Table 7

Role of the Coordinating Support Function

The Coordinating Support Function is to:

- a. Record the progress and outcomes of all recognition activities. It will provide a database for recording all activities, Recognition Agreements, Recognition Certificates (including their Appendices) and updates for archival and Recognition Review Phase audit purposes.
- b. Incorporate new recognition activities into the Recognition Review Phase activity requirements with sufficient provisions to allow any necessary review activity to take place before Recognition Certificates expire.
- c. Capture and record all Recognition Review Phase activities in the aforementioned database.
- d. Provide advice, support and guidance for participating pMS engaging in recognition activities.
- e. Encourage pMS to implement the relevant EMARs in order to facilitate recognition by potential Recognition Partners. If the EMARs are not fully implemented (which includes the associated Acceptable Means of Compliance (AMC)) then the constraints preventing this need to be understood and appreciated.
- f. If requested, in the case of a dispute in the recognition process, arbitrate and facilitate a resolution process between the Recognition Partners in order to reach a successful conclusion acceptable to all parties.
- g. Capture and record lessons learned by Recognition Partners and give advice on future activity accordingly.
- h. Give due regard to the need for national sovereignty, legal and 'Intellectual Property Rights' constraints in the discharge of all its activities.
- i. Define the competencies that are required for its members based upon the activities that it will be required to perform.
- j. Develop 'model' templates that could be used for Recognition Agreements, to ensure a level of consistency.
- k. Facilitate the Recognition Review Phases for Recognition Certificates to ensure the most cost effective and timely use of available resources (e.g. where a particular nation is involved in more than 1 Recognition Agreement, then it would be beneficial if the Recognition Review Phase activity associated with all Recognition Agreements could be aligned where possible).

The Coordinating Support Function is to produce and maintain a communication plan which includes a diagrammatic representation showing the current status (and type) of recognition between Recognition Partners. This will allow opportunities for transitive recognition to be identified or show where a less stringent assessment could be considered (based upon any differences).

The Coordinating Support Function is to maintain a plan for the Recognition Partners to ensure the review resources are used efficiently.

The Coordinating Support Function is to develop the tertiary benefits by:

- a. Ensuring the activities associated with the Recognition Review Phase are conducted in the most resource-effective manner:
 - (1) Share opportunities.
 - (2) Rationalise resource.

b. Ensure common benefits are identified and are available to be exploited by all pMS. Possible examples are:

- (1) Coordination between pMS.
- (2) Feedback of benefits to pMS for use in subsequent cost/benefit analysis activities.
- (3) Exploiting benefits for the European Defence Technology Industrial Base (EDTIB).
- (4) Enabling a consistent approach to airworthiness.
- (5) Making available airworthiness information to achieve transparency and share best practice.

The Coordinating Support Function is to keep a database of the following for archive purposes:

- a. Recognition Certificates. In order to provide greater visibility and to identify collaborative opportunities, the Coordinating Support Function is to maintain a top-level record of Recognition Certificates that have been issued along with their scope and their proposed validity periods. This record can be included for distribution amongst pMS if the parties concerned agree.
- b. Finalised MARQs including sentencing of non-achievement of goals.
- c. Audit findings and national points of contact.
- d. EMAR QS responses provided by the pMS and the respective EMAR implementation status sheet.

Military Authorities Recognition Questionset (MARQ)

Overview

The MARQ has been developed to provide a set of Goals built on a Goal Structured Notation (GSN) framework. This is derived from the established International Civil Aviation Organization (ICAO) Standards and Recommended Practices (SARPs).

Guidance Material

MARQ has two layers: 'Organizational Goals' and 'Assurance Goals' depicted in the box diagram in Figure 1. The layers contain a range of Goal Sets, each representing the Authority, its form and how it conducts its responsibilities.

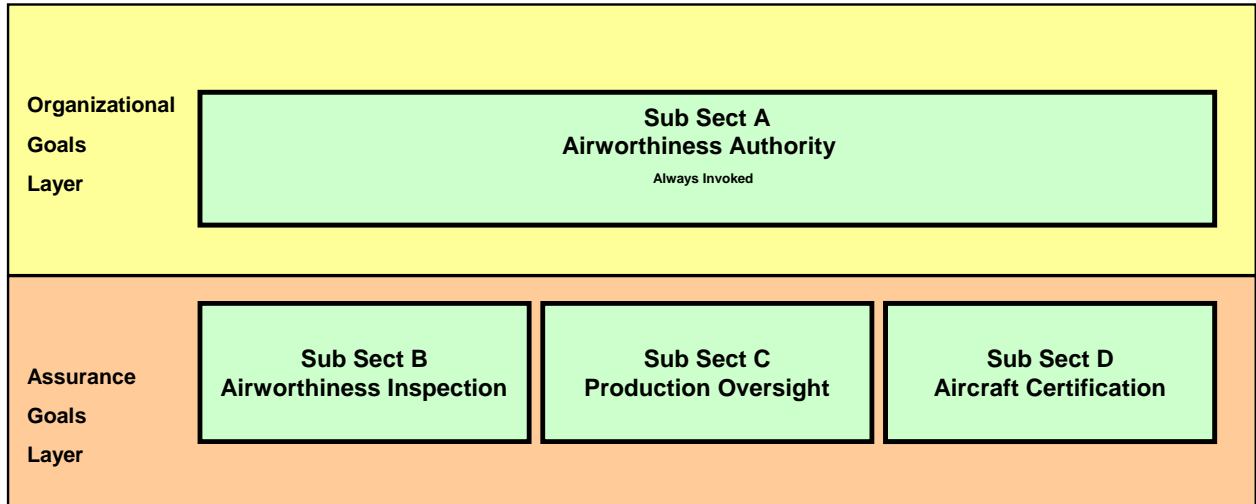


Fig. D-1 – MARQ Box Diagram.

The MARQ is structured to contain up to 4 levels of goals (Fig D-2) - as many as necessary to capture all the information in a logical order.

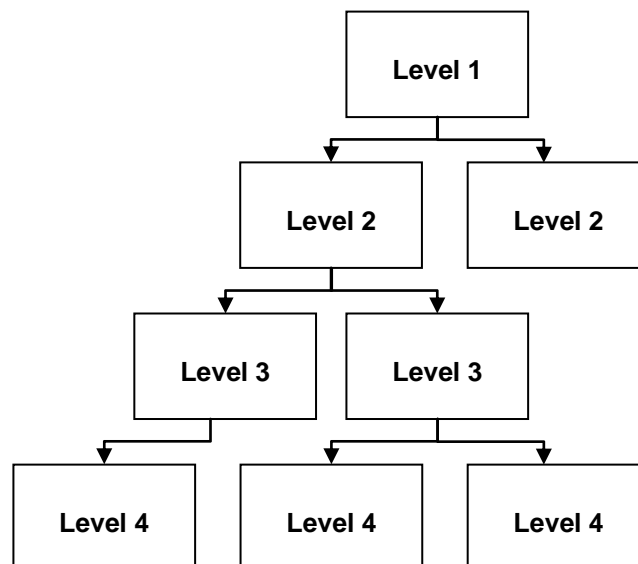


Fig. D-2 – Hierarchy of Goals

The higher-level goals are constructed from the associated goals in the level below. Categorising them in this way enables demonstration of meeting a higher-level goal by evidence in the lower-levels. It will be up to the Recognition Partners to decide, for the purposes of their particular recognition activity, which goals are essential. If a goal is not met, or is partially met, then this does not necessarily mean that the higher-level goal is not met. The Recognition Partners can resolve unmet goals or accept recognition differences, according to their particular recognition activity. Hence, the Authority completing the self-assessment will start by demonstrating the lower-level goals and use them to demonstrate achieving the higher-level.

The Goals cover, but are not exclusive to, the elements of the ICAO references that are relevant to the military environment. The Goals are arranged according to the ICAO Critical Elements and each Goal can be referenced to ICAO Doc 9734 (Safety Oversight Manual) and ICAO Doc 9760 (Airworthiness Manual). It should be noted that, because the MARQ is derived from more than one document, the levels in the GSN are not directly related to the sub paragraphs of each of the ICAO references.

When providing responses to the goal-sets, reference should be made to national regulations, documents and to the resources used by the Authority. It may be that similar answers are given to different goals depending on the Authority's composition. In cases where a pMS has multiple Authorities, with complimentary remits, the Authority to be recognised should show that there are coordination arrangements between them.

All references remain worded in the generic sense so that they can be used for military and civil applications, however, as the scope is about military aircraft the principal authorities are assumed to be military.

Evidence Review

When reviewing the goal evidence the authorities should consider whether the goal:

- a. Has been fully met.
- b. Is partially met.
- c. Is not met due to significant shortfalls in evidence.
- d. Is not applicable due to the scope of the recognition.

In each of cases b and c above, the Authority completing the MARQ highlights, to the Recognising Authority, any shortfalls in meeting the goals using the 'Issues' column of the MARQ. During its review of the MARQ, the Recognising Authority highlights, to the completing Authority, any differences that might need resolving in the 'Issues' column of the MARQ.

The Authorities then agree the actions required to resolve issues. Resolution could be:

- a. The Authorities do nothing, as the shortfall is not significant.
- b. The Authority completing the MARQ makes changes required to meet the goal.
- c. The Recognising Authority accepts that the shortfall is addressed by alternative means.
- d. The Recognising Authority may wish to put additional actions in place themselves to cover shortfalls.

Sub-Section A Airworthiness Authority

					ANNEX D Sub-section A	
MARQ 1.1 Airworthiness Authority				Date Completed:	Edition 1.0	
Unique Identifying Reference	Goal Level	Airworthiness Safety Goal	Question- How does the Authority meet this goal? Provide a statement, including how the Air Safety Goal is met, by the Authority. Complete all boxes and insert N/A if the Goal is not in the Authority’s remit.	Issues (Steps 12&13)	Action (Step 14)	
1.1	1	The Authority meets the established requirements and functions at the required level of competency and safety				
Critical Element Number 1 (CE1) - Primary Aviation Legislation						
1.1.1	2	A code for airworthiness regulations is provided for in the basic aviation law/framework of the State and an appropriate entity (herein referred to as the Authority) is established and empowered with the necessary authority to verify compliance with the regulations				
1.1.1.1	3	The State code of airworthiness establishes an Authority				
1.1.1.2	3	The State gives the necessary authority to the head of the Authority to verify compliance with the regulations				

1.1.1.2.1	4	The Authority is authorised to register aircraft and maintain a national registry			
1.1.1.2.2	4	The Authority is authorised to issue or validate Military Type Certificates			
1.1.1.2.3	4	The Authority is authorised to issue Production Approvals			
1.1.1.2.4	4	The Authority is authorised to issue, renew or validate Certificates of Airworthiness			
1.1.1.2.5	4	The Authority is authorised to issue, amend, cancel and suspend airworthiness approvals, licences and certificates			
1.1.1.2.6	4	The Authority is authorised to develop, issue and amend Airworthiness Directives (AD), bulletins, orders etc, consistent with its airworthiness regulations			
1.1.1.2.7	4	The Authority is authorised to establish an airworthiness organisation to assist in carrying out its functions and responsibilities			
1.1.1.3	3	The Authority makes provisions for the enforcement of airworthiness regulations			

1.1.1.4	3	The Authority makes provisions for authorised personnel to have the right of access to places as necessary to carry out airworthiness functions			
Critical Element Number 2 (CE2) - Specific Operating Regulations					
1.1.2	2	The Authority develops, issues and maintains national airworthiness regulations, standards, policy and guidance			
1.1.2.1	3	The Authority amends, as appropriate, national airworthiness regulations, policy, and guidance, based on a continual review of the viability and effectiveness of those regulations, policy and guidance			
1.1.2.2	3	The Authority examines changes in requirements for incorporation into national regulations, or the filing of appropriate differences			
1.1.2.3	3	The Authority examines current and new regulations of other Authorities and determines the need for adoption of critical features of the other regulations in the national regulations			
1.1.2.4	3	The Authority establishes working relationships with other AAs and industry that facilitate the certification of foreign aviation products and parts to enable their import and export			

1.1.2.5	3	The Authority conducts research and development, as necessary, to support issuance of regulations standards, policy, and guidance			
1.1.2.6	3	The Authority identifies and resolves regulatory problems associated with airworthiness and establishes appropriate general and technical regulations, policies and procedures			
1.1.2.7	3	Environmental protection is addressed by the AA's approach to certification			
Critical Element Number 3 (CE3) - Aviation System and Safety Oversight Functions					
1.1.3	2	The Authority has satisfactory organisation arrangements. This organisation will often be structured to deliver the following functions: aircraft certification (or engineering), production oversight and airworthiness inspection			
1.1.3.1	3	The Authority's organisation is commensurate with the number, size and complexity of its safety oversight functions			
1.1.3.2	3	The Authority is organised so that it retains effective control of inspection functions			

1.1.3.3	3	Where national regulation allows, the Authority only issues privileges to organisation/persons who have demonstrated they are competent			
1.1.3.4	3	There is a distinct separation of responsibilities between the Authority and the regulated community			
1.1.3.5	3	Where the Authority's aircraft certification, production oversight and airworthiness inspection functions are undertaken by separate organisational entities within the AA, those organisations coordinate and liaise with each other, and with those in foreign authorities			
Critical Element Number 4 (CE4) - Technical Personnel Qualification and Training					
1.1.4	2	Authority staff are competent			
1.1.4.1	3	Staff are qualified and experienced personnel capable of successfully undertaking the wide variety of required tasks			
1.1.4.2	3	Staff possess a high degree of integrity, are impartial and tactful, and have good interpersonal communication and behaviour skills			

1.1.4.3	3	The Authority has a programme for induction of new personnel that includes training in organisational responsibilities, appropriate airworthiness regulations, standards and policy, organisational working procedures, and the role of an Authority			
1.1.4.4	3	The Authority has a structured programme to educate the staff on appropriate new Authority regulations, standards, policies, and procedures as they are being implemented			
1.1.4.5	3	The staff are kept abreast of developments in the design, production and maintenance of aircraft and associated equipment			
1.1.4.6	3	Staff members are provided with conditions of service reasonably consistent with that of the AA's regulated community given the same technical knowledge, experience and the responsibilities of their position.			
1.1.4.7	3	Staff possess professional qualifications, aeronautical licences, certificates or academic degrees commensurate with their job responsibilities			

Critical Element Number 5 (CE5) - Technical Guidance, Tools and the Provision of Safety-Critical Information					
1.1.5	2	Technical guidance (including processes and procedures), tools (including facilities and equipment) and safety-critical information is provided, as applicable to the technical personnel to enable them to perform their safety oversight functions in accordance with established requirements and in a standardised manner. In addition, this includes the provision of technical guidance by the airworthiness authority (AA) to the regulated community on the implementation of applicable regulations and instructions			
1.1.5.1	3	The Authority establishes a properly organised technical library and keeps a records repository			
1.1.5.1.1	4	Arrangements are made for the supply of documents related to the airworthiness of aircraft on the Authority's registry			
1.1.5.1.2	4	A library is provided. All documents in the library are amended and kept up to date in a timely fashion, as appropriate			

1.1.5.1.3	4	The Authority records each aircraft held on its register. The records detail applications for Certificates of Registration and Airworthiness, copies of supporting documents, copies of certificates issued, the maintenance programme approved for the aircraft, together with any other information relevant to the airworthiness of aircraft			
Critical Element Number 6 (CE6) - Licensing, Certification, Authorisation and Approval Obligations					
1.1.6	2	An airworthiness assurance system has been established, according to the level and scope of aviation activity			
1.1.6.1	3	The Authority conducts type certification (See Goal Set 1.4 for further details)			
1.1.6.2	3	The Authority oversees production (See Goal Set 1.3 for further details)			
1.1.6.3	3	The Authority conducts airworthiness inspection (See Goal Set 1.2 for further details)			
Critical Element Number 7 (CE7) - Surveillance Obligations					
1.1.7	2	The Authority performs appropriate surveillance of the regulated community to ensure compliance with airworthiness regulations and associated specifications			
1.1.7.1	3	The Authority performs appropriate surveillance of organisations which have been granted privileges			

1.1.7.2	3	The Authority evaluates changes to a certificate/approval to ensure continued compliance with the applicable airworthiness regulations			
1.1.7.3	3	The Authority sentences requests for deviations from regulations and specifications, and ensures adequate treatment for those deviations			
1.1.7.4	3	The Authority discovers and assesses problems in the regulated community which threaten timely and satisfactory achievement of safety objectives related to regulation, including issuing recommendations for corrective action			
1.1.7.5	3	The Authority witnesses critical tests performed and approval of testing methods and test reports			
Critical Element Number 8 (CE8) - Resolution of Safety Concerns					
1.1.8	2	The Authority investigates safety concerns and takes enforcement action			

1.1.8.1	3	The Authority conducts investigations when: - major problems or defects in aeronautical products or parts in service and determines corrective appropriate action to be taken - the airworthiness objectives of regulations are not being met			
1.1.8.2	3	The Authority monitors service bulletins/technical instructions to consider their implications on design, production and maintenance			
1.1.8.3	3	The Authority evaluates accidents, incidents and service difficulties to determine possible unsatisfactory designs or processes			
1.1.8.4	3	The Authority takes enforcement activities, when necessary, to ensure compliance with airworthiness regulations			
1.1.8.4.1	4	The Authority provides deadlines for corrective action to be taken and initiates appropriate follow-up to determine the effectiveness of the corrective action			

1.1.8.4.2	4	The regulations include arrangements (policies and procedures) for their enforcement, including arrangements for suspension, and/or revocation or for restrictions to be imposed for non-compliance			
1.1.9	2	The Authority assures that adequate Risk Management is undertaken.			
1.1.9.1	3	Acceptable risk levels are stipulated in the regulations and/or Certification Standards.			
1.1.9.2	3	There is clear acceptance/ownership and accountability for risks associated with airworthiness.			
1.1.9.3	3	A risk escalation/referral protocol is in place.			

Sub-Section B Airworthiness Inspection

					ANNEX D Sub-section B	
MARQ 1.2 Airworthiness Inspection				Date Completed:	Edition 1.0	
Unique Identifying Reference	Goal Level	Airworthiness Safety Goal	Question- How does the Authority meet this goal? Provide a statement, including how the Air Safety Goal is met, by the Authority. Complete all boxes and insert N/A if the Goal is not in the Authority's remit.	Issues (Steps 12&13)	Action (Step 14)	
1.2	1	The Authority meets the established airworthiness inspection requirements and functions at the required level of competency and safety				
1.2.1	2	The Authority records, reviews and processes applications for registration of aircraft, registering and deregistering aircraft as appropriate, and issuing Certificates of Registration				
1.2.2	2	The Authority surveys aircraft for issuance, renewal and validation of Certificates of Airworthiness				
1.2.2.1	3	The Authority has procedures for issuance and renewal of a Certificate of Airworthiness				
1.2.2.3	3	The Authority has procedures for the validation of a Certificate of Airworthiness issued by another Authority				

1.2.3	2	The Authority issues and reviews Maintenance Organisation (MO) and Continuing Airworthiness Management Organisation (CAMO) approvals			
1.2.3.1	3	The Authority assures that the MO/CAMO has in place systems of inspection and quality management			
1.2.3.2	3	The Authority ensures that the MO's/CAMO's procedures manual/exposition is acceptable			
1.2.4	2	The Authority undertakes surveillance, investigations and enforcement			
1.2.4.1	3	The Authority periodically reviews the airworthiness condition and records of aircraft on the registry in order to assess the adequacy of their maintenance and the competence and diligence of the persons and organisations who perform the maintenance			
1.2.4.2	3	The Authority conducts periodic surveillance of the maintenance-related facilities, procedures and work of operators, making appropriate recommendations and approving amendments to the maintenance organisation's procedures/exposition and quality control manuals, as appropriate			

1.2.4.3	3	The Authority surveys the facilities, procedures and staffing of organisations seeking to conduct maintenance on aircraft, and issues and reviews such approvals			
1.2.4.4	3	The Authority assesses the qualification of approved persons within an organisation, and other persons as alternates, to perform certain maintenance-related airworthiness functions			
1.2.4.5	3	The Authority recommends and, where necessary, issues directives concerning the maintenance, overhaul and repair standards to be met by aircraft and aircraft components and equipment, and issues procedures to be followed by the regulated community to comply with the regulations relating to airworthiness			
1.2.4.6	3	The Authority approves aircraft and component reliability programmes			
1.2.4.7	3	The Authority participates in maintenance review board activities toward the development and approval of initial maintenance inspection requirements for newly type certificated aircraft and engines			

1.2.4.8	3	The Authority surveys the facilities, procedures and staffing of applicants for approval to conduct the training of maintenance personnel, and issues and renews such approvals			
1.2.4.9	3	The Authority prepares and distributes advisory material to the regulated community concerning airworthiness practices and procedures, where such action does not warrant mandatory action but may still make a significant contribution to flight safety			
1.2.4.10	3	The Authority assists, when requested, in the investigation of aircraft accidents			
1.2.4.11	3	The Authority prepares and distributes documents containing all issued airworthiness directives to the regulated community			
1.2.4.12	3	The Authority liaises with other national authorities on matters relating to maintenance and operations			
1.2.4.13	3	The Authority investigates possible violations of the regulations			

Sub-Section C Production Oversight

					ANNEX D Sub-section C	
MARQ 1.3 Production Oversight				Date Completed:	Edition 1.0	
Unique Identifying Reference	Goal Level	Airworthiness Safety Goal	Question- How does the Authority meet this goal? Provide a statement, including how the Air Safety Goal is met, by the Authority. Complete all boxes and insert N/A if the Goal is not in the Authority's remit.	Issues (Steps 12&13)	Action (Step 14)	
1.3	1	The Authority meets the established production oversight requirements and functions at the required level of competency and safety				
1.3.1	2	The Authority issues a production certificate/approval for aeronautical products or parts manufactured by a production organisation				
1.3.2	2	The Authority approves production organisations to ensure proper communications with the design organisation, the adequacy of manufacturing test facilities, the competence of skilled personnel, the existence of satisfactory quality control systems, including coverage of suppliers				

1.3.2.1	3	The Authority assures that production organisations have established and can maintain a valid quality management system			
1.3.2.2	3	The Authority assures that production organisations determine that each part and completed products conform to the design and are in a condition for safe operation			
1.3.2.3	3	When approving the production organisation, the Authority requires that production is conducted in a controlled manner, including the use of a Quality System, so that construction and assembly are satisfactory			
1.3.2.4	3	The Authority requires that records be maintained such that the identification of the aircraft and of the parts with their approved design and production can be established			
1.3.2.5	3	The Authority assures that production organisations maintain a complete and current design data file for each product produced under the production approval			

1.3.2.6	3	The Authority assures that production organisations maintain complete and current inspection records showing that all inspections and tests required to ensure compliance with the applicable regulations have been properly completed and documented. These records typically should be retained for 6 years			
1.3.3	2	The Authority surveys and evaluates aircraft for issuance of an Airworthiness Certificate (Certificate of Airworthiness) and maintains the certificate for aircraft on the military aircraft register			
1.3.4	2	The Authority issues authorised release certificates for airworthy aeronautical products or parts			
1.3.5	2	The Authority undertakes production surveillance, investigations and enforcement			
1.3.5.1	3	The Authority performs regular surveillance of manufacturing activities and series production to assure the manufacturers' compliance with airworthiness regulations and associated manufacturing specifications			
1.3.5.1.1	4	The Authority assures the production organisation's compliance with approved production drawings and manufacturing procedures			

1.3.5.1.2	4	The Authority evaluates any changes to the Production Certificate/approval to assure continued compliance with the applicable airworthiness requirements			
1.3.5.1.3	4	The Authority sentences production organisations' requests for deviations from regulations			
1.3.5.1.4	4	The Authority assures that the manufacturer submits complete modification drawings, design data and maintenance information for use by the operator, maintenance and overhaul organisation			
1.3.5.1.5	4	The Authority responds to production organisations' reporting of problems, which threaten timely and satisfactory achievement of the regulations, with recommendations for corrective action			
1.3.5.1.6	4	The Authority witnesses critical tests performed by production organisations and approves testing methods and test reports			
1.3.5.2	3	The Authority investigates unsatisfactory manufacturing occurrences, which may result in necessary corrective actions			
1.3.6	2	The production aspects of Type Certification activities are addressed by the Authority			

1.3.6.1	3	The Authority evaluates proposals pertinent to manufacturing aspects of the design, repair, and modification of aircraft or its parts to ensure conformity with the Authority specifications			
1.3.7	2	The Authority establishes relationships with other airworthiness authorities for cooperation on production organisation surveillance			

Sub-Section D Aircraft Certification

					ANNEX D Sub-section D	
MARQ 1.4 Aircraft Certification				Date Completed:	Edition 1.0	
Unique Identifying Reference	Goal Level	Airworthiness Safety Goal	Question- How does the Authority meet this goal? Provide a statement, including how the Air Safety Goal is met, by the Authority. Complete all boxes and insert N/A if the Goal is not in the Authority's remit.	Issues (Steps 12&13)	Action (Step 14)	
1.4	1	The Authority meets the established aircraft certification requirements and functions at the required level of competency and safety				
1.4.1	2	The Authority approves Design Organisations to ensure they have the technical competency and organisation to enable them to show compliance with the appropriate design regulations				
1.4.2	2	The Authority approves and certifies the type design of aircraft, engines, propellers, parts and appliances				
1.4.2.1	3	The Authority defines criteria and processes for certifying compliance of the type design with applicable airworthiness standards				
1.4.2.1.1	4	The Authority establishes certification bases				

1.4.2.1.2	4	The Authority agrees/accepts the means or methods of compliance			
1.4.2.2	3	The Authority conducts an evaluation of engineering and airworthiness of an aircraft type			
1.4.2.2.1	4	The Authority issues findings on compliance			
1.4.2.2.2	4	The Authority approves the design information required for design certification and continued airworthiness (i.e. Approved Data)			
1.4.2.3	3	The Authority issues Military Type Certificates or design certificates for aircraft, engines, propellers, parts and appliances			
1.4.2.4	3	The Authority issues Military Permits to Fly, when an aircraft is not fully in compliance with its airworthiness requirements but is capable of safe flight			
1.4.3	2	The Authority facilitates post-certification airworthiness functions			
1.4.3.1	3	The Authority ensures that a system is in place through which the operator will report malfunctions, failures, and defects to the type design organisation and that the type design organisation will review those reports and take corrective action. Authority should monitor that action to ensure unsafe conditions are corrected			

1.4.3.2	3	The Authority monitors service bulletins from the design/production organisation to determine likely effects on continuing airworthiness of aviation products and to establish procedures to avoid or correct difficulties			
1.4.3.3	3	The Authority mandates actions to correct any unsafe conditions and disseminates the information to operators.			
1.4.3.4	3	The Authority ensures there is a system in place for the receipt, review, and appropriate action on mandatory airworthiness information			
1.4.4	2	The Authority transmits information necessary for continuing airworthiness and safe operation of aircraft to other Authorities that have the aircraft type on its register (and others on request)			
1.4.5	2	The Authority requires and approves a structural integrity programme for each aircraft type and monitors its effectiveness. The programme includes specific information concerning ageing.			
1.4.6	2	The Authority establishes a system to manage and mitigate safety issues			

1.4.6.1	3	The Authority establishes a system to ensure that information on faults, malfunctions, defects and other occurrences that causes or might cause adverse effects on the continuing airworthiness of aircraft is received			
1.4.6.2	3	The Authority establishes a system to ensure that decisions are made on whether or not to take airworthiness action			
1.4.6.3	3	The Authority establishes a system to ensure that, if necessary, airworthiness actions are developed and promulgated appropriately			
1.4.7	2	The Authority conducts an evaluation of modifications or repair schemes			
1.4.8	2	The Authority assures that the operator/CAMO takes all necessary actions to keep its aircraft in an airworthy condition			

Recognition Certificate Template

Template for Recognition Certificate
of
Insert Recognised Authority (Nation)
by
Insert Recognising Authority (Nation)

Recognition, in this case, is of an Authority by another Authority. To achieve the goal of regulating once and using the outcome many times the recognition process guidelines detailed in EMAD R have been followed and confidence has been gained that ...recognised authority's.....regulatory approach is common withrecognising authority.....

Notwithstanding the Accepted Recognition Deltas listed in Table 1, theRecognised authority's.....conduct of regulatory assurance is assessed as being at a standard by which the artefacts listed in Table 2 can be gained.

Accepted Recognition Delta	Justification
	<i>Expand this table as required</i>

Table 1

Artefacts	Remarks
e.g. Existing Approval of maintenance organisation x to be adopted by recognising authority.	Confirmation of audit programme required
e.g. Approval of production organisation y to be conducted jointly.	Recognition Agreement Reference*** requires signature
e.g. Existing Certification x to be adopted by recognising authority.	
	<i>Expand this table as required</i>

Table 2

The Recognition Certificate is valid until

The Recognition Certificate will be reviewed for the first time onunless any significant changes (Section 14 of EMAD R refers) to the Authorities occurs before that date.

All Recognition Partners undertake to inform the other Recognition Partners immediately of any significant changes to their authority (Section 14 of EMAD R refers).

Recognition Partners undertake to provide the following information relevant to the artefacts listed in Table 2:

- a. e.g. Audit Reports, etc.

The essential principle that recognition is a national responsibility is maintained, hence sovereign regulatory responsibility is not abdicated by issuance of this certificate.

The Recognition Partners' signatories below are duly authorised to make the agreements given above and do so in light of the EDA Steering Board decision dated 10 Nov 2008 in Ministerial formation.

Recognised Authority: pMS:	Name: Title: Signature:	Date:
Recognising Authority: pMS:	Name: Title: Signature:	Date:
		<i>Expand this table as required</i>

Table 3

Definitions

Transitive Recognition – Where an authority, for its own recognition purposes, exploits the recognition activity between other authorities. E.g. If Authority A recognises Authority B and Authority B recognises Authority C, on the same scope, then by virtue Authority A could recognise Authority C based on a simplified process (provided that the recognition differences accepted by Authority B are accepted by Authority A).

EMAD R Ed 1.0 –vs – EMAD R Ed 1.1

TABLE OF CHANGES

In accordance with the direction received from the MAWA Forum, all amended paragraphs from EMAD R Edition 1.0 are indicated by the use of a ‘sidebar’ in the margin. This can be readily cross-referenced using this table which details each change.

Nomenclature Used:

Additions to the text introduced in Edition 1.1 are tabulated below in red. Deletions of text from Edition 1.1 are indicated by the use of ►◄. In both cases, the reason for the difference is clarified in the ‘notes’ column’.

If a paragraph is not included on the table, then no amendments have been made

Paragraph	Sub-Para	EMAR R Ed 1.0 wording	EMAR R Ed 1.1 revised wording	Notes
INITIAL RECOGNITION PHASE	Step 2	Based on the outcome of the activities at Step 1, determination of the appropriate type of recognition being sought between the recognition partners must be established	Based on the outcome of the activities at Step 1, determination of the appropriate type of recognition being sought between the recognition partners must be established. <i>Where external recognition is appropriate, the Recognition Partners (RPs) must decide the type of assessment to be employed so that the recognition agreement can be developed accordingly. Three different types of external recognition assessments are possible depending on the level of engagement that can be achieved between the AAs. Flow-diagrams showing the processes to achieve ER are at Annex A Fig 3. The activities associated with the entire process are clearly identified in the following steps.</i>	Wording changed to include External Recognition.

Paragraph	Sub-Para	EMAR R Ed 1.0 wording	EMAR R Ed 1.1 revised wording	Notes
INITIAL RECOGNITION PHASE	Step 3	The Coordinating Support Function is to assist in developing the Recognition Agreement if requested by the Recognition Partners.	The Coordinating Support Function is to assist in developing the Recognition Agreement for IR and MR, if requested by the Recognition Partners. The Coordinating Support Function will assist in developing the RA for ER where appropriate.	Wording changed to clarify the role of CSF in the case of External Recognition
INITIAL RECOGNITION PHASE	Step 5 2 nd para	Once this analysis has been completed, an agreed baseline must be established that meets the minimum acceptable set of requirements that must be met for all Recognition Partners. This process allows pMS with differing levels of experience, responsibility and ability to recognise each other. Where one Recognition Partner is assessed as not meeting this baseline, an agreement will need to be reached on how to resolve the differences. (e.g. a possible solution could be additional mitigation or remedial actions put in place by one of the Recognition Partners for the duration of the validity of the Recognition Certificate). The Coordinating Support Function may facilitate a resolution process.	Once this analysis has been completed, an agreed baseline must be established that meets the minimum acceptable set of requirements that must be met for all Recognition Partners. This process allows pMS with differing levels of experience, responsibility and ability to recognise each other. Where one Recognition Partner is assessed as not meeting this baseline, an agreement will need to be reached on how to resolve the differences. (e.g. a possible solution could be additional mitigation or remedial actions put in place by one of the Recognition Partners for the duration of the validity of the Recognition Certificate). The Coordinating Support Function may facilitate a resolution process where appropriate.	Wording changed to show that for External Recognition the role of the CSF may or may not involve conflict resolution.
INITIAL RECOGNITION PHASE	Step 5 Sub- para a) 5)		(5) Where an external AA is involved then a comparison of its regulations with the pMS's regulations will be required. This could involve a 100% like-for-like comparison or a less onerous identification of significant differences. Differences found by either approach should be addressed in Steps 13-14.	Additional text added for External Recognition.

Paragraph	Sub-Para	EMAR R Ed 1.0 wording	EMAR R Ed 1.1 revised wording	Notes
INITIAL RECOGNITION PHASE	Step 9	Following signature of the Recognition Agreement, the Recognition Partners should also send a copy to the Coordinating Support Function and initiate planning with the Coordinating Support Function for the Recognition Review Phase audit activity.	Following signature of the Recognition Agreement, the Recognition Partners should also send a copy to the Coordinating Support Function and initiate planning with the Coordinating Support Function for the Recognition Review Phase of IR and MR audit activity.	Wording added to show that for External Recognition the CSF may not always be involved.
INITIAL RECOGNITION PHASE	Step 10	Recognition Partners should conduct self-assessments using the MARQ, with any additional sub-sections as identified at Step 8.	Recognition Partners should conduct self-assessments using the MARQ, with any additional sub-sections as identified at Step 8. When conducting ER, Steps 10 to 14 may be replaced by Acceptance or Conditional Assessment.	Wording added to include the possibility that for External Recognition there may not be a formal MARQ assessment.
INITIAL RECOGNITION PHASE	Step 16	The Coordinating Support Function is to ensure a review is initiated, either as part of the normal periodic review cycle as determined by the validity period that is agreed by the Recognition Partners, or ad-hoc if required, and make recommendations to the Recognition Partners of the extant agreements. The Recognition Partners will then assess any findings and recommendations that are made during the review and re-validate the Recognition Certificate(s), if required.	The Coordinating Support Function is to ensure a review of IR and MR (and ER where appropriate) is initiated, either as part of the normal periodic review cycle as determined by the validity period that is agreed by the Recognition Partners, or ad-hoc if required, and make recommendations to the Recognition Partners of the extant agreements. The Recognition Partners will then assess any findings and recommendations that are made during the review and re-validate the Recognition Certificate(s), if required.	Wording added to show that for External Recognition the CSF may not always be involved.

Paragraph	Sub-Para	EMAR R Ed 1.0 wording	EMAR R Ed 1.1 revised wording	Notes
INITIAL RECOGNITION PHASE	Step 17 1 st para	All nations that have signed, or which are already in the Initial Recognition Phase for issuing/receiving, a Recognition Certificate, are required to notify the Recognition Partners and Coordinating Support Function of a significant change. Additionally, significant changes may be discovered during an audit. The following are examples of what would constitute a significant change:	All nations that have signed, or which are already in the Initial Recognition Phase for issuing/receiving, a Recognition Certificate, are required to notify the Recognition Partners and Coordinating Support Function of a significant change ¹ . Additionally, significant changes may be discovered during an audit. The following are examples of what would constitute a significant change: ¹ The action of the Coordinating Support Function upon notification of a significant change by an external AA will be actioned on a case-by-case basis.	Footnote added to show that for External Recognition the CSF may not always be involved.
External Recognition Assessments	1 st para		Where a pMS seeks to recognise an AA which operates outside of the EDA BFD and EMARs, it should utilise one of the following methods to gain assurance that the subject AA activities are conducted in a manner acceptable to that pMS, such that subsequent benefits might be achieved. The different methods to achieve ER, require different levels of scrutiny, dependent upon the AA being assessed:	Text added to explain the process for External Recognition.

Paragraph	Sub-Para	EMAR R Ed 1.0 wording	EMAR R Ed 1.1 revised wording	Notes
External Recognition Assessments	a		<p>Acceptance: This assessment process would be used by an AA to accept the competence of a Civil Aviation Authority (CAA) verified as having assurance by a body deemed acceptable to the AA such as EASA or FAA. This assessment relies on the acceptable body having carried out their assurance assessment and therefore the AA of a pMS could determine its responsibilities for airworthiness are likewise assured. This process minimizes the effort required from the involved AAs and could lead to an expeditious decision. Verification would be required that the assurance:</p> <ol style="list-style-type: none"> 1. Is extant and remains so for the required period; 2. Covers the same scope of recognition; 3. Is applicable to the required artefacts; 4. Is subject to surveillance and not undergoing sanctions; 5. Satisfies the intended environment of operation. The CAA shall be informed about the results of this accepted recognition and about the time period the acceptance remains valid. The relevant information for accepted recognition can be provided by the certifying authority or by the AA itself. 	Text added to explain the process for External Recognition.

Paragraph	Sub-Para	EMAR R Ed 1.0 wording	EMAR R Ed 1.1 revised wording	Notes
External Recognition Assessments	b		<p>MARQ: This process would be used by AAs to accept the competencies of an External AA based on the response and assessment using the MARQ. This would be the preferred assessment approach for CAAs where the assurance of an accepted body such as EASA or FAA is not available or MAAs. This option relies on the cooperation of the external AAs and leads to the most substantiated decision basis.</p>	Text added to explain the process for External Recognition.

Paragraph	Sub-Para	EMAR R Ed 1.0 wording	EMAR R Ed 1.1 revised wording	Notes
External Recognition Assessments	c		<p>Conditional Assessment: For those scenarios where assessment by processes (a) and (b) cannot be achieved, the AA might elect to make an assessment from other appropriate sources of information available. This process is unlikely to be comprehensive and should be accompanied by appropriate conditions and risk assessments.</p> <p>The AA of a pMS might decide to use an airworthiness statement of the external AA and/or a visit to assess potential recognition partner, when acceptance or MARQ assessments could not be performed due to limitations of time, resource or operational necessity. Based on the results of the analysis, together with any visit findings, a list of goals that have not been met should be created. The AA should conduct a risk assessment to determine whether the deficiencies are acceptable or whether mitigating action may be appropriate. Open-source information should be considered in the risk assessment. This process can be used to substitute a review cycle of recognition if justified confidence in the competence of the AA exists.</p>	Text added to explain the process for External Recognition.

Paragraph	Sub-Para	EMAR R Ed 1.0 wording	EMAR R Ed 1.1 revised wording	Notes
External Recognition Assessments			<p>Conditional Assessment Visit The visit team shall consist of experienced independent experts appropriate to the scope for which acceptance can be granted. The visit team will visit the external AA and evaluate its:</p> <ul style="list-style-type: none"> a. Organization; b. Internal monitoring procedures; c. Resources and expertise; d. Ability to maintain the expertise of its personnel at adequate level; e. Conformity to the organization handbook with the applicable certification procedures; f. performance against selected goals; g. evaluation of the legal status of the organisation. 	Text added to explain the process for External Recognition.

Paragraph	Sub-Para	EMAR R Ed 1.0 wording	EMAR R Ed 1.1 revised wording	Notes
Coordinating Support Function		The entity providing the coordinating support function does not have any responsibility for ensuring the airworthiness of a nation's aircraft. Recognition Partners retain their sovereign decision making responsibilities and authority to act in the best interests of their nation. Similarly the coordinating support function is only advisory – it is the responsibility of each Recognition Partner to determine the appropriate action to take based on the information received. The coordinating support function is detailed at Annex C.	The entity providing the coordinating support function does not have any responsibility for ensuring the airworthiness of a nation's aircraft. Recognition Partners retain their sovereign decision making responsibilities and authority to act in the best interests of their nation. Similarly the coordinating support function is only advisory – it is the responsibility of each Recognition Partner to determine the appropriate action to take based on the information received. The Coordinating Support Function will support any pMS carrying out ER, as described above. The Coordinating Support Function is detailed at Annex C.	Wording added to include reference to the CSF for External Recognition.