

IMPLEMENTATION PROCEDURES

BETWEEN

**THE DIRECTORATE GENERAL OF CIVIL AVIATION
OF THE MINISTRY OF TRANSPORT, MARITIME AFFAIRS
AND COMMUNICATIONS
OF THE REPUBLIC OF TURKEY**

AND

**THE KOREA OFFICE OF CIVIL AVIATION
OF THE MINISTRY OF LAND, INFRASTRUCTURE AND
TRANSPORT
OF THE REPUBLIC OF KOREA**

**FOR THE ACCEPTANCE OF AIRWORTHINESS APPROVAL
OF AERONAUTICAL PRODUCTS**

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The Directorate General of Civil Aviation (DGCA) of the Republic of Turkey and the Korea Office of Civil Aviation (KOCA) of the Ministry of Land, Infrastructure and Transport (MOLIT) of the Republic of Korea (hereinafter referred to as the "Sides");

Considering that Paragraph 3 (Technical Assessment and Cooperation) of the Memorandum of Understanding between the Directorate General of Civil Aviation of the Republic of Turkey and the Korea Office of Civil Aviation of the Ministry of Land, Infrastructure and Transport of the Republic of Korea for the Promotion of Civil Aviation Safety (hereinafter referred to as the "MoU") provides for Implementation Procedures to be developed describing methods by which the Sides can permit the reciprocal recognition of airworthiness approvals of aeronautical products;

Considering that each Side has determined that the standards used by and the system of the other Side for the airworthiness certification, approval or acceptance of the aeronautical products covered by these Implementation Procedures for Airworthiness (hereinafter referred to as the "IPA"), are sufficiently equivalent to its own to make this IPA practicable; and

Intending to cooperate, in the interest of promoting aviation safety to reduce the economic burden imposed on the Sides and the aviation industry and operators by avoiding redundant technical evaluations, tests and inspections;

Have reached the following understanding:

1. GENERAL

1.1 Purpose

This IPA describes the Sides' procedures for implementing the airworthiness approvals and testing procedures for aeronautical products as provided for under the MoU.

The objective of this IPA, in accordance with the MoU, is to outline the provisions under which the Sides will accept each other's airworthiness approvals of aeronautical products, thereby reducing redundant technical inspections, evaluations and testing.

1.2 Basis

These Implementation Procedures are made in accordance with Paragraph 3 (Technical Assessment and Cooperation) of the MoU. The Sides have assessed each other's standards and systems relating to the airworthiness approvals of aeronautical products and, as a result, have established an understanding of such standards and systems, and have jointly decided that such standards and systems of the Sides are sufficiently equivalent or compatible to make this IPA practicable.

This IPA is a document which embodies the understandings of the KOCA and DGCA and does not create legally binding rights or obligations. This IPA is subject to the applicable laws, regulations and policies of the Republic of Turkey and the Republic of Korea .

1.3 Terms and Definitions

In this IPA, in addition to the terms in Paragraph 1 (Terms and Definitions) of the MoU, unless the contrary intention appears the following terms will be used:

- a) "Additional Technical Conditions" means the terms notified by the Importing Side for the acceptance of the type design of an aeronautical product, or for the acceptance of an aeronautical product, to account for differences between the Sides in:
 - i) adopted or adapted airworthiness standards,
 - ii) special conditions relating to novel or unusual features of the product design which are not covered by the adopted/adapted airworthiness standards,
 - iii) exemptions or equivalent safety findings from the airworthiness standards, and
 - iv) mandatory airworthiness action taken to correct unsafe conditions;
- b) "aeronautical product" means any civil aircraft, or aircraft engine, propeller, appliance, part or component intended to be a part of or used in an aircraft;
- c) "airworthiness requirements" means all the requirements governing the design, performance, materials, workmanship, manufacture or change of aeronautical products as prescribed by the Importing Side to enable it to find that the design, manufacture, and condition of these products comply with the laws, regulations, standards, and requirements of the Importing State concerning airworthiness;
- d) "airworthiness approval" means the airworthiness certification, approval or acceptance by one of the Sides for an aeronautical product to permit the operation or use of the product under the laws, regulations, standards and requirements of the issuing Side;
- e) "design" means the description of all characteristics of an aeronautical product, including its design, manufacture, airworthiness limitations and instructions for continued airworthiness, which determine its airworthiness characteristics. When the design relates only to an aircraft, aircraft engine or propeller, the term "type design" is used in place of "design";
- f) "design approval" means the certification, approval or acceptance of the design of an aeronautical product, by or on behalf of one of the Sides. When the design approval relates only to an aircraft, aircraft engine or propeller, the term "type design approval" is used in place of "design approval";
- g) "design-related operational requirements" means the operational requirements affecting either the design features of a product or data or the design relating to the operations of the aeronautical product that make it eligible for a particular kind of operation in any State;

- h) "Exporting Side" means the Side of the State exporting an aeronautical product under the provisions of this IPA; and
- i) "Importing Side" means the Side of the State importing an aeronautical product under the provisions of this IPA.

2. SCOPE

This IPA applies to:

- a) the acceptance by the Importing Side of the type design approval, including changes to the type design, and the findings of compliance made by the Exporting Side with the Importing Side's design-related operational requirements, for aeronautical products for which the Exporting Side is the Side responsible for the type design;
- b) the acceptance by the Importing Side of the airworthiness certification, approval or acceptance of aeronautical products for which either Side is the Side responsible for the type design or the Side of the country of manufacture, including both new and used products which were designed or manufactured partially or wholly in third countries;
- c) cooperation and assistance on the continuing airworthiness of in-service products;
- d) technical cooperation and assistance, including the exchange of information, towards maintaining sufficiently equivalent airworthiness standards and certification systems between the Sides; and
- e) cooperation in providing technical evaluation assistance to the other Side.

3. PROCEDURES

3.1 General

Each Side will develop procedures for granting airworthiness certification or approval of imported aeronautical products whose design or, where applicable, manufacture is under the responsibility of the other Side so as to give maximum practicable credit for technical evaluations, test results, inspections, quality system monitoring, conformity statements, marks of conformity and certificates accepted or issued by the Exporting Side in granting its own airworthiness approval of such aeronautical products. If the legislation applicable to each Side requires an application for an airworthiness approval to be made, such an application must be made before an approval can be issued.

3.2 Type Design Acceptance - aircraft, aircraft engine or propeller

- a) If the Exporting Side certifies to the Importing Side that the type design of an aircraft, aircraft engine or propeller, including the design-related operational requirements subject to paragraph 3.2(e) below, or a change to the type design previously approved by the Importing Side, complies with airworthiness criteria prescribed by the Importing Side by meeting all the requirements in the description of the meaning of type design in the

applicable regulations (for the Republic of Turkey this is Article 21.A.31 in Annex-1 Table-2 (Subpart B) of the Instruction SHT-21, for the Republic of Korea this is Section 21.31 of Korean Airworthiness Standards Part 21), the Importing Side, in finding compliance with its own laws, regulations, standards and requirements for granting type design approval, will give the same validity to the technical evaluations, determinations, tests and inspections made by the Exporting Side as if it had made them itself;

- b) The Importing Side will prescribe the airworthiness criteria for the type design approval of a particular aeronautical product, in terms of the laws, regulations, standards, requirements and certification system applied by the Exporting Side in granting its own type design approval together with the Additional Technical Conditions identified by the Importing Side;
- c) To this end, the Importing Side is entitled:
 - i) to become familiar with the aeronautical product to be imported and with the laws, regulations, standards, requirements and certification system applied by the Exporting Side,
 - ii) subject to any requirements or limitations in the applicable aviation legislation, to identify the Additional Technical Conditions which it finds necessary to ensure that the aeronautical product meets the airworthiness standards equivalent to that which would have been required for a similar product designed or manufactured in the country of the Importing Side at the time the application was received for the approval of the product type design by the Exporting Side, and
 - iii) to perform such additional analysis and testing considered necessary by the Importing Side;
- d) The airworthiness criteria specified by the Importing Side for the acceptance of type design requirements of an aeronautical product will be communicated to the Exporting Side as soon as practicable after becoming familiar with the design of the product; and
- e) The Importing Side, on request from the Exporting Side, will advise the latter of any design-related operational requirements.

3.3 Approval of Aircraft Flight Manual and Aircraft Flight Manual Supplements

The Importing Side will review the aircraft flight manual, aircraft flight manual supplements and any revisions thereof for an aircraft and may ask the Exporting Side questions about the flight manual, flight manual supplements and any revisions thereof to assist it in deciding whether to approve these documents.

3.4 Changes to the Type Design

- a) The Exporting Side will notify the Importing Side of changes to the type design of an aircraft, aircraft engine or propeller that significantly affect the configuration of the aircraft, aircraft engine or propeller that the Importing Side has certified, approved or accepted under this IPA. Examples of

changes that the Sides will consider as significantly affecting the approved type design are provided in Appendix 1 of this IPA; and

- b) Following the review of the changes, the Importing Side will notify the Exporting Side of its approval or refusal to approve a change in the type design.

3.5 Acceptance of Product Airworthiness Approval

- a) Subject to paragraph 3.5(b), if the Exporting Side, or a person designated in accordance with the regulations of the Exporting Side, certifies to the Importing Side that an aeronautical product, for which an airworthiness approval has been issued or is in the process of being issued by the Importing Side, conforms with applicable type design requirements notified by the Importing Side and is in a condition for safe operation, the Importing Side will give the same validity to the technical evaluations, determinations, tests and inspections made in accordance with the regulations of the Exporting Side, as if it had made them itself on the date of the certification by the Exporting Side;
- b) Additional inspections may be made or specified by the Importing Side, as it deems necessary, at the time of its airworthiness certification, approval or acceptance of an aeronautical product;
- c) The airworthiness release document for aeronautical products granted by the KOCA or a KOCA-designated person, in accordance with paragraph 3.5(a), will be provided in the format of a MOLIT Export Certificate of Airworthiness, Form No. 9, or MOLIT Airworthiness Approval Tag, Form No. 10, as applicable; and
- d) The airworthiness release document for aeronautical products granted by the DGCA or a DGCA-approved organisation, in accordance with paragraph 3.5 (a), will be provided in the format of a Certificate of Airworthiness for Export DGCA Form 27, Authorised Release Certificate DGCA Form 1, or Aircraft Statement of Conformity DGCA Form 52, as applicable.

3.6 Production Overview

- a) by separate mutual arrangement, each Side will, on behalf of the other Side:
 - i) monitor the approved design data and quality system for the manufacture or production of aeronautical products, accepted by the Sides, to evaluate the need for improvement, to initiate corrective action and/or to assure conformance to the approved type design, and
 - ii) certify conformity with the design, and of parts and assemblies produced, where the manufacture or production of the aeronautical product is first authorised by the other Side;
- b) if the legislation of a State requires an imported aircraft, engine or propeller to be type certificated, it is taken to be type certificated under that legislation

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as these implementation procedures are an arrangement for the acceptance of the aircraft engine and propeller for export or import;

- c) if the legislation of a State requires an imported material, part or appliance to be approved, it is taken to be approved under that legislation as these implementation procedures are an arrangement for the acceptance of the imported material, part or appliance for export or import;
- d) each Side will make available to the other Side all data, drawings, reports, specifications, instructions, guidelines, policies and other information necessary to perform the functions referred to in paragraph 3.6 (a); and
- e) by separate mutual arrangement, each Side may participate with the other Side in production control and engineering activities as necessary and, periodically, in quality system audits conducted by the other Side.

4. MUTUAL COOPERATION AND TECHNICAL ASSISTANCE

4.1 Continuing Airworthiness

- a) Each Side will provide support in analyzing the airworthiness aspects of accidents and incidents occurring on aeronautical products to which this IPA applies and which raise concerns regarding the airworthiness of such products;
- b) The Exporting Side will, in respect of aeronautical products designed or manufactured in its State, specify any appropriate action it considers necessary to correct any unsafe condition that may be discovered after such product is placed in service, including any actions in respect of components designed and/or manufactured by a supplier under contract to a prime contractor;
- c) The Exporting Side will, in respect of aeronautical products designed or manufactured in its State, assist the Importing Side in determining any action considered to be necessary by the Importing Side for maintaining the continuing airworthiness of such product; and
- d) Each Side will keep the other Side informed of all mandatory airworthiness modifications, special inspections, special operating limitations or other actions which it deems necessary for maintaining the continuing airworthiness of relevant products designed or manufactured in either State and that have been imported or exported under this IPA, or prior to the effective date of this IPA.

4.2 Technical Assistance and Cooperation

- a) At the request of the Importing Side, the Exporting Side will, in respect of aeronautical products designed or manufactured in its State, assist the Importing Side in determining whether the major changes of design or repairs made under the control of the Importing Side comply with the airworthiness standards under which such product was originally approved by the Exporting Side;

- b) Each Side will make available to the other Side all its relevant airworthiness laws, regulations, standards and requirements, and its system for airworthiness certification or approval;
- c) Each Side will, to the maximum extent practicable:
 - i) ensure that the other Side is notified of proposed significant revisions to its standards and system for airworthiness certification or approval that may affect the provisions of this IPA,
 - ii) offer the other Side an opportunity to comment, and
 - iii) give due consideration to the comments made by the other Side on the proposed revisions;
- d) By mutual arrangement and upon request, each Side will, where practicable, provide technical evaluation and assistance to the other Side; and
- e) The Sides may carry out joint type design approval projects in respect of products covered by this IPA when it is in the interest of the Sides.

5. PREVAILING INTERPRETATION

In the case of conflicting interpretations of the airworthiness requirements or design-related operational requirements prescribed by the Importing Side pertaining to certifications, approvals, or acceptances under this IPA, and after having exhaustively discussed all technical subjects, the interpretation of the Importing Side will prevail.

6. ACCOUNTABILITY

6.1 Implementation

The DGCA Head of Airworthiness Department and the KOCA Director of Airworthiness Division will be responsible for the administration and implementation of the provisions of this IPA.

6.2 Organisational Changes

The Sides will advise each other of any significant changes to their organisation affecting the administration and implementation of the provisions of this IPA, including the identity of the persons identified in paragraph 6.1.

6.3 Amendments

Subject to Paragraph 3 (Technical Assessment and Cooperation), subparagraph 3 and Paragraph 4 (Expenses) of the MoU, the Sides will jointly review this IPA from time to time and may amend it as appropriate as outlined in Paragraph 9 (Amendment) of the MoU.

7. INTERPRETATION

Any disagreement regarding the interpretation or application of this IPA will be resolved by consultation, pursuant and subject to the provisions of Paragraph 7 (Dispute Resolution) of the MoU.

8. ENTRY INTO EFFECT

In accordance with Paragraph 10 (Entry into Effect and Termination) of the MoU, this IPA will come into effect on the date of its signature by the Sides and will remain in effect subject to the provisions of the MoU.

9. COMMUNICATION

Communications between the Sides, regarding the subjects covered by this IPA, will be forwarded to the addresses indicated below:

DIRECTORATE GENERAL OF CIVIL AVIATION - DGCA
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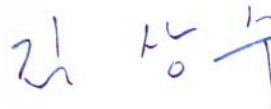
Signed in duplicate at ANKARA / TURKEY, on 15 Dec 2014 in English, both texts having equal validity.

**For the Directorate General of
Civil Aviation
of the Ministry of Transport, Maritime
Affairs and Communications
of the Republic of Turkey**



**Haydar YALCIN
Deputy Director General of
Directorate General of Civil Aviation**

**For the Korea Office of Civil Aviation
of the Ministry of Land, Infrastructure
and Transport
of the Republic of Korea**



**Sang-Soo KIM
Director of Airworthiness Division**

APPENDIX 1

EXAMPLES OF CHANGES THAT SIGNIFICANTLY AFFECT THE APPROVED TYPE DESIGN

The following changes are considered to significantly affect the type design approved by the Importing Side:

- a) significant changes to the cabin interior configuration;
- b) modifications which would result in changes to the Importing Side's Type Certificate Data Sheet;
- c) modifications which would result in changes to the Limitations Section of the Aircraft Flight Manual;
- d) modifications which result in aircraft configurations not addressed in the Importing Side's accepted Flight Manual (including supplements);
- e) modifications which result in changes to the Airworthiness Limitations of the Instructions for Continued Airworthiness;
- f) modifications which have an impact on any Additional Technical Conditions prescribed by the Importing Side;
- g) modifications requiring (or affecting) Exemptions or Findings of Equivalent Safety; and
- h) other modifications considered necessary by the manufacturer or the Exporting Side.