

## AIRCRAFT MAINTENANCE & MANUFACTURING STAFF INSTRUCTION

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<b>Subject:</b>		<b>Number:</b>	MSI just the MSI number
	Airworthiness Certification of Imported Amateur-built Aircraft	<b>Revision No:</b>	
		<b>Number of Pages:</b>	
<b>File No:</b>	AARP-5009-3-XX	<b>Issue Date:</b>	2006-10-19

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### 1. PURPOSE

- 1.1 The purpose of this instruction is to establish the process with respect to the inspection and issuance of a special certificate of airworthiness – amateur-built in respect of an imported foreign amateur-built aircraft.

### 2. BACKGROUND

- 2.1 On 2 February 2005, the Director General, Civil Aviation, signed a ministerial exemption [the “amateur-built” exemption] from the requirements of subsection 507.03(b) and section 549.01 of the *Canadian Aviation Regulations (CARs)*, subsection 507.03(4) of Standard 507 of the *Airworthiness Manual - Flight Authority and Certification of Noise Compliance* and Chapter 549 of the *Airworthiness Manual - Airworthiness Standards Amateur-built Aircraft*. The exemption implemented the revised standards governing the design and construction of amateur-built aircraft, pending their official publication by the CARAC Secretariat.
- Information Note:** the “amateur-built” ministerial exemption can be viewed at the following Web site:  
<http://www.tc.gc.ca/aviation/applications/exemptions/docs/en/1298.htm>
- 2.2 Paragraph (7) of Appendix A to the “amateur-built” exemption provides for the issue of a special certificate of airworthiness — amateur-built in respect of an amateur-built aircraft constructed outside Canada, where:
- the aircraft was constructed in accordance with standards of the State of construction, and the Minister finds them to be equivalent to these standards;
  - the aircraft was issued a permanent flight authority pursuant to the regulations of the State of construction, and has subsequently completed not less than 100 hours air time; and
  - the aircraft undergoes a complete inspection for compliance with these standards, by a Civil Aviation Safety Inspector or a Minister’s Delegate - Recreational Aviation (MD-RA).
- 2.3 Delegation of Authority
- In accordance with Delegation of Authority Document 149545, dated 9 February 1999, and pursuant to section 507.03 of the CARs, MD-RAs are delegated the authority to issue a special certificate of airworthiness in respect of an aircraft that meets the criteria for one of the classifications of a special certificate of airworthiness specified in Chapter 507 of the *Airworthiness Manual*; conforms to the applicable type design or, in the case of an amateur-built aircraft, is designed and constructed in a way that ensures its airworthiness, in conformity with the requirements of Chapter 549 of the *Airworthiness Manual* or of the “amateur-built” ministerial exemption that implements the revised standards governing the design and construction of amateur-built aircraft; and is safe for flight.
  - In consideration of the fact that imported amateur-built aircraft is considered to be a new Canadian amateur aircraft project, it is within the delegation of authority of the MD-RAs to conduct the inspection and issue the original Canadian special certificate of airworthiness – amateur-built.

### 3. PROCESS

#### 3.1 Request for information

- (a) Requests for information will be processed by MD-RA Inspection Services.
- (b) MD-RA Inspection Services will provide the applicant with a copy of the **REPORT ON THE ELIGIBILITY OF A FOREIGN AMATEUR-BUILT AIRCRAFT FOR IMPORTATION** (see Appendix A of this MSI).
- (c) The applicant will complete the checklist and return it to MD-RA Inspection Services.
- (d) MD-RA Inspection Services will assign the review of the information to a MD-RA delegate for the purpose of determining the eligibility of the foreign-built amateur aircraft for importation and issuance of a special certificate of airworthiness — amateur-built.
- (e) A foreign amateur-built aircraft is eligible for a special certificate of airworthiness — amateur-built, if it meets the following requirements:
  - (i) the aircraft was constructed in accordance with standards of the State of construction, and the Minister finds them to be equivalent to these standards;
  - (ii) the aircraft was issued a permanent flight authority pursuant to the regulations of the State of construction, and has subsequently completed not less than 100 hours air time.
  - (iii) the aircraft complies with the standards of design and construction for amateur-built aircraft, found in Appendix A of the ministerial exemption (see reference above).
- (f) A MD-RA delegate shall verify compliance of the aircraft with the requirements of paragraph 3.1(e)(i) and (ii) above by means of a review of the aircraft's technical records and foreign flight authority — see Appendix A - **REPORT ON THE ELIGIBILITY OF A FOREIGN AMATEUR-BUILT AIRCRAFT FOR IMPORTATION**
- (g) Photocopies of the technical records, including the journey log, if available (proof that the aircraft has been operated for a minimum of 100 hours air time), the foreign certificate of registration, and the foreign flight authority, including the operating conditions / limitations that are part of the flight authority (proof that the amateur-built aircraft had been issued a permanent flight authority by the foreign civil aviation authority) shall be retained as part of the inspection records.
- (h) Once it has been determined that the aircraft complies with the requirements of paragraph 3.1(e)(i) and (ii), MD-RA Inspection Services will inform the prospective Canadian owner that the aircraft is eligible for a final inspection (to show compliance with requirement 3.1(e)(iii) above), and that the regional Transport Canada Aircraft Registration and Leasing office is to be contacted for the registration of the aircraft.
- (i) If it is determined that the aircraft is not eligible for a final inspection, the prospective Canadian owner will be advised of the reasons why the aircraft is not eligible for importation.

**Information Notes:**

- (i) *the foreign amateur-built aircraft can be flown into Canada under the foreign registration and foreign flight authority, and the Standardised Validation of a Special Airworthiness Certificate - Experimental, for the purpose of operating a United States-registered amateur-built aircraft in Canadian airspace;*
- (ii) *if the foreign amateur-built aircraft has been de-registered and has no valid foreign flight authority, the aircraft can be flown into Canada by means of a Provisional Certificate of Registration and Ferry Permit;*
- (iii) *in such cases, the prospective Canadian owner is to be referred to the Aircraft Registration and Leasing Division of the General Aviation branch of the region where the aircraft will be based.*

#### 3.2 Foreign construction standards

- (a) The amateur-built aircraft construction standards of the Federal Aviation Administration (FAA) of the United States have been found to be equivalent to the standards of design and construction for amateur-built aircraft detailed in the “amateur-built” ministerial exemption.

- (b) However, before a Canadian flight authority can be issued in respect of the imported aircraft, the aircraft shall have to comply with all of the applicable design requirements found in Appendix A of the “amateur-built” exemption (see sub-paragraph 2.1 above).
- (c) For amateur-built aircraft construction standards other than those of the FAA, the officer responsible for this MSI shall be consulted.

### 3.3 Aircraft Registration

- (a) MD-RA Inspection Services will provide a signed copy of the **REPORT ON THE ELIGIBILITY OF A FOREIGN AMATEUR-BUILT AIRCRAFT FOR IMPORTATION** (see Appendix A of this MSI) to the prospective Canadian owner in support of their application for a Certificate of Registration, thus attesting that the aircraft is eligible for a final inspection, hence a flight authority, hence, a certificate of registration.
- (b) The registration of the aircraft is the responsibility of the prospective Canadian owner.

### 3.4 Inspection

- (a) No inspection of foreign-built amateur aircraft shall be carried out until such time as the Canadian owner has started the process to register the aircraft in Canada, marks have been reserved..
- (b) All imported amateur-built aircraft will be considered as a new Canadian amateur-built aircraft project.
- (c) Imported amateur-built aircraft are not subject to the “pre-cover” inspection.
- (d) All imported aircraft will be subject to inspection for compliance with the standards of design and construction for amateur-built aircraft detailed in the “amateur-built” ministerial exemption.
- (e) The inspection will be in the form of a “final inspection”, utilizing the MD-RA Manual of Procedures For Inspection of Amateur-built Aircraft. Additionally, the inspection will include verification for compliance with such requirements as maximum weight limitations, maximum number of occupants, placards, fuel flow and climb test [refer to paragraph 7 of Part I of Appendix A of the “amateur-built” exemption].
- (f) All inspections shall be carried out by Ministers’ Delegate - Recreational Aviation (MD-RA)
- (g) The MD-RA delegate performing the inspection shall be the holder of a delegation card whose scope of delegation includes the aircraft category and construction material of the imported aircraft.

### 3.5 Aircraft Identification Plate

- (a) The original aircraft identification plate shall not in any way be altered, modified or removed.
- (b) In accordance with the CAR 549.01 exemption, Appendix A, Part III(para 28), the minimum information that is to appear on the aircraft identification plate is as follows:
  - the name of the builder;
  - the aircraft model designation; and
  - the aircraft serial number.
- (c) If the original aircraft identification plate does not show the minimum information or shows incorrect information, the owner is to be advised to contact the local Transport Canada Centre in order to obtain an authorization to fabricate and install a replacement aircraft identification plate.
- (d) If a replacement aircraft identification plate is required, it shall bear the original information (as taken from the original plate) and any missing information, as required by the CAR 549.01 exemption, Appendix A, Part III(para 28).
- (e) In accordance with paragraph 201.01(2) of the CARs, the replacement aircraft identification plate shall be attached, in the case of an aircraft other than an ultra-light aeroplane or a balloon, to the hull, the fuselage or an alternative structure of the aircraft in a place where it is visible to a person on the ground, either adjacent to and aft of the rearmost entrance door or on the fuselage surface near the tail; in the case of a balloon, to the lower or upper girdle of the envelope in a place where it is readily visible prior to inflation.
- (f) Should the word “experimental” appear on the original aircraft identification plate, it is not to be altered, modified, defaced or removed [ref. 3.6 (a) above].

### 3.6 Placards

- (a) Except for the aircraft identification plate, all placards bearing the word “EXPERIMENTAL”, inside or outside of the aircraft, are to be removed and replaced by the placards required by the Canadian standards of design and construction for amateur-built aircraft (refer to paragraphs 27,43, 69 and 70 of Appendix A of the exemption).

### 3.7 Flight Authority

- (a) The MD-RA delegate shall issue the flight authority.
- (b) The application for the special certificate of airworthiness — amateur-built shall be done by means of form 24-0079.
- (c) The flight authority shall be subject to an operating condition mandating the performance and reporting of the climb test within the first 5 flight hours.
- (d) At the time of issue of the flight authority, a copy of the Climb Test Report form 24-0091 shall be provided to the owner.
- (e) The owner shall report the results of the climb test to the local Transport Canada Centre.
- (f) Pending the availability of the 24-0074 form on the Web, MD-RAs may issue the flight authority by means of form 24-0075.
- (g) Where form 24-0075 is used to issue the flight authority, it shall be valid for 365 days from date of issue.
- (h) Pending the availability of the 24-0090 form on the Web, MD-RAs may issue a hand-written Operating Conditions form 24-0090.
- (i) The owner is to be instructed to contact the local Transport Canada Centre in order to obtain a replacement flight authority form 24-0074.

### 3.8 Standardized operating conditions

- (a) The following operating conditions shall, as a minimum, form part of the flight authority:
  - VFR only;
  - aerobatic flight is prohibited;
  - within the first 5 hours of flight, the aircraft shall be subject to a climb test to determine compliance with the design and construction standards governing amateur-built aircraft construction;
  - the owner shall provide the local Transport Canada Centre with a report of the climb test.
- (b) Where the owner requests aerobatic flight certification for an aircraft type and model other than those listed in paragraph 5 of Appendix D to STD 507, the MD-RA issuing the flight authority shall advise the prospective Canadian owner to contact the local Transport Canada Centre.

## 4. EFFECTIVE DATE

- 4.1 This instruction comes into effect immediately.

## 5. HQ CONTACT

- 5.1 The responsible officer indicated below may be contacted for information regarding this MSI:

Chief  
Technical and National Programs, Standards & Procedures (AARPE)  
Aircraft Maintenance & Manufacturing  
Phone: (613) 952-7974  
Facsimile: (613) 952-3298

D.B. Sherritt  
Director,  
Aircraft Maintenance and Manufacturing

Appendix A

**REPORT ON THE ELIGIBILITY  
OF A FOREIGN AMATEUR-BUILT AIRCRAFT FOR IMPORTATION**

The following information, photocopies of documents and photographs are to be submitted by the applicant to MD-RA Inspection Services for the purpose of determining the eligibility of the aircraft for importation.

MD-RA Inspection Services  
2469 Aviation Lane  
London, Ontario  
N5V 3Z9

telephone: 519-457-2909  
877-419-2111 (in Canada only)  
FAX: 519-457-0980

Email: md-ra@md-ra.com  
Web site: <http://www.md-ra.com/>

**Information Note:** *The information, photocopies of documents and photographs, along with this report, should be submitted by the applicant prior to purchasing the aircraft, in order to ensure the eligibility of the aircraft for importation.*

**1. APPLICANT:**

1.1 Name:

1.2 Address:

1.3 Telephone:

**2. AIRCRAFT:**

2.1 Name of manufacturer:

2.2 Model:

2.3 Serial number:

2.4 Maximum gross take-off mass:

2.5 Number of seat(s):

2.6 Total air time:

2.7 Country of manufacture:

2.8 Foreign nationality and registration marks:

2.9 Category: balloon, fixed wing, rotary wing, gyroplane (*circle appropriate category*)

2.10 Material: composite, metal, steel tube, wood, fabric (*circle appropriate category*)

**3. ENGINE:**

3.1 Name of manufacturer:

3.2 Model:

3.3 Serial number:

**4. PROPELLER:**

4.1 Name of manufacturer:

4.2 Model:

4.3 Serial number:

**5. DOCUMENTS:**

5.1 photocopy of the foreign certificate of registration;

5.2 photocopy of the foreign flight authority;

5.3 photocopy of the foreign operating limitations/conditions sheet;

5.4 photocopy of the aircraft's journey log (*if available*);

5.5 photograph of the aircraft identification (ID) plate.

**Information Note:** *The photograph(s) of the aircraft identification plate must clearly show the name of the manufacturer, aircraft model and serial number.*

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Name of MD-RA performing evaluation:

Evaluation requirements:

- a. the aircraft was constructed in accordance with standards of the State of construction, and the Minister finds them to be equivalent to these standards; YES  NO  (*click appropriate box*)
- b. the aircraft was issued a permanent flight authority pursuant to the regulations of the State of construction, and has subsequently completed not less than 100 hours air time. YES  NO  (*click appropriate box*)

Aircraft found eligible for final inspection: YES  NO  (*click appropriate box*)

Name of MD-RA: .....

Signature of MD-RA: .....Date: .....

Applicant has been advised by: .....Date: .....