



Advisory Circular

AC 21.3(0)

OCTOBER 1998

SPECIAL CERTIFICATES OF AIRWORTHINESS — OVERVIEW

Contents

1	References	1
2.	Purpose	1
3	Status of this Advisory Circular	1
4	Background	2
5	Special Certificates of Airworthiness	2
6	Applying for a special CoA	3
7	Further information	4

1. REFERENCES

Civil Aviation Safety Regulations (CASRs) Parts 21 to 35, and Civil Aviation (Safety, Transition and Amendment) Regulations (CARs) 262AK to 262AS.

Note: CASRs referred to above are currently enacted as CARs, 1998.

2. PURPOSE

This Advisory Circular (AC) provides guidance and information to CASA staff as well as those applying for the issue of special Certificates of Airworthiness (CoAs) in particular categories, subsequent to the issue of the CASRs, and specifically CASR Part 21 Subpart H, “Certificates of Airworthiness”.

3. STATUS OF THIS ADVISORY CIRCULAR

This is the first AC to be issued on this subject

Advisory Circulars (ACs) are advisory only. ACs provide recommendations and guidance to illustrate a method, or several methods, not necessarily being the only method by which legislative requirements may be met. They also provide a means of illustrating the meaning of certain requirements by offering interpretive and explanatory guidance. ACs should always be read in conjunction with the referenced regulations.

4. BACKGROUND

4.1 Aircraft airworthiness certification is the whole process of assessing an aircraft type against its type design and the aircraft's condition for safe operation, which culminates in issue of Certificates of Airworthiness (CoA) for individual aircraft. Type Certification is a part-process of aircraft airworthiness certification which leads to issue of a Type Certificate or equivalent document. This is necessary before an individual CoA can be issued for most categories of aircraft.

4.2 The obligation for Contracting States of the International Civil Aviation Organisation (ICAO), of which Australia is a member, to issue CoAs, is laid down in Part II, Section 3 of ICAO Annex 8, "Airworthiness of Aircraft". A CoA may be issued on the basis of satisfactory evidence that an individual aircraft has been constructed and assembled satisfactorily. The airworthiness categories in which Australian CoAs may be issued are described in detail in a companion Advisory Circular AC 21.1 "Aircraft Airworthiness Certification Categories and Designations Explained".

4.3 CoAs are issued for every individual Australian aircraft as one of the pre-conditions to them being able to fly legally, in the sense of being fit to fly. Actual aircraft type approval stops at the issue of the Type Certificate. However, before the first of a type can actually fly in Australia, a CoA must be issued.

4.4 Certification of individual standard category aircraft (the CoA issue process) involves:

- (a) ensuring that the aircraft conforms with the definition of the design and its method of construction i.e. the aircraft conforms to the type design; this in turn ensures that the aircraft meets (i) a design standard and (ii) the specified airworthiness requirements;
- (b) ensuring that the aircraft is free from manufacturing and post-production test defects;
- (c) ensuring that the required modifications, as dictated by both design changes and specific national Airworthiness Directives (ADs), have been embodied;
- (d) ensuring that the required operational equipment has been fitted; and
- (e) ensuring that the aircraft's airworthiness state is properly reflected in the required documentation.

4.5 If these conditions are met, then the aircraft can be issued with standard CoA in particular categories. Full information is contained in Advisory Circular AC 21.2, "Standard Certificates of Airworthiness."

4.6 Special CoAs are issued to aircraft which do not meet the requirements of Civil Aviation Regulations, 1998, Parts 22 - 29 or their equivalent for standard category aircraft. Note that an aircraft must not be operated on a special CoA in international airspace or in the territory of a foreign country without the specific permission of that country.

5. SPECIAL CERTIFICATES OF AIRWORTHINESS

5.1 The following categories of aircraft are issued with special CoAs:

- Primary
- Intermediate
- Restricted
- Limited

- Amateur Built (Accepted under an Amateur Built Aircraft Acceptance, ABAA)

5.2 The following are designated special CoA:

- Provisional CoA
- Experimental certificate
- Special flight permits

6. APPLYING FOR A SPECIAL COA

6.1 Who may apply

6.1.1 The CASRs are quite explicit in this regard; CASR 21.173 (1), under “eligibility”, states that “the holder of the Certificate of Registration (CoR) is eligible to apply for a CoA for the aircraft”.

6.1.2 Therefore one major prerequisite for application for a CoA is that the aircraft must already be registered on the Australian Civil Aircraft Register.

6.2 Where to apply

6.2.1 Applicants for special CoA issue may apply to the Airworthiness District Office which covers the geographical prime base of intended operations. However, nothing precludes an applicant making the initial approach to the nearest Airworthiness District Office and requesting CASA coordinate the application.

6.2.2 The above applies to an initial application approach being directed to CASA. However, an applicant may wish the processing of an application for a special CoA to be undertaken from the outset by a person who is authorised by CASA to process and issue a CoA on CASA’s behalf. Such persons were previously referred to as “Reg 24 authorised persons”; their authority is now conferred under CASR 21.176, and hence they may be referred to as “Reg 21.176 authorised persons”. In this case the Reg 21.176 authorised person will undertake the necessary initial coordination with CASA District and Central Offices.

6.2.3 CASA Airworthiness District Office contact information is provided in AC 11.1 “Advisory Circular – Guidance”.

6.3 Payment of fees

6.3.1 Section 97 of the Civil Aviation Act allows prescribed fees to be payable to CASA in advance of work to be done.

6.3.2 In the case of issue of CoA, experimental certificates or special flight permits, an hourly fee as specified in the CASA Schedule of Fees is charged. An estimate, payment and reconciliation procedure is followed:

- (a) the Airworthiness District Office which receives the application prepares an estimate based on experience, and the specific tasks to be undertaken. This is usually done when the applicant makes initial contact with the Airworthiness Inspector (AWI) assigned to the task. General eligibility, timeframe and operational role aspects are discussed. The estimate is based on time estimates, and travels costs as applicable;
- (b) the applicant pays the estimate fee;
- (c) actual man hours expended are recorded on time sheets as the task is undertaken;

- (d) the reconciliation will be made just before the CoA, certificate or permit is issued. If an over-estimate has been made, a refund will be paid to the applicant. If underestimated, a final payment from the applicant will be required prior to certificate/permit issue.

6.3.3 A different fee structure would usually apply in the case of application through a Reg 21.176 authorised person. This is a matter for the applicant and authorised person to negotiate, which in turn is outside CASA control.

6.4 The application forms

6.4.1 Application for issue of a special CoA in the following categories:

- Primary
- Intermediate
- Restricted
- Limited
- Amateur Built (ABAA)

is made on Form 718, “Application for Issue of a Special Certificate of Airworthiness.”

6.4.2 Application for issue of an Experimental Certificate and a Provisional CoA is also made on Form 718.

6.4.3 Application forms may be obtained from any of the Airworthiness District Offices, or can be posted to an applicant on request.

7. FURTHER INFORMATION

As the procedural requirements for certification of the categories/designations as addressed in this AC can be quite different, and in some cases relatively complex, the procedures involved from application to certificate issue are set out in detail in the following companion ACs:

AC 21.4	“Amateur-Built Experimental Aircraft - Certification”
AC 21.5	“Limited Category Aircraft - Certification”
AC 21.6	“Restricted Category Aircraft - Certification”
AC 21.7	“Primary Category Aircraft - Certification”
AC 21.8	“Intermediate Category Aircraft - Certification”
AC 21.9	“Special Flight Permits”
AC 21.10	“Experimental Certificates”
AC 21.11	“Amateur-Built (ABAA) Aircraft - Certification”

Note: A provisional CoA is expected to be used infrequently by the Australian aviation industry. Procedural aspects are included in Advisory Circular AC 21.13, “Australian-Designed Aircraft Type Certification”.

G Mazowita
Acting Assistant Director
Standards Division