



# Advisory Circular

TCAA-AC-AWS004D

February 2020

## RESTRICTED CERTIFICATE OF AIRWORTHINESS, EXPORT CERTIFICATE OF AIRWORTHINESS AND SPECIAL FLIGHT PERMIT

### 1.0 PURPOSE

This Advisory Circular (AC) is issued to provide information and guidance to regulatory requirements that relate to the issue of Restricted Certificate of Airworthiness, Export Certificate of Airworthiness, and Special Flight Permit.

### 2.0 REFERENCE

- 2.1 Regulations 4 (2), 8, 11, 12 (2), 13, 16, 17, 18, 19 and 20 of the Civil Aviation (Airworthiness) Regulations, 2017

### 3.0 GUIDANCE AND PROCEDURE

#### 3.1 General

3.1.1 An owner of an aircraft registered in Tanzania or agent of the owner may apply to the Authority for issue of a restricted certificate of airworthiness, Export C of A, and Special Flight Permit for that aircraft. The applicant for a certificate shall apply on a form and or in a manner prescribed by the Authority.

3.1.2 A certificate of airworthiness or permit issued under the Regulations in respect of an aircraft registered in Tanzania shall cease to be in force any time the terms and conditions established at the issue or renewal of the Certificate are not maintained or complied with.

#### 3.2 Restricted Certificate of Airworthiness

3.2.1 The Authority may issue a restricted certificate of airworthiness to an aircraft that does not qualify for a certificate of airworthiness. Normally these are aircraft without a type certificate, they include: micro light, amateur and kit built aircraft, an aircraft used for air races, aircraft flying for exhibition purpose and a kit

3.2.2 An aircraft holding a restricted airworthiness certificate shall be subject to operating limitations within Tanzania and shall not make international flights.

3.2.3 The Authority shall issue specific operating limitations for each restricted airworthiness certificate.

3.2.4 The aircraft must fly in compliance with the Civil Aviation (Operation of Aircraft) Regulations as applicable.

3.2.5 The aircraft and its documents (operation and airworthiness) shall be subject to a inspection by the Authority. The certificate will be issued only after the Authority is satisfied that



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the aircraft is appropriately equipped and safe to fly.

**3.2.6** The Restricted Certificate of Airworthiness is renewable and shall be valid for the period of time as shall be indicated on the certificate.

### **3.3 Special Flight Permit**

**3.3.1** The Authority may issue a special flight permit for an aircraft that is capable of safe flight but unable to meet applicable airworthiness requirements for the purpose of;

- a) flying to a base where weighing, painting, repairs, modifications, maintenance or inspections are to be performed or to a point of storage;
- b) flying for the purpose of experimenting with or testing the aircraft including its engines and equipment;
- c) flying for the purpose of qualifying for the issue, renewal or validation of certificate of airworthiness or restricted certificate of airworthiness and the approval of a modification of the aircraft;
- d) delivering or exporting the aircraft;
- e) evacuating aircraft from areas of impending danger; and
- f) operating at mass in excess of the aircraft's maximum certified take-off mass for flight beyond normal range over water or land areas where adequate landing facilities or appropriate fuel are unavailable with the excess mass limited to additional fuel, fuel-carrying facilities and navigation equipment necessary for the flight.

**3.3.2** Application for a Special Flight Permit should be made to the Authority on the prescribed Form: **TCAA-AC-AWS 004A** indicating at least the following:

- a) The name and address of the registered owner of the aircraft;
- b) The make, model, serial number and registration marks of the aircraft;
- c) The purpose of the flight;
- d) The proposed itinerary;
- e) The crew required to operate the aircraft;
- f) Details of non-compliance with applicable airworthiness requirements;
- g) Any restriction the applicant considers necessary for safe operation of the aircraft; and
- h) Any other information considered necessary by the Authority for the purpose of prescribing operating limitations.

**3.3.3** Since a Special Flight Permit is issued to cover operation of an aircraft which may not

meet airworthiness standards established by the Civil Aviation Regulations, appropriate limitations must be prescribed. To enable determination of these limitations, the Authority may make or require the applicant to make appropriate inspections or tests. Because of the different kinds of operations involved, there may be differences in the detailed limitations. However, the following limitations are considered to be essential in all Special Flight Permit:

- a) A copy of the Special Flight Permit must be displayed in the aircraft at all times when operating under the terms of the authorization;
- b) The registration marks assigned to the aircraft by the State of Registry must be displayed on the aircraft;
- c) Persons or property shall not be carried for compensation or hire;
- d) No person shall be carried in the aircraft unless that person is essential to the purpose of the flight and has been advised of the contents of the Special Flight Permit and the airworthiness status of the aircraft;
- e) The aircraft shall be operated only by crew holding appropriate certificates or licenses issued or validated by the State of Registry;
- f) All flights shall be conducted in accordance with the applicable general operating rules of the States in or over which the operations are conducted;
- g) All flights shall be conducted so as to avoid areas having heavy traffic or any other areas where flights might create hazardous exposure to persons or property;
- h) All flights shall be conducted within the performance operating limitations prescribed in the aeroplane flight manual and those additional limitations specified by the State of Registry for the particular flight; and
- i) All flights shall be conducted prior to the expiry date of the Authorization. If the flight involves operations over States other than Tanzania, the operator of the aircraft must obtain authorizations from the appropriate Authorities of those States prior to undertaking the flight.

**3.3.4** The Special Flight Permit Certificate will be issued only after the Authority is satisfied that the aircraft is appropriately equipped and safe to fly.

**3.3.5** The Special Flight Permit Certificate is **not** renewable. It is issued on a time to time basis. When it expires the operator shall apply again for another permit to be issued.

**3.3.6** The permit shall be valid for the period of time as shall be indicated on the certificate.



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## **3.4 Acceptance of Special Flight Permit issued by a foreign CAA**

**3.4.1** Special flight Permits issued by a foreign Contracting State shall apply only to those segments of the flight where the aircraft is operating within airspace.

**3.4.2** Where the application is made in respect of a foreign special flight permit that is applicable to the aircraft, the documentation that accompanies the application shall include information of the aircraft, by make, model, serial number, and registration.

In addition, a copy of the company procedure used to dispatch the aircraft under the provisions of the foreign special flight permit shall accompany the application and if the procedure is in another language other than English, shall be translated into English.

### **3.4.3 Documents:**

The documents below should be attached to the application

- a) a copy of the foreign certificate of registration;
- b) a copy of the foreign special flight permit;
- c) a copy of the foreign operating limitations/conditions sheet; [Opspecs]
- d) a copy of the aircraft's technical log book currently in use (if available);
- e) photograph of the aircraft identification (ID) plate

**3.4.4** If the aircraft is not in compliance with the Civil Aviation (Airworthiness) Regulations and the flight involves operations over States other than the State of Registry, the air operator of the aircraft must obtain the necessary overfly authorizations from the respective authorities of each of those States prior to undertaking the flight.

**3.4.5** The aircraft shall be inspected and repaired to a degree necessary to ensure safe flight, and a maintenance release should be signed by a person licensed in accordance with the civil Aviation (Personnel Licensing) Regulations, or the Civil Aviation (Approved Maintenance Organization) Regulations.

**3.4.6** If required, the aircraft may be inspected to confirm its airworthiness status.

## **3.5 Export Certificate of Airworthiness**

**3.5.1** Export airworthiness approvals are issued to certify compliance with the applicable Civil Aviation [Airworthiness] Regulations in force, and of the importing country unless the Civil Aviation Authority of the importing country accepts otherwise.



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3.5.2 It is not mandatory for an exporter to obtain an export airworthiness approval from the Authority in order to export a product. However, once a product has been exported, it may be very difficult, if not impossible, to obtain export airworthiness approval. Prospective exporters of aeronautical products are strongly advised to obtain an export airworthiness approval, as such an approval facilitates acceptance of the product by the Civil Aviation Authority of the importing country.

3.5.3 It is the responsibility of the exporter to determine the applicable airworthiness requirements of the importing State.

3.5.4 For aircraft, an export airworthiness approval is issued in the form of an Export Certificate of Airworthiness (C of A). An Export C of A does not constitute authority to operate the aircraft. A standard C of A, or a Special Flight Permit, is required if the aircraft is to be flown to the destination.

3.5.5 For the purpose of these procedures, the item being exported may be placed within a particular “Class” i.e.

a) **Class I product** – a complete aircraft, engine or propeller which has been type Certificated in accordance with the appropriate airworthiness requirements and for which the necessary type certificate data sheets or equivalent have been issued.

b) **Class II product** – a major component of a Class I product such as a wing, fuselage, empennage surface, etc. the failure of which would jeopardize the safety of a Class I product or any part, material or system thereof.

c) **Class III product** – any part or component which is not a Class I or Class II product. Whilst standard parts for example those designated as AN, NAS or SAE and raw materials are Class III products, export airworthiness approvals are not normally issued for such standard parts.

d) **Overhauled product-** is one that has not been operated or placed in service, except for functional testing, since having been overhauled, inspected and approved for return to service in accordance with the applicable Civil Aviation Regulations.

For products other than a Class I product, the export airworthiness certification may be issued in the form of certificates or identification tags, which will confirm that the product in question meets the approved design data, is in a condition for safe operation and complies with any special requirements as notified by the importing State.

## 3.6 Export Airworthiness approval for Class I, II, III and Overhauled Products.

3.6.1 Export airworthiness approvals of Class I, II and III products are issued in the form of an *airworthiness tag/release* notes In the case of Class III standard parts, the release note or invoice is taken to be the export airworthiness approval. Standard parts may be exported, depending on the importing country’s requirements, under a *certificate of conformance* or *material reports*.

3.6.2 For Class III standard parts, for example those designated as AN, NAS or SAE, any export airworthiness approval acceptable to the importing country will be specified by the CAA of the importing country.

3.6.3 The Authority shall issue an export certificate of airworthiness if-

(a) the applicant submits a statement of compliance with the full intents of the approved maintenance programme or schedule;

(b) the applicant submits a statement of compliance with the mandatory airworthiness directives and service bulletins applicable to the aircraft and its equipment;

(c) the aircraft has been inspected in accordance with the performance rules of these regulations and found airworthy by persons authorised by the Authority to make such determination within the last 14 days;

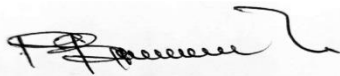
(d) the maintenance determined by the Authority as a prerequisite for issue of the export certificate of airworthiness has been carried out and certified by a person acceptable to the Authority in accordance with these regulations;

(e) the result of test flight, and such other tests as the Authority may determine are complied with;

(f) historical records establish the production, modification and maintenance standard of the aircraft; or

(g) a weight and balance report with a loading schedule, where applicable, for each aircraft in accordance with the applicable regulations is furnished to the Authority.

3.7 An application for an export certificate of airworthiness shall be made on **FORM: TCAA-AC-AWS021A** at least 14 days before the intended date of export.

A handwritten signature in black ink, appearing to read 'R. Macneil', is written over a light blue rectangular background.

**Director Safety Regulation**