



U.S. Department
of Transportation
**Federal Aviation
Administration**

Memorandum

Subject: **ACTION:** AIR-200 Policy Memorandum #99-07,
Issuance of U.S. Standard Airworthiness Certificates for
New Aircraft Manufactured Outside the United States

Date: 7/1/99

From: Acting Manager, Production and Airworthiness
Certification Division, AIR-200

**Reply to
Attn. of:**

To: All Aircraft Certification Offices
All Manufacturing Inspection Offices
and District/Satellite Offices
All Certificate Management Offices/Units
All Flight Standards Offices

PURPOSE. Over the past 12 years the Federal Aviation Administration (FAA) has developed and implemented an alternate airworthiness certification procedure with certain Bilateral Airworthiness Agreement (BAA) and Bilateral Aviation Safety Agreement (BASA) partners. This procedure provides for BAA/BASA partner assistance in the issuance and delivery of U.S. Standard Airworthiness Certificates for new aircraft manufactured in the BAA/BASA partner's country or jurisdiction. This Policy Memorandum formalizes the alternate procedure, based on the provisions of Title 14 Code of Federal Regulations, part 21, Certification Procedures for Products and Parts, section 21.183(c).

BACKGROUND. Aircraft manufactured in another country or jurisdiction that are to be imported into the United States require the issuance of a U.S. Standard Airworthiness Certificate. This is permitted for aircraft imported from a BAA/BASA country or jurisdiction when the exporting Civil Aviation Authority (CAA) certifies, and the FAA finds, that the aircraft conforms to its FAA-approved type design and is in condition for safe operation. The FAA's finding may be based fully, or in part, on the airworthiness certification of the exporting CAA.

Since its inception, this alternate procedure has been implemented by the FAA with a number of BAA/BASA countries in an effort to better serve U.S. applicants in their requests for standard airworthiness certification. The procedure has worked effectively in the past, has been endorsed as an acceptable means of issuing such certificates, and has significantly relieved the FAA of any added burden of undertaking this important function outside of the United States.

Use of this procedure is permitted when implementation is coordinated with and approved by the Production and Airworthiness Certification Division, AIR-200, and the directorate with responsibility for importing the aircraft. It is anticipated that this procedure will be incorporated into FAA Order 8130.2, Airworthiness Certification of Aircraft and Related Products, at the next revision. If there are any questions regarding this memorandum, please feel free to contact a member of the Production and Airworthiness Certification Division, AIR-200, at (202) 267-8361.

/S/

Terry A. Allen

Attachment

Issuance of U.S. Standard Airworthiness Certificates for New Aircraft Manufactured Outside the United States

INTRODUCTION. The following procedure describes the steps for issuance of Federal Aviation Administration (FAA) Form 8100-2, Standard Airworthiness Certificate, for new aircraft manufactured in other countries that are to be placed on the United States Civil Aircraft Registry. This procedure is intended to provide additional detail to the information contained in FAA Order 8130.2, Airworthiness Certification of Aircraft and Related Products.

The FAA will at times seek assistance from its Bilateral Airworthiness Agreement (BAA) and Bilateral Aviation Safety Agreement (BASA) partners in the final processing, dating, and delivery of Form 8100-2 for newly manufactured aircraft destined for export to the United States. It is important to note that the actual form issuance is still performed by the FAA, with the Civil Aviation Authority (CAA) providing assistance with specific process steps. This procedure can only be applied when the certificate issuing office is approved by the Production and Airworthiness Certification Division (AIR-200) and the directorate with responsibility for importing the aircraft. Use of this procedure is also only allowed if no conflict exists with the BAA/BASA of the country or jurisdiction of manufacture.

Upon specific request from the U.S. aircraft owner and the CAA of the country or jurisdiction of manufacture, the FAA may at its discretion authorize the CAA to act on its behalf. This activity will be undertaken in accordance with these detailed procedures and only for aircraft that are:

- Newly manufactured in that country or jurisdiction.
- Properly placed on the U.S. Civil Aircraft Registry.
- Fully compliant with the requirements of the applicable FAA type certificate.
- Presently in a condition for safe operation.
- Accompanied by a Certificate of Airworthiness for Export from the exporting CAA.

The procedure defined herein is intended primarily for guidance to the U.S. aircraft owner, the CAA, the manufacturer, and the FAA Aircraft Registration Branch, AFS-750, in Oklahoma City, Oklahoma. For the purpose of this procedure, a U.S. aircraft owner can be represented by an agent as indicated in Title 14 Code of Federal Regulations (14 CFR) part 21, Certification Procedures for Products and Parts (part 21), section 21.173.

Note: This procedure does not relieve persons involved in the standard airworthiness certification process from any responsibilities or legal requirements of 14 CFR.

PROCEDURE.

1. The aircraft manufacturer notifies the CAA of the country or jurisdiction of manufacture that an aircraft, identified in step 2 below, has been sold to a named U.S. owner and is to be placed on the U.S. Civil Aircraft Registry. As a result, the U.S. aircraft owner will be requesting issuance of Form 8100-2 at the point of manufacture.

2. The U.S. owner submits to AFS-750 a request for assignment of a U.S. identification number for the particular aircraft, to include the:

- a. U.S. owner's name.
- b. Manufacturer's name.
- c. Aircraft type.
- d. Aircraft model number.
- e. Aircraft serial number.

3. The U.S. owner, upon receipt of the identification number, supplies it to the aircraft manufacturer for permanent marking of the aircraft. Reference 14 CFR part 45, Identification and Registration Marking (part 45), section 45.21. The U.S. owner also provides this information to the CAA for its use. This identification number will become the final registration number when it is issued later in the procedure.

4. The U.S. owner notifies the manager of the FAA office that issues Standard Airworthiness Certificates for import aircraft of the desire to have Form 8100-2 issued at the point of manufacture for the aircraft identified in step 2 above. Included in this notification is the assigned identification number from AFS-750. The U.S. owner gives this notice via FAA Form 8130-6, Application for Airworthiness Certificate.

a. Sections I, II, and III of Form 8130-6 must be completed as applicable, and all entries should be typed or printed legibly. Certain items in section III, Owner's Certification, are to be left blank until the final application is completed (see step 11 below), since these items are not known until the aircraft's final delivery. Items to be left blank are:

(1) The status of compliance up to the most current and applicable airworthiness directives as indicated in the Airworthiness Directives block of subsection B, Aircraft Certification Basis.

(2) The recording of total airframe hours (including production flight test time) in the applicable block of subsection C, Total Airframe Hours.

(3) The date of the application as indicated in subsection D, Certification.

NOTE: The "initial" Form 8130-6 should be filled out in accordance with FAA Advisory Circular 21-12, Application for U.S. Airworthiness Certificate, FAA Form 8130-6, or Order 8130.2.

b. Form 8130-6 is considered to be "initial" until the remaining items in step 11 below are completed.

5. The CAA notifies the manager of the FAA certificate issuing office of its desire to act on behalf of the FAA in the delivery of Form 8100-2 for the particular aircraft. The following information is to be supplied by the CAA:

- a. Identification of the aircraft as defined in step 2 above.
- b. Name of the U.S. aircraft owner.
- c. Scheduled aircraft delivery date.

A letter of ongoing support from an individual CAA can be the method of FAA notification upon acceptance by the FAA certificate issuing office.

6. The FAA certificate issuing office prepares Form 8100-2, including two carbon copies, upon notification by the CAA of its desire to act on behalf of the FAA (see step 5 above).

a. The FAA certificate issuing office then signs the original and two copies in blue ink and forwards them to the designated CAA point of contact with only the Date of Issuance block left blank. Blue ink is used so that the original signature can be easily identified.

b. Any existing exemptions granted by the FAA which are applicable to the aircraft, as cited on the Type Certificate Data Sheet or other official correspondence, will be listed in block #5 of Form 8100-2. The following sentence is to be included in the transmittal letter from the FAA certificate issuing office:

"Do not deliver this Standard Airworthiness Certificate, issued for the subject aircraft above, until AFS-750 or this office has notified you that the aircraft has been properly registered."

NOTE: If AFS-750 notifies the CAA directly, they are to also notify the FAA certificate issuing office that the aircraft is registered and that the CAA has been notified.

7. The aircraft manufacturer installs an identification plate on the aircraft which meets the requirements of section 45.11, upon completion of all flight tests and inspections necessary (see note below). The aircraft manufacturer also applies the nationality and registration marks, e.g., the "N" number assigned by AFS-750, to the aircraft in accordance with section 45.21.

NOTE: The FAA has granted, with subsequent extensions, an exemption to section 45.11(a) (which presently terminates on February 28, 2000). This exemption pertains to the location of aircraft identification plates for certain qualifying air carriers.

a. The exemption applies to:

(1) U.S.-certificated air carriers with an FAA-approved continuous airworthiness maintenance program, operating under the provisions of 14 CFR part 121, Operating Requirements: Domestic, Flag, and Supplemental Operations.

(2) Aircraft operated in the commuter air carrier operations as defined in 14 CFR part 119, Certification: Air Carriers and Commercial Operators, section 119.3.

b. The exemption permits the qualified air carrier to locate and secure the aircraft identification plate in an accessible location near an aircraft entrance. This deviates from the section 45.11(a) required fuselage exterior mounting of the identification plate aft and adjacent to the rear-most entry door, or a fuselage exterior area near the tail surface.

c. The air carrier must also notify its FAA Flight Standards Service Principal Maintenance Inspector in writing of its intention to operate the aircraft under the provisions of this exemption.

d. Any aircraft not covered by this exemption must comply with the aircraft identification plate location requirements of section 45.11(a).

8. The CAA issues a Certificate of Airworthiness for Export for the aircraft after completing all tasks and inspections necessary to determine the aircraft conforms to the FAA-approved type design and is in condition for safe operation. This certificate must contain the certification statement prescribed in the applicable FAA Type Certificate Data Sheet under the heading Import Requirements.

NOTE: If any nonconformities, deviations, exceptions, etc. exist, the CAA must obtain written concurrence and acceptance of these conditions from the FAA certificate issuing office prior to delivering Form 8100-2 for the subject aircraft. Conditions of this nature may disqualify the aircraft from receiving the intended Form 8100-2 due to its inability to fully meet the requirements of the U.S. type certificate.

9. The aircraft manufacturer and U.S. owner then request the CAA to supply the U.S. owner with a statement concerning the aircraft's current registration status in its country or jurisdiction of manufacture. The statement concerning the aircraft's current registration must attest that the particular aircraft, identified in step 2 above, has not been previously registered, or has been removed from the foreign registry if previously registered. Reference 14 CFR part 47, Aircraft Registration (part 47), sections 47.15(a)(1) and 47.37(b).

NOTE: For aircraft manufactured in countries which require domestic registration as a condition for production flight checks, this step may entail some delay in final U.S. registration. Such delay may be minimized by faxing the current registration status statement directly from the CAA to AFS-750 upon completion of the production flight checks and removal of the aircraft

from the domestic register. The faxed statement should identify the aircraft and name of the U.S. owner as described in step 2 above.

10. The U.S. owner submits to AFS-750 all information required to obtain aircraft registration. Permanent registration will be received via AC Form 8050-3, Certificate of Aircraft Registration. If the U.S. aircraft owner desires to receive a temporary registration prior to receiving the permanent one, a request should also be made at this time for Standard Form 14, Telegraphic Message. This form serves as a temporary Certificate of Aircraft Registration. The required information for aircraft registration consists of:

- a. AC Form 8050-1, Application for Aircraft Registration, including the original AC Form 8050-2, Bill of Sale (or other evidence of ownership as indicated in section 47.11).
- b. The appropriate fee (reference sections 47.17 and 47.31).
- c. The registration status statement received from the CAA in step 9 above.

NOTE: Once the aircraft has been formally placed on the U.S. Civil Aircraft Registry, as verified by receipt of Form 8050-3 or Standard Form 14, the aircraft may only be flown on an airworthiness certificate issued by the FAA. Prior to receipt of registration verification, the applicant should ensure that all production flight tests are completed in the country or jurisdiction of manufacture and the aircraft is eligible for an Export Certificate of Airworthiness.

11. The U.S. owner supplies the CAA with a properly executed FINAL Form 8130-6 AFTER receipt of Form 8050-3 or Standard Form 14. Sections IV, V, and the entire back portion of Form 8130-6 are to be left blank. However, the items left blank from the initial application (see step 4 above), and one additional item, should now be completed as follows:

- a. The status of compliance up to the most current and applicable airworthiness directives as indicated in the Airworthiness Directives block of subsection B, Aircraft Certification Basis.
- b. The recording of total airframe hours (including production flight test time) in the applicable block of subsection C, Aircraft Operation and Maintenance Records.
- c. The final date entered by the applicant must be the same as or later than the date of the Certificate of Airworthiness for Export issued by the CAA of the country or jurisdiction of manufacture.

(1) The date cannot be later than the date entered on Form 8100-2 for the aircraft.

(2) The signature of the person signing subsection D, Certification, must be the registered owner (or an authorized employee of the corporation or company signified as the registered

owner) identified under subsection A of section III, Owner's Certification. If the signature is other than one of those persons, the application must be accompanied with a notarized letter (or current power of attorney) delegating the authority to act as an agent on the owner's behalf to apply for the airworthiness certificate.

d. The specific 14 CFR reference listed in section III, Owner's Certification, subsection C, Aircraft Operation and Maintenance Records, should be lined out and changed FROM 91.173 TO 91.417.

12. The CAA verifies the following prior to delivery of Form 8100-2:

a. The registered owner identified on Form 8130-6 is still the same person, company, or corporation confirmed as the final registered owner by AFS-750 on Form 8050-3 or Standard Form 14.

b. The aircraft's "N" numbers (i.e., nationality and registration Marks) painted on the exterior of the fuselage are identical to those assigned to the aircraft by AFS-750 on Form 8050-3 or Standard Form 14. In addition, the aircraft markings must meet the requirements of part 45.

c. The aircraft's nationality and registration marks entered on Form 8100-2, block #1, are identical to those assigned to the aircraft by AFS-750 on Form 8050-3 or Standard Form 14.

d. The aircraft's identification plate has all the required data and proper information, and is mounted in the proper location (see step 7 above) on the aircraft.

13. The CAA finalizes and installs Form 8100-2 in the aircraft as follows:

a. The CAA, on the original Form 8100-2 (see step 6 above), enters the specific date on which the form was issued in the Date of Issuance block in the lower left-hand portion of the form. The two carbon copies of the original Form 8100-2 also require the issuance date. Date entries are to include the month identifier in either a three letter format or completely spelled out, e.g., Mar or March.

b. Date of Issuance entries on Form 8100-2 must be made with a typewriter or other appropriate instrument, e.g., a mechanical date stamping device for the date entry. No handwritten entries are permitted.

c. The original Form 8100-2 is then installed in the aircraft and the following statement is entered into the aircraft logbook: "U.S. Standard Airworthiness Certificate, issued (date), has been installed in the aircraft on behalf of (FAA certificate issuing office) on (date)."

NOTE: The person performing the final issuance and installation of Form 8100-2 in the aircraft, acting on behalf of the CAA, must sign the aircraft logbook and include a functional title or other evidence of authorization to act on behalf of the CAA in performing this function.

14. The CAA faxes the documents listed in a-c below to the FAA certificate issuing office prior to the first flight of the aircraft under Form 8100-2. This action is necessary because the FAA certificate issuing office must be in possession of legal documentation in the form of on-hand file records of proper airworthiness certification prior to the aircraft's first flight.

- a. A copy of the Certificate of Airworthiness for Export.
- b. A copy of Form 8050-3 or Standard Form 14.
- c. A copy of the completely filled out and dated Form 8100-2.

15. The CAA retains one carbon copy of Form 8100-2 and forwards to the manager of the FAA certificate issuing office the following:

- a. The remaining carbon copy of the final dated Form 8100-2.
- b. The original and one copy of the executed Form 8130-6.
- c. The original and one copy of the Certificate of Airworthiness for Export issued by the CAA of the country or jurisdiction of manufacture.
- d. A copy of Form 8050-3 or Standard Form 14.

16. The U.S. owner takes delivery of the aircraft and installs either Form 8050-3 or Standard Form 14 (pending receipt of Form 8050-3) in the aircraft. The aircraft may then be flown or otherwise delivered to the United States.

17. The FAA certificate issuing office endorses Form 8130-6 by entering a statement on the form in a location that can be clearly read. This statement is required to contain the following information at a minimum:

- a. A statement indicating that the Standard Airworthiness Certificate was issued on the basis of the Certificate of Airworthiness for Export No. (number).
- b. The issuing CAA's name and the Certificate of Airworthiness for Export's date of issuance.

The FAA certificate issuing office then forwards the application, along with the copy of Form 8100-2 and the original Certificate of Airworthiness for Export to AFS-750 for permanent filing.

18. The U.S. owner receives Form 8050-3 from AFS-750 if one has not already been obtained.

ADMINISTRATIVE REQUIREMENTS.

- 1.** The FAA requests that all "initial" Form 8130-6 's be received at least 20 days prior to the expected delivery date of the aircraft to allow ample time for authority coordination, certificate preparation, and final dispatch and delivery. Any application(s) received with less than the 20-day processing requirement will be handled on a case-by-case basis as available FAA resources allow.
- 2.** The FAA normally will not dispatch a Form 8100-2 more than 45 days in advance of the expected delivery date unless specific circumstances warrant an earlier dispatch. Certificates will not be dispatched more than 45 days in advance for future production runs, anticipated long-range customer deliveries, etc.
- 3.** In the event that Form 8100-2 is suspected of being lost in the mail, the FAA will prepare a duplicate/replacement form only after a 10-day period from the date of the mailing of the original form has elapsed. All other reasons necessitating the issuance of a duplicate/replacement form will be handled on a case-by-case basis as available FAA resources allow.
- 4.** Any costs of overnight courier services for the dispatch and delivery of forms needing expedited delivery to the CAA point of contact, for whatever reasons necessary, will be paid for by the applicant and/or the manufacturer.
- 5.** The AIR-200 approved certificate issuing office may delegate these functions to Aviation Safety Inspectors of the Flight Standards Service as necessary.