

CANADA - SPECIAL REQUIREMENTS

(Revised - April 24, 1997)

SECTION 1. - INTRODUCTION.

The manner in which Transport Canada, Civil Aviation (TCCA) accepts aeronautical products from the United States is governed by the Canada-U.S. Bilateral Airworthiness Agreement (BAA) which was effected by an Exchange of Notes on August 31, 1984. The means of implementing the BAA is specified in a revised Schedule of Implementation Procedures signed by the Administrator of the FAA and the Assistant Deputy Minister, Aviation in May 1988.

SECTION 2. - APPROVAL OF TYPE DESIGN.

Note: Effective October 10, 1996, the term "Type Approval" has been changed to "Type Certificate". The latter will be used herein.

An Aircraft Type Certificate issued by TCCA is a prerequisite in establishing eligibility of an aircraft for a Canadian Certificate of Airworthiness. An aircraft engine, propeller, or appliance intended for use in Canada must have its type design approved or accepted by TCCA.

The approval or acceptance of the type design of an aeronautical product involves a type design examination, which is the process that allows TCCA to gain knowledge of the product and ensure that the Canadian basis of certification has been met. The certification process is designed to take utmost advantage of the existing bilateral agreement by providing maximum credit as practicable to the FAA's type certification activities.

The regulations and standards applicable to design approval procedures are those of Canadian Aviation Regulations (CAR) Part V, Subparts 11 and 13, and (Canadian) Airworthiness Manual Chapters 511 and 513. The obligations of a Type Certificate holder, which includes the provision of manuals at no charge, are identified in CAR Part V, Subpart 11 section 511.31.

An applicant for a Canadian Type Certificate shall make application through the FAA, with a request that the application and related information be forwarded to the address provided in Section 2.5, TCCA Contact. An early application, preferably when applying for the FAA Type Certificate, is recommended in order to minimize delay and to provide ample time for the resolution of problems associated with type certification activities. Each application will be processed in order to establish the Canadian basis of certification and to determine the extent of the activities needed to complete the Canadian type certification. The applicant and the FAA will subsequently be advised of any required type certification with the objective of assuring compliance with Canadian standards, avoiding duplication of efforts and utilizing FAA knowledge and expertise to the extent possible.

2.1 Aircraft, Aircraft Engine, Propeller.

(a) Designed and Manufactured in the U.S.

Effective June 1, 1989, all new U.S. aircraft types not previously accepted for use in Canada, require a Canadian Aircraft Type Certificate prior to the aircraft being eligible for a Canadian Certificate of Airworthiness.

With few exceptions, such as commuter and unusual designs, it is the current policy of TCCA to accept FAA Type Certificates issued for [[Title 14 of the Code of Federal Regulation (14 CFR) parts 23, 27, 33, and 35]] products as an acceptable Canadian type design approval. Also, except for a small number of Additional Technical Conditions, the majority of products certified to the

standards of [[14 CFR part 25]] and intended for corporate application are accepted by TCCA. Upon application, a corresponding Canadian Type Certificate will be issued for these products based on the FAA Type Certificate and an FAA statement of compliance with the Canadian basis of certification.

[[Title 14 of the Code of Federal Regulation part 23]] commuter category aeroplanes, [[14 CFR part 25/14 CFR part 29]] transport category aircraft intended for commercial operation, and engines and propellers intended for installation on Canadian designed aircraft are subject to a type design examination and approval by TCCA. Upon establishing compliance with the Canadian basis of certification, a Canadian Type Certificate will be issued for the product category.

TCCA will advise the U.S. applicant, through the FAA, of Additional Technical Conditions. These Additional Technical Conditions are the requirements, including Special Conditions, Canadian Additional Airworthiness Requirements, and environmental requirements, that might be specified by TCCA in addition to the FAA basis of certification to assure compliance with the Canadian basis of certification.

(b) Designed and Manufactured in a Country other than Canada or the U.S.

Aeronautical products which were designed and manufactured in a country other than Canada or the United States require Canadian Type Certificates. The Type Certificate is based on a type design examination by TCCA of the type certification issued by the airworthiness authority having jurisdiction in the state of design. The procedure is similar to that specified in Section 2.1 (a) above, except that TCCA will deal with the airworthiness authority having jurisdiction in the state of design.

(c) Designed and Manufactured in the U.S. and Another Country.

Aeronautical products having a type design approval in one country and being manufactured in another country, one of which is the United States, are eligible for Canadian Certificates of Airworthiness provided there is a Canadian Type Certificate and an agreement on continuing airworthiness responsibilities.

2.2 Appliances.

Appliances intended for installation on Canadian registered aircraft must conform to design and performance standards approved or accepted by TCCA. The applicant should contact TCCA for information on applicable standards and the extent of review required for a given appliance.

Appliances manufactured under a Technical Standard Order (TSO) authorization or an FAA letter of TSO design approval, as issued to an applicant located in the United States or Canada, do not require separate TCCA approval where the TSO has been adopted as the Canadian standard. The TSO authorization or FAA letter of TSO design approval is accepted by TCCA without any further review being necessary.

2.3 Parts Manufacturing Approval (PMA).

Except where it forms part of an aeronautical product for which the FAA has jurisdiction over the initial type design, any PMA part installed or intended for installation on a Canadian registered aircraft requires the prior approval of TCCA.

2.4 Supplemental Type Certificate (STC).

An FAA STC intended for incorporation on a Canadian registered aircraft or on an aeronautical product that is installed on a Canadian registered aircraft requires the approval or acceptance by TCCA. The STC is subject to examination by TCCA, and the extent of review is

dependent upon the complexity of the change in type design, the product affected, the product category, and the state responsible for initial type design. An applicant seeking approval or acceptance of an FAA STC, or issuance of a corresponding Canadian STC, should contact TCCA for detailed information and requirements.

Design approvals granted under the FAA field approval procedures (FAA Form 337) are not recognized by TCCA. Such design changes will be treated on a case-by case basis depending on complexity, compliance with applicable requirements, and possible impact on continued safe flight and landing. Accordingly, a separate TCCA approval may be issued, dependent on findings.

2.5 TCCA Contact.

All questions relating to Canadian type design approval of aeronautical products, as specified in Section 2 above, should be addressed to:

Chief, Projects Management (AARDE)
Aircraft Certification Branch
Transport Canada, Civil Aviation
Place de Ville, Tower C
330 Sparks Street
Ottawa, Ontario
Canada K1A 0N8

Facsimile: (613) 996-9178
Telephone: (613) 952-4339

Note: TCCA web-based information is available at site - <http://www.tc.gc.ca>. Queries may be forwarded using the feedback feature in the Civil Aviation web page.

SECTION 3 - TCCA CONDITIONS FOR ACCEPTANCE OF AERONAUTICAL PRODUCTS.

The installation of (FAA) Class II or III products, which include TSO and PMA parts, on a Canadian registered aircraft or on an aeronautical product that is installed on a Canadian registered aircraft must be done in a manner acceptable to TCCA. Where the installation constitutes a major modification, the installation should be done in accordance with data approved or specified by TCCA as required by CAR Part V, Subpart 71.

Clarification on the acceptability or eligibility of a product for installation on a Canadian registered aircraft or on an aeronautical product installed on a Canadian registered aircraft may be directed to TCCA.

3.1 (FAA) Class I Aeronautical Products - Aircraft, Aircraft Engine, Propeller.

A Class I product is eligible for import into Canada where it can be shown and TCCA is satisfied that the product conforms to the Canadian approved type design and is in a condition for safe operation. The preferred method of showing conformity is by means of an Export Certificate of Airworthiness, which must be properly certified by the FAA and shall include the following information:

- (1) a certification of conformity to the type design specified in the Canadian Type Certificate;
- (2) a list of any major modifications and major repairs approved by the FAA and embodied in the product; and

(3) a list of all applicable airworthiness directives or equivalent mandatory notices, issued by the FAA, indicating which have been complied with.

Where a product is imported without an Export Certificate of Airworthiness, or other acceptable document, the product will not be eligible for use in Canada until conformity to the approved type design is established pursuant to Chapter 507 of the Airworthiness Manual.

3.2 (FAA) Class II Aeronautical Products - Parts and Appliances.

Imported parts and appliances are eligible for installation on Canadian registered aircraft where the product conforms to approved design data and is in a condition for safe operation.

For Class II products imported directly from the United States, TCCA will accept as proof of conformity:

(1) a signed certification on a company inspection release note, tag or other shipping document stating the name and address of the company, and FAA approval number of Production Certificate (PC), PMA, TSO authorization, or Repair Station Certificate as applicable;

(2) a signed certification, showing the name and address of the supplier, referencing the original documentation issued by a company holding a PC, PMA, TSO authorization or Repair Station Certificate. An acceptable alternative would be for the supplier to attach a copy of the original documentation to his certificate; or

(3) an FAA Airworthiness Approval Tag, Form 8130-3 signed by the FAA or its representative.

3.3 (FAA) Class III Aeronautical Products - Standard Aircraft Parts and Materials.

Standard aircraft parts and materials are eligible for installation on Canadian registered aircraft where the product:

(1) conforms to the design data for the aeronautical product which they are a part or component; or

(2) conforms to a recognized government or industry national standard (e.g., AN, SAE, NAS, etc.);

(3) is identified with the manufacturer's name and part number, either on the product or the packaging whichever is appropriate; and

(4) is in a condition for safe operation.

TCA will accept as proof of conformity a company release document with a statement certifying the product conforms to its recognized standard or specification.

3.4 Product Identification.

Products imported into Canada must be identified in accordance with CAR Part II, Subpart 1.

3.5 Licensing Conditions

To facilitate the licensing of an imported aircraft in Canada, the following documentation should be forwarded by the U.S. exporter to the Manager, Airworthiness in the Transport Canada Region in which the purchaser is located (addresses of the five Regions and their geographical boundaries are contained in the Attachment 1).

- (1) FAA Export Certificate of Airworthiness, as specified in Section 3.1 above.
- (2) Evidence of transfer of ownership to the Canadian purchaser from the last U.S. recorded owner, or in the case of a new aircraft, the manufacturer.

The FAA may notify in writing the appropriate TCCA Manager, Airworthiness of the issuance, or preparation for issuance, of an Export Certificate of Airworthiness. The notification must identify the name and address of the FAA inspector or its representative.

Canadian nationality and registration marks may be obtained by a Canadian purchaser on application to a TCCA Regional office.

CANADA - SPECIAL REQUIREMENTS (Continued)

ATTACHMENT 1

REGIONAL OFFICES AND GEOGRAPHICAL BOUNDARIES

Listed below are the addresses (and the geographical boundaries) of the five Regional Offices of Transport Canada, Civil Aviation:

Pacific Region

Regional Manager Aircraft Certification
Transport Canada
800 Burrard Street, Room 620
Vancouver, British Columbia
Canada V6Z 2J8

Boundaries: The province of British Columbia.

Prairie and Northern Region

Regional Manager Aircraft Certification
Transport Canada
1100-9700 Jasper Ave.
Edmonton, Alberta
Canada T5J 4E6

Boundaries: The provinces of Manitoba, Saskatchewan, and Alberta, the Yukon and Northwest Territories, including all their islands, Hudson Bay, James Bay and all Canadian waters north of 60 degrees north latitude.

Ontario Region

Regional Manager Aircraft Certification
Transport Canada
4900 Young Street
Suite 300
Willowdale, Ontario
Canada M2N 6A5

Boundaries: The province of Ontario

Quebec Region

Regional Manager Aircraft Certification
Transport Canada
700 rue Leigh Capreol
Dorval, Quebec
Canada H4Y 1G7

Atlantic Region

Regional Manager Aircraft Certification
Transport Canada
P.O. Box 42
Moncton, New Brunswick
Canada E1C 8K6

Boundaries: The provinces of New Brunswick, Newfoundland and Labrador, Nova Scotia, and Prince Edward Island.