

FAA Advisory Circular 21-44A
Comparison Control Matrix
(as of 8/12/15)

Comment

1. (Revised)	Global: Formatted to meet current standards.
2. (Revised)	TO BE: 3. Changes. This revision reflects amendment 21-XX to 14 CFR § 21.137.
3. (Revised)	TO BE: 4. Cancellation. As of its effective date, this AC cancels AC 21-44, dated 10/16/2009.
4. (Revised)	TO BE: 5. Effective Date. This AC is effective (INSERT EFFECTIVE DATE OF FINAL RULE).
5. (Revised)	CURRENT: 6.a. Export Airworthiness Approvals for Aircraft. FAA Form 8130-4, Export Certificate of Airworthiness (C of A), is used to issue an export airworthiness approval for an aircraft. The C of A represents a certifying statement from the FAA that a given aircraft (1) conforms to its FAA type design or properly altered condition, and (2) is in a condition for safe operation at the time of examination and issuance of the certificate. When required by the importing country or jurisdiction, the export C of A also includes a supplemental statement attesting to the aircraft’s conformity to the importing country’s type design. An export C of A is not an authorization to operate the aircraft. TO BE: 8.1. Export Certificate of Airworthiness for Aircraft. FAA Form 8130-4, Export Certificate of Airworthiness (C of A), is used to issue an export airworthiness approval for an aircraft. The export C of A represents a certifying statement from the FAA that a given aircraft conforms to its approved design and is in a condition for safe operation, unless otherwise specified (refer to 14 CFR 21.329) , at the time of examination and issuance of the certificate. When required by the importing country or jurisdiction, the export C of A also includes a supplemental statement attesting to the aircraft’s conformity to the importing country’s type design. An export C of A is not an authorization to operate the aircraft.
6. (Revised)	CURRENT: 6.b. Export Airworthiness Approvals for Aircraft Engines, Propellers, and Articles. FAA Form 8130-3, Authorized Release Certificate, is used for issuing export airworthiness approvals to aircraft engines, propellers, and articles. The authorized release certificate is a certifying statement from the FAA that a given aircraft engine, propeller, or article (1) conforms to its FAA design approval or properly altered condition, and (2) is in a condition for safe operation at the time of examination and issuance of the certificate. NOTE: E-Cards are no longer required for engines and propellers. TO BE: 8.2. Authorized Release Certificates for Export for Aircraft Engines, Propellers, and Articles Issued by the FAA or an Authorized Designee. FAA Form 8130-3, Authorized Release Certificate, is used for issuing an export airworthiness approval for an aircraft engine, propeller, or article. FAA Form 8130-3 is a certifying statement that a given aircraft engine, propeller, or article conforms to its approved design and is in a condition for safe operation, unless otherwise specified (refer to 14 CFR 21.331) , at the time of examination and issuance of the certificate.
7. (Addition)	TO BE: 8.3. Authorized Release Documents for Aircraft Engines, Propellers, and Articles Issued by a Production Approval Holder. Although an authorized release document is not an approval as defined by 14 CFR § 21.1, a production approval holder (PAH) with an approved quality system that includes the procedures described in § 21.137(o) may authorize its personnel to issue authorized release documents using FAA Form 8130-3 for a new or used aircraft engine, propeller, or article manufactured by the PAH itself. An authorized release document is a certifying statement, made by a PAH, that an aircraft engine, propeller, or article conforms to its approved design and is in a condition for safe operation at the time of examination and issuance of the document, unless otherwise specified

	(refer to § 21.331). When a PAH produces an authorized release document for the purpose of export, § 21.137(o) requires the PAH to comply with § 21.331 (the rules applicable to the export of new and used aircraft engines, propellers, and articles) and § 21.335 (the responsibilities of exporters), in addition to the other requirements of § 21.137(o) (procedures for issuing authorized release documents).
8. (Addition)	TO BE: 8.4. FAA Form 8130-3, Authorized Release Certificate. Depending on who is completing the form and for what purpose, this AC may refer to FAA Form 8130-3 as an airworthiness approval, authorized release certificate, airworthiness approval tag, or authorized release document for an aircraft engine, propeller, or article.
9. (Revised)	<p>CURRENT: 7. Issuance of FAA Form 8130-4 and Form 8130-3 for Products or Articles Located in Another Country. Form 8130-4 and Form 8130-3 may be issued for any product or article located in another country as long as the FAA finds no undue burden in administering the applicable requirements of Title 49 of the United States Code, Transportation, and 14 CFR part 21 subpart L. 2. a.(1) (For the purpose of this AC, the term “aircraft” includes powered parachutes and balloons.)</p> <p>TO BE: 9. Issuance of FAA Form 8130-4 and FAA Form 8130-3 for Products or Articles Located in Another Country. The FAA and its designees may issue FAA Form 8130-4 or FAA Form 8130-3 for products or articles located in another country, provided the FAA finds no undue burden in administering the applicable statutory and regulatory export approval requirements (refer to 14 CFR § 21.325(c)). A PAH may issue FAA Form 8130-3 for products or articles located in another country, provided the PAH has an approved quality system that includes procedures described in § 21.137(o).</p>
10. (Revised)	<p>CURRENT: 9. How to Apply for an Export Airworthiness Approval.</p> <p>a. For an export C of A for an aircraft, submit FAA Form 8130-1, Application for Export Certificate of Airworthiness. For new aircraft, submit applications to the manufacturing inspection district office (MIDO) with geographic responsibility. For used aircraft, submit applications to the flight standards district office (FSDO) with geographic responsibility. Detailed application procedures may be found in FAA Order 8130.2, Airworthiness Certification of Aircraft and Related Products.</p> <p>b. For an export airworthiness approval for new articles, or an aircraft engine, propeller, or article, a PAH may apply orally to the FAA.</p> <p>TO BE: 11. HOW TO APPLY FOR AN EXPORT AIRWORTHINESS APPROVAL FROM THE FAA.</p> <p>11.1. Aircraft. For an export C of A for an aircraft, submit FAA Form 8130-1, Application for Export Certificate of Airworthiness. For new aircraft, submit applications to the Manufacturing Inspection District Office (MIDO) with geographic responsibility or the Organization Designation Authorization (ODA) holder as appropriate.</p> <p>11.2. Aircraft Engines, Propellers, and Articles. A person who does not have an approved quality system that includes the procedures described in § 21.137(o) may apply orally or in writing to the FAA or an authorized FAA designee for an export airworthiness approval for a new or used aircraft engine, propeller, or article. FAA designees must be pre-approved by their oversight office before issuing the airworthiness approval. A person may use the information contained on FAA Form 8130-1 as a guide to supply required information for applying orally to the FAA or an authorized FAA designee.</p> <p>11.3. Detailed Application Procedures and Procedures for Obtaining Civil Aviation Authority Acceptance. Detailed application procedures and procedures for obtaining civil aviation authority (CAA) acceptance may be found in FAA Order 8130.2</p>
11. (Revised)	<p>CURRENT: 10. Requirements to Be Met Before the FAA Issues an Export C of A for a New or Used Aircraft. 14 CFR § 21.329, Issue of export certificates of airworthiness, prescribes the requirements for the issuance of an export C of A for either new or used aircraft. This includes aircraft located outside the United States, as long as the FAA finds no undue burden in administering the applicable regulations.</p> <p>a. New or Used Aircraft Manufactured Under Part 21, Subpart F or Subpart G. The FAA issues an export C of A for a new or used aircraft manufactured under part 21, subpart F, Production Under Type Certificate (TC), or subpart G, Production Certificates (PC), if the aircraft meets the airworthiness requirements of part 21, subpart H, Airworthiness Certificates. Such aircraft are eligible for either a standard airworthiness certificate, or a special</p>

	<p>airworthiness certificate in either the primary or the restricted category.</p> <p>b. New or Used Aircraft Not Manufactured Under Part 21, Subpart F or Subpart G. The FAA will also issue an export C of A for a new or used aircraft that was not manufactured under subpart F or subpart G. In this case, the aircraft already has a valid standard airworthiness certificate or a valid special airworthiness certificate in either the primary or restricted category (issued in accordance with the requirements of subpart H). Examples of aircraft not manufactured under subpart F or subpart G include import aircraft that have been issued an FAA type design in accordance with § 21.29, Issue of Type Certificate: Import Products, and aircraft that have been constructed using spare and surplus parts.</p> <p>11. Additional Considerations for Used Aircraft. To support the validity of its present airworthiness certificate and associated eligibility for export, used aircraft is required to have been properly maintained. Verification of proper maintenance includes, but is not limited to, the following:</p> <p>a. A used aircraft will have been properly maintained in accordance with 14 CFR part 43, Maintenance, Preventive Maintenance, Rebuilding, and Alteration, or 14 CFR part 121, Operating Requirements: Domestic, Flag, and Supplemental Operations.</p> <p>b. A used aircraft is within the inspection times of the appropriate inspection in accordance with 14 CFR part 91, General Operating and Flight Rules, § 91.409, Inspections.</p> <p>TO BE: 12. Regulatory Provisions for Issuance of an Export Airworthiness Approval. Section 21.329 prescribes the requirements for the issuance of an export C of A for either new or used aircraft. Section 21.331 contains the requirements for the issuance of an export airworthiness approval for an aircraft engine, propeller, and article.</p> <p>12.1. New or Used Aircraft Manufactured Under Part 21, Subpart F or Subpart G. The FAA or its designee issues an export C of A for a new or used aircraft manufactured under part 21, subpart F, Production Under Type Certificate, or subpart G, Production Certificates, if the aircraft meets the airworthiness requirements of part 21, subpart H, Airworthiness Certificates. Such aircraft are eligible for either a standard airworthiness certificate or a special airworthiness certificate in either the primary or the restricted category.</p> <p>12.2. New or Used Aircraft Not Manufactured Under Part 21, Subpart F or Subpart G. The FAA or its designee may also issue an export C of A for a new or used aircraft that was not manufactured under subpart F or subpart G. In this case, § 21.329(a)(2) requires the aircraft to possess a valid standard airworthiness certificate or a valid special airworthiness certificate in either the primary or restricted category (issued in accordance with the requirements of subpart H). One example of aircraft not manufactured under subpart F or subpart G is an import aircraft that has been issued an FAA type certificate pursuant to 14 CFR 21.29.</p> <p>12.3. Additional Considerations for Used Aircraft. To support the validity of their present airworthiness certificates and associated eligibility for export, used aircraft are required to have been properly maintained. Verification of proper maintenance includes, but is not limited to, ensuring a used aircraft—</p> <p>12.3.1. Has been properly maintained pursuant to 14 CFR part 43, 14 CFR part 121, or 14 CFR part 135.</p> <p>12.3.2. Has been inspected within the given timeframe of the appropriate inspection pursuant to 14 CFR § 91.409.</p> <p>12.4. Issuance of FAA Form 8130-3 for an Aircraft Engine, Propeller, or Article for Export. The FAA, its designee, or a PAH may issue FAA Form 8130-3 to export an aircraft engine, propeller, or article that conforms to its approved design and is in a condition for safe operation, unless otherwise specified (refer to § 21.331). A PAH may only issue FAA Form 8130-3 if the PAH has an approved quality system that includes the procedures described in § 21.137(o), and only for an aircraft engine, propeller, or article manufactured by the PAH itself.</p>
<p>12. (Revised)</p>	<p>CURRENT: 12. Procedures to Follow When a New or Used Aircraft Does Not Meet the Requirements of § 21.329(a).</p> <p>c. When an exporter notifies the FAA that it cannot comply with the applicable requirements of § 21.329, the FAA will request a written statement from the civil aviation authority (CAA) of the importing country or jurisdiction. Requests for acceptance of these aircraft are transmitted to, and received from, authority to authority prior to export. Detailed procedures for obtaining CAA acceptance of aircraft are contained in Order 8130.2.</p> <p>d. If the CAA of the importing country or jurisdiction provides a written statement of acceptance to the FAA, the FAA</p>

will list as an exception on the FAA's export C of A the differences between the aircraft to be exported and its type design. The export C of A should reference the importing CAA's written statement of acceptance. Details of this process are contained in Order 8130.2.

TO BE: 13. Products or Articles That Do Not Meet the Requirements of 14 CFR Part 21, Subpart L.

13.1. Aircraft

13.1.3. When an exporter notifies the FAA that it cannot comply with § 21.329(a) because of a deviation, the exporter should first prepare a technical description of the specific nonconformities. The FAA will then prepare an accompanying cover letter and transmit it, with the request, to the CAA of the importing country or jurisdiction, requesting a written statement accepting that deviation. Governmental authorities will transmit and receive requests for acceptance before export. The FAA will not issue export documentation without first receiving a written statement of acceptance from the importing CAA.

13.1.4. If the CAA of the importing country or jurisdiction provides a written statement of acceptance to the FAA, the FAA or its designee will list as an exception on the FAA's export C of A the differences between the aircraft to be exported and its type design. The export C of A should reference the importing CAA's written statement of acceptance.

13.2. Aircraft Engines, Propellers, and Articles.

13.2.1. Section 21.331(b) and (d) allows the FAA or its designee to issue an export airworthiness approval for a new aircraft engine, propeller, or article, or for a used aircraft engine or propeller, that does not meet the requirements of § 21.331(a) or § 21.331 (c), as long as the importing country or jurisdiction accepts a deviation from that requirement. However, no provisions allow the export of a used article that does not meet the requirements of § 21.331(c).

13.2.2. As provided in § 21.331(b) and (d), if the CAA of an importing country or jurisdiction accepts any deviations from § 21.331(a) and (c), the FAA, its designee, or a PAH must list as exceptions any differences between the aircraft engine, propeller, or article on the approval or authorized release document. The individual or entity issuing FAA Form 8130-3 should note all deviations as exceptions in the form's "Remarks" block, referencing the importing CAA's written statement of acceptance. The form also should be accompanied by a copy of the importing CAA's statement of acceptance.

13.2.3. When an exporter notifies the FAA that it cannot comply with § 21.331(a) and (c), and before issuance of FAA Form 8130-3, the FAA will request a written statement from the importing CAA indicating the CAA's acceptance of the aircraft engine, propeller, or article. Governmental authorities will transmit and receive requests for acceptance before export. The FAA will not issue export documentation without first receiving a written statement of acceptance from the importing CAA. The FAA will notify the exporter or designee of the CAA's written response.

**13.
(Revised)**

CURRENT: 24. Procedures to Follow When an Exporter Cannot Comply With the Requirements of § 21.335 (a) Through (e).

a. If an exporter cannot meet the requirements of § 21.335(a) through (e), the exporter will provide the FAA a written declaration stating which requirements cannot be complied with, and justification for each noncompliance.

b. The FAA will request a written statement from the CAA of the importing country or jurisdiction, signifying its agreement and acceptance that the exporter has not met one or more of the requirements. Such requests are made between authorities.

TO BE: 13.3 Other Responsibilities of Exporters.

13.3.1. If an exporter cannot meet the requirements of § 21.335(a) through (e) as agreed to by the importing country or jurisdiction, the exporter should provide the FAA with a written declaration identifying all the requirements it cannot meet and appropriate justification.

	<p>13.3.2. The FAA will request a written statement from the CAA of the importing country or jurisdiction, signifying its agreement and acceptance that the exporter has not met one or more of the requirements. Such requests are made between authorities (refer to paragraphs Error! Reference source not found. and Error! Reference source not found. of this AC).</p>
<p>14. (Revised)</p>	<p>CURRENT: 13. How to Address the Requirements of Importing Countries or Jurisdictions.</p> <p>a. Subpart L does not specifically address the requirements of importing countries or jurisdictions. However, as an agency of the U.S. Government, the FAA is obligated to comply with the requirements of importing countries or jurisdictions if these requirements are—</p> <p>(1) Specified as a provision in a bilateral agreement, or</p> <p>(2) Contained in a specific document formally submitted to the FAA for publication in AC 21-2, Requirements of Importing Countries or Jurisdictions.</p> <p>b. An exporter will satisfy each requirement of the importing country or jurisdiction before the FAA will issue an export C of A. It is the exporter’s responsibility to review the specific importing requirements associated with a particular country or jurisdiction. It is also the exporter’s responsibility, with the assistance of the FAA if needed, to determine whether an importing country’s or jurisdiction’s special requirements have been met before export. The exporter will document any special importing requirements on Form 8130-1.</p> <p>TO BE: 14. Special Requirements of Importing Countries.</p> <p>14.1. Subpart L does not specifically address the requirements of importing countries or jurisdictions. However, as an agency of the U.S. Government, the FAA is obligated to ensure compliance with the requirements of importing countries or jurisdictions as—</p> <ul style="list-style-type: none"> • Established as a provision in a bilateral agreement, or • Specified within AC 21-2, appendix 2, Special Requirements of Importing Countries. AC 21-2 can be found on the FAA’s website (www.faa.gov/aircraft/air_cert/international). <p>14.2. The FAA and its designees will not issue an export C of A, and neither the FAA, its designees, nor a PAH will issue FAA Form 8130-3, before an exporter satisfies each requirement of the importing country or jurisdiction as described in paragraph 0.</p> <p>14.3. The FAA will consider any applications submitted (in writing or orally) to the FAA for an export airworthiness approval to be incomplete until the applicant states whether the importing country or jurisdiction’s requirements have been satisfied.</p>
<p>16. (Revised)</p>	<p>CURRENT: 16. Exporting an Aircraft to a Country or Jurisdiction That Does Not Have a Bilateral Agreement With the United States. When exporting an aircraft to a country or jurisdiction that does not have a bilateral agreement with the United States, and no definitive special import requirements have been formally submitted to the FAA, an FAA export C of A is not necessary. A business or contractual agreement between the seller and the purchaser (for example, the PAH and the aircraft end-user in the importing country or jurisdiction) does not constitute or qualify as a government-to-government request for an export C of A. However, the FAA will permit the issuance of Form 8130-4 for export of all eligible aircraft when these aircraft conform to their FAA-approved design or properly altered condition, and are in a condition for safe operation.. Identification Plate Requirements for Aircraft, Aircraft Engines, or Propellers Produced Under a Design Data Licensing Agreement Program.</p> <p>TO BE: 16. Exporting to a Country or Jurisdiction That Does Not Have a Bilateral Agreement with the United States and No Requirements Listed in AC 21-2, Appendix 2. When exporting an aircraft, aircraft engine, propeller, or article to a country or jurisdiction that does not have a bilateral agreement with the United States, and if no special import requirements are listed in AC 21-2, appendix 2, FAA Form 8130-4 (for aircraft) or FAA Form 8130-3 (for aircraft engines, propellers, or articles) may not be necessary. A business or contractual agreement between a seller and purchaser (for example, a PAH and an aircraft end-user in the importing country or jurisdiction) does not constitute or qualify as a Government-to-Government request for an export approval or document. However, the FAA will permit the issuance of export airworthiness approvals for products and articles that conform to their approved design and are in a condition for safe operation, unless otherwise specified (refer to § 21.331).</p>

<p>17. (Revised)</p>	<p>CURRENT: 23. Responsibilities of Exporters. 14 CFR § 21.335 prescribes the responsibilities of exporters. Unless otherwise agreed to by the importing country or jurisdiction, each exporter will meet the following requirements:</p> <p>a. Provide Importing Documents. An exporter will forward to the importing country or jurisdiction all documents specified by that country or jurisdiction. A list of these documents is in appendix 2 to AC 21-2, which contains importing country or jurisdiction special requirements. AC 21-2 may be found on the FAA’s website (www.faa.gov/aircraft/aircert/international).</p> <p>b. Review Bilateral Agreements. Bilateral agreements with certain countries or jurisdictions may contain documentation requirements. An exporter should review each bilateral agreement for the importing requirements associated with a particular country or jurisdiction. The text of all bilateral agreements can also be found on the FAA’s website (www.faa.gov/aircraft/aircert/international).</p> <p>d. Remove Temporary Installations and Restore the Aircraft.</p> <p>(1) An exporter will remove or cause to be removed any temporary installation incorporated on an aircraft for the purpose of export delivery.</p> <p>TO BE: 17. Responsibilities of Exporters. Pursuant to § 21.335, unless otherwise agreed to by the importing country or jurisdiction, exporters must meet the following requirements:</p> <p>17.1. Provide Importing Documents.</p> <p>An exporter will forward to the importing country or jurisdiction all documents specified by that country or jurisdiction. A list of these documents is included in AC 21-2, appendix 2, which contains importing country or jurisdiction special requirements. Bilateral agreements with certain countries or jurisdictions may also contain documentation requirements. An exporter should review each bilateral agreement for the importing requirements associated with a particular country or jurisdiction. The text of all bilateral agreements can be found on the FAA’s website (www.faa.gov/aircraft/air cert/international).</p> <p>17.3. Remove Temporary Installations and Restore the Aircraft.</p> <p>17.3.1 An exporter, or someone acting on behalf of the exporter, must remove or cause to be removed any temporary installation incorporated on an aircraft for the purpose of export delivery.</p>
<p>18. (Addition)</p>	<p>TO BE: 18. Determination of “New” and “Used” Products or Articles. The FAA’s methodology for determining “new” and “used” products or articles is described in FAA Order 8130.2. Remove “Somewhere”</p>