



ADVISORY CIRCULAR

AC 21-17 v3.0

Export airworthiness approvals

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Advisory Circulars are intended to provide advice and guidance to illustrate a means, but not necessarily the only means, of complying with the Regulations, or to explain certain regulatory requirements by providing informative, interpretative and explanatory material.

Advisory Circulars should always be read in conjunction with the relevant regulations.

Audience

This advisory circular (AC) applies to applicants of an export airworthiness approval, in particular:

- exporters of aeronautical products
- production authorisation holders.

Purpose

This advisory circular provides guidance on applying for an export airworthiness approval for Class I, Class II or Class III products.

For further information

For further information, contact CASA's Airworthiness and Engineering Branch (airworthiness@casa.gov.au or telephone 131 757).

Status

This version of the AC is approved by the Branch Manager, Airworthiness and Engineering.

Note: Changes made in the current version are not annotated. The document should be read in full.

| Version | Date | Details |
|---------|---------------|---|
| v3.0 | February 2021 | Revised to include information on remote inspections and other minor updates. |
| v2.0 | August 2017 | Entire AC has been reviewed and updated. The document should be read in full. |
| (0) | April 1999 | First initial AC. |

Unless specified otherwise, all subregulations, regulations, Divisions, Subparts and Parts referenced in this AC are references to the *Civil Aviation Safety Regulations 1998 (CASR)*.

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1 Reference material

1.1 Acronyms

The acronyms and abbreviations used in this AC are listed in the table below.

| Acronym | Description |
|---------|---|
| AC | advisory circular |
| AEB | Airworthiness and Engineering Branch |
| CAAP | <i>Civil Aviation Advisory Publication</i> |
| CAR | <i>Civil Aviation Regulations 1988</i> |
| CASA | Civil Aviation Safety Authority |
| CASR | <i>Civil Aviation Safety Regulations 1998</i> |
| CofA | <i>Certificate of Airworthiness</i> |
| NAA | <i>national aviation authority</i> |
| TCDS | <i>type certificate data sheet</i> |
| STC | <i>supplemental type certificate</i> |

1.2 Definitions

Terms that have specific meaning within this AC are defined in the table below.

| Term | Definition |
|----------------------|--|
| aeronautical product | Aeronautical product means any part or material that is, or is intended by its manufacturer to be, a part of or used in an aircraft, unless excluded by regulations made under the Civil Aviation Act 1988. |
| approved design data | In the context of a Class 1 product it is defined in regulation 21.031 (type design) and in the context of a Class II or Class III product it is defined in regulation 21.132 (product design). |
| Class I product | A Class I product is a complete aircraft, aircraft engine, or propeller, that either: <ul style="list-style-type: none"> • has been type certificated and for which civil specifications or type certificate data sheets have been issued or • is identical to a type certificated product specified above in all respects except as is otherwise acceptable to the national aviation authority of the importing state. |
| Class II product | A Class II product is a major component of a Class I product (e.g. wings, fuselages, empennage assemblies, landing gears, power transmissions and control surfaces), the failure of which would jeopardise the safety of a Class I product; or any part, material, or appliance, approved and manufactured under an Australian Technical Standard Order (ATSO) in the 'C' series. |
| Class III product | A Class III product is any part or component which is not a Class I or Class II product and includes standard parts. |

| Term | Definition |
|----------------|---|
| standard parts | <p>A standard part is a part that complies with a specification that:</p> <ol style="list-style-type: none"> 1. is established, published and maintained by: <ol style="list-style-type: none"> a. an organisation that sets consensus standards for products; or b. a government agency; and 2. includes: <ol style="list-style-type: none"> a. design, manufacturing, test and acceptance criteria; and b. requirements for the uniform identification of the part. <p>For example, a standard part includes those designated with a code such as AN, NAS or SAE.</p> |

1.3 References

Regulations

Regulations are available on the Federal Register of Legislation website <http://www.legislation.gov.au>

| Document | Title |
|--------------|--------------------------------|
| Subpart 21.L | Export airworthiness approvals |

Advisory material

CASA's advisory circulars are available at <http://www.casa.gov.au/AC>

CASA's Civil Aviation Advisory Publications are available at <http://www.casa.gov.au/CAAP>

| Document | Title |
|------------|--------------------------------|
| AC 47-01 | Registration of aircraft |
| CAAP 42W-2 | Authorised release certificate |

1.4 Forms

CASA's forms are available at <http://www.casa.gov.au/forms>

| Form number | Title |
|-------------|---|
| 001 | Authorised release certificate |
| Form 1i | Authorised release certificate guidelines |
| 722 | Application for issue of an export certificate of airworthiness |
| 723 | Export certificate of airworthiness |

2 Export airworthiness approvals

2.1 Purpose of an approval

- 2.1.1 Export airworthiness approvals facilitate the export and import of aircraft and aeronautical products between countries. They provide an internationally standardised means of officially confirming the airworthiness status of aircraft and aeronautical products.
- 2.1.2 An export airworthiness approval confirms that on the date the product was inspected by CASA or an authorised person, it was found to:
- conform to the relevant approved design data and is in a condition for safe operation
 - meets any special requirements of the importing country.
- 2.1.3 It is not mandatory for an exporter to obtain an export airworthiness approval in order to export a product, and an Australian export airworthiness approval does not guarantee acceptance of an Australian product by a foreign country. However, 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 national aviation authority (NAA) of the importing country. Once a product has been exported, it may be very difficult, if not impossible, to obtain export airworthiness approval.
- 2.1.4 It is the responsibility of the exporter to determine the applicable airworthiness requirements of the importing country for the aeronautical product.

2.2 Aircraft (Class I product)

- 2.2.1 Regulations 21.327, 21.329 and 21.339 specify the application requirements for an aircraft export airworthiness approval. The application is made to CASA or an authorised person on Form 722.
- 2.2.2 An aircraft export airworthiness approval is issued in the form of an export certificate of airworthiness (CofA).
- 2.2.3 The export CofA certifies that the aircraft is airworthy; however, it does not confer authority to operate the aircraft. In order to fly the aircraft from Australia to its export destination, the operator must also hold a standard or special CofA, or a special flight permit.

2.3 Class I engines and propellers, Class II and Class III products

- 2.3.1 The following regulations state the application requirements that must be met to issue an export airworthiness approval for the various classes of products:
- Class I engine or propeller - regulation 21.329
 - Class II product - regulation 21.331
 - Class III product - regulation 21.333

- 2.3.2 Export airworthiness approvals for engines, propellers, and Class II and Class III products are issued in the form of an authorised release certificate. Application for an authorised release certificate can be made orally or in writing.

2.4 Class III standard parts

- 2.4.1 For Class III standard parts, the NAA of the importing country will specify the acceptable export airworthiness approval. In some cases a statement of conformity may be an acceptable alternative to an export airworthiness approval; in such instances an authorised release certificate (Form 001) is not required. The country of import should provide guidance on their requirements.

2.5 Authorised Release Certificate for aircraft engines, propellers, and articles issued by a production approval holder

- 2.5.1 A production approval holder (PAH) with an approved quality system that includes the procedures for issue of authorised release certificate, may authorise its personnel to issue authorised release documents using CASA Form 001 for a new engine, propeller, or Class II or Class III products manufactured by the PAH.
- 2.5.2 An authorised release certificate is a certifying statement, made by a PAH, that an aircraft engine, propeller, or article conforms to its approved design data and is in a condition for safe operation at the time of examination and issuance of the document.

3 Application process

3.1 Pre-requisite considerations

3.1.1 Who may apply

3.1.1.1 Under regulation 21.323 any person may obtain an export airworthiness approval for a Class I, Class II or Class III product.

3.1.2 Aircraft and products for which an export certificate of airworthiness may be issued

3.1.2.1 Subregulation 21.325(4) prescribes the aircraft and products for which an export CofA may be issued:

- new aircraft that are assembled and that have been flight-tested, except that export airworthiness approval may be issued for any of the following without assembly or flight-test:
 - o a small aeroplane type certificated by reference to Part 23 and manufactured under a production certificate
 - o a glider or manned free balloon for which a type certificate of the kind mentioned in regulation 21.021 or 21.024 is issued under this Part and that is manufactured under a production certificate
 - o a normal category rotorcraft type certificated by reference to Part 27 and manufactured under a production certificate
- used aircraft possessing a valid certificate of airworthiness, or other used Class I or Class II products that have been maintained in accordance with the applicable provisions of CAR or CASR.

3.1.2.2 CASA is not required to issue an export CofA for an aircraft that is located outside Australia. However, CASA may elect to issue an export CofA in such circumstances when there is no undue burden on CASA.

3.1.3 Special conditions of the importing country

3.1.3.1 Exporters are responsible for obtaining information on any special conditions from the NAA of the importing country.

3.1.3.2 For applications through an authorised person, CASA's Airworthiness and Engineering Branch (AEB) may need to be contacted to liaise with the importing NAA.

3.2 Application for export airworthiness approval

3.2.1 The exporter is responsible for obtaining any exemptions to special conditions from the NAA of the importing country. The list of exemptions and copies of the granted exemption(s) should be attached to application form 722. All original documentation should be retained by the exporter.

3.2.2 In accordance with the *Civil Aviation (Fees) Regulations 1995* cost recovery procedures are applicable for an export CofA application. On lodgement of an application CASA will

provide an estimate of the costs. Applications along with the documentation should be submitted to:

CASA Client Services Centre
GPO Box 2005
CANBERRA ACT 2601

(email: regservices@casa.gov.au)

3.2.3 Aircraft

- 3.2.3.1 Use Form 722 to apply for an export CofA approval. Ensure that both the manufacturer and the manufacturer's designation (model) of the aircraft is included in the aircraft identification section of the form.
- 3.2.3.2 If an authorised person issues an export CofA, a copy of the application and any supporting justification is to be supplied to CASA for retention on the aircraft file, along with the Export CofA.

3.2.4 Additional requirements for certain circumstances

- 3.2.4.1 For aircraft shipped in an unassembled state, the assembly and test requirements must be supplied with the export CofA.
- 3.2.4.2 For used aircraft, CASA or the authorised person must verify the modification and maintenance status of the aircraft before issuing the export CofA.
- 3.2.4.3 If a temporary ferry fuel system or other installation has been fitted, especially for the delivery flight, then the export CofA should state whether these systems need to be removed after delivery.
- 3.2.4.4 The procedures for cancellation of an aircraft registration are contained in AC 47-01.

3.2.5 Engines, propellers, Class II and Class III products

- 3.2.5.1 The export airworthiness approval of aircraft engines, propellers, and Class II and Class III products (other than standard parts and raw materials) is made in writing or orally to CASA or an authorised person.
- 3.2.5.2 Guidance on completing Form 001 is available in the following documents:
 - CAAP 42W-2 for aeronautical products maintained under the *Civil Aviation Regulations 1988* (CAR)
 - Form 1i for aeronautical products manufactured or maintained under the CASR.
- 3.2.5.3 Any conditions of the importing country must be entered in the “Remarks” column on Form 001.
- 3.2.5.4 A batch of identical products or number of products may be included on the same Form 001, provided they are being shipped to the same destination.

3.3 Assessment of the application

- 3.3.1 All export airworthiness approvals must be assessed and granted by either CASA or an authorised person.

- 3.3.2 CASA/authorised person will issue either an export CofA or a signed Form 001. This should be kept as part of documentation to be provided to the importer.
- 3.3.3 CASA or an authorised person must certify the exporter's compliance with any special requirements of the importing country, unless a written exemption is obtained from the importing NAA.
- 3.3.4 CASA or an authorised person must list on the export airworthiness approval, as exceptions, the requirements that are not met and the differences in configuration, if any, between the product to be exported and the related type certificated product, e.g. fitment of a temporary ferry fuel system and other installations for the delivery flight.
- 3.3.5 When inspections are carried out to establish compliance with the applicable requirements, it is not required in all cases that the person issuing the export airworthiness approval physically inspect the aircraft or product on site in person. Inspections may be carried out with the aid of remote technology such as photos and videos, and assistance may be obtained from other suitably qualified people. In all cases, the authorised person or delegate remains ultimately responsible for the determination of compliance with the requirements of the regulations, so remote inspections must be carried out under the instruction of the authorised person or delegate and in accordance with clearly documented procedures acceptable to CASA.

3.3.6 Special and additional requirements

- 3.3.6.1 Special requirements are administrative requirements that must be satisfied as a condition of shipment at the time of export. For example, the requirement for an Australian export CofA, copies of logbooks, flight manuals etc.
- 3.3.6.2 Additional requirements are those found necessary by the importing country, in addition to the exporting country's certification basis, to provide a level of safety and environmental quality equivalent to the importing country's certification basis.