



# Advisory Circular

**AC 21.31(0)**

**DECEMBER 1998**

## **TYPE CERTIFICATES FOR IMPORTED AIRCRAFT**

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### **1. REFERENCES**

*Civil Aviation Safety Regulations 1998*  
Part 21 Subpart B – Type Certificates and  
Type Acceptance Certificates.

*Note: CASRs referred to above are  
currently enacted as CAR 1998.*

### **2. PURPOSE**

This advisory circular provides information and guidance to applicants applying for the issue of a Type Certificate for foreign aircraft types in accordance with the procedures of CASR 21.29, that is, where the automatic acceptance procedures of CASR 21.29A do not apply.

### **3. STATUS OF THIS AC**

This is the first AC to be written on the subject.

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*Advisory Circulars (ACs) are advisory only. ACs provide recommendations and guidance to illustrate a method, or several methods, not necessarily being the only method by which legislative requirements may be met. They also provide a means of illustrating the meaning of certain requirements by offering interpretive and explanatory guidance. ACs should always be read in conjunction with the referenced regulations.*

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## **4. BACKGROUND**

### **4.1 Non-recognised countries**

**4.1.1** This AC deals with the issue of Type Certificates for aircraft types for which a Type Certificate or equivalent issued by the National Airworthiness Authority (NAA) of a recognised country is not in force. The recognised countries as listed in CASR 21.12 are:

- (a) Canada;
- (b) New Zealand;
- (c) The French Republic;
- (d) The Kingdom of the Netherlands;
- (e) The United Kingdom;
- (f) The United States of America;
- (g) The Federal Republic of Germany.

**4.1.2** Many countries are in the process of international harmonisation and use or will use the term “Type Certificate”, however the equivalent document may be referred to as “Type Approval Certificate”, “Certificate of Type Approval”, etc. If in doubt, check with CASA.

**4.1.3** The foreign NAA that issued the Type Certificate or equivalent will be regarded as the nominated NAA for airworthiness control of the aircraft listed on that certificate.

### **4.2 Certificate of Airworthiness Categories**

**4.2.1** Type certificates for foreign aircraft are issued to enable Certificates of Airworthiness (CoAs) to be issued in one or more of the following categories:

- (a) Transport;
- (b) Normal;
- (c) Utility;
- (d) Acrobatic;
- (e) Commuter;
- (f) Manned free balloons;
- (g) Primary;
- (h) Restricted.

**4.2.2** CoAs will usually be issued in the same category available under the foreign Type Certificate, subject to a review by CASA of the foreign certification basis, including any special conditions, waivers, exemptions, equivalent safety determinations etc. made by the foreign NAA, and a review of the data supporting the certification.

## **5. APPLICATION FOR A TYPE CERTIFICATE FOR FOREIGN AIRCRAFT**

### **5.1 Who may apply**

Either the holder of the original Type Certificate or any other person may apply for a Type Certificate in respect of a foreign aircraft type, if that aircraft type has a Type Certificate or equivalent issued by the NAA of a non-recognised country. The Type Certificate, if issued, will be in respect of the aircraft type itself, there is no holder of a Type Certificate issued under CASR 21.29.

## **5.2 Foreign certification basis**

CASA may issue a Type Certificate for a foreign aircraft type that has been:

- (a) shown to meet the applicable airworthiness standards mentioned in CASR 21.17 (ie FAR 23, FAR 25 etc.), and the foreign NAA (whether a contracting State of ICAO or not) has issued a certificate to the effect that the aircraft type meets those requirements; or
- (b) certificated by the NAA of a country which is a contracting State of ICAO as meeting the airworthiness requirements of that country (but not necessarily the standards in CASR 21.17), and has been shown to meet any other requirements imposed by CASA that are necessary to provide a level of safety equivalent to that provided for comparable aircraft.

## **5.3 Application form**

The applicant should obtain and lodge a completed CASA Form No. 735 “Type Acceptance Certificate or Type Certificate for Imported Aircraft — Application” at the nearest CASA District Office. A list of these offices with contact details is given in advisory circular AC 11.1 “Advisory Circulars – Guidelines”.

## **5.4 Aircraft type details**

The application should state exactly which models are to be included on the Type Certificate. These models must be included on the foreign Type Certificate. Each model included on the Type Certificate must be covered by the data requirements of paragraph 5.5.

## **5.5 Supply of data**

**5.5.1** In accordance with CASR 21.29(3), the application for type certification must be accompanied by:

- (a) the data listed in CASR 21.29A(b)(i) to (vii) inclusive; and
- (b) the design data package supporting the issue of the foreign certificate.

**5.5.2** CASA can advise in each particular case which design and test reports are required. In some instances, summary reports may be adequate. This data will be classified as “commercial-in-confidence” and stored by CASA in a secure area and not released to any third party without the express permission of the manufacturer, foreign Type Certificate holder or the author of the report, whichever is appropriate.

**5.5.3** Additional data may be required during the course of the review. CASR 21.2A gives CASA the power to request data relevant to the application.

**5.5.4** If some or all of the data is not available at that time, a covering letter should be supplied giving the reasons and details of when the data will be available.

**5.5.5** Any costs associated with the supply of this data are the responsibility of the applicant.

## **5.6 Supply of continuing airworthiness data**

**5.6.1** An inherent part of type certification of imported aircraft is continued support of the aircraft and components in the form of service bulletins and other instructions, including amendments to documents, and foreign airworthiness directives.

**5.6.2** The applicant must arrange and submit to CASA an undertaking from the holder of the foreign Type Certificate to continue to supply to CASA those items listed in CASR 21.29(b)(viii).

**5.6.3** CASA will arrange with the nominated NAA for the supply of mandatory airworthiness data issued by that NAA for the type of aircraft concerned by CASA certification specialists.

## **5.7 Large transport category aircraft and aircraft with a certification basis unfamiliar to CASA**

**5.7.1** Applicants should be aware that part of the CASA validation exercise, particularly for transport category aircraft, helicopters and for aircraft with a certification basis that is not familiar to CASA, may involve a visit to the manufacturer by CASA certification specialists.

**5.7.2** Type certification involves a considerable amount of time and effort and a commensurate measure of expense, with no guarantee that a Type Certificate will necessarily be issued at the conclusion of the process.

**5.7.3** All costs associated with this exercise will be at the applicant's expense.

**5.7.4** CASA's existing priorities, obligations and resources are such that it is unlikely that CASA could allocate any priority to the application.

**5.7.5** If civil certification from one of the recognised countries could be obtained then an application for a Type Acceptance Certificate may be expedited under the procedures explained in Advisory Circular AC 21.30.

**5.7.6** Applicants are urged to give serious consideration to these issues before committing further effort and expense to the proposed certification application.

## **6. SUSPENSION OR CANCELLATION OF A TYPE CERTIFICATE FOR A FOREIGN AIRCRAFT**

**6.1** CASA may suspend or cancel a Type Certificate if it considers that it is necessary to do so in the interests of aviation safety. An inability on the part of the foreign Type Certificate holder to provide ongoing technical support for the aircraft type may constitute grounds for such suspension or cancellation.

**6.2** CASA must first consult with and consider the views of the operator of the aircraft, the NAA that issued the foreign Type Certificate, and the manufacturer.

**6.3** Only the Director of Aviation Safety has the power to suspend or cancel a Type Certificate.

## **7. AGED TRANSPORT CATEGORY AIRCRAFT**

The applicant should be aware that before a standard CoA can be issued, CASA may require additional data related to the aircraft history, structural integrity programs, supplementary inspections etc. Refer to section 8 of advisory circular AC 21.2 "Standard Certificates of Airworthiness".

## **8. PAYMENT OF FEES**

**8.1** Section 97 of the Civil Aviation Act allows prescribed fees to be payable to CASA in advance of work to be done. In the case of issue of Type Certificates, an hourly fee

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specified in the CASA Schedule of Fees is charged. An estimate, payment and reconciliation procedure is followed:

- (a) the CASA District Office which receives the application, prepares an estimate based on experience, and the specific tasks to be undertaken, including a Central Office component. This is usually when the applicant makes initial contact with the Airworthiness Inspector assigned to the task. General eligibility, timeframe and operational role aspects are discussed. The estimate is based on time estimates, and travel costs as applicable;
  - (b) the applicant pays the estimated fee;
  - (c) actual man hours expended are recorded as the task is undertaken;
  - (d) a reconciliation will be made just before the Type Certificate is issued. If an overestimate has been made, a refund will be paid to the applicant. If underestimated, a final payment from the applicant will be required prior to Type Certificate issue;
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