

# Importing/Certifying an Aircraft

Are you thinking of operating a New Zealand or imported aircraft? If so, your aircraft will require two basic CAA documents.

1. **Certificate of registration**
2. **Airworthiness certificate** (except microlight aircraft, which are treated differently to other aircraft in recognition of their simplicity and recreational nature, and are issued a microlight flight permit.)

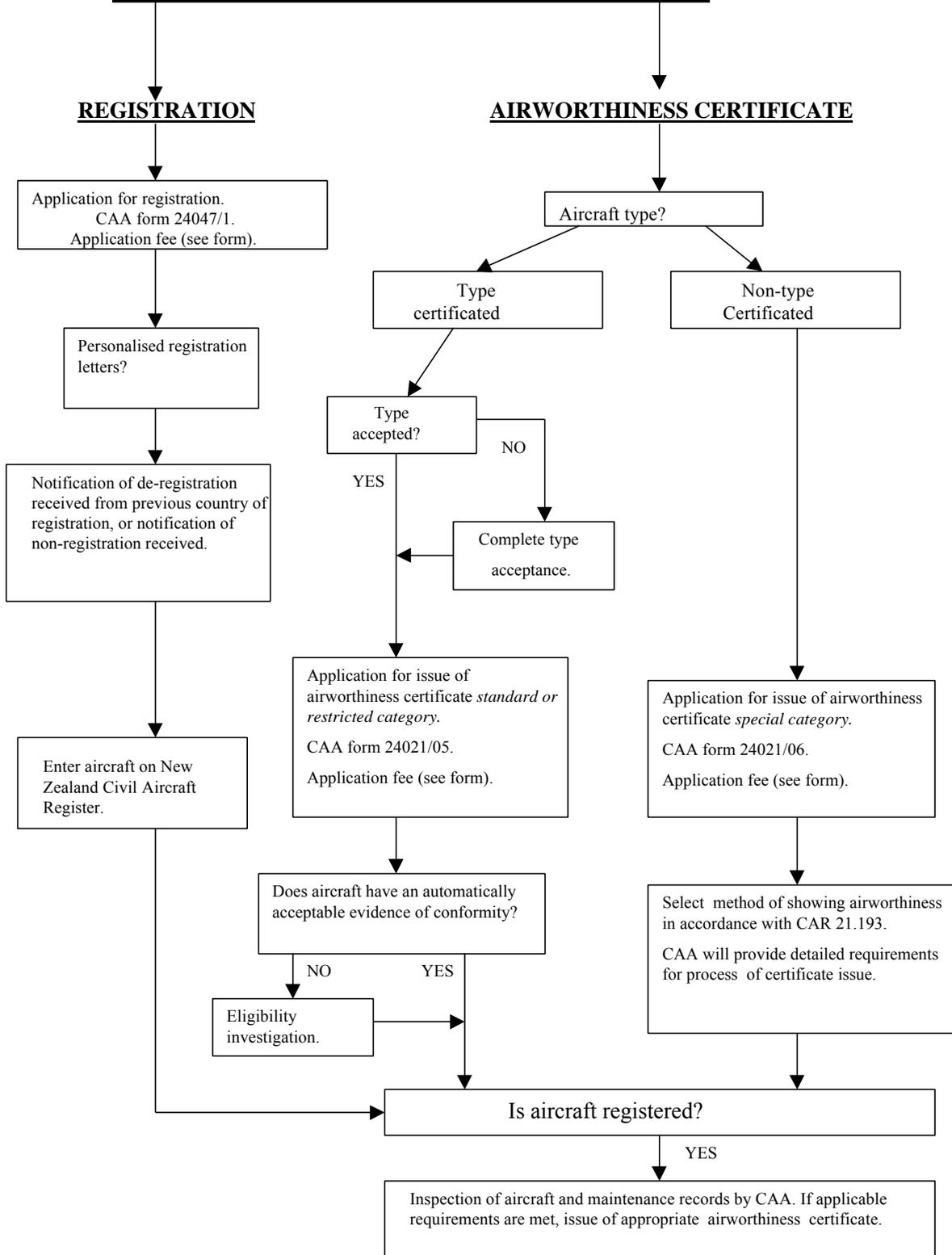
Note: These are the documents required by Civil Aviation Rules, Part 91 *General Operating and Flight Rules*.

There are other documents required before an aircraft can be flown that are issued by other persons. These may include a certificate of release to service and a technical log, issued by a licensed aircraft maintenance engineer (LAME), and the aircraft flight manual, issued by the manufacturer.

The two CAA documents and their issuing processes are largely independent, although an airworthiness certificate cannot be issued until an aircraft is registered. The registration process is basically the same for all aircraft, while the process for issue of airworthiness certificates varies considerably with the type of aircraft involved.

- **Flow-chart for Importing, Purchasing or Rebuilding an Aircraft**
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# AIRCRAFT IMPORTED/PURCHASED/REBUILT



## Aircraft Registration

Application for registration is made using form *CAA 24047/01*. A fee is payable at the time of application (see form).

A certificate of registration is not an ownership document. "Owner" under the Civil Aviation Rules refers to the person or organisation who operates the aircraft (for 28 days or longer). Unlike many other aviation authorities, the New Zealand CAA is not concerned with who is the legal or financial owner of the aircraft. The CAA requires details of the current operator of the aircraft so they can forward any urgent safety information quickly.

A certificate of registration is an aviation document and as such, the holder is required to meet the fit and proper person criteria as specified in Section 10 of the *Civil Aviation Act 1990*. Any applicants who do not hold a current aviation document or have not previously passed the fit and proper person criteria should complete form *CAA 24047/02* and forward this, along with the application, for registration. If the aircraft is to be registered in the name of a partnership or syndicate, all members of the partnership or syndicate should complete the form.

The basic requirement for registration in New Zealand is that the aircraft is not registered in any other country. An aircraft cannot be registered until the CAA has received confirmation from the previous country of registration that the aircraft has been de-registered. If the aircraft has been imported directly from military service in a foreign country, the CAA will still require written confirmation that the aircraft has not been registered in that country. The CAA can contact the foreign CAA on the owner's behalf to verify this. Please be aware that some countries can take several days (or more) to action de-registration, and also that some countries require all commercial *liens* to be discharged before de-registration can occur. In some cases there can be considerable delays and therefore it is important to ensure the previous owner arranges for de-registration from the country of export. An early application for registration to the CAA will also give us the opportunity to find out if there are any indications that a delay is likely.

Once an application has been made, unless otherwise requested, the CAA will register the aircraft once the above requirements have been met. At that point the registered owner will become liable for the annual participation levy. If the aircraft is not yet in the country or not airworthy this should be considered.

Personalised registration letters may be requested at an additional cost.

The Rules covering registration can be found in *Part 47*. Further information is given in *Advisory Circular AC 47-1*. This covers information including:

- Which personalised letters are permissible. To see if particular letters are available contact the Aircraft Registrar.
- How registration markings must be displayed.
- How to obtain permission for special markings for a historic or warbird aircraft which may not meet the standard requirements for size or location.

## **Type Certificated Aircraft**

“Type certificated aircraft” means aircraft such as Cessna 150, Piper Cherokee, Fletcher FU24 or Boeing 747-400, that have been issued with a type certificate in their country of origin. This certifies that the aircraft design has been shown to meet a comprehensive set of airworthiness design requirements. These type certificated aircraft are eligible for an airworthiness certificate in the standard or restricted categories, and can be used for hire or reward operations (ie: to earn money).

An initial requirement for issue of an airworthiness certificate in the standard or restricted categories is that the aircraft type has been issued with either a New Zealand type certificate or type acceptance certificate. New Zealand type certificates are issued to aircraft designed and manufactured in New Zealand. New Zealand type acceptance certificates are issued to aircraft types that have been type certificated in a foreign country. Type acceptance is the process of validating the foreign type certificate in New Zealand. This involves a review of the country of origin certification requirements to ensure equivalence to those in New Zealand, and the supply of technical data to provide information for the safe operation of the aircraft in New Zealand.

*Advisory Circular AC21-1.2* contains a listing of aircraft types that have been type certificated or type accepted in New Zealand. Type acceptance may have been limited to particular model variants or even specific serial numbers, so the list should be carefully checked. If the aircraft type you wish to import and/or certify is not on the list, contact the CAA Aircraft Certification Unit because the Advisory Circular is updated periodically and the type may have been accepted since the last issue.

If the aircraft is not type accepted, this would have to be done before any action is taken regarding issue of an airworthiness certificate to any individual examples. Type acceptance almost invariably requires the support of the manufacturer or type certificate holder in relation to the supply of certain data. Full information on type acceptance is given in *Advisory Circular AC21-1A*. An application for type acceptance is made using form *CAA 24021/02*. An application fee (see form) covering the first two hours on the job, is payable at the time of application. If requested, the CAA can provide a general estimate of the total cost of type acceptance for a particular model. This depends largely on the class of aircraft and the level of manufacturer support available.

If the aircraft is type certificated or type accepted in New Zealand, it is eligible for issue of an airworthiness certificate in standard or restricted categories and an application may be made using form *CAA 24021/05*. Again, an application fee of (see form), covering the first two hours work on the job, is payable at the time of application.

The other major requirement is evidence that the particular aircraft conforms to the basic type design specified in the type certificate. An export airworthiness certificate or a recently issued foreign domestic airworthiness certificate (provided

the airworthiness certificate was issued during the previous 60 days) can satisfy this. If the aircraft has one of these, the CAA will proceed with the inspection of the aircraft and its maintenance documentation.

If the aircraft does not come with a document providing automatically acceptable evidence of conformity to its type certificate, the CAA will conduct an eligibility investigation to determine how conformity can be shown. Full information is given in *Advisory Circular AC21-2B*. Copies of all information or documentation that could assist the CAA in this investigation should be supplied at the time of initial application.

## **Non-type Certificated Aircraft**

Non-type certificated aircraft may not have an approved type design, or one that can be recognised in the civil aviation system. These aircraft cannot obtain a type acceptance certificate and are only eligible for a special-experimental category airworthiness certificate. In addition, there are limitations on the operation of the aircraft prescribed on the certificate and in the general aircraft operating Rules of *Part 91*.

The principles behind the issue of a special category certificate are that the aircraft must be shown to meet an acceptable level of safety and that the general public must be safeguarded by reducing any third-party risk as much as possible. This is the reason for the limitations in *Part 91 paragraph §91.105*. In the special-experimental category each aircraft is treated individually regardless of how many of the type may already be flying in New Zealand or overseas.

Full details of the process of certifying special category aircraft are given in *Advisory Circular AC21-3A*. The following information is covered:

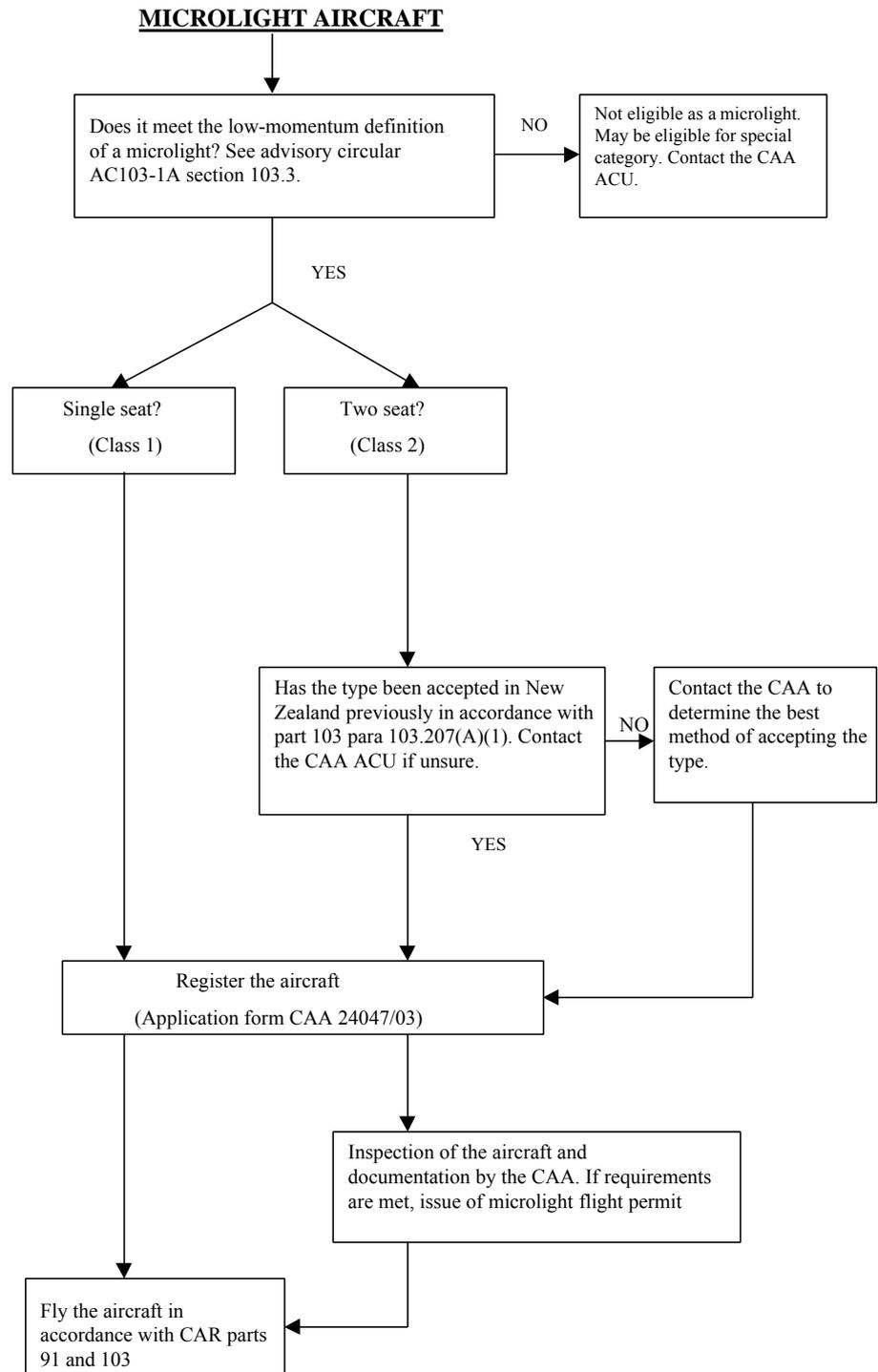
- a) Which aircraft are eligible for special-experimental category. This includes basically any aircraft not eligible for standard or restricted category, such as: Russian aircraft, ex-military or historic aircraft. Note: it is not possible for the owner of a type certificated aircraft to “elect” to put their aircraft in the special-experimental category, possibly to avoid compliance with some particular requirement or to make a major change to the aircraft which would not meet the original category airworthiness standard.
- b) The methods of demonstrating an acceptable level of safety for the aircraft. This includes; providing details of the safety history of the type in its previous operational environment, comparison with a similar type certificated design, or a period of flight testing to demonstrate the aircraft is safely controllable throughout all normal manoeuvres and that it has no unsafe operating characteristics. A period of flight-testing will be required for all aircraft.
- c) Full details of the process and requirements for presenting the aircraft and maintenance records to the CAA for inspection.

Contact the *CAA Aircraft Certification Unit* if you are unsure about the eligibility of your aircraft.

There is a separate application form *CAA 24021/06* for special category aircraft. The application fee (see form), covering the first two hours work on the job, is payable at the time of application.

## Microlight Aircraft

The process for microlight aircraft is simplified in recognition of their particular class of simple low-performance aircraft and their recreational status. The following is a summary of this process:



To be eligible as a microlight, all aircraft must meet the definition of a microlight as given in *Advisory Circular AC103-1A*. The definition relates to basic low performance and momentum parameters. If the aircraft does not meet this definition it is not eligible as a microlight (though it may be eligible as a *special category aircraft*). Microlight aircraft are divided into two groups, Class 1 and Class 2.

Class 1 microlights are single seat microlights. These aircraft must be registered but no flight document is required. Once they have been registered the CAA takes no further action. They can be operated as Class 1 microlights in accordance with *Part 91* and *Part 103*. Note: microlight pilot certificates and engineer authorisations are administered by a recreation organisation certificated under *Part 149*.

Class 2 microlights are twin seat microlights. These are issued with a microlight flight permit. Before they can be issued with a permit the basic type must be accepted by the CAA. This involves providing the CAA with evidence that the type either meets one of several acceptable international microlight design standards, or has demonstrated a satisfactory flight history. Contact the CAA Aircraft Certification Unit if you are unsure of the status of your type. See *Part 103* para §103.207 for further details.

If there is evidence that a microlight aircraft has been previously registered in another country, (many countries do not register microlights), the CAA may require evidence it has been de-registered. Otherwise the aircraft can be registered as soon as application is made.

Once the microlight has been registered it can either be flown without any further CAA action, (Class 1), or the CAA will make arrangements to inspect the aircraft for the issue of a microlight flight permit (Class 2).

## **Amateur-built Aircraft**

These are a particular sub-type of special category aircraft that are accorded special privileges in recognition of their status as aircraft constructed for the owner's education and recreation. As such, they must be largely constructed by the owner (minimum of 51% in the case of kits). The builder cannot employ others to carry out construction.

The process for building and certifying an amateur-built aircraft is given below. CAA involvement is minimal, but all contacts with the CAA are chargeable, apart from initial queries and registration of the project. It is recommended (though not mandatory) that the CAA is contacted prior to commencing construction. The CAA will provide an information package including all required forms, and will also advise on eligibility if this is in any doubt.

Once the aircraft has been constructed an application for registration should be made, along with an application for the issue of a special category airworthiness certificate. The CAA will register the aircraft and arrange to inspect it for workmanship, unsafe features, and compliance with NZ requirements. If satisfactory, the aircraft will be issued with a special category airworthiness certificate with strict limitations, (Phase 1 Operating Limitations) for the aircraft to complete the flight test program. This covers 40 flight hours, although it is reduced to 25 hours if a type certificated engine and propeller combination has been used.

Once this flight-testing has been completed and satisfactorily documented, a non-terminating special category airworthiness certificate with "Phase 2 Operating Limitations" will be issued. This will allow largely unrestricted flight by the aircraft, subject to the operating limitations specified on the certificate and the limitations specified under CAR Part 91 para §91.105.

See [Building an Amateur-Built Aircraft](#).

## Frequently Asked Questions

### **1. *How much does an airworthiness certificate cost?***

The application fee covers the first two hours on the job. All other time spent on the job is payable at an hourly rate. All CAA charges are inclusive of GST. A typical airworthiness certificate issue job, (eg: a light aircraft imported with an export airworthiness certificate and accurate and up-to-date maintenance records), could expect a total time of between eight and ten hours work by the CAA.

### **2. *Will I be charged for travelling time and expenses?***

No. Those are overheads and are covered by the hourly rate. You are only charged for time carrying out the actual job. This includes preparation and assessment time spent by the CAA at their offices as well as actual time spent inspecting the aircraft and documentation.

### **3. *Can an airworthiness certificate be issued overseas?***

Yes, depending on availability of CAA staff at the time. However, in this case all travelling expenses are also payable by the applicant, including travelling time, airfares, accommodation etc. The CAA may require these expenses to be paid in advance.

### **4. *What about an extensively modified aircraft?***

The CAA can accept foreign modifications when the airworthiness certificate is issued. However, this requires all such modifications to be identified in the maintenance records and evidence they were approved overseas to similar standards that the NZ CAA would use.

### **5. *What about an incomplete or damaged aircraft?***

An export airworthiness certificate can still be obtained for a damaged or incomplete aircraft. The certificate would detail the extent of the damage or list the missing components. The foreign authority issuing such a certificate will usually require the prior agreement of the NZ CAA to such a certificate being issued.

If an export airworthiness certificate does not accompany the aircraft, an eligibility investigation will be carried out by the CAA. Contact the CAA at the time of import. If you wait until the aircraft has been rebuilt or repaired before contacting the CAA this may prejudice the eligibility investigation.

### **6. *What about vintage aircraft that may not be actively supported by a type certificate holder?***

All aircraft wanting a standard or restricted category airworthiness certificate, including vintage types, must be type accepted. This may not be possible if the

type certificate is not actively supported and the information required by *Part 21 paragraph §21.43* cannot be provided. In those circumstances they may be eligible for special category. Contact the CAA ACU to discuss the situation. Note: although an aircraft type may have flown in New Zealand in the past this does not mean it is still type accepted. This is because in some cases the CAA may not have retained the documentation needed to support the aircraft.

***7. Can an owner “elect” to put a type certificated aircraft in the special-experimental category, for example, to carry out major modifications such as installation of an automotive-based engine?***

No. If an aircraft is eligible for the standard or restricted categories then it must be operated and maintained to those standards. Similarly, any modifications made must be approved to those same standards. The aircraft could be flown in the experimental category to enable the modification to be developed or proven. However this could only be done within the framework of a certification programme and would be subject to strict limitations.