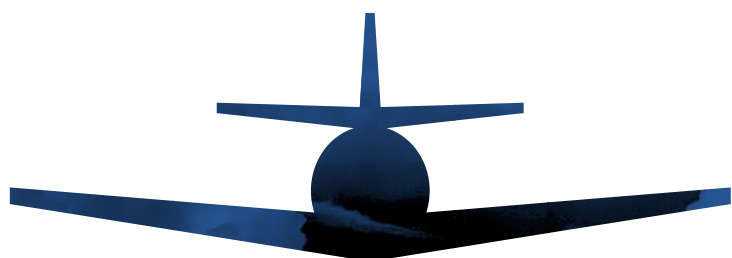




# **GUERNSEY AVIATION REQUIREMENTS (GARs)**



**PART 21**

**CERTIFICATION  
OF AIRCRAFT**

**BAILIWICK OF GUERNSEY**

Director of Civil Aviation

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## Revisions

GAR Issue	Subject
Issue 1	First issue
Issue 2	<ul style="list-style-type: none"><li>• 21.5: 'lessee' replaced by 'charterer by demise' to reflect the wording of the Law</li><li>• 21.25: addition of Brazil for Brazilian aircraft types</li><li>• 21.175(a)(6): deletion of Export Certificate of Airworthiness as condition for import</li><li>• 21.175(a)(7): reference to Schedule 3 of the Registry Law added</li><li>• Editorial changes</li></ul>
Issue 3	<ul style="list-style-type: none"><li>• 21.17 introduction of Restricted Type Acceptance Certificate</li></ul>
Issue 4	<ul style="list-style-type: none"><li>• 21.75 Clarification regarding the specific NAA accepted procedures.</li><li>• 21.83 Acceptance on FAA Field approvals and EASA design changes added.</li><li>• 21.307 Requirements for the acceptance of PMA parts added.</li><li>• 21.435 Acceptance of Type Certificate Holders approved minor repairs schemes</li><li>• 21.705 Requirement for applicant to attempt for Certificate of Airworthiness added</li><li>• 21.715 Persons or organisation authorised to issue Flight Release Certificates</li><li>• 21.717 The requirement for an airworthiness review report added.</li></ul>
Issue 5	<ul style="list-style-type: none"><li>• Layout corrections</li></ul>

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## **Subpart A – General**

### **21.1**

#### **Purpose**

- (a) This Part details requirements governing the issue of a Type Acceptance Certificate, Certificate of Airworthiness, Permit to Fly and Export Certificate of Airworthiness. It also covers the requirements for the issue of documents for the design, certification, modification and repair of aircraft, aircraft engines, propellers, components, and appliances to permit their use in aircraft registered in Guernsey and including documentation for the export of such aircraft.
- (b) These Requirements are not in themselves Law. Failure to comply may not constitute an offence. However, the Requirements repeat or reproduce many of the provisions of the Air Navigation (Bailiwick of Guernsey) Law 2012, as amended (“the Law”). Therefore, failure to comply with these Requirements may:
  - (1) constitute a breach of the Law; and
  - (2) result in proceedings for breaches of the Law; or
  - (3) result in the refusal of an application for renewal of a certificate; or
  - (4) result in action to suspend or revoke a certificate.
- (c) The Law details the legal obligations governing the issue of a Type Acceptance Certificate, Certificate of Airworthiness, Permit to Fly and other matters relating to the airworthiness of Guernsey registered aircraft. The Law specifies these obligations in rather general terms, therefore there is a provision in Section 135 (Publication of Requirements) to the Law which requires the Director to publish Requirements to augment, amplify and detail more precisely the manner in which these obligations shall be met. The Law also permits the Director to issue and publish Requirements in respect of the operation and safety of aircraft and the safety of persons and property carried therein. The Requirements are the means by which the operator or approved organisation will be able to satisfy the Director as to the fulfilment of its obligations in respect of the operation and maintenance of an aircraft or their entitlement to hold a certificate or the entitlement of the holder to hold and exercise the privileges of a certificate.
- (d) The issue of a certificate indicates only that the holder is considered competent to secure the safe operation or maintenance of aircraft. The possession of a certificate does not relieve the operator, owner of an aircraft or the pilot-in-command from the responsibility for compliance with the Law and any other legislation in force. Neither does it relieve them of their responsibility for the safe conduct of any particular flight, as the ultimate responsibility for the safety of flight operations always rests with the operator and the pilot-in-command.
- (e) [reserved]

### **21.3 Definitions**

Definitions, in the context of this Part of the GARs shall have the meanings listed in GAR Part 1 (Definitions, Abbreviations and Units of Measurement).

### **21.5 State of registry responsibilities**

- (a) The owner, charterer by demise, or lessee of an aircraft registered in Guernsey shall notify the Director of any known unsafe condition in accordance with provisions contained in GAR Part 13.
- (b) If it is found through service experience that changes to the Type Acceptance Certificate will contribute to the safety of the aircraft, the Director will notify the State of Type Certification for the aircraft; and
  - (1) upon receipt of an associated report from the State of Type Certification make any appropriate changes to the Type Acceptance Certificate; and
  - (2) upon approval of any design change or inspection requirement by the State of Type Certification, promulgate as a mandatory requirement data covering the change to all operators of the aircraft on the Guernsey register.



## **Subpart B – Type Acceptance Certificates**

### **21.11 Purpose**

This Subpart details requirements governing the issue of a Type Acceptance Certificate for complete aircraft. The Certificate granted by the Director confirms specific type design acceptance to the type certificate holder and is a prerequisite for the issue of a Certificate of Airworthiness for an aircraft registered in Guernsey.

### **21.13 Applicability**

Unless otherwise stated the airworthiness standards prescribed in this Subpart apply to all aircraft with Certificates of Registration issued by the Director.

### **21.15 Application for a Certificate**

An applicant for the grant of a Type Acceptance Certificate for an aircraft type shall apply to the Director, providing the following information:

- (a) the name and address of the applicant; and
- (b) full details of the aircraft and Type Certificate for which acceptance is required; and
- (c) any other information required by this Subpart.

### **21.17 Issue of Certificates**

(a) A Type Acceptance Certificate for an aircraft type may be issued if:

- (1) the applicant demonstrates compliance with the applicable certification requirements in paragraph 21.23 and paragraph 21.25 in a manner acceptable to the Director; and
- (2) the granting of the certificate is not contrary to the interests of aviation safety.

(b) A Type Acceptance Certificate may be granted to:

- (1) an aircraft type, model or series; or
- (2) a limited range of serial numbers of an aircraft, in which case the Certificate shall be identified as a 'Restricted Type Acceptance Certificate'.

### **21.19 Airworthiness conditions**

- (a) It is a condition of Type Acceptance that the additional continuing airworthiness instructions issued by the State of Type Certification to improve the airworthiness of the aircraft shall be complied with.

- (b) Additional special conditions for the aircraft may be prescribed to establish a level of safety equivalent to the airworthiness design standards specified in paragraph 21.25 if the Director determines that the standards do not contain adequate or appropriate safety levels because:
  - (1) the aircraft has novel or unusual design features relative to the design practices on which the applicable airworthiness design standards are based; or
  - (2) the intended use of the aircraft is unconventional.

## **21.21 Duration of Certificate**

A Type Acceptance Certificate shall remain in force until it is suspended or revoked provided that:

- (a) the foreign Type Certificate identified in compliance with paragraph 21.25(a)(1) and referenced on the Type Acceptance Certificate remains valid; and
- (b) the Type Certificate holder continues to supply information to the Director to support continuing airworthiness of the aircraft covered by the Type Acceptance Certificate.

## **21.23 Type acceptance airworthiness requirements**

An applicant for the grant of a Type Acceptance Certificate for an aircraft type shall provide the Director with evidence that:

- (a) the aircraft type meets the applicable airworthiness design standards effective at the date assigned in the foreign Type Certificate, or equivalent document, unless another date is specified by the Director; and
- (b) the aircraft type meets any special conditions imposed under the foreign Type Certification or prescribed by the Director under paragraph 21.19(b); or
- (c) any airworthiness requirements not complied with under paragraph (a) or (b) are compensated for by factors providing an equivalent level of safety; and
- (d) no feature or characteristic of the aircraft type makes it unsafe for its intended use.

## **21.25 Type acceptance data requirements**

- (a) An applicant for the grant of a Type Acceptance Certificate for an aircraft type shall provide the Director with evidence that:
  - (1) the Type Design has been approved by the Federal Aviation Administration (FAA) of the United States, Transport Canada, the European Aviation Safety Agency (EASA) or, for aircraft types designed and manufactured in Brazil, by Agência Nacional de Aviação Civil of Brazil by the issue of a Type Certificate; and

(2) the Type Certificate is currently considered valid by the issuing State's aviation authority; and

(3) the aircraft complies with GAR Part 36.

(b) The applicant shall make available to the Director on request:

(1) the maintenance manual or instructions for continuing airworthiness for the aircraft; and

(2) all service information and its amendments issued by the Type Certificate holder of the aircraft, aircraft engine and propeller; and

(3) the aircraft flight manual, MMEL, CDL and any applicable weight balance manual; and

(4) any other applicable operational certification data.



## **Subpart C – Design Changes**

### **21.71 Purpose**

- (a) This Subpart details the requirements for the approval of major and minor design changes and repairs.
- (b) The approval of design changes by the Director is based largely on the acceptance and approval for installation of an existing design change approved by one of the authorities specified in paragraph 21.25(a)(1).

### **21.73 Major design changes**

- (a) Except as specified in paragraphs 21.79 and 21.81, design changes and repairs that are classified as major require approval by the Director.
- (b) The approval in paragraph 21.73(a) shall be dependent upon the applicant demonstrating to the satisfaction of the Director that the design change has been approved by an Authority specified in paragraph 21.25(a)(1) to the applicable Type Certification standards identified on the Type Acceptance Certificate for the aircraft.
- (c) The applicant for approval shall ensure that:
  - (1) there is sufficient technical evidence to demonstrate that the approval standard complies with the Type Acceptance Certificate against which the Certificate of Airworthiness was granted; and
  - (2) there is appropriate approval documentation for the design change from the applicable authority identified in paragraph 21.73(b); and
  - (3) there is sufficient technical evidence of the applicability of the design change to the aircraft; and
  - (4) there is sufficient technical evidence of interoperability and compatibility with the existing type design and repair status of the aircraft; and
  - (5) there is a statement of compliance with the requirements of ICAO Annex 16 in respect of the design change; and
  - (6) continuing airworthiness information for design changes and repairs is available and integrated into the appropriate maintenance programme.
- (d) Except as provided for in paragraphs 21.79 and 21.81, approval of the design change is signified by the issue of an approval document by the Director.

## **21.75 Minor design changes**

- (a) Except as specified in paragraphs 21.79 and 21.81, design changes that are classified as minor require approval by the Director.
- (b) The applicant for approval of a minor design change shall provide, to the satisfaction of the Director, evidence that:
  - (1) the design change is approved by an organisation approved by an Authority identified in paragraph 21.25(a)(1); or
  - (2) the design change has been accepted or approved in accordance with the respective procedures of the applicable Type Certificate Authority identified in paragraph 21.25(a)(1); or
  - (3) the design change is approved by an organisation approved by an Authority other than an Authority identified in paragraph 21.25(a)(1) that has entered into a bilateral arrangement with an Authority identified in 21.25(a)(1) provided that the bilateral arrangement covers such matters, including the applicable Type Certificate standard.
- (c) The applicant for approval shall ensure that:
  - (1) there is sufficient technical evidence of interoperability and compatibility with the existing type design and repair status of the aircraft; and
  - (2) continuing airworthiness information for design changes and repairs is available and integrated into the appropriate maintenance programme.
- (d) Approval of the minor design change will be signified by the issue of an approval document by the Director except:
  - (1) as provided for in paragraphs 21.79 and 21.81; or
  - (2) where the design change was performed by an organisation suitably approved by an Authority identified in paragraph 21.25(a)(1) and is approved in accordance with a minor design change approval process agreed with the Director.

## **21.77 Continuing airworthiness responsibilities**

- (a) The organisation under which the statement of compliance for a design change was issued shall undertake the continuing airworthiness responsibilities required in respect of the change.
- (b) Any issues of continuing airworthiness including those initiated by a design change approved under this Subpart shall be reported to the Director and the organisation responsible for the design.

## **21.79 Acceptance of design changes by the issue of a Certificate of Airworthiness**

- (c) When an aircraft is first registered in Guernsey individual approval of each design change embodied on that aircraft is not required. All such design changes may therefore be accepted by the issue of a Certificate of Airworthiness for that aircraft provided that:
- (1) the design change is recorded in the maintenance records for the aircraft at the time of initial issue of the Certificate of Airworthiness; and
  - (2) there is evidence that the design change meets the applicable airworthiness requirements; and
  - (3) the transfer document or Certificate of Airworthiness for Export encompasses all such design changes incorporated on the aircraft.
- (d) Acceptance of a design change under paragraph 21.79(a) shall apply only to the change embodied on the individual aircraft for which the Certificate of Airworthiness has been issued.

## **21.81 Service Bulletins**

A design change covered by the issue of a Service Bulletin or equivalent document issued by the Type Certificate Holder is deemed to be approved by the Director without the need for a formal approval document to be issued provided that:

- (a) the design change is approved by an Authority specified in paragraph 21.25(a)(1) to the applicable Type Certification standards identified on the Type Acceptance Certificate for the aircraft; and
- (b) there is sufficient technical evidence of interoperability and compatibility with the existing type design and repair status of the aircraft; and
- (c) continuing airworthiness information for design changes and repairs is available and integrated into the appropriate maintenance programme.

## **21.83 Acceptance of FAA Field Approvals and EASA design changes**

- (a) Except for alterations on critical components, FAA-approved or accepted alterations may be accepted on a Guernsey registered aircraft whose TAC was issued on the basis of an FAA Type Certificate standard, subject to the applicant providing full substantiation data acceptable to the Director and subject to the respective FAA or TCCA criteria, as applicable, being met for the acceptance of Field Approvals.
- (b) Design changes to an aircraft whose TAC was issued on the basis of an EASA Type Certificate shall comply with the EASA design change approval process.

## **Subpart E — Certificates of Airworthiness**

### **21.171 Purpose**

This Subpart details requirements governing the airworthiness certification of aircraft.

### **21.173 Certification standard**

- (a) Certificates of Airworthiness issued under this Subpart are based on the airworthiness standards of the applicable Type Acceptance Certificate.
- (b) A Certificate of Airworthiness issued under this Subpart may contain operating conditions and limitations.
- (c) An Aircraft Flight Manual, or equivalent, approved by the State of Type Certification is associated with and forms part of the Certificate of Airworthiness.

### **21.175 Application for a Certificate of Airworthiness**

- (a) The applicant for the grant of a certificate of airworthiness shall provide, to the satisfaction of the Director, evidence that:
  - (1) the aircraft conforms to an applicable Type Acceptance Certificate issued under Subpart B; and
  - (2) each design change and repair to the aircraft conforms to design changes as required by Subpart C or Subpart M, as appropriate; and
  - (3) the aircraft complies with any applicable airworthiness directive required to be complied with under GAR Part 39 Subpart C; and
  - (4) the aircraft is issued with the appropriate Flight Manual, or equivalent, that is current for the type and model and which includes limitations, identifies any required placards, supplements and appendices as required by the aircraft design standard; and
  - (5) the aircraft's maintenance and continuing airworthiness records are complete and up-to-date and maintained in accordance with GAR Part 43 Subpart B and GAR Part 39 Subpart D; and
  - (6) [reserved];
  - (7) the aircraft is appropriately registered in Guernsey and displays nationality and registration marks in accordance with Schedule 3 of the Aviation Registry (Guernsey) Law, 2013; and
  - (8) the aircraft and its components are identified by the means specified in the Type Design standards or are acceptable to the Director; and

- (9) the aircraft has undergone a maintenance inspection, acceptable to the Director, that is based on:
  - (i) a routine inspection in accordance with the manufacturer's maintenance programme; or
  - (ii) a scheduled inspection in accordance with the maintenance programme of an air transport operator certified by an ICAO contracting State; or
  - (iii) an equivalent inspection acceptable to the Director; and
  - (iv) a bridging check to a maintenance programme approved by the Director and accomplished in a manner acceptable to the Director.
- (10) the aircraft complies with the weighing requirements prescribed in GAR Part 39 Subpart D.
- (11) any check flight prescribed by the Director is undertaken and evaluated for acceptability.
- (b) An Aircraft Airworthiness Review is required to determine the aircraft's build, modification and repair standard. This review shall be conducted by or on behalf of the Director or an appropriately approved GAR Part 39 organisation.
- (c) The aircraft shall be made available and the records presented for inspection at a location acceptable to the Director.
- (d) A prescribed airworthiness status report acceptable to the Director shall be completed.

## **21.179 Issue of Certificate of Airworthiness**

- (a) An applicant is entitled to a Certificate of Airworthiness for an aircraft when the Director is satisfied that:
  - (1) the applicant has demonstrated that the aircraft complies with the relevant Type Acceptance Certificate; and
  - (2) the applicant meets the applicable requirements of this Subpart in a manner acceptable to the Director; and
  - (3) the granting of the certificate is not contrary to the interests of aviation safety; and
  - (4) any airworthiness review required by paragraph 21.175(b) has been accomplished and the results are satisfactory to the Director.
- (b) The Certificate of Airworthiness is formatted in compliance with ICAO Annex 8, Part 2 Chapter 3 and is in the English language.



**21.181 Reissue of Certificate of Airworthiness**

- (a) The applicant for the reissue of a certificate of airworthiness shall provide, to the satisfaction of the Director, evidence that the aircraft continues to meet the applicable requirements of this GAR Part in a manner acceptable to the Director.
- (b) If the application for the reissue of a Certificate of Airworthiness is made up to 60 days before the expiry date of the certificate, it may be reissued from the date of expiry subject to all the criteria for reissue being met and the circumstances of the application.
- (c) If the application for the reissue of a Certificate of Airworthiness is made more than 60 days before the expiry of the certificate or if the investigations necessary continue beyond the expiry date, the certificate will be reissued from the date all applicable criteria are met.

**21.183 Certificate of Airworthiness in force**

- (a) A certificate of airworthiness will remain in force for a maximum period of twelve months from the date of issue or re-issue unless it is suspended or revoked, provided that:
  - (1) the aircraft remains registered in Guernsey; and
  - (2) the Type Acceptance Certificate remains in force; and
  - (3) the aircraft is maintained in accordance with the applicable approved maintenance programme; and
  - (4) any additional airworthiness requirements and appropriate requirements specified in GAR Part 39 Subparts C and D are complied with; and
  - (5) the aircraft has not sustained damage beyond the limits specified in approved data; and
  - (6) the aircraft is maintained in accordance with promulgated continuing airworthiness instructions to improve airworthiness by the State of Type Certification as required by paragraph 21.19(a); and
  - (7) the aircraft, including appliances, emergency equipment and operational equipment, is maintained in an airworthy condition.
- (b) The holder of a Certificate of Airworthiness that is revoked or suspended shall immediately surrender the Certificate to the Director.

## **Subpart K — Materials, Parts, Components and Appliances**

### **21.301 Purpose**

This Subpart details requirements for the acceptance of materials, parts, components and appliances.

### **21.303 Replacement and modification of parts, components and appliances**

A replacement or the design change of a part, component or appliance to be installed in an aircraft registered in Guernsey shall conform to the certification standards of the applicable Type Acceptance Certificate and any applicable Supplemental Type Certificate and:

- (a) be supported by an authorised internationally-accepted release certificate issued by an organisation approved by an Authority listed in paragraph 21.25(a)(1); and
- (b) for new parts and appliances only, be supported by a release certificate from an Authority not identified in paragraph 21.25(a)(1) when subject to the requirements of an active bilateral agreement covering such matters with an Authority of Type Certification listed in paragraph 21.25(a)(1).

### **21.305 Materials**

Materials to be utilised for the repair, replacement and design change of an aircraft registered in Guernsey shall:

- (a) be of a specification specified in approved data; and
- (b) be in conformance with any Type Certificate holders criteria; and
- (c) be obtained from an approved supplier and accompanied by an accredited release certificate.

### **21.307 Parts Manufacturer Approval (PMA)**

PMA parts may be accepted for modification and/or replacement parts for installation on a Guernsey registered aircraft if:

- (a) the PMA part is not a “critical component”; or
- (b) the PMA part conforms to design data obtained under a licensing agreement from the TC or STC holder; or
- (c) the PMA holder is the holder of an STC which incorporates the PMA part.

## **Subpart L — Export Certificate of Airworthiness**

### **21.321 Purpose**

This Subpart details:

- (a) the requirements for the issue of an Export Certificate of Airworthiness; and
- (b) the responsibilities of the holders of an Export Certificate of Airworthiness.

### **21.325 Export Certificate of Airworthiness**

- (a) An Export Certificate of Airworthiness issued under this Subpart for an aircraft shall be in the format required by the Director.
- (b) The issue of an Export Certificate of Airworthiness does not authorise the aircraft for flight.

### **21.327 Export Certificate of Airworthiness deviations**

Provided that the applicant for an Export Certificate of Airworthiness provides a written statement from the Authority of the State of Import, in accordance with paragraph 21.331(a)(3), an Export Certificate of Airworthiness may be issued with a deviation listing:

- (a) the requirements of this Subpart that have not been met; and
- (b) any differences in configuration between the exported aircraft and the type accepted aircraft.

### **21.329 Applicant eligibility**

The applicant for an Export Certificate of Airworthiness shall be the owner of the aircraft or a person authorised by the owner.

### **21.331 Application for Export Certificate of Airworthiness**

- (a) Each application to the Director for an Export Certificate of Airworthiness shall satisfy and provide satisfactory evidence of the following:
  - (1) the name and address of the applicant; and
  - (2) that the aircraft conforms to a type design acceptable to the State of Import; and
  - (3) that the State of Import formally accepts any deviations to certification standards to be listed on the certificate; and
  - (4) the aircraft possesses, or could qualify for, a Certificate of Airworthiness under Subpart E; and

- (5) the aircraft is issued with the appropriate Aircraft Flight Manual; and
  - (6) the aircraft is issued with any applicable Noise Certificate in accordance with GAR Part 36; and
  - (7) a weight and balance report has been completed, with a loading schedule where applicable; and
  - (8) the aircraft has undergone a routine maintenance inspection in accordance with the approved maintenance programme, or an equivalent inspection acceptable to the Director; and
  - (9) any flight check required by the Director has been carried out and the aircraft handling and systems conform to the approved Aircraft Flight Manual; and
  - (10) the applicable airworthiness directives have been complied with; and
  - (11) up-to-date and complete log books, design change and repair records, and other such historical records required to support the continuing airworthiness of the aircraft; and
  - (12) a description of any methods used, including the method's duration of effectiveness, for the preservation and packaging of aircraft to protect them against corrosion and damage while in transit or storage; and
  - (13) details of any special instructions for inspection, maintenance and operation for the aircraft; and
  - (14) supporting documentation for any variances to this Subpart; and
  - (15) such further particulars relating to the aircraft and applicant as may be required by the Director.
- (b) Any programmed transponder with a code allocated by Guernsey shall be recorded in the aircraft logbook pending reallocation by the new State of Registry.
- (c) Any coded emergency locator transmitter registered with Guernsey shall be recorded in the aircraft logbook pending re-registration by the new State of Registry.
- (d) The applicant shall make the aircraft and associated data available for any inspections as the Director may require.

### **21.333 Issue of Export Certificate of Airworthiness**

The applicant for the grant of an export certificate of airworthiness shall provide, to the satisfaction of the Director, evidence that:

- (a) the applicant meets the applicable requirements of this Subpart in a manner acceptable to the Director; and
- (b) the granting of the Certificate is not contrary to the interests of aviation safety.

**21.335 Validity of Export Certificate of Airworthiness**

An Export Certificate of Airworthiness issued under this Subpart is valid at the date of issue but the State of Import is responsible for determining the period for which it will accept it as valid.



## **Subpart M — Repairs**

### **21.431 Purpose**

This Subpart details requirements for the design and approval and recording of repairs.

### **21.433 Major repairs**

- (a) A repair that is not covered by existing approved maintenance data shall be designed and subject to approval as a design change in accordance with Subpart C.
- (b) A Type Certificate holder's approved major repair scheme is considered to be type approved data and therefore does not need further approval by the Governor.
- (c) The installer of a Type Certificate holder's major repair scheme shall ensure that:
  - (1) there is sufficient technical evidence of interoperability and compatibility with the existing type design and repair status of the aircraft; and
  - (2) any continuing airworthiness information for a repair scheme is available and integrated into the appropriate maintenance programme.

### **21.435 Approval of minor repairs**

- (a) A minor repair that is covered by existing approved maintenance data is acceptable to the Director when it has been demonstrated that the repair does not conflict with any existing repairs.
- (b) A Type Certificate holder's approved minor repair scheme is considered to be type approved data and therefore does not need further approval by the Director.
- (c) A minor repair that is not covered by existing approved maintenance data but has been approved in accordance with the respective procedures of an Authority identified in paragraph 21.25(a) (1) will be approved in accordance with Subpart C of this OTAR Part as a change to the approved Design Standard.

### **21.437 Continuing airworthiness requirements**

- (a) An accomplished repair that by design requires continuing inspection or further work shall be recorded in the aircraft records in a manner acceptable to the Director.
- (b) Any continuing airworthiness requirements associated with an accomplished repair shall be integrated into the approved Maintenance Programme for the aircraft.
- (c) Details of accomplished repairs and continuing airworthiness instructions shall be recorded in accordance with GAR Part 39 Subpart D.

## **Subpart P — Issue and renewal of Permits to Fly**

### **21.701 Purpose**

This Subpart details the requirements for the issue and renewal of a Permit to Fly.

### **21.703 Applicability**

Subject to paragraph 21.705, a Permit to Fly may be issued in the following circumstances:

- (a) to the owner, charterer by demise, or operator of an aircraft whose Certificate of Airworthiness is not in force; or
- (b) [Reserved]
- (c) to the owner, charterer by demise or operator for the purpose of conducting a flight associated with the approval of a design change.

### **21.705 Issue of Permit to Fly**

- (a) In respect of paragraph 21.703(a), a Permit to Fly will be granted:
  - (1) only for the purpose of flying the aircraft to a place where maintenance, permanent repair or modifications are to be performed; and
  - (2) provided that the applicant provides the Director with sufficient technical justification confirming that the aircraft is fit for the intended flight or journey;
  - (3) the applicant has exhausted all reasonable attempts to comply with the requirements which would allow the aircraft to fly with the Certificate of Airworthiness in force.
- (b) [Reserved]
- (c) In respect of paragraph 21.703(c), the flight shall be conducted under the control of an organisation appropriately approved to undertake flight testing for the particular modification to a flight test programme approved by a body identified in paragraph 21.25(a)(1).

### **21.707 Duration of Permit to Fly**

- (a) A Permit to Fly issued according to paragraph 21.703(a) shall be valid for the minimum period required to undertake the flight or flights, and in any case not exceeding 30 days. The validity of the certificate shall cease on arrival at the final destination nominated to the Director.
- (b) [Reserved]
- (c) A Permit to Fly issued according to paragraph 21.703(c) shall be valid for a period not exceeding that specified on it but it shall cease to be valid on

completion of the flight test programme that is under the control of the organisation identified in 21.705(c).

### **21.709 Renewal of Permit to Fly**

The Permit to Fly may be renewed subject to the Director remaining satisfied by investigation that the aircraft continues to meet the requirements for issue.

### **21.711 Conditions of Permit to Fly**

The conditions specified by the Director on the Permit to Fly shall be complied with.

### **21.713 Maintenance arrangements**

Appropriate maintenance arrangements shall be in place to the satisfaction of the Director. The requirements of GAR Part 145 for maintenance organisations and Part 43 Subpart D for authorised persons shall be satisfied as appropriate.

### **21.715 Flight release certificates**

When specified as conditions on the Permit to Fly, the issue of a Permit Flight Release Certificate shall be certified by a person or organisation authorised by the Director to do so.

### **21.717 Airworthiness review report**

An Aircraft Airworthiness Review Report, as described in paragraph 21.175(b), may be required to support the application for a Permit to Fly if the Director considers that the history or build standard of the aircraft needs further investigation.



## **Subpart Q — Identification of Aircraft and Parts**

### **21.801 Purpose**

This Subpart details requirements governing the identification of:

- (a) aircraft, aircraft engines and propellers; and
- (b) component parts; and
- (c) parts subject to design change.

### **21.803 Alteration and replacement of identification information**

Any alteration to or replacement of identification information shall be accomplished only in accordance with design change data approved by the Director.

**END**

