



# Advisory Circular

## AC21-3

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### Product Certification - Airworthiness Certificates in Special Category

Issue 1

01 October 2021

#### GENERAL

Civil Aviation Authority Advisory Circulars (AC) contain information about standards, practices and procedures that the Director has found to be an Acceptable Means of Compliance (AMC) with the associated rule.

An AMC is not intended to be the only means of compliance with a rule, and consideration will be given to other methods of compliance that may be presented to the Director. When new standards, practices or procedures are found to be acceptable, they will be added to the appropriate Advisory Circular.

This Advisory Circular also includes Explanatory Material (EM) where it has been shown that further explanation is required. Explanatory Material must not be regarded as an acceptable means of compliance.

#### PURPOSE

This Advisory Circular provides methods, acceptable to the Director, for showing compliance with the special category airworthiness certification rules set out in Part 21 Subpart D.

#### RELATED CAR

This AC relates specifically to Civil Aviation Rule Part 21.

#### CHANGE NOTICE

This AC replaces initial Issue dated 1 July 2002

#### APPROVAL

This AC has been approved for publication by the Director of Civil Aviation.

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## General

Except where the operation of an aircraft is for the purpose of demonstrating the eligibility of the aircraft for the issue, renewal, or reinstatement of an airworthiness certificate, to be eligible to operate in Papua New Guinea, rule 91.101 requires all aircraft to have a current airworthiness certificate.

Rule Part 21 Subpart D prescribes the requirements for issue of airworthiness certificates to aircraft in one of three categories—

- Standard
- Restricted
- Special

This advisory circular provides information to applicants for airworthiness certificates in the special category only.

The special category includes experimental certificates and special flight permits.

## EM 21.33 Purpose

The rule is self explanatory.

## EM 21.35 Certificate Categories

In addition to the standard and restricted category, the following airworthiness certificates may be issued under Part 21:

- a Special Flight Permit.

For the purpose of these rules, a Special Flight Permit is equally considered to be a Special Category Airworthiness Certificate even though it is in the form of a permit.

Rule 21.35(b) states that the Director may prescribe conditions and limitations, and purposes on an airworthiness certificate.

### ***Limitations and Conditions***

Aircraft issued with a Special Flight Permit are subject to any conditions and limitations prescribed by the CASA as appropriate to the use of the aircraft, together with the operational restrictions specified in 91.105—

- no operations involving the carriage of persons, or goods, for hire or reward except for conversion instruction of the operator; and
- no operations over a congested area of a city, town, or settlement, or over an open air assembly of persons.

In all cases the Director may impose limitations to ensure the safe operation of the aircraft.

### ***Purposes***

The purpose for which a special flight permit is issued will be prescribed on that permit.

The following are the purposes applicable in each case:

- (a) A Special Flight Permit may be issued to an aircraft for a particular flight and for a series of flights for a specific purpose, including—
- ferry flight (within Papua New Guinea)
  - aircraft evacuation
  - customer demonstration

## **EM 21.37 Application for Certificate**

### **EM Special Flight Permit**

An application for a special flight permit should normally be made on Form CA 21/04. This form is available from the CASA website.

*All charges associated with the issue of a Special Flight Permit will normally be invoiced to the aircraft's registered owner. The CASA will invoice another client if it receives a written request and that client has agreed in writing to accept the charges.*

If any required information is not available when the application is completed, this should be advised separately, with reasons, in a covering letter with the application.

#### ***Aircraft Description***

The applicant should ensure correct model designations are used. The data plate should be checked to ensure that the information corresponds to references in the aircraft's documentation. If differences are found then the reasons for them should be determined and the CASA advised.

#### ***Purpose***

The intended purpose of the flight should be specified (Refer EM 21.45 below).

#### ***Grounds for Request***

The application should contain the supporting reasons for the Special Flight Permit. (Refer EM 21.45 below).

#### ***Flight Details***

Details pertaining to the specific flight, or flights should be provided, including—

- the proposed route
- the date of the flight
- the proposed crew
- the proposed operating limitations

#### ***Inspection***

A fitness for flight certificate should be completed by a licensed aircraft maintenance engineer and forwarded to the CASA with the application.

## **EM 21.39 Issue of Certificate**

Rule 21.39(d)(2) requires the level of safety for a Special Flight Permit to be adequate for the purposes for which the aircraft is to be used.

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The requirements to be met in regard to a level of safety adequate for the purpose are described in more detail in EM 21.43 and include conformity to an acceptable type design and flight evaluation.

## EM 21.45 Special Flight Permit Requirements

### General

A special flight permit may be issued to permit the operation of an aircraft that does not have a current airworthiness certificate and therefore is not in compliance with 91.101.

The reasons for the required airworthiness certificate not being issued or renewed may include the need to complete one or more of the following—

- an inspection
- a flight test
- modifications
- repairs
- compliance with a maintenance programme

### Use of Permit

An applicant for a special flight permit should indicate the purpose for which the permit is required. The purpose may be—

- ferry flight
- flight testing
- aircraft evacuation

The purpose will be prescribed on the Special Flight Permit.

### *Ferry Flight*

A ferry flight may apply to an aircraft that—

- does not comply with applicable airworthiness requirements
- has been damaged
- has inoperative equipment
- otherwise cannot meet the requirements of Parts 43 or 91

Under a special flight permit the aircraft may be ferried to a facility where work on the aircraft is to be performed or where the aircraft is to be stored. A special flight permit will only be issued if the flight can be shown to meet an acceptable level of safety.

**Aircraft Evacuation**

A special flight permit may be issued to permit an aircraft to be flown out of areas that are, or are expected to be, dangerous. Factors that could make an area dangerous include—

- flooding
- earthquake
- extreme weather
- other natural disasters

**Certificate of Fitness for Flight**

Normally when circumstances require the issue of a special flight permit, a certificate of release to service cannot be issued because certain airworthiness requirements are not met. Before a special flight permit may be issued, a certification in respect of the aircraft's fitness for flight will be required to be provided to the CASA.

The certificate of fitness for flight is not a release to service for the aircraft.

A suggested template for a certificate of fitness for flight is shown in Appendix 1.

**EM 21.49 Duration of Certificate****Special Flight Permit**

A special flight permit will be issued with an expiry date appropriate to the purpose for which it is issued.

**EM 21.51 Transfer of certificate**

Under this rule, the airworthiness certificate must remain with the aircraft when it is transferred from one owner or operator to another. There is no holder of an airworthiness certificate, it is regarded as part of the aircraft.

**APPENDIX 1**  
**CERTIFICATE OF FITNESS FOR FLIGHT**

**CERTIFICATE OF FITNESS FOR FLIGHT**

- 1. Aircraft Manufacturer.....  
Aircraft Manufacturer's Designation.....  
Aircraft Registration.....

2. It is hereby certified that the aircraft defined hereon has been inspected and is fit for flight provided it is properly loaded.

This Certificate is valid until ..... or until the airworthiness condition of the aircraft is altered, whichever is earlier.

Signed.....Date...../...../.....

AME Licence No.....

Signed.....Date...../...../.....

AME Licence No.....

## APPENDIX 2

### ACCEPTABLE METHODS TO SHOW COMPLIANCE WITH AIRWORTHINESS REQUIREMENTS

Type Design Conformity Data Only

Including:

Aircraft Type Operational History; or

Airworthiness standards compliance

Airworthiness evaluation by supplied type conformity data only. Minimum of one flight test required to validate the limitations and operating envelope in the flight manual.

A combination of the available data and a short period of flight evaluation to validate the historical airworthiness data.

A minimum of technical or historic data combined with a flight evaluation programme of up to 15 flight hours.

Flight Evaluation Only

A flight evaluation programme of a period to be determined by the CAA, normally not more than 20 flight hours.