



APPLICATION & PROCESS: SPECIAL AIRWORTHINESS CERTIFICATES

SECTION 1 GENERAL

1.1 PURPOSE

This Advisory Circular (AC) is issued to provide information and guidance on the civil aviation regulatory requirements for the issuance of a special Certificate of Airworthiness to aircraft registered in Vietnam.

1.2 STATUS OF THIS ADVISORY CIRCULAR

This is an original issuance of this AC.

1.3 BACKGROUND

- A. ICAO Standards in Annex 8, Airworthiness of Aircraft, require that Vietnam must have a process for issuance of Certificates of Airworthiness to aircraft registered in Vietnam.
- B. In support of its international safety oversight obligations, Vietnam has safety legislation and guidance regarding the requirements that apply to the airworthiness of aircraft, including—
 - 1) VAR Parts 4 and 5; and
 - 2) This advisory circular
- C. Civil Aviation Administration of Vietnam (CAAV) has delegated to their Flight Safety Standards Department the responsibility and authority to ensure—
 - 1) Evaluation of aircraft in accordance with the applicable airworthiness standards;
 - 2) Issuance the proper certificates of airworthiness; and
 - 3) On-going surveillance of these aircraft to ensure conformance with the applicable airworthiness standards

1.4 APPLICABILITY

This AC is applicable to all individuals, operators, organizations and other entities applying for the issuance of a special certificate of airworthiness and the operation of Vietnam-registry aircraft under such a certificate.

- 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.
- Where an AC is referred to in a 'Note' below the regulation, the AC remains as guidance material,
- ACs should always be read in conjunction with the referenced regulations.

1.5 RELATED REGULATIONS

The following regulations are directly applicable to the guidance contained in this advisory circular—

- VAR Part 3, Aircraft and Component Original Certificate
- VAR Part 4, Continuing Airworthiness of Aircraft

1.6 RELATED PUBLICATIONS

For further information on this topic, individuals, organizations and other entities are invited to consult the following publications—

- 1) Civil Aviation Administration of Vietnam (CAAV)
 - ◆ AC 05-001, Application and Process for Standard Certificate of Airworthiness.
- 2) International Civil Aviation Organization (ICAO)
 - ◆ Annex 8, Airworthiness of Aircraft
 - ◆ Document 9760, Airworthiness Manual

Copies may be obtained from the CAAV Flight Safety Standards Department.

Copies may be obtained from Document Sales Unit, ICAO, 999 University Street, Montreal, Quebec, Canada H3C 5H7.

1.7 DEFINITIONS & ACRONYMS

1.7.1 DEFINITIONS

A. The following definitions are used in this advisory circular—

- 1) **Aeroplane.** A power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight.
- 2) **Aircraft.** Any machine that can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the earth's surface.
- 3) **Helicopter.** A heavier-than-air aircraft supported in flight chiefly by the reactions of the air on one or more power-driven rotors on substantially vertical axes.
- 4) **Recognized airworthiness code.** Civil Aviation Regulations and Standards of the contracting State of design relating to the design, materials, construction, equipment, performance and maintenance of aircraft or aircraft components acceptable to the Authority.
- 5) **Rotorcraft.** A power-driven heavier-than-air aircraft supported in flight by the reactions of the air on one or more rotors.
- 6) **State of Registry.** The State on whose register the aircraft is entered.

1.7.2 ACRONYMS

The following acronyms are used in this manual—

- 1) **AD** – Airworthiness Directive
- 2) **AOC** – Air Operator Certificate
- 3) **CAAV** – Civil Aviation Administration of Vietnam
- 4) **CofA** – Certificate of Airworthiness
- 5) **CofR** – Certificate of Registration

- 6) **FSSD** – Flight Safety Standards Department
- 7) **ICAO** – International Civil Aviation Organization
- 8) **TC** – Aircraft Type Certificate
- 9) **VAR(s)** – Vietnam Aviation Regulation(s)

SECTION 2 SPECIAL CERTIFICATES OF AIRWORTHINESS

- A. An owner of an aircraft registered in Vietnam or agent of the owner may apply to the FSSD for issue of a Special Certificate of Airworthiness certificate as provided in VAR Part 4.
- B. The applicant for a certificate shall apply on a form and or in a manner prescribed by the FSSD.
- C. A Special Airworthiness Certificate will be issued for aircraft that do not meet the requirements of the State of Design for a standard airworthiness certificate.
- D. Classifications of Special Certificates of Airworthiness include—
 - 1) Restricted;
 - 2) Special flight permit;
 - 3) Export; and
 - 4) Other.

SECTION 3 RESTRICTED CERTIFICATE OF AIRWORTHINESS

3.1 GENERAL POLICIES FOR RESTRICTED COFA

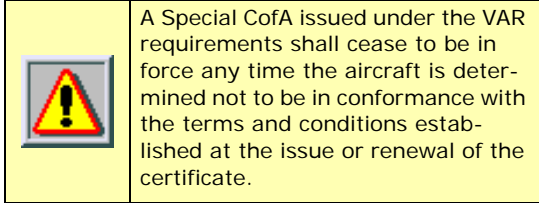
- A. The FSSD may issue a Special Certificate of Airworthiness with a “Restricted” classification to an aircraft that does not qualify for a Standard certificate of airworthiness.
- B. Normally these are aircraft that do not have a TC from the State of Design. They include—
 - 1) Microlight aircraft;
 - 2) Amateur and kit built aircraft;
 - 3) Aircraft used for air races;
 - 4) Aircraft flying for exhibition purpose; and
 - 5) Aircraft used in some types of special aerial work operations
- C. The aircraft and its documents (operation and airworthiness) shall be subject to a inspection by the FSSD. The certificate will be issued only after the FSSD is satisfied that the aircraft is appropriately equipped and safe to fly.

3.2 PERIOD OF VALIDITY FOR RESTRICTED COFA

A Special Certificate of Airworthiness with a “Restricted” classification is renewable and shall be valid for the period of time as shall be indicated on the certificate.

3.3 APPLICABLE REGULATIONS & OPERATING LIMITATIONS

- A. The FSSD shall issue specific operating limitations for each restricted airworthiness certificate.
- B. An aircraft holding a restricted airworthiness certificate shall be subject to operating limitations within Vietnam and shall not make international flights.
- C. The aircraft must fly in compliance with the requirements applicable to type of operation being conducted.



SECTION 4 SPECIAL FLIGHT PERMIT

4.1 APPLICABLE POLICIES

- A. The Special Export CofA with a Special Flight Permit classification will be issued only after the FSSD is satisfied that the aircraft is appropriately equipped and safe to fly.
- B. The Special Flight Permit is NOT renewable. It is issued on a date/time-to-date/time basis.
- C. The permit shall be valid for the period of time as shall be indicated on the certificate.

When a Special Flight permit expires the operator shall apply again for another permit to be issued.

4.1.1 QUALIFYING PURPOSE OF FLIGHT

- A. The FSSD may issue a special flight permit for an aircraft that is capable of safe flight but unable to meet applicable airworthiness requirements for the purpose of—
- 1) Flying to a base where weighing, painting, repairs, modifications, maintenance or inspections are to be performed or to a point of storage;
 - 2) Flying for the purpose of experimenting with or testing the aircraft including its engines and equipment;
 - 3) Flying for the purpose of qualifying for the issue, renewal or validation of certificate of airworthiness or restricted certificate of airworthiness and the approval of a modification of the aircraft;
 - 4) Delivering or exporting the aircraft;
 - 5) Evacuating aircraft from areas of impending danger; and
 - 6) Operating at mass in excess of the aircraft's maximum certified takeoff mass for flight beyond normal range over water or land areas where adequate landing facilities or appropriate fuel are unavailable with the excess mass limited to additional fuel, fuel-carrying facilities and navigation equipment necessary for the flight.

4.1.2 APPLICATION CONTENTS

- A. Application for a Special Flight Permit should be made to the FSSD on the prescribed form.
- B. It may also be made by letter or fax with the subject "Application for Special Flight Permit" clearly marked and indicating at least the following—

Copies of this form may be obtained from the CAAV Flight Safety Standards Department in person or downloaded from the website.

- 1) The name and address of the registered owner of the aircraft;
- 2) The make, model, serial number and registration marks of the aircraft;
- 3) The purpose of the flight;
- 4) The proposed itinerary;
- 5) The crew required to operate the aircraft;
- 6) Details of non-compliance with applicable airworthiness requirements;
- 7) Any restriction the applicant considers necessary for safe operation of the aircraft; and
- 8) Any other information considered necessary by the FSSD for the purpose of prescribing operating limitation.


4.2 LIMITATIONS APPLICABLE TO SPECIAL FLIGHT PERMIT

4.2.1 GENERAL

- A. Since a Special Flight Permit is issued to authorize operation of an aircraft which may not meet airworthiness standards established by the Civil Aviation Regulations, appropriate limitations must be prescribed.
- B. To enable determination of these limitations, the FSSD may make or require the applicant to make appropriate inspections or tests.
- C. Because of the different kinds of operations involved, there may be differences in the detailed limitations.

4.2.2 LIMITATIONS FOR ALL OPERATIONS

- A. The following limitations are considered to be essential to all special flight permits—
 - 1) A copy of the Special Flight Permit must be displayed in the aircraft at all times when operating under the terms of the authorization;
 - 2) The registration marks assigned to the aircraft by the State of Registry must be displayed on the aircraft;
 - 3) Persons or property shall not be carried for compensation or hire;
 - 4) No person shall be carried in the aircraft unless that person is essential to the purpose of the flight and has been advised of the contents of the Special Flight Permit and the airworthiness status of the aircraft;
 - 5) The aircraft shall be operated only by crew holding appropriate certificates or licenses issued or validated by the State of Registry;
 - 6) All flights shall be conducted in accordance with the applicable general operating rules of the States in or over which the operations are conducted;
 - 7) All flights shall be conducted so as to avoid areas having heavy traffic or any| other areas where flights might create hazardous exposure to persons or property;
 - 8) All flights shall be conducted within the performance operating limitations | prescribed in the aeroplane flight manual and those additional limitations specified by the State of Registry for the particular flight; and

	<p>If the flight involves operations over States other than Vietnam, the operator of the aircraft must obtain authorizations from the appropriate authorities of those States prior to undertaking the flight.</p>
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 - 9) All flights shall be conducted prior to the expiry date of the Authorization.

SECTION 5 EXPORT CERTIFICATE OF AIRWORTHINESS

5.1 APPLICABLE POLICIES

- A. A Special CofA with an “Export” classification shall not be used for the purpose of flight but for confirmation of recent satisfactory review of the airworthiness status of the aircraft.
- B. Any extension or variations granted to an aircraft in accordance to an approved maintenance programme or schedule shall be automatically revoked before issue of the Export CofA.
- C. The Export CofA is NOT renewable and ceases to be valid upon arrival to the State of import.
- D. The Export CofA shall be valid for the period of time as shall be indicated on the certificate.

If the aircraft is to be flown for export delivery a new Standard CofA shall be issued by the exporting State.

5.2 GENERAL

- A. An owner of an aircraft registered in Vietnam or an agent of the owner may apply to the FSSD for issue of an Export CofA for that aircraft;
- B. An application for an Export CofA shall be made on a form prescribed by the FSSD at least 14 days before the intended date of export of the aircraft out of Vietnam,

Copies of this form may be obtained from the CAAV Flight Safety Standards Department in person or downloaded from the website.

5.3 REQUIREMENTS FOR ISSUANCE


- A. The FSSD shall issue an Export CofA if –
 - 1) The applicant submits a statement of compliance with the full Intents of the approved maintenance programme or schedule;
 - 2) The applicant submits a statement of compliance with the mandatory airworthiness directives and service bulletins applicable to the aircraft and its equipment;
 - 3) The aircraft has been inspected in accordance with the performance rules of these regulations and found airworthy by persons authorised by the FSSD to make such determination within the last 14 days;
 - 4) The maintenance determined by the FSSD as a prerequisite for issue of the Export CofA has been carried out and certified by a person acceptable to the FSSD in accordance with these regulations;
 - 5) The result of test flight, and such other tests as the FSSD may determine are complied with;
 - 6) Historical records establish the production, modification and maintenance standard of the aircraft; and
 - 7) A weight and balance report with a loading schedule, where applicable, for each aircraft in accordance with the applicable regulations is furnished to the FSSD.

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APPENDIX A

Application for Special Certificate of Airworthiness

This application is available from the CAAV Flight Safety Standards Department.

 APPLICATION FOR SPECIAL FLIGHT PERMIT		INSTRUCTIONS Print or type. Do not write in shaded areas, these are for CAAV use only. Submit original only to the Flight Safety Standards Department or a CAAV Authorized Person. If additional space is required, use an attachment.
A. APPLICATION IS HEREBY MADE FOR A SPECIAL FLIGHT PERMIT FOR THE PURPOSE OF--		
<input type="checkbox"/> FERRY FLIGHT FOR REPAIRS, ALTERATIONS, MAINTENANCE OR STORAGE		<input type="checkbox"/> OPERATION IN EXCESS OF MAXIMUM CERTIFICATED TAKEOFF WEIGHT
<input type="checkbox"/> EVACUATE FROM AREA OF IMPENDING DANGER		<input type="checkbox"/> DELIVERING OR EXPORT OF AIRCRAFT
<input type="checkbox"/> CUSTOMER DEMONSTRATION FLIGHT		<input type="checkbox"/> OTHER (Specify in Section D)
B. DESCRIPTION OF AIRCRAFT		
1. REGISTRATION MARK	2. AIRCRAFT SERIAL NUMBER	3. AIRCRAFT MAKE, MODEL AND TYPE DESIGNATION
4. REGISTERED OWNER		5. ADDRESS
C. DESCRIPTION OF PROPOSED FLIGHT		
1. DEPARTURE DATE	3. DEPARTURE POINT	5. ROUTE AND ENROUTE STOPS
2. DURATION OF FLIGHT		4. CREW REQUIRED TO OPERATE THE AIRCRAFT AND ITS EQUIPMENT
		<input type="checkbox"/> PILOT <input type="checkbox"/> CO-PILOT <input type="checkbox"/> FLIGHT ENGINEER <input type="checkbox"/> OTHER (Specify in Section E)
D. THE AIRCRAFT DOES NOT MEET APPLICABLE AIRWORTHINESS REQUIREMENTS AS FOLLOWS:		
E. THE FOLLOWING RESTRICTIONS ARE CONSIDERED NECESSARY FOR SAFE OPERATION: (Use attachment if necessary)		
F. CERTIFICATION - I hereby certify that I am the registered owner (or his agent) of the aircraft described above that the aircraft is registered with the Civil Aviation Administration of Viet Nam in accordance with Part 2 of the Viet Nam aviation regulations and that the aircraft has been inspected and is airworthy for the flight described.		
1. DATE	2. NAME AND TITLE (Print or type)	3. SIGNATURE
G. INSPECTION AGENCY VERIFICATION: The aircraft described above has been inspected and found airworthy for the flight described. (insert license or certificate number)		
<input type="checkbox"/> 1. AOC HOLDER	<input type="checkbox"/> 2. AIRCRAFT MAINTENANCE ENGINEER	<input type="checkbox"/> 3. APPROVED MAINTENANCE ORGANIZATION
		<input type="checkbox"/> 4. AIRCRAFT MANUFACTURER
5. DATE	6. TITLE	7. SIGNATURE
8. TELEPHONE NUMBER	9. FAX NUMBER	10. E-MAIL ADDRESS
<input type="checkbox"/> Operating limitations & markings compliant <input type="checkbox"/> Current weight and balance information available in aircraft <input type="checkbox"/> Major repair and alteration form attached <input type="checkbox"/> This inspection recorded in aircraft records <input type="checkbox"/> Statement of conformity attach		
<input type="checkbox"/> Current operating limitations attached <input type="checkbox"/> Foreign airworthiness certification for import attached <input type="checkbox"/> Prior original airworthiness certificate attached <input type="checkbox"/> Copy of airworthiness certificate issued based on this application attached		
FSSD Form 507 [0]2008		

End of Advisory Circular

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