



# Advisory Circular

CAA-AC-AWS004C

May 2018

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## RESTRICTED CERTIFICATE OF AIRWORTHINESS, EXPORT CERTIFICATE OF AIRWORTHINESS AND SPECIAL FLIGHT PERMIT

### 1.0 PURPOSE

This Advisory Circular (AC) is issued to provide information and guidance to the fulfilment of regulatory requirements that relate to the issue of Restricted Certificate of Airworthiness, Export Certificate of Airworthiness, and Special Flight Permit.

### 2.0 REFERENCES

2.1 The Civil Aviation (Airworthiness) Regulations, 2018, Regulations 16, 17,18 and 19

Forms           AC-AWS004-1 (Special flight Permit)  
                    AC-AWS004-2 ( Export C of A )  
                    AC-AWS004-3 (Restricted C of A)

### 3.0 GUIDANCE AND PROCEDURE

#### 3.1 General

**3.1.1** An owner of an aircraft registered in Kenya or agent of the owner may apply to the Authority for issue of a restricted certificate of airworthiness, Export C of A, and Special Flight Permit for that aircraft. The applicant for a certificate shall apply on a form and or in a manner prescribed by the Authority.

**3.1.2** A certificate of airworthiness or permit issued under the Regulations in respect of an aircraft registered in Kenya shall cease to be in force any time the terms and conditions established at the issue or renewal of the Certificate are not maintained or complied with.

#### 3.2 Restricted Certificate of Airworthiness

**3.2.1** The Authority may issue a restricted certificate of airworthiness to an aircraft that does not qualify for a certificate of airworthiness. Normally these are aircraft without a type certificate, they include: microlight, amateur and kit built aircraft, an aircraft used for air races, aircraft flying for exhibition purpose and a kite.

**3.2.2** An aircraft holding a restricted airworthiness certificate shall be subject to operating limitations within Kenya and shall not make international flights.

**3.2.3** The Authority shall issue specific operating limitations for each restricted airworthiness certificate.

**3.2.4** The aircraft must fly in compliance with the Civil Aviation (Rules of the Air and Traffic Control) Regulations as applicable.

**3.2.5** The aircraft and its documents (operation and airworthiness) shall be subject to a inspection by the Authority. The certificate will be issued only after the Authority is satisfied that the aircraft is appropriately equipped and safe to fly.

**3.2.6** The Restricted Certificate of Airworthiness is renewable and shall be valid for the period of time as shall be indicated on the certificate.

### **3.3 Special Flight Permit**

**3.3.1** The Authority 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:

- a) flying to a base where weighing, painting, repairs, modifications, maintenance or inspections are to be performed or to a point of storage;
- b) flying for the purpose of experimenting with or testing the aircraft including its engines and equipment;
- c) 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;
- d) delivering or exporting the aircraft;
- e) evacuating aircraft from areas of impending danger; and
- f) operating at mass in excess of the aircraft's maximum certified take-off 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.

**3.3.2** Application for a Special Flight Permit should be made to the Authority on the prescribed Form: AC-AWS 004 -1C, or in letter form with the words "Application for Special Flight Permit" clearly marked and indicating at least the following:

- a) The name and address of the registered owner of the aircraft;
- b) The make, model, serial number and registration marks of the aircraft;
- c) The purpose of the flight;
- d) The proposed itinerary;
- e) The crew required to operate the aircraft;
- f) Details of non-compliance with applicable airworthiness requirements;
- g) Any restriction the applicant considers necessary for safe operation of the aircraft; and
- h) Any other information considered necessary by the Authority for the purpose of prescribing operating limitations.

**3.3.3** Since a Special Flight Permit is issued to cover operation of an aircraft which may not meet airworthiness standards established by the Civil Aviation Regulations, appropriate limitations must be prescribed. To enable determination of these limitations, the Authority may make or require the applicant to make appropriate inspections or tests. Because of the different kinds of operations involved, there may be differences in the detailed limitations. However, the following limitations are considered to be essential in all Special Flight Permit:

- a) A copy of the Special Flight Permit must be displayed in the aircraft at all times when operating under the terms of the authorization;
- b) The registration marks assigned to the aircraft by the State of Registry must be displayed on the aircraft;
- c) Persons or property shall not be carried for compensation or hire;
- d) 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;
- e) The aircraft shall be operated only by crew holding appropriate certificates or licenses issued or validated by the State of Registry;
- f) All flights shall be conducted in accordance with the applicable general operating rules of the States in or over which the operations are conducted;
- g) 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;
- h) 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
- i) All flights shall be conducted prior to the expiry date of the Authorization. If the| flight involves operations over States other than Kenya, the operator of the aircraft must obtain Authorizations from the appropriate authorities of those States prior to undertaking the flight.

**3.3.4** The Special Flight Permit Certificate will be issued only after the Authority is| satisfied that the aircraft is appropriately equipped and safe to fly.

**3.3.5** The Special Flight Permit Certificate is **not** renewable. It is issued on a time to time basis. When it expires the operator shall apply again for another permit to be issued.

**3.3.6** The permit shall be valid for the period of time as shall be indicated on the certificate.

### **3.4 Export Certificate of Airworthiness**

**3.4.1** An owner of an aircraft registered in Kenya or an agent of the owner may apply to the Authority for issue of an export certificate of airworthiness for that aircraft;

**3.4.2** An application for an export certificate of airworthiness shall be made on a form prescribed by the Authority at least 14 days before the intended date of export of the aircraft out of Kenya;

**3.4.3** The Authority shall issue an export certificate of airworthiness if –

- a) The applicant submits a statement of compliance with the full Intents of the approved maintenance programme or schedule;

- b) The applicant submits a statement of compliance with the mandatory airworthiness directives and service bulletins applicable to the aircraft and its equipment;
- c) The aircraft has been inspected in accordance with the performance rules of these regulations and found airworthy by persons authorised by the Authority to make such determination within the last 14 days;
- d) The maintenance determined by the Authority as a prerequisite for issue of the export certificate of airworthiness has been carried out and certified by a person acceptable to the Authority in accordance with these regulations;
- e) The result of test flight, and such other tests as the Authority may determine are complied with;
- f) Historical records establish the production, modification and maintenance standard of the aircraft; and
- g) A weight and balance report with a loading schedule, where applicable, for each aircraft in accordance with the applicable regulations is furnished to the Authority

**3.4.4** Export certificate of airworthiness shall not be used for the purpose of flight but for confirmation of recent satisfactory review of the airworthiness status of the aircraft.

**3.4.5** 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 certificate of airworthiness.

**3.4.6** The Export Certificate of Airworthiness is **not** renewable and ceases to be valid upon arrival to the State of import. If the aircraft is to be flown for export delivery a new Certificate shall be issued by the exporting State.

**3.4.7** The Export Certificate of Airworthiness shall be valid for the period of time as shall be indicated on the certificate.



**Kenya Civil Aviation Authority**

<b>APPLICATION FOR SPECIAL FLIGHT PERMIT</b>			
<b>1) Details Of Aircraft Owner</b>			
<b>a)Name of Owner:</b>		<b>b) Address of Owner:</b>	
<b>2)Details of Applicant (if different from Above)</b>			
<b>a)Name of applicant</b>		<b>b)Address of Applicant:</b>	
<b>3)Details of Aircraft</b>			
<b>Make:</b>	<b>Model:</b>	<b>Serial Number:</b>	<b>Registration Marks:</b>
<b>4)Details of Proposed Flight :</b>			
<b>a)Purpose Of The Flight::</b>		<b>b)Proposed Itinerary:</b>	
<b>5)Details Of Crew Required To Operate The Aircraft</b>			
<b>a)Name Pilot In Command:</b>	<b>b) Licence type and Number:</b>	<b>c)Relevant Rating(s):</b>	
<b>d)Name of Co-Pilot:</b>	<b>e) Licence Number and Type</b>	<b>f) Relevant Rating(s):</b>	
<b>g)Names of other Crew</b>	<b>h) Licence/certificate Number and Type:</b>	<b>i) Relevant Rating(s):</b>	
<b>6)Details Of Non-Compliance With Applicable Airworthiness Requirements</b>			
<b>7)Any Restriction The Applicant Considers Necessary For Safe Operation Of The Aircraft (<i>continue overleaf if required</i>)</b>			

**8)Any Other Relevant For The Purpose CAA Prescribing Operating Limitations.**

**Name of Company Official:** \_\_\_\_\_ **Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

<b>APPLICATION FOR ISSUE OF EXPORT CERTIFICATE OF AIRWORTHINESS.</b>			
1. COUNTRY AND PROPOSED DATE OF EXPORT:		DATE	
<b>I. AIRCRAFT DESCRIPTION</b>	2. NAME AND ADDRESS OF AIRCRAFT OWNER	3. NAME AND ADDRESS OF OPERATOR	
	4. CONSTRUCTOR	5. YEAR OF MANUFACTURE	6. AIRFRAME HOURS
	7. STATE OF DESIGN	8. REGISTRATION MARKS:	
9. DESCRIPTION OF AIRCRAFT:	(a) New or Used	(b) Type	(c) Series
	(d) Manufacturer's Serial Number	(e) Type of Engine	(f) Number of Engines fitted
	(g) Type of Propeller (where applicable):	(h) Seating capacity (including crew):	
10. MAXIMUM TAKE-OFF MASS OF AIRCRAFT		11. MAXIMUM LANDING MASS OF AIRCRAFT.	

12. Engines, APU and Propeller / Rotor Details:

Engine TBO \_\_\_\_\_ Propeller/Rotor TBO \_\_\_\_\_

	No.1	No.2	No. 3	No. 4	APU
Engine Type:					
Serial Numbers:					
Total Engine Hours:					
Hours since overhaul					
Propeller/Rotor Type:					
Serial Numbers:					
Total Propeller hours:					
Hours since overhaul					
Landing Gears					
Serial Numbers:					
Total hours (as applicable)					

13. DETAILS OF CURRENT CERTIFICATE OF AIRWORTHINESS	(a) ) Certificate Number	(b) Date of Issue of Certificate
	(c) Date of expiry of Certificate	(d) Category
15. WILL THE AIRCRAFT BE FERRIED ON STATE REGISTRATION MARK? YES/NO		
16. ARE THERE ANY ADDITIONAL REQUIREMENTS OF THE IMPORTING COUNTRY? (If yes, state) (a). (b).		
17. NAME AND ADDRESS OF IMPORTER		
18. WILL THE AIRCRAFT BE MODIFIED TO MEET THE SPECIAL REQUIREMENTS OF THE IMPORTING COUNTRY:		



	<p>19. NAME ,ADDRESS AND LOCATION OF APPROVED ORGANIZATION/LICENSED AIRCRAFT MAINTENANCE PERSONNEL WITH WHOM AIRCRAFT IS AVAILABLE FOR INSPECTION</p>
<p>iii.</p>	<p><b>20. THIS DECLARATION MUST BE SIGNED BY THE REGISTERED OWNER OR A PERSON AUTHORISED ON BEHALF OF SAID OWNER.</b></p> <p>“I hereby certify that the particulars given in this form are true in every respect. I further declare that all documents submitted in support of this application are true in every respect. The amount required by the current CAA Airworthiness Scheme of Charges to be paid on application is enclosed herewith. I also agree to pay any further charges payable in accordance and as may be notified to me by the KCAA.</p> <p>NAME :----- DESIGNATION : -----</p> <p>SIGNATURE:----- DATE: -----</p>

**RESTRICTED CERTIFICATE OF AIRWORTHINESS APPLICATION FORM**

<b>1. Details of Aircraft Owner/Operator</b>	
(a) Name of Owner/Operator:	(d) Physical Address:
(b) Nationality:	
(c) Contact details:	(e) Postal Address:
(i) Telephone/Mobile : .....	
(ii) Fax: .....email.....	

<b>2. Details of Aircraft</b>	<b>(i) Registration Marks:</b>	
<b>(ii) Airframe</b>	<b>(iii) Engine</b>	<b>(iv) Propeller/Rotor</b>
(a) Make:	(a) Make:	(a) Make:
(b) Model:	(b) Model:	(b) Model:
(c) Serial Number:	(c) Serial Number:	(c) Serial Number:
(d) Constructor:	(d) Constructor:	(d) Constructor:
(e) Year of construction:	(e) Year of construction:	(e) Year of construction:
<b>No. of Seats:</b> (including pilot)	<b>(vi) Maximum Take-Off Mass</b>	<b>(vii) Landing Gear</b>
		<input type="checkbox"/> Fixed Landing Gear
		<input type="checkbox"/> Retractable Landing Gear

<b>3. The aircraft stated above is;</b>	
<input type="checkbox"/> New	<input type="checkbox"/> Used
<input type="checkbox"/> Newly Overhauled	<input type="checkbox"/> Major components are combination of new and used

**4. Classification of Aircraft** (Airworthiness Reg. 16);

(i) Microlite

(iii) Kit Built

(ii) Amateur Built

(iv) Other

**5. Explain 'Other' in 4 (iv) above:**


**6. State of Origin:**

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**7. Additional Information about the Aircraft:** (supplements may be attached to this Form)


**8. In addition to general operating limitations for non-Type Certificated aircraft, any other information the applicant considers relevant for the purposes of KCAA prescribing operating limitations;**


**9. Declaration**

I hereby declare that the particulars entered on this application form and its attachments (where applicable) are accurate in every respect and the aircraft mentioned above complies with the minimum requirements for safe flight and I am aware the aircraft has not been type-certified for airworthiness purposes.

**10.**

Name of Authorized Person: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_