



Air Operator Certification Manual

TP 4711E

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Foreword

This Air Operator Certification Manual has been prepared by the Certification Standards Division (AARXC) for the use and guidance of relevant Headquarters and regional staff members in the performance of their duties and for this purpose, is an official Transport Canada, Civil Aviation (TC) document.

This Manual contains information and instructions on the manner in which those duties are to be performed. All personnel, directly or indirectly concerned with air operator certification, inspection, etc., are to be informed and apply the applicable procedures contained in this Manual.

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*General
Information*

CHAPTER

1

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Chapter 1

1.1 PURPOSE

1. This Manual outlines the Transport Canada, Civil Aviation (TC) practices and procedures with respect to the certification of air operators. Adherence to the procedures and guidelines contained herein will enable Transport Canada, Civil Aviation Safety Inspectors to perform their duties in a uniform manner.
2. This chapter provides general introductory information, as well as other general information and procedures, the nature and scope of which does not lend itself to be incorporated into other chapters of this manual.

For the purpose of this Manual when referring to:

- (a) Transport Canada, Civil Aviation we will use (TC);
- (b) Transport Canada, Civil Aviation Safety Inspector we will use TC inspectors which will cover Air Carrier Inspectors, Cabin Safety inspectors, Aircraft Maintenance and Manufacturing (AM&M), Dangerous Goods Inspectors and Aviation Occupational and Health Inspectors.

1.2 APPLICATION

1. This Manual will apply to all certified aircraft operations falling within the scope of Part VII of the *Canadian Aviation Regulations* (CARs) and is to be applied in conjunction with the Air Carrier Inspector Manual.
2. Considering the broad scope of operations covered by this Manual and the many variables involved, no attempt is made to provide detailed procedures and guidance for all exigencies, therefore, good judgement must be applied in the use of this Manual. TC Inspectors should have a thorough knowledge of the content of this Manual and to the extent practical, adhere to the policies, procedures and guidelines contained herein.

1.3 STATUS

1. This Manual is an internal TC document and its contents may be made available to the public upon request.

1.4 PREPARATION AND DISTRIBUTION

1. Initial preparation of this Manual has been accomplished through the Certification Standards Division at Headquarters (AARXC). Preparation, distribution, amendment and cancellation of material will continue to be carried out by AARXC. A copy of this Manual and amendments thereto will be issued to TC inspectors and other designated personnel who are involved in related duties.

1.5 REVISIONS

1. To keep pace with Civil Aviation advancements, good regulations and directives require continuous updating. Consequently, field input is essential to accomplish our objective and inspectors should be aware of their responsibilities in this regard.
2. In the execution of their duties, TC inspectors should be alert to the adequacy of the regulations and directives with which they work.

1.6 APPLICABILITY OF STATUTORY REQUIREMENTS

1. A commercial air service involves a contract between the air operator and the person and/or the person's goods being carried, for which service the air operator demands and the person makes remuneration. Although TC, via the certification process and the inspection service, clearly plays a role in the matter, nothing relieves the air operator of his/her responsibility of providing a safe and efficient service. The public's protection in this regard is safeguarded by the *Aeronautics Act*, the *Canadian Aviation Regulations (CARs)*, *Commercial Air Service Standards (CASS)* and air operator certificates which include operations specifications. These statutory requirements are the main instruments for ensuring that aircraft operations are conducted safely, with the air operator certificates and operations specifications being the tangible documents issued to the air operator certifying that the air operator is qualified to conduct an air transport service or aerial work service. It is a TC inspector's duty to be familiar with all statutory requirements and to check, during the course of his/her inspections, that they are complied with. No deviation from essential air safety standards can be permitted. Where it is considered that an equivalent or even a higher level of safety can be achieved by different procedures reflecting advanced technology or considering the particular kind of operation, Headquarters should be consulted. Under certain circumstances, deviations from prescribed standards and procedures may be authorized through operations specifications.

2. Subparts of the *CARs* of prime concern are contained in Part VII of the *CARs* and TC inspectors should have a copy of the regulations available when exercising their authority under this Part. It should be clearly understood that a TC inspector qualifies as “a person authorized by the Minister” as referenced in this Part. *CARs*, Part VII, subparts 700, 702, 703, 705, 704 and 706 of the *CARs* are the standards and procedures to which the air operator must operate.
3. *CARs*, Part VII, states that “no person shall operate an air transport service or an aerial work service unless the person holds and complies with the provisions of an air operator certificate that authorizes the person to operate that service”.
4. Nothing in this Manual should be taken as contravening or superseding any statutory requirement. TC inspectors must refrain from expressing opinions which could be construed as being in disagreement with any statutory document. To the extent possible, all concerned with the certification and inspection process should avoid taking part in discussions centred upon criticism of the regulations which, by their nature, may be regarded by interested parties as being inhibiting to air operators and thus may be a subject on which strong views may be expressed.

1.7 COMMERCIAL & BUSINESS AVIATION (C&BA) MANUALS

1. AARXC is responsible for the following C&BA five manuals and one advisory:
 - Air Ambulance Guide; (TP10839)
 - Air Operator Certification Manual; (TP4711)
 - Foreign Air Operator Certification Manual; (TP11524)
 - Foreign (FTA) Air Operator Certification Procedures Manual; (TP13001)
 - Starting a Commercial Air Service Manual; (TP8880)
 - Air Operator Merger or Take-Over Procedures Guide; (TP9908)
2. The listing of the above C&BA manuals can be found on the Web at:
<http://www.tc.gc.ca/aviation/commerce/manuals/toc.htm>

*Certification of Air
Operators*

CHAPTER

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Certification of Air Operators

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Chapter 2

2.1 GENERAL

1. The Minister's duty to develop, regulate and supervise aeronautics under Part I, pursuant to section 4.2 of the *Aeronautics Act* is symbolized by the issue of Canadian Aviation Documents such as Certificates of Registration and Airworthiness, Personnel Licences and air operator certificates (AOCs).
2. In a commercial air service, the relationship between the air operator and the persons carried is generally one of contract and therefore an impersonal one. There must be some guarantee not only that all air operator's personnel shall be competent and the aircraft airworthy, but that the air operator's equipment will be suitable for the proposed service. The air operator must demonstrate the ability to operate the service safely, properly and in accordance with the prescribed regulating standards and procedures of the *CARs*.
3. Commercial aircraft operations embody features which are unlike any other transportation service. Recommendations on the issuance of AOCs must be based on the determination as to whether or not the applicant meets the standards set forth in the *CARs* relative to the type of service proposed and meets the certification requirements. That is to say, "no person shall operate an air transport service or aerial work service unless he holds and complies with the provisions of an operator certificate that authorizes the person to operate that service.

2.2 STARTING A COMMERCIAL AIR SERVICE MANUAL (TP8880)

1. An applicant for a commercial air service should be provided with the Transport Canada, Civil Aviation document, "Starting a Commercial Air Service Manual" (TP8880) which provides comprehensive advice on what matters should be considered when planning a proposed commercial air service and sets out the basic requirements of TC.
2. The applicant's ability to conduct the proposed operation safely involves a determination as to whether or not the company's facilities and organizational structure, including properly licensed and qualified personnel, meet the applicable statutory and TC policy requirements. This determination necessitates that TC inspectors, as the first step, make themselves thoroughly familiar with all aspects of the proposed operation; identify all applicable

requirements and then, assess the applicant's facilities and organizational structure (including properly licensed and qualified personnel in sufficient numbers) against the requirements.

3. The adequacy of the applicant's aircraft equipment will relate to:
 - (a) the conditions under which it is to be operated, i.e., IFR, VFR, day, night; areas of operation relative to flight instruments and equipment; emergency and life saving equipment and other equipment requirements;
 - (b) its operating performance limitations (as set out in the *Aircraft Flight Manual* or the *Aircraft Operating Manual*) relative to available runway lengths at designated bases and scheduled points, alternate airports and terrain configuration along designated or approved company routes, etc., as applicable; and
 - (c) the type of service in which it will be utilized, i.e. cargo only or passengers and cargo.
4. The applicant must also outline the proposed operational support facilities at his/her base(s) and scheduled points of call.
5. The tests of adequacy and capability apply not only in the case of an applicant for an AOC but also to any incumbent holder of such certificate. The basic intent of all inspections relative to certification is an on-going process of determining whether or not the air operator meets and continues to satisfy the requirements.

2.3 DESCRIPTION OF AIR OPERATOR CERTIFICATION PROCESS

1. Regional office or the service center's inspection of the applicant's aircraft and facilities should commence when the office receives from the applicant, properly and correctly completed forms 26-0045 to 26-0048 and 24-0070 (AMO), 26-0440, 26-0448, as applicable. Additional inspections are required when any large aircraft are involved.
2. It is essential that TC inspectors ensure that the applicant's forms are properly completed and they are verified by inspecting his/her aircraft facilities and by reviewing the applicant's supervisory personnel.
3. The importance of properly inspecting the *facilities* to be provided and the *operational feasibility* of the proposed operation cannot be over emphasized. It shall be the responsibility of the Regional Manager, Commercial and Business Aviation and the Regional Manager, Aerodrome Safety to ensure that action in this respect is properly co-ordinated and documentation retained in the appropriate regional 5258 and 5260 files.

4. The Air Operator Certificate Application Forms 26-0045 to 26-0049, 24-0070 (AMO), 26-0380, 26-0440 and 26-0448 require the signature of the appropriate regional divisions of the Commercial and Business Aviation, Aerodrome Safety, Aircraft maintenance and Manufacturing inspector, air operator inspectors, Cabin Safety inspectors, Superintendent, Airlines Inspection Operations and Superintendent, Airline Inspection Certification. These forms require the above mentioned signatures only when applicable. A copy of the completed form is only sent to headquarters when required.
5. The certification process is a coordinated effort which involves the participation of various TC inspectors.

2.4 TYPES OF COMMERCIAL AIR SERVICES AND AIR OPERATOR CERTIFICATES (AOC)

1. All commercial air service operators, designated as air operators under Part VII of the *CARS*, shall, when all regulatory requirements are met, be issued an applicable air operator certificate (AOC) by the Minister. However, pursuant to subsection 6.71(1) of the *Aeronautics Act*, the Minister may refuse to issue a Canadian aviation document (air operator certificate), where he is of the opinion that the public's interest and, in particular, the record in relation to aviation of the applicant or of any principal of the applicant warrant it.

2.5 PART VII OF THE *CARS*, COMMERCIAL AIR SERVICES

1. This is the outline of commercial air services under the following subparts of Part VII:
 - 700 - General
 - 701 - Foreign airline operations
 - 702 - Aerial work operations
 - 703 - Air taxi operations
 - 704 - Commuter operations
 - 705 - Airline operations
 - 706 - Aircraft maintenance requirements for air operators
2. Regions will handle the commercial air services referred to in subparts 702, 703, 704, 705 and 706 of the *CAR*.

3. Headquarters will handle the commercial air services referred to in subpart 701.

NOTE: Headquarters is responsible to handle the (NAFTA) FTA AOC and form part of subpart 702 of the *CARs*.

2.6 AREAS OF OPERATIONS

The following are the areas of operations:

- (a) between points in Canada;
- (b) between points in Canada and points abroad; and
- (c) between points abroad (operation wholly outside of Canada for any length of time)

2.7 TYPES OF SERVICES

The following are the types of services:

- (a) Domestic Service - scheduled points are to appear on the AOC;
- (b) International Services:
 - (i) Scheduled - scheduled points are to appear on the AOC; and
 - (ii) Non-scheduled Services;
- (c) Aerial Work.

2.8 TYPES OF OPERATIONS

The following are the type of operations:

- (a) VFR;
- (b) VFR at night;
- (c) IFR;
- (d) Day VFR OTT;
- (e) Passengers; and
- (f) Cargo.

2.9 AERIAL WORK OPERATIONS

Aerial work operations are conducted by aeroplanes or rotorcraft and the following are the different types of operations that will be utilized by Canadian air operators and NAFTA or FTA foreign air operators:

- **Aerial Advertising:** The operation of an aircraft for the purpose of skywriting, banner towing, displaying airborne signs, dispensing leaflets, and making public address announcements.

Aerial Construction: The operation of a helicopter for the purpose of conducting external-load operations in support of construction, hoisting of utilities, power line construction and erection of special purpose towers.

- **Aerial Inspection and Surveillance:** The operation of an aircraft for the purpose of conducting aerial observation and patrols for surface events, objects and animals.

Aerial Harvesting: The operation of a helicopter for the harvesting of pinecones from treetops.

- **Aerial Mapping:** The operation of an aircraft for the purpose of mapping by use of a camera, or other measuring and recording devices.
- **Aerial Photography:** The operation of an aircraft for the purpose of taking photographs or recording information by use of a camera, or other measuring and recording device.
- **Aerial Sightseeing:** The operation of an aircraft for the purpose of providing recreation to passengers that originates and terminates at the same airport or the same aerodrome.
- **Aerial Spraying:** The operation of an aircraft for the dispersal of products.
- **Aerial Surveying:** The operation of an aircraft for the purpose of surveying by use of a camera, or other measuring and recording devices.

Combat Air Support: The aerial work air operations to assist the Canadian Forces (CF) in conducting realistic operational training as well as maintaining appropriate levels of readiness. It is composed of the following elements such as Target Support, Electronic Warfare (EW), Target Towing, Real Time Performance Quality Assurance (RTPQA) and Qualification Operational Test & Evaluation (QOT&E).

External Load: Utilization of an aircraft for the transportation of an external load.

- **Fire Fighting:** The operation of an aircraft for the purpose of dispensing water, chemicals, and fire retardants intended for suppressing a fire. This includes the carrying of fire fighters.
- **Flight Testing:** The operation of an aircraft for flight testing of avionics systems, navigation systems and other aircraft equipment.
- **Flight Training:** Training that follows an approved ground and flight syllabus, which permits students to meet all certification requirements for obtaining an airman certificate or rating. The Canadian air operator certificate for Flight Training and the Flight Training air operator certificate for NAFTA will be issued under Part IV of the *CAR*.
- **Forest Fire Management:** The operation of an aircraft for the purpose of fire detection and control, as well as for the purpose of dispensing any substance intended for forest fire suppression and prevention. This does include carrying fire fighters, fire bosses and/or managers from the base camp into the fire area or to the actual fire site as well as within the fire zone.
- **Glider Towing:** The towing of a glider by a powered aircraft equipped with a tow hitch.
- **Heli-logging:** The operation of a helicopter for the purpose of transporting timber suspended from the fuselage.

Human Organs: The transportation services for the retrieval of human organs for human transplants.

- **Parachute Jumping:** The operation of an aircraft for the purpose of allowing a person to descend from that aircraft in flight using a parachute during all or part of that descent.

Wild Life Management:

- (i) The utilization of a helicopter for the capturing of animals, the slinging-carriage of animal to trailers for relocation, the collecting of samples from animals and the placing of telemetry equipment on animals;
- (ii) The utilization of an aeroplane for the capturing of animals, the collecting of samples from animals and the placing of telemetry equipment on animals.

All the services indicated by an (▪) are NAFTA services which also apply to Canadian air operators.

2.10 CANADA TRANSPORTATION ACT (LICENCE EXEMPTIONS)

Services

- aerial advertising; (publicité aérienne)
- aerial construction; (travaux publics ou de construction)
- aerial fire-fighting; (lutte contre les incendies)
- aerial forest fire management; (contrôle des incendies de forêt)
- aerial inspection; (d'inspection)
- aerial photography; (photographie)
- aerial reconnaissance; (reconnaissance aérienne)
- aerial sightseeing; (excursions aériennes)
- aerial spray; (d'épandage)
- aerial spreading; (épandage aérien)
- aerial survey; (levés topographiques)
- aerial weather altering; (modification des conditions météorologiques)
- aircraft demonstration; (démonstration aérienne)
- air cushion; (aéroglisseurs)
- air flight training; (formation en vol)
- external helitransport; (héliportage externe)
- glider towing; (remorquage de planeurs)
- hot air balloon; (montgolfières)
- parachute jumping; (sauts en parachute)
- rocket launching; (lancement de fusées)
- transportation services for the retrieval of human organs for human transplant; (transport d'organes humains destinés à être greffés sur des humains)

CHAPTER

3

*Submission of
Security Information To Transport
Canada, Security Operations*

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Submission of Security Information to Transport Canada, Security Operations

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Chapter 3

3.1 SUBMISSION OF SECURITY INFORMATION TO TRANSPORT CANADA, SECURITY OPERATIONS

1. The requirements for foreign and domestic air operators operating, to, from and within Canada to submit security information to Transport Canada, Security Operations are as follows:
 - (a) pursuant to the *Canadian Aviation Security Regulations*, it is incumbent upon all commercial air operators departing Canadian aerodromes or arriving from aerodromes outside of Canada to comply with the *Regulations* and any security measures prescribed by the Minister which flow from the *Regulations*.
 - (b) the security measures of general application which have been prescribed by the Minister are contained in the Air Carrier Security Measures and the Security Alert Condition and Response System for Air Carriers. These security measures will apply to all air operators engaged in the transportation of passengers and cargo. Upon notification by an air operator of intent to commence operations, a copy of the applicable Security Legislation will be provided. These air operators will be requested to provide, as a minimum, a description of their operation and any information the Minister believes to be relevant to the security of an air operator's operations;
 - (c) in addition, those foreign air operators utilizing aircraft with twenty (20) or more passenger seats must provide a confirmation that the Company's crew member training program meets the requirements as laid out in section 12 and 21 of the Air Carrier Security Measures.
2. You may contact the following offices concerning air operator security information:

Chief, Security Inspection,
Compliance and Physical Security
Transport Canada (ABCC)
330 Sparks Street
Place de Ville
Ottawa, Ontario
K1A 0N8

Telephone: (613) 991-4173

3.2 REGIONAL SECURITY OFFICES

Regional Director, Security
Transport Canada
P.O. Box 42
Moncton, New Brunswick
E1C 8K6

Telephone: (506) 851-7572
Facsimile: (506) 851-3546

Regional Director, Security
Transport Canada
P.O. Box 5000
Montreal International Airport
Dorval, Quebec
H4Y 1B9

Telephone: (514) 633-3557
Facsimile: (514) 633-2921

Regional Director, Security
Transport Canada
4900 Yonge Street, Suite 300
Willowdale, Ontario
M2N 6A5

Telephone: (416) 952-0184
Facsimile: (416) 952-0189

Regional Director, Security
Transport Canada
Canada Place, 8th Floor
9700 Jasper Avenue
Edmonton, Alberta
T5J 4E6

Telephone: (403) 495-2537
Facsimile: (403) 495-3928

Regional Director, Security
Transport Canada
800 Burrard Street, Room 1310
Vancouver, British Columbia
V6Z 2J8

Telephone: (604) 666-5656
Facsimile: (604) 666-6476

CHAPTER

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*Application for an Air
Operator Certificate*

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Chapter 4

4.1 GENERAL

1. This section provides guidelines and procedures for processing an application for an air operator certificate (AOC).
2. Applicants for an AOC *should be informed*, at an early stage, that the certification process involves a comprehensive TC program of inspection and be advised against planning to receive an AOC in less than the days referred to in Appendix 1 on page 52 for Service Levels (depending on the scale and scope of such operations) from the time of making formal application.
3. Usually, receipt of an application for an AOC will have been preceded by informal contacts with the applicant and the submission of a Statement of Intent (SOI) Form. Some information is normally obtained concerning the type of operation intended, location of their main office and identity of key personnel. From the time the certification process is initiated to its completion, TC inspectors assigned to the certification project may be in daily contact with the applicant. The TC inspectors become involved in advising the applicant, inspecting and evaluating, his/her personnel, proposals, facilities and equipment. In the beginning it is important to establish a working relationship with key officials in the applicant's organization. Normally, this is accomplished by a formal meeting of the assigned TC inspectors with management personnel.
4. The applicant is to be advised that processing will not commence until properly and correctly completed AOC application forms are received. Regional TC inspectors are to ensure that improperly completed application forms are never allowed to enter the remainder of the processing system until they are appropriately amended.
5. The organization and facilities of the air operator will be inspected by the regional TC inspectors after the properly completed application forms are received and the applicant advises that he/she is ready for inspection. Detailed comments and recommendations are to be included in the appropriate space on the application.
6. It is important for regional officials to ensure that the application forms are completed in detail and that the recommendations and comments are concise and relate to the service(s) cited in the Statement of Intent Form.

7. The completed copy of each application form is to be retained in the air operator's file at the regional office.

NOTE: Application Forms for an AOC will be single page only, no duplicate.

8. When the SOI is received, it is recommended that a 5258 file number be obtained from the Central Registry (CR) to hold current correspondence. A NACIS computer record should be created when the completed application forms are received. Other NACIS entries will be made from correctly completed application forms, resumes, manuals, etc.
9. It is the responsibility of the Regional Manager, Commercial and Business Aviation and the Chief, Airline Inspection to ensure that co-ordination and consultation between the various Regional offices occurs as necessary.
10. Where an application affects more than one region, the regional office where the applicant's main operations base is located will normally be responsible for processing the application. Where doubt exists (e.g. the maintenance base is located in one region but the majority of services are initiated from another) and if the regions are unable to agree, Headquarters will decide which regional office should process the application. Where more than one region is involved, the assigned regional office will ensure that copies of all relevant forms and correspondence are sent to all concerned Regional offices.
11. An AOC is issued only after all regulatory certification requirements, including the payments of charges, have been met. The regulatory charges for M&M are separate from those of C&BAs.
12. An air operator can hold more than one AOC as follows:
 - (a) have a separate aeroplane AOC ;
 - (b) have a separate helicopter AOC; and
 - (c) have more than one AOC subject to the following criteria which require each operation to:
 - (i) have its own autonomous management and supervisory organization such as Operations Manager, Chief Pilot and person responsible for Maintenance Control System;
 - (ii) be distinct and separately identified by type of aircraft or types of operation and by having the aircraft registered to the particular division, i.e. ABC Limited (No. 1 Division);
 - (iii) have no overlap in authorities meaning that a contract with one division cannot be serviced by another division (this should be regulated by placing as a special condition on the separate AOCs;
 - (iv) have its own approved maintenance organization and company maintenance manual;

- (v) have its own Operations Manual;
 - (vi) have its own Training Program;
 - (vii) have its own Company Check Pilots;
 - (viii) have its own AOC and related operations specifications.
13. No AOC shall be issued to an applicant where he intends to have his operations managed by another air operator under a Management Agreement. Both air operators must hold an AOC before operations are undertaken under a Management Agreement.

4.2 TC INSPECTOR ASSIGNMENTS

1. The Regional Manager, Commercial Aviation and Business, the Chief, Airline Inspection and Regional Manager, Maintenance and Manufacturing (M&M) may assign a TC Inspector-in-Charge of the certification process. The Inspector-in-Charge will be responsible for determining whether the applicant meets all regulatory and TC policy requirements for the types of services and operations to be conducted. The TC Inspector-in-Charge will enlist the assistance of other inspectors, where necessary, to complete his/her evaluation.
2. Where an application involves the proposed use of large turbine engine aircraft, an Evaluation Team under a "Team Leader" may be formed for the purpose of evaluating the qualifications and competency of the applicant to operate the particular type of aircraft. Where necessary and with the concurrence of the concerned region a team may be made up of both Headquarters and regional TC inspectors.
3. Where the aircraft has not been previously certificated in Canada, Headquarters may form an Evaluation Team in cooperation with the appropriate regional office.

4.3 TC INSPECTOR GUIDELINES - GENERAL

1. Assessment of the applicant's fitness and ability to conduct the proposed operation will require review, inspection and evaluation of the applicant's facilities, equipment, service arrangements, manuals, personnel background, training programs and qualifications.
2. In the course of their duties, TC inspectors will have frequent contact with air operators and the general public. Each TC inspector must bear in mind that he/she is representing the Minister and must use good judgment. Regulations, policies and procedures are often subject to controversial opinions from TC personnel, individuals or segments of the aviation industry. This is considered a

healthy situation and recommendations for change are welcome from any source. TC inspectors should adopt the team approach and refrain from expressing disagreement with regulations, policies and procedures. TC inspectors should advise the air operator to submit in writing, to the appropriate Regional Director, their request for an interpretation or their recommendations for changes to policies, standards or regulations.

3. Regional TC inspectors will limit their activities to general advice to the industry regarding the procedures to be followed in connection with applications for Licenses from the Canadian Transportation Agency (Agency).
4. TC inspectors may arrange for meetings with local air operator personnel and/or organizations to discuss and resolve local problems. These meetings address general topics or specific problems. Notes or Minutes of all such meetings should be prepared and retained on file.
5. The following guidelines will be of assistance in the certification process and the inspectors will:
 - (a) ascertain:
 - (i) that the air operator qualifies as per the definition "Canadian" as defined in section 55 of the *Canada Transportation Act* (CTA) (i.e. a corporation or other entity that is incorporated or formed under the laws of Canada or a province, that is controlled in fact by Canadians and of which at least seventy-five per cent of the voting interests are owned and controlled by Canadians) and if in doubt refer this matter to Headquarters (AARXC) for the Agency's action;
 - (ii) the nature of the proposed operation;
 - (iii) the type of AOC desired or appropriate to the proposed operation and the regulations under which the applicant must be certificated; and
 - (iv) advise the applicant to apply for an Agency Licence, if applicable. A Licence is only required for the carriage of passengers and/or goods and not for aerial work operations.
 - (b) advise the applicant with respect to the requirements and procedures for obtaining the air operator certificate. This should include a review of the application forms required for the proposed services and a thorough briefing on the regulatory requirements of the appropriate and applicable subpart(s) of Part VII of the *CARs*.
 - (c) develop a plan of action to determine if the applicant is qualified to conduct the proposed operations safely. Part of the *plan of action* is the establishment of a *timeframe* for the different phases of certification and the establishment of a target date for the issue of an AOC. Where it becomes evident that the target dates cannot or have not been met,

communicate this by letter to the applicant with the notification that the delay may affect the target date for issuance of the AOC. Wherever possible assist the air operator by providing guidance regarding acceptable solutions.

- (d) conduct a thorough analysis of all facets of the applicant's operation to assure compliance with the applicable subpart(s) of *CARs* and good operating practices to:
- (i) determine the adequacy and qualifications of management personnel and the overall organizational structure;
 - (ii) determine that the Operations Manual is consistent with the *CARs* and any AOC to be issued, and the contents of the appropriate commercial air standards;
 - (iii) determine the adequacy of the main base and/or sub-base;
 - (iv) determine the adequacy of curricula, classrooms, training aids and devices, simulators, instructors, procedures, flight manoeuvres, aircraft records and the training syllabi and programs. The depth will depend upon the size of the applicant's organization, the type of equipment used and type of operation proposed;
 - (v) determine the following cabin safety items:
 - flight attendant stations;
 - minimum crew per aircraft type;
 - carry-on baggage control program;
 - passenger briefings;
 - passenger and cabin safety procedures;
 - safety features card per aircraft type; and
 - cabin emergency evacuation trainer (section 705.126 of the *CARs*).
 - (vi) determine if the pilots, flight engineers, and dispatchers are properly certified and qualified to perform their assigned duties in accordance with applicable subpart of the *CARs*. The qualifications of cabin attendants are to be reviewed and approved by Cabin Safety Inspectors;
 - (vii) determine, by means of demonstration, through an appropriate series of aircraft and enroute proving tests, his/her ability to conduct the proposed operation;
 - (viii) determine the adequacy of all station facilities including airports or aerodromes; and

- (ix) determine the adequacy of the applicant's record keeping system for controlling company and operations personnel records as required.
6. Much of the communication between the TC inspector and the applicant will be verbal or informal; however, significant operator commitments and deficiencies should be confirmed in writing.
7. Ensure that all applicable airworthiness requirements have been met by maintaining a close liaison with the regional M&M division.
8. Only when the applicant meets all the statutory requirements may the appropriate AOC be issued.

4.4 AIRCRAFT REQUIREMENTS

1. An applicant for an AOC must register his aircraft as a commercial aircraft pursuant to paragraph 202.17(4)(a) of the *Aircraft Registration Regulations* of the *CARs*.
2. Pursuant to subsection 203.03(1) of the *CARs* no applicant for an AOC shall start a commercial service with a leased aircraft unless the aircraft is leased and registered under his company name and this applicant will have the legal custody and control of the aircraft.

4.5 BASE, SUB-BASE OF OPERATIONS AND SCHEDULED POINTS

1. An air operator who intends to operate a scheduled air service, according to a regular timetable, for the purpose of transporting persons shall operate the service between two airports, between two heliports or between an airport and a heliport. However, an air operator may operate a scheduled air service for the purpose of transporting persons between an airport and an aerodrome, between a heliport and an aerodrome, or between two aerodromes if the air operator is authorized to do so in its AOC.
2. It is not necessary to repeat as scheduled points the names of the bases of operation and sub-bases are appearing on the AOC.
3. Please refer to Chapter 15 regarding the Procedures in Approving a Scheduled Service for the Transport of Passengers in Uncertified Aerodromes.
4. When a TC inspector is recommending the issuance of an AOC for domestic services, consideration shall be given to the suitability of each specific approved point, relative to available facilities for the type of aircraft to be used and proposed operating conditions.

5. Canadian military aerodromes are not certified. A military aerodrome to be used either as an air operator's base of operations, sub-base or a scheduled point shall:
 - (a) not be used by an air operator unless prior permission has been received. (See paragraph 4.11 on page 35 for the use of DND/DEW LINE);
 - (b) meet the operational requirements for airports; and
 - (c) have facilities available for civil use and aerodrome maintenance adequate for the type of aircraft and level of service proposed.
6. The airport certificate need not be issued in the name of the applicant. When his/her operation is to be conducted from an airport certified in the name of another person, the applicant must show that he/she either possesses or has arranged for hangar accommodation, maintenance facilities, communications facilities and other items considered essential to a safe and proper operation. An applicant must have the airport operator's or landowner's written permission prior to commencing air operations at that airport.

NOTE: Where an air operator cannot obtain a written permission to use an aerodrome for whatever reason, but can demonstrate through other means that he does have the de facto permission, the Regional Superintendent, Certification may sign off on this requirement. An example of other means is a hangar lease, counter space lease, etc.
7. If necessary, the Regional Aerodrome Safety Section shall certify on form 26-0045 and/or form 26-0440 that the physical aspects of the airports meet the operational requirements for the proposed service.
8. Where the holder of an AOC applies to operate a larger or more sophisticated type of aircraft, a base and ramp inspection of his/her current base may be required.

4.6 BASE, SUB-BASE AND SCHEDULED POINTS OPERATIONAL SUPPORT SERVICES AND EQUIPMENT REQUIREMENTS

1. The requirements for operational support services and equipment are referred to in paragraphs 702.07(2)(c), 703.07(2)(c), 704.07(2)(c) and 705.07(2)(d) and shall meet the related *Commercial Air Service Standards* (CASS).
2. After the authorization has been granted to operate a base, sub-base or a scheduled point, the region will amend the AOC accordingly.

4.7 DOMESTIC SERVICE

1. When an air operator applies for an AOC for a domestic service other than aerial work operations, the following forms must be completed:
 - (a) 26-0380 Statement of Intent;
 - (b) 26-0045 Airport/Aerodrome;
 - (c) 26-0046 Aircraft;
 - (d) 26-0047 Personnel;
 - (e) 26-0048 Maintenance Facilities;
 - (f) 24-0070 (AMO) Maintenance Organization; and
 - (g) 26-0448 Passenger Carrying Authority, Cabin Safety, where applicable.
2. The regional Commercial and Business Aviation Section or depending on the region, the Certification Section is to certify that the information provided on the forms is correct and suitable for the proposed type(s) of service(s) applied for. The regional office in whose area of jurisdiction the applicant's main base is located, is normally responsible for the processing of forms 26-0045 to 26-0049, 24-0070, 26-0448 and 26-0380, (see paragraph 10 on page 2).

4.8 AERIAL WORK OPERATIONS

1. An application for aerial work operations requires the following forms to be completed: 26-0380 (Statement of Intent), 26-0440 (Operating Certificate Application - Aerial Work Operations) and 26-0049 (Summary and Recommendations). The regional Commercial and Business Aviation or the Certification Section must certify that the information provided on the forms is correct and suitable for the proposed type of service. If the aerial work operation is too complex for form 26-0440, use the main forms (26-0045, 26-0046, 47 and 48). The applicant should be advised of the Liability Insurance requirements of subsection 606.02(5) of the *CARs*.
2. Some AOCs are now issued to foreign air operators or foreign aircraft operators for the purpose of carrying out aerial work operations in Canada under the North American Free Trade Agreement (NAFTA). These certificates are issued by the Foreign Inspection Division (AARXH) of Headquarters.
3. Refer to Chapter 14 concerning the operations by Canadian air operators in U.S.A. or in Mexico under the NAFTA Agreement.

4.9 SCHEDULED POINTS IN FOREIGN COUNTRIES

1. Scheduled points will be authorized in Part III of the AOC (NACIS). Then, the air operator can provide proof that TC authorized him/her to operate in the foreign country in question.
2. The regional TC inspector shall advise the air operator that this authority is issued for negotiation purposes and that the service into these points should not commence until all pertinent authorizations have been granted such as an Agency license and a Foreign country Civil Aviation Authority. The air operator is to provide information such as maintenance, security information procedures, who will handle their customer operations in the foreign country, etc. This information is required well in advance of the date of the commencement of operations in the foreign country and will serve as the basis for adding the foreign scheduled points to the air operator certificate. **Do not use form 26-0045 since this form is to be used for Canadian operations only.**

NOTE: TC does not intend to add a scheduled point in a foreign country or a type of aircraft on a Canadian AOC to satisfy the Agency requirements regarding *Code Sharing or Joint Venture* operations, where the Canadian air operator does not operate the particular type of aircraft nor serve the scheduled point in the foreign country.

3. When an air operator intends to operate, for a period of time, from a *sub-base* in a foreign country:
 - (a) he must complete Form 26-0048 if maintenance will be done at that sub-base;
 - (b) the regional M&M division must verify that the maintenance requirements are met;
 - (c) the company operations manual shall be amended to reflect the operations at that sub-base;
 - (d) prior to operations in the foreign country the AOC must be amended to add the name of that sub-base.

4.10 APPLICATION FORMS

Form 26-0045 — Airport/Aerodrome

1. One form 26-0045, together with all applicable data, should be completed and submitted for the base of operations and/or each sub-base and for each Canadian domestic point. Care must be taken to ensure that the applicant certifies as to the correctness of the information given and that the signature is that of an acceptable managerial officer of the company, i.e.: Operations Manager or equivalent.
2. The regional Aerodrome Safety Branch will certify that the airport information given is correct.
3. If the aerodrome or seaplane base is not certified, the Commercial and Business Aviation Inspector and the Aerodrome Safety Inspector are to make recommendations concerning the suitability of the aerodrome or seaplane base for the intended operation.
4. This form shall be completed and signed by the air operator, verified and signed by the Aerodrome Safety and Commercial and Business Aviation Branches.
5. Each base of operations, sub base, domestic scheduled points etc. will be entered into NACIS. Operations authorized will be consistent with the authorized aircraft. Each entry may be authorized for all aircraft or restricted as to types of aircraft and may impose further restrictions in terms of passenger or cargo operations. NACIS provides, for each base, the facility to record details of the contact person for the air operator, if required.
6. With respect to NACIS, any errors, omissions or requirements for new aerodromes etc, are to be brought to the attention of AARXC for action.

NOTE: When adding, changing or deleting bases of operations, sub-bases or domestic scheduled points, please co-ordinate with the regional Airworthiness sections, since there may be airworthiness actions required by them.

NOTE: FOR PART VII – DEFINITION OF “MAIN BASE”

“main base” means a location at which an air operator has personnel, aircraft and facilities for the operation of an air transport or aerial work service and that is established as the principal place of business of the air operator: (base principale)

Air Operator Certificate
26-0045 Airport-Aerodrome
Form 26-0045

Transport Canada / Transports Canada		File no. - Dossier n° 5258 - 5260 -
AIR OPERATOR CERTIFICATE APPLICATION AIRPORT - AERODROME		DEMANDE DE CERTIFICAT D'EXPLOITATION AERIENNE AÉROPORT - AÉRODROME
1. Name of Air Operator - Nom de l'exploitant aérien		Address - Adresse
2. (a) Airport/Aerodrome - Aéroport/Aérodrome (Name and Geographic Coordinates - Toponyme et les coordonnées géographiques) - Identifier/Identificateur		
Aerodrome registered / Aéroport enregistré <input type="checkbox"/> Yes / Oui <input type="checkbox"/> No / Non Reg. No. / N° Enr. _____ Dated / Daté _____		Airport - Aéroport <input type="checkbox"/> Public <input type="checkbox"/> Private / Privé <input type="checkbox"/> Day / Jour <input type="checkbox"/> Night / Nuit <input type="checkbox"/> VFR <input type="checkbox"/> IFR Land / Terre ferme <input type="checkbox"/> Water / Plan d'eau <input type="checkbox"/> Ice / Sur glace <input type="checkbox"/> Héliport
(b) Name of aerodrome or airport operator - Nom de l'exploitant de l'aérodrome ou de l'aéroport		Telephone No. - N° de téléphone
(c) Air operator telephone, radio or other means of communications - Téléphone, radio ou autres moyens de communications de l'exploitant aérien		(d) Air traffic control - Contrôle de la circulation aérienne <input type="checkbox"/> Yes / Oui <input type="checkbox"/> No / Non
(e) Navigational and landing aids - Aides à la navigation et aux atterrissages <input type="checkbox"/> ILS <input type="checkbox"/> NDB <input type="checkbox"/> VOR <input type="checkbox"/> PAR <input type="checkbox"/> ASR <input type="checkbox"/> MLS		Hrs of operation - Heures d'exploitation To _____ À _____
(f) AERODROME EMERGENCY SERVICES - SERVICES D'URGENCE D'AÉRODROME		
(g) Uncertified or unregistered aerodrome, not in CFS, give runway details - Aérodrome non certifié ou enregistré, non dans la DSV, indiquez les détails de la piste - (with/avec LAT. & LONG.)		
3. Facilities available at this airport/aerodrome - Installation disponibles à cet aéroport/aérodrome		(c) Weather report contains all essential information normally found in DOT weather sequence - Le rapport météorologique contient tous les détails essentiels normalement inclus dans le bulletin météorologique du M.D.T.
(a) Communications	(b) Meteorological - Météorologie 1) Forecast - Prévision <input type="checkbox"/> Yes / Oui <input type="checkbox"/> No / Non 2) Weather Report - Bulletin <input type="checkbox"/> Yes / Oui <input type="checkbox"/> No / Non	<input type="checkbox"/> Yes / Oui <input type="checkbox"/> No / Non
(d) First Aid - Équipement de premiers soins	(e) Passenger accommodation - Hébergement des passagers	(f) Hangar
(g) Refuelling facilities - Ravitaillement		(h) Available surface transportation - Transport de surface disponible
4. Base <input type="checkbox"/> Main / Principale <input type="checkbox"/> Sub- / Secondaire	Scheduled - Points - Réguliers <input type="checkbox"/> Airport / Aéroport <input type="checkbox"/> Aerodrome / Aérodrome <input type="checkbox"/> Base	Type of operation - Type d'exploitation <input type="checkbox"/> Day / Jour <input type="checkbox"/> Night / Nuit <input type="checkbox"/> VFR <input type="checkbox"/> IFR
5. (a) Aircraft types - Type(s) d'aéronef(s)	(b) Aircraft of 65,000 lbs. (MCTOW) and over - Aéronef dont la MMHD est égale ou supérieure à 65,000 lb.	(c) Pavement evaluation required - Évaluation de l'état de surface exigée <input type="checkbox"/> Yes / Oui <input type="checkbox"/> No / Non
6. I hereby certify that the above information is correct - Je certifie par la présente l'exactitude des renseignements fournis ci-dessus.		
Date (Y-A - M - D-J)	Signature <small>(of person duly authorized to execute this application on behalf of the air operator)</small> <small>(de la personne dûment autorisée à exécuter cette demande au nom de l'exploitant aérien)</small>	Title - Titre
FOR DEPARTMENT OF TRANSPORT USE - À L'USAGE DU MINISTÈRE DES TRANSPORTS		
7. Aerodrome Safety - Comments - Sécurité des aérodromes - Observations		
I hereby certify that the information specified herein is correct as listed in section 2.		Je certifie par la présente que les renseignements fournis ci-dessus sont corrects comme indiqués dans l'article 2.
Date (Y-A - M - D-J)	Aerodrome Safety - Sécurité des aérodromes	
8. I hereby certify that the facilities listed in section 3 are satisfactory for the type(s) of aircraft and operation listed in sections 4 and 5.		Je certifie par la présente que les installations indiquées dans l'article 3 conviennent au(x) type(s) d'aéronefs et opération indiquées dans les articles 4 et 5.
Date (Y-A - M - D-J)	Commercial and Business Aviation - Aviation commerciale et d'affaires	
26-0045 (0205-02)	INSTRUCTIONS (see back - au verso)	

Air Operator Certificate
Application - Airport-Aerodrome
Instructions
Form 26-0045

INSTRUCTIONS

NOTICE

Transport Canada Civil Aviation will not undertake a quality assurance role with regard to any form or document submitted in application for a service. Documentation that contains errors or does not meet regulatory requirements will be returned for correction.

Delays thus incurred are the sole responsibility of the applicant.

General

This form should be printed or typed and signed by a company's designated official, i.e. Operations Manager or have the company seal affixed.

Sections

1. The full name and full address of the air operator including the postal code.
2.
 - (a) The location of the airport or aerodrome and with the co-ordinates and identifiers for remote aerodrome, registration or certificate numbers public/private etc.;
 - (b) The name and telephone number of the aerodrome or airport operator;
 - (c)(d)(e) Name of the air operator, phone no., aids and facilities available at the aerodrome/airport. Check appropriate box.
 - (f) Detail what fire fighting and rescue equipment is available and if this information is published check for accuracy.
 - (g) If the aerodrome is uncertified attach a note giving some details i.e. runway dimension, type of surface, etc., (75' x 3500') gravel) with latitude and longitude.
3. The information required in paragraphs (a) to (g) as the details are self explanatory.
4. If the Scheduled points are from a base, an aerodrome or an airport and the type of operations at an uncertified aerodrome. An aerodrome may be used as a Scheduled point provided it is approved by the Minister pursuant to the MOU pertaining to the use of uncertified aerodromes by a scheduled air services.
5.
 - (a) List the types of aircraft that the air operator wishes to operate into the aerodrome or airport, i.e. PA-31, C-185, DHC-2, etc.;
 - (b) List the air operator's aircraft with a (MCTOW) of 65,000 lbs and over;
 - (c) If a pavement evaluation is required.

AVIS

Transports Canada, Aviation civile ne procédera pas à une assurance de la qualité de tout formulaire ou de tout document soumis avec une demande de service. La documentation erronée ou ne répondant pas aux exigences réglementaires sera retournée pour que les corrections nécessaires soient apportées.

Tout retard occasionné par une telle démarche incombera au demandeur.

Généralités

Cette formule doit être remplie en lettre majuscule ou au dactylo et signée par la personne autorisée de la compagnie, par les Directeurs des opérations ou y apposer le sceau de la compagnie.

Articles

1. Le nom et l'adresse au complet de l'exploitant aérien ainsi que le code postal.
2.
 - (a) L'emplacement de l'aérodrome ou l'aéroport ainsi que les coordonnées géographiques et identificateurs dans le cas d'un aérodrome éloigné, numéro d'enregistrement ou de certificat et la date, le service public, privé, etc.;
 - (b) Le nom et le numéro de téléphone de l'exploitant de l'aérodrome ou de l'aéroport;
 - (c)(d)(e) Le numéro de téléphone, radio ou autres moyens de communications de l'exploitant aérien;
 - (f) Le type de matériel de sauvetage et de lutte contre les incendies disponibles et si les renseignements sont publiés, en vérifier l'exactitude;
 - (g) Pour un aérodrome non certifié inscrivez en annexe des détails sur les dimensions des pistes, les types de revêtement, etc., (75 x 3 500 pieds en gravier) avec la latitude et longitude).
3. L'information requise aux alinéas (a) à (g) car les détails sont explicatifs.
4. Si le point Régulier vise une base, un aérodrome ou un aéroport et les types d'opérations concernant un aérodrome non certifié qui peut être utilisé pour un point Régulier s'il est approuvé par le Ministre en vertu d'une Entente - Concernant l'utilisation d'aérodromes non certifiés par des services commerciaux réguliers.
5.
 - (a) Les types d'aéronefs que l'exploitant désire exploiter à cet aérodrome ou à cet aéroport, i.e. PA-31, C-185, DHC-2, etc.;
 - (b) Les aéronefs de l'exploitant aérien dont la (MMDH) est égale ou supérieure à 65 000 lb ;
 - (c) Si une évaluation de l'état de surface est exigée.

Form 26-0046 — Aircraft

1. One form is to be completed and signed by a duly authorized representative of the air operator for each registered aircraft, so as to include all the information required.
2. The details required by the form are there for a required reason and the form is to be completed as instructed. Failure to complete the various sections as required merely delays the certification process.
3. This form shall be verified and signed by M&M and Commercial and Business Aviation Divisions.

NOTE:

- (a) The information required pertaining to the ELT is the type as stipulated in the Table of the ELT Requirements, Column III of section 605.31 of the CARs;
- (b) the following are examples of how aircraft will appear on the AOC as shown:

F-28 and F-28 MK 0100;
B-737 – 300, 400 and 500, B-747 – 400; and
A300/600.
- (c) Aircraft types shall be entered from the NACIS picklist. This list conforms to the Appendix of section 421 of the CAR. Any errors or omissions should be reported to AARXC. If new types of aircraft requested are to be added to the picklist, please provide AARXC with a copy of the type certificate, as appropriate.

Air Operator Certificate
26-0046 Aircraft
Form 26-0046

Transport Canada / Transports Canada AIR OPERATOR CERTIFICATE APPLICATION AIRCRAFT		DEMANDE DE CERTIFICAT D'EXPLOITATION AÉRIENNE AÉRONEF		File No. - Dossier n° 5258 - 5260 -
1. Name of Air Operator - Nom de l'exploitant aérien				
2. Address - Adresse				
3. Aircraft Type - Type d'aéronef		Marks - Marques	Serial No. - N° de série	Certificate of Airworthiness / Certificat de navigabilité Date (Y-A - M - D-J)
4. Engine Type - Type de moteurs		<input type="checkbox"/> Turbine <input type="checkbox"/> Piston		Number of Engines - Nombre de moteurs
5. (a) Maximum certificated take-off weight / masse maximum certifiée au décollage		(c) <input type="checkbox"/> Wheels / Roues <input type="checkbox"/> Skis <input type="checkbox"/> Float / Flotteur <input type="checkbox"/> Amphibious / Amphibie <input type="checkbox"/> Skids / Patins		
5. (b) Maximum number of passengers / Nombre maximum de passagers		(d) FDR / DEV <input type="checkbox"/> Yes / Oui <input type="checkbox"/> No / Non	No. of parameters / Nbre de paramètres ▶	CVR / ECPP <input type="checkbox"/> Yes - Oui <input type="checkbox"/> No - Non
8. Aircraft flight manual approved - Manuel de vol de l'aéronef approuvé				
7. Flight Instruments in accordance with / Instruments de vol conformément aux:		<input type="checkbox"/> IFR <input type="checkbox"/> CAR/RAC 805.18 <input type="checkbox"/> VFR OTT <input type="checkbox"/> CAR/RAC 805.15 <input type="checkbox"/> VFR Night / Nuit <input type="checkbox"/> CAR/RAC 805.18		
8. Auto pilot - Pilote automatique <input type="checkbox"/> Yes / Oui <input type="checkbox"/> No / Non		Type	Number of axes / Nombre d'axes ▶	
9. Radio equipment, navigation and communication - Équipement radio de navigation et communication (If insufficient space, attach list) (Annexer une liste si l'espace ne suffit pas)				
Communications equipment / Équipement de communication: <input type="checkbox"/> VHF <input type="checkbox"/> HF Navigation and approach aids / Aides à la navigation et à l'approche: <input type="checkbox"/> ILS <input type="checkbox"/> ADF		<input type="checkbox"/> R/VSM <input type="checkbox"/> Category II <input type="checkbox"/> Category III <input type="checkbox"/> R/VSM - Mode "S" Address / adresse <input type="checkbox"/> ELT-TYPE _____ <input type="checkbox"/> DME <input type="checkbox"/> GPS <input type="checkbox"/> VOR <input type="checkbox"/> Other / Autre _____		
10. Safety feature cards complies with / Cartes sur les dispositifs de sécurité conformément au		<input type="checkbox"/> CAR/RAC 704.35 <input type="checkbox"/> CAR/RAC 705.44 Visible Placards / Affiches visibles <input type="checkbox"/> CAR/RAC 703.39 (3)	Yes - Oui No - Non	
11. Oxygen equipment complies with / Équipement d'oxygène conforme au				
AS APPLICABLE - SELON LE CAS				
<input type="checkbox"/> CAR/RAC 605.31 <input type="checkbox"/> CAR/RAC 605.32 <input type="checkbox"/> CAR/RAC 703.67 <input type="checkbox"/> CAR/RAC 703.69 <input type="checkbox"/> CAR/RAC 704.66 <input type="checkbox"/> CAR/RAC 705.71 <input type="checkbox"/> CAR/RAC 705.72				
12. Life saving equipment complies with / Équipement de sauvetage conforme au		<input type="checkbox"/> CAR/RAC 602.62 - 602.63 (as applicable / selon le cas)		
Survival equipment complies with / Équipement de survie conforme au		<input type="checkbox"/> CAR/RAC 602.61 - 602.63 (as applicable / selon le cas)		
13. First aid kit complies with / Trousse de premiers soins conforme au		<input type="checkbox"/> CAR/RAC 602.60 (1) (f) <input type="checkbox"/> CAR/RAC 703.82 <input type="checkbox"/> CAR/RAC 704.84 <input type="checkbox"/> CAR/RAC 705.80		
14. Applicable maintenance schedule - Calendrier de maintenance pertinent				
15. I certify that the above data is correct - J'atteste par la présente que les renseignements ci-dessus sont exacts				
Date (Y-A - M - D-J)		Signature (of person duly authorized to execute this application on behalf of the air operator) (de la personne dûment autorisée à exécuter cette demande au nom de l'exploitant aérien)		Title - Titre
FOR DEPARTMENT OF TRANSPORT USE - À L'USAGE EXCLUSIF DU MINISTÈRE DES TRANSPORTS				
The maintenance schedule is acceptable for the aircraft indicated. Le calendrier de maintenance est acceptable pour l'aéronef indiqué. Recommended for Approval - Recommandé pour approbation.		I certify that the aircraft and equipment are adequate for the operations covered by this application.	J'atteste que l'aéronef et l'équipement sont convenables pour répondre aux exigences d'exploitation de cette demande.	
Date (Y-A - M - D-J)		Aircraft Maintenance and Manufacturing / Maintenance et construction des aéronefs	Date (Y-A - M - D-J)	Commercial and Business Aviation / Aviation commerciale et d'affaires
26-0048 (0207-03) INSTRUCTIONS (see back - au verso)				

Air Operator Certificate Instructions Form 26-0046

INSTRUCTIONS

NOTICE

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Delays thus incurred are the sole responsibility of the applicant.

General

This form should be printed or typed and signed by a company's designated official, i.e. Operations Manager or have the company seal affixed.

Sections

1. The full name of the air operator.
2. The full address of the air operator including the postal code.
3. Aircraft Type
DHC2, B55, etc. Registration Marks - C-GORY, etc.
Certificate of Airworthiness, date of issue.
4. Engine Type
Check - Turbine or Piston and indicate the number of engines.
5. Maximum certificated take-off weight.
 - (a) Shall be authorized by aircraft type approval.
 - (b) Based on seats available excluding the pilots and as per aircraft type approval. Passenger/Cargo or Cargo Only.
 - (c) Check one or more.
 - (d) Flight Data Recorder (FDR) and Cockpit Voice Recorder (CVR) as required by CAR 605.32.
6. The aircraft flight manual shall be in the possession of the air operator and, where applicable, a Minimum Equipment List (MEL) in accordance with CAR 605.07.
7. Indicate (Yes) or (No) if the flight instruments meet the CARs requirements for IFR, VFR, OTT or VFR Night.
8. If yes, give type of auto pilot and number of axis. **NOTE:** Functioning auto pilot required for single pilot IFR operations as per schedule.
9. Radio Equipment, Navigation, Communication.
List number and types installed in aircraft I Narco MK 12 VHF Nav/Com; 1 King 175 VHF Nav/Com.
The ELT type as per column III, Table, CAR 605.38.
10. Visible placards of information conforms to CAR 703.39 (3) or the Safety Feature Cards information conforms to CAR 704.35 or CAR 705.44 and a sample copy is attached.
11. As applicable indicate which of the following CARs that the oxygen equipment applies - CARs 605.31, 605.32, 703.67, 703.68, 704.66, 704.67, 705.71 or 705.72.
12. Confirm that the Life-Saving equipment conforms to CAR 602.62 - 602.63 and that the Survival equipment conforms to CAR 602.61 - 602.63 (as applicable).
13. Confirm that the First Aid Kit complies with the following CARs - 602.60 (1) (f), 703.82, 704.84 or 705.90.
14. Indicate the maintenance schedule which will be used for the aircraft described.
15. The form must be signed by a person duly authorized to execute the application on behalf of the air operator.

AVIS

Transports Canada, Aviation civile ne procédera pas à une assurance de la qualité de tout formulaire ou de tout document soumis avec une demande de service. La documentation erronée ou ne répondant pas aux exigences réglementaires sera retournée pour que les corrections nécessaires soient apportées.

Tout retard occasionné par une telle démarche incombera au demandeur.

Generalités

Ce formulaire doit être rempli en lettre majuscule ou au dactylo et signé par la personne autorisée de la compagnie, par le Directeur des opérations ou y apposer le sceau de la compagnie.



Articles

1. Le nom au complet de l'exploitant.
2. L'adresse au complet de l'exploitant ainsi que le code postal.
3. Type d'aéronef
DHC2, B55, etc. Marques d'immatriculation - C-GORY, etc.
Certificat de navigabilité, date d'émission.
4. Type de moteurs
Cocher turbine ou piston et indiquez le nombre de moteurs.
5. Poids maximal certifié au décollage.
 - a) Poids autorisé dans l'homologation de type d'aéronef.
 - b) Nombre basé sur les sièges disponibles, à l'exception des pilotes, et l'homologation de type d'aéronef Pass/fret ou fret seulement.
 - c) Cocher une case ou plus.
 - d) Enregistreur des données de vol (DEV) et enregistreur de la parole dans le poste de pilotage (ECP) requis par le RAC 605.32.
6. L'exploitant aérien doit avoir à sa disposition le manuel de vol de l'aéronef et, selon le cas, la liste d'équipement minimum (MEL) conformément au RAC 605.07.
7. Indiquez (Oui) ou (Non) si les instruments de vol rencontrent les exigences du RAC pour IFR, VFR, OTT ou VFR Nuit.
8. Si l'on a coché la case oui, indiquer le type de pilote automatique et le nombre d'axes. **NOTE:** pilote automatique en état de marche requis pour les vols IFR effectués par un pilote.
9. Équipement radio de navigation et de communication.
Inscrire le nombre et les types d'équipements installés à bord de l'aéronef. 1 Narco MK 12 VHF Nav/Com. 1 King 175 VHF Nav/Com. Le type de ELT selon la colonne III, Tableau RAC 605.38.
10. Les affiches visibles conformément au RAC 703.39 (3) ou les Cartes sur les dispositions de sécurité conformément au RAC 704.35 ou RAC 705.44 et y attacher l'aéronef - un exemplaire.
11. Indiquez, selon le cas, si l'équipement d'oxygène s'applique aux articles RAC 605.31, 605.32, 703.67, 703.68, 704.66, 704.67, 705.71 ou 705.72.
12. Confirmez que l'équipement de sauvetage conforme au RAC 602.62 - 602.63 et que l'équipement de survie conforme au RAC 602.61 - 602.63 (selon le cas).
13. Confirmez que la trousse de premiers soins conforme au RAC - 602.60 (1)f, 703.82, 704.84 ou 705.90.
14. Indiquez le calendrier de maintenance qui s'applique à l'aéronef décrit.
15. Ce formulaire doit être signé par une personne dûment autorisée à exécuter cette demande au nom de l'exploitant aérien.

Form 26-0047 — Personnel

1. Operations personnel listed should include managerial and supervisory personnel as applicable along with licence numbers and accompanied by resumes and required nominations.
2. It should be stressed that the form must be completed as required, e.g., including only the surname of a supervisory person can cause delay as there can be numerous persons with the same name holding equivalent licences.
3. This form shall be completed and signed by a duly authorized representative of the air operator and shall be verified and signed by M&M and Commercial and Business Aviation Divisions.
4. Key personnel, Airworthiness Manual information and PPC information, the approval dates and the inspector recommending the approval should be entered in NACIS prior to AOC approval. Information once entered, cannot be deleted. This provides a history of the personnel and manual amendments. Care should be taken to ensure correctness of entries prior to saving. If an error is made, contact AARXC.

Air Operator Certificate
26-0047 Application - Personnel
Form 26-0047

	Transport Canada	Transports Canada	
AIR OPERATOR CERTIFICATE APPLICATION PERSONNEL		DEMANDE DE CERTIFICAT D'EXPLOITATION AERIENNE PERSONNEL	
			File No. - Dossier n° 5258 -
			5260 -
1. Name of Air Operator - Nom de l'exploitant aérien			
Address - Adresse			
2. SUPERVISORY PERSONNEL - Attach résumé giving position title, name, qualification, licences, certificates, endorsements and experience for:			
(a) Operations manager - Gestionnaire des opérations		(b) Chief Pilot - Pilote en chef	
Name - Nom	Licence No. - N° de licence	Name - Nom	Licence No. - N° de licence
(c) Person responsible for Maintenance control system		(d) Flight Engineer - Second Officer - Mécanicien navigant - second officier	
Name - Nom		Licence No. - N° de licence	
(e) Flight Dispatcher - Régulateur de vol		Certificate No. - N° du certificat	
Name - Nom		Licence No. - N° de licence	
3. OPERATING PERSONNEL (Trained and Qualified in Accordance with the Applicable subpart VII of the CAR)			
Number - Nombres			
Pilot-in-command Commandant de bord	Second-in-command Commandant en second	Flight Attendant Agent de bord	Flight Engineer - Second Officer Régulateur de vol Mécanicien navigant Second officier
4. I hereby certify that the qualifications of the foregoing personnel meet the requirements and/or the applicable CAR for operating the proposed service.			
J'atteste par la présente que le personnel susmentionné satisfait aux conditions et au RAC pertinent régissant l'exploitation du service proposé.			
Date (Y-A - M - D-J)	Signature (of person duly authorized to execute this application on behalf of the air operator) (de la personne dûment autorisée à exécuter cette demande au nom de l'exploitant aérien)		Title - Titre
FOR DEPARTMENT OF TRANSPORT USE - À L'USAGE EXCLUSIF DU MINISTÈRE DES TRANSPORTS			
The person responsible for the Maintenance Control System meets the requirements of CAR 706.		La personne responsable du Système de contrôle de la maintenance satisfait aux exigences du RAC 706.	
Date (Y-A - M - D-J)		Aircraft Maintenance and Manufacturing - Maintenance et construction des aéronefs	
Operations personnel training records checked and PPCs completed - satisfactory.		Dossiers de formation du personnel d'exploitation vérifiés et 'CCP' (contrôle de la compétence de pilote) jugés satisfaisant.	
Date (Y-A - M - D-J)		Commercial and Business Aviation - Aviation commerciale et d'affaires	
26-0047 (0205-02)		INSTRUCTIONS (see back - au verso)	
			

Air Operator Certificate Application - Personnel Instructions Form 26-0047

INSTRUCTIONS

NOTICE

Transport Canada Civil Aviation will not undertake a quality assurance role with regard to any form or document submitted in application for a service. Documentation that contains errors or does not meet regulatory requirements will be returned for correction.

Delays thus incurred are the sole responsibility of the applicant.

General

This form should be printed or typed and signed by a company's designated official, i.e. Operations Manager or have the company seal affixed.

Sections

1. The full name and full address of the air operator including the postal code.
2. **Supervisory Personnel**
 - (a) Give the full name and, where applicable, the licence number of the operations manager and ensure the name agrees with the company organization chart. Complete and attach his resume of experience and qualifications which must comply with the appropriate subpart VII of the CAR for TC's approval.
 - (b) Give the full name and licence number of the chief pilot and ensure the name agrees with company organization chart. Complete and attach his resume of experience and qualifications which must comply with the appropriate subpart VII of the CAR for TC's approval.
 - (c) Give the full name of the person responsible of the maintenance control system and ensure the name agrees with company organization chart. Complete and attach his resume of experience and qualifications which must comply in accordance with subpart 706 of the CAR.
 - (d) Give the full name and licence number of the flight engineer - second officer and ensure the name agrees with company organization chart. Complete and attach his resume of experience and qualifications which must comply with the appropriate subpart VII of the CAR for TC's approval.
 - (e) Give the full name and certificate number of the flight dispatcher and ensure the name agrees with company organization chart. Complete and attach his resume of experience and qualifications which must comply with the appropriate subpart VII of the CAR for TC's approval.
3. Indicate the number of pilots-in-command, seconds-in-command, flight attendants, flight dispatchers and flight engineer-second officers and ensure the numbers agree with the company organization chart.
4. The form must be signed by the person duly authorized to execute the application on behalf of the air operator.

AVIS

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Tout retard occasionné par une telle démarche incombera au demandeur.

Généralités

Cette formule doit être remplie en lettre majuscule ou au dactylo et signée par la personne autorisée de la compagnie, par les Directeurs des opérations ou y apposer le sceau de la compagnie.



Articles

1. Le nom et l'adresse au complet de l'exploitant aérien ainsi le code postal.
2. **Personnel de contrôle**
 - (a) Indiquez le nom au complet et, selon le cas, le numéro de licence du gestionnaire des opérations et assurez que le nom correspond à celui qui figure sur l'organigramme de la compagnie. Complétez et joignez son résumé des compétences et des qualifications qui doivent répondre aux exigences de la sous-partie VII appropriée du RAC, pour l'approbation de TC.
 - (b) Indiquez le nom au complet et le numéro de licence du pilote en chef et assurez que le nom correspond à celui qui figure sur l'organigramme de la compagnie. Complétez et joignez son résumé des compétences et des qualifications qui doivent répondre aux exigences de la sous-partie VII appropriée du RAC, pour l'approbation de TC.
 - (c) Indiquez le nom au complet de la personne responsable du système de contrôle de la maintenance et assurez que le nom figure à l'organigramme de la compagnie. Complétez et joignez son résumé des compétences et des qualifications qui doivent répondre aux exigences de la sous-partie 706 du RAC.
 - (d) Indiquez le nom au complet du mécanicien navigant-second officier et assurez que le nom correspond à celui qui figure sur l'organigramme de la compagnie. Complétez et joignez son résumé des compétences et des qualifications qui doivent répondre aux exigences de la sous-partie VII du RAC, pour l'approbation de TC.
 - (e) Indiquez le nom au complet et le numéro du certificat du régulateur de vol et assurez que le nom correspond à celui qui figure sur l'organigramme de la compagnie. Complétez et joignez son résumé des compétences et des qualifications qui doivent répondre aux exigences de la sous-partie VII appropriée du RAC, pour l'approbation de TC.
3. Indiquez le nombre de commandants de bord, commandants en second, agents de bord, régulateurs de vol et de mécaniciens navigant et assurez que le nombre figure sur l'organigramme de la compagnie.
4. Cette formule doit être signée par une personne dûment autorisée à exécuter cette demande au nom de l'exploitant aérien.

Form 26-0048 — Maintenance Facilities

1. List the location where the regular scheduled maintenance is performed.
2. This form will indicate whether the maintenance will be performed by the air operator's own AMO or whether the maintenance will be performed through a Maintenance Contract with another AMO.
3. This form will be completed by an air operator who intends to
4. operate for a period of time from a sub-base in a foreign country; and
5. if he subsequently changes his maintenance arrangements at this sub-base.
6. The information provided on this form will be vetted and the form will be signed by the regional airworthiness section.
7. For applicants who will be subject to the requirements of subparts 702, 703, 704 and 705 of the *CARs*, consideration of subpart 706 is particularly relevant to this form and vice versa. Consideration should be given by the air operator to Part VII regarding the Journey Log under Part VI, sections 605.94 and 605.95 and Records of Technical Records and 605.96 of the *CARs*.

Air Operator Certificate
26-0048 Application - Maintenance
Form 26-0048

 Transport Canada / Transports Canada		File No. - Dossier n° 5258 - 5260 -	
AIR OPERATOR CERTIFICATE APPLICATION MAINTENANCE		DEMANDE DE CERTIFICAT D'EXPLOITATION AERIENNE MAINTENANCE	
1. Name of Air Operator - Nom de l'exploitant aérien			
Address - Adresse		Telephone No. - N° de téléphone	
2. Make and Model of Aircraft Operated - Nom et modèle d'aéronefs exploités and - et No. - N°			
3. Location of Main Maintenance Base - Endroit de la base principale de maintenance Maintenance Sub-Bases (as applicable) - Bases secondaires de maintenance (selon le cas)			
4. Air operator's maintenance control manual Le manuel de contrôle de la maintenance de l'exploitant aérien		Latest Amendment Dernière modification	
Date Submitted - Présenté le	Date Approved - Approuvé le	Date Submitted - Présenté le	Date Approved - Approuvé le
5. (a) <input type="checkbox"/> Air operator AMO		Approval No. / Categories / Ratings N° d'agrément / catégorie / qualifications	
(b) <input type="checkbox"/> Maintenance Contract with AMO		Approval No. / Categories / Ratings N° d'agrément / catégorie / qualifications	
Name and address - Nom et adresse		Approval No. / Categories / Ratings N° d'agrément / catégorie / qualifications	
(1)			
(2)			
(3)			
6. All the statements contained herein are true and complete to the best of my knowledge in accordance with the requirements of CAR 706. À ma connaissance, tous les renseignements fournis dans la présente sont vrais et complets et sont conformes aux exigences du RAC 706.			
Date	Signature (of person duly authorized to execute this application on behalf of the air operator) (de la personne dûment autorisée à exécuter cette demande au nom de l'exploitant aérien)	Title - Titre	
FOR DEPARTMENT USE - À L'USAGE DU MINISTÈRE SEULEMENT			
7. The maintenance arrangements mentioned in section 5 are satisfactory for the aircraft types operated.		Les arrangements de maintenance mentionnés à l'article 5 sont satisfaisants pour les types d'aéronefs exploités.	
Aircraft Maintenance and Manufacturing - Maintenance et construction des aéronefs		Date (Y-A - M - D-J)	
26-0048 (0205-02) (see back - au verso)			
			

Air Operator Certificate Form [26-0048](#) Instructions

NOTICE

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Delays thus incurred are the sole responsibility of the applicant.

AVIS

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Tout retard occasionné par une telle démarche incombera au demandeur.

Form 26-0049 — Summary and Recommendations

1. This form is to contain specific recommendations which are clear and concise and respond to form 26-0380. Recommendations should only be made after you are satisfied that all pertinent requirements of the proposed operation have been met. This form will be used as a record for regional action.
2. One copy of the completed and signed form is retained by the region and a copy is to be forwarded to Headquarters **only** when a request needs Headquarters' action.
3. A covering memorandum shall **only** be required if this form requires elaboration of the recommendations.
4. This form shall be verified and signed, as the case may be, by the regional inspector (OPI), Commercial and Business Aviation and Certification Division.

Air Operator Certificate
26-0049 Summary & Recommendations
Form [26-0049](#)

Transport Canada / Transports Canada Civil Aviation / Aviation civile		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="font-size: small;">File No. - Dossier n°</td> <td>5258 -</td> </tr> <tr> <td style="font-size: small;">5260 -</td> <td></td> </tr> </table>	File No. - Dossier n°	5258 -	5260 -				
File No. - Dossier n°	5258 -								
5260 -									
AIR OPERATOR CERTIFICATE SUMMARY AND RECOMMENDATIONS		CERTIFICAT D'EXPLOITATION AÉRIENNE SOMMAIRE ET RECOMMANDATIONS							
1. Name of Air Operator - Nom de l'exploitant aérien		Address - Adresse							
PURPOSE - BUT <input type="checkbox"/> Certificate / Certificat <input type="checkbox"/> Base <input type="checkbox"/> Aircraft / Aéronef <input type="checkbox"/> Scheduled Points / Points réguliers <input type="checkbox"/> Specifications / Spécifications <input type="checkbox"/> Sub-Base / Base secondaire <input type="checkbox"/> New / Nouveau <input type="checkbox"/> Amendment / Modification		OPERATIONS MANUAL SATISFACTORY MANUEL D'EXPLOITATION SATISFAISANT <input type="checkbox"/> Yes / Oui <input type="checkbox"/> No / Non AMENDED / MODIFIÉ <input type="checkbox"/> D-J <input type="checkbox"/> M <input type="checkbox"/> Y-A							
TYPE OF SERVICE - TYPE DE SERVICE <input type="checkbox"/> Domestic / Intérieur <input type="checkbox"/> International Scheduled - Régulier <input type="checkbox"/> International Non-Scheduled - À la demande <input type="checkbox"/> Aerial Work (Select type) / Travail aérien (Sélectionnez le type) <input type="checkbox"/> Aerial Advertising / Photographie aérienne <input type="checkbox"/> Aerial Construction / Construction à moyen d'aéronefs <input type="checkbox"/> Aerial Inspection and Surveillance / Inspection et surveillance aérienne <input type="checkbox"/> Aerial Harvesting / Récolt aérienne <input type="checkbox"/> Aerial Mapping / Cartographie aérienne <input type="checkbox"/> Aerial Photography / Photographie aérienne <input type="checkbox"/> Aerial Sightseeing / Excursion aérienne <input type="checkbox"/> Aerial Spraying / Pulvérisation aérienne <input type="checkbox"/> Aerial Surveying / Levé topographique aérienne <input type="checkbox"/> External Load / Charge externe <input type="checkbox"/> Fire Fighting / Lutte contre incendie <input type="checkbox"/> Human Organs / Organes humains <input type="checkbox"/> Forest Fire Management / Gestion des incendies de forêt <input type="checkbox"/> Glider Tower / Remorquage de planeurs <input type="checkbox"/> Heli-logging / Hélicoptérage <input type="checkbox"/> Parachute Jumping / Sauts en parachute <input type="checkbox"/> Wild Life Management / Gestion de la faune									
AREA OF OPERATION - RÉGION D'EXPLOITATION (AERODROME LOCATION IDENTIFIER AND NAME OR LA TITIDE/LONGITUDE) - (CODE D'IDENTIFICATION ET DE NOM D'AERODROME OU LA TITIDE/LONGITUDE)									
Main Base - Base principale		Sub-Base - Base(s) secondaire(s)							
Scheduled Points / Points réguliers <input type="checkbox"/> Add / Ajout <input type="checkbox"/> Delete / Suppression									
Operating conditions (check where applicable) - Conditions d'exploitation (cocher ou applicable)									
Aircraft Type(s) Type(s) d'aéronefs	Day Jour	Night Nuit	VFR	IFR	VFR OTT	Passengers and cargo	Passengers only Passagers seulement	Cargo only Fret seulement	Comments Observations
Comments and/or special recommendations - Observations et/ou recommandations spéciales									
Fee paid - Redevance perçue		Temporary AOC issued on / CEA temporaire accordé le <input type="checkbox"/>				Valid to / Valide jusqu'au <input type="checkbox"/>			
Base inspected and air operator complies with the provisions of the Air Operator Certificate					Base inspectée et l'exploitant aérien se conforme aux dispositions du certificat d'exploitation aérienne				
Date (Y-A-M-D-J)		Regional Inspector - Inspecteur régional (CPI - BPR)			Date (Y-A-M-D-J)				
Date (Y-A-M-D-J)		Commercial and Business Aviation / Aviation commerciale et d'affaires			Date (Y-A-M-D-J)		Certification - Agrément		
26-0049 (0105-01)									

Form 26-0380 — Statement of Intent

1. This form should be completed and signed by the applicant and the following information pertaining to the incorporation of the company should indicate:
2. that the company or corporation is legally constituted by or under the law of Canada or a Province, the date of incorporation and corporation number (where applicable);
3. that its principal place of business is in Canada;
4. that its executive head is a Canadian citizen;
5. that not less than 75% of the voting interest is in fact owned and controlled by Canadians;
6. the nature of the proposed operation;
7. that a copy of proof of incorporation is provided or pertinent pages thereof; and
8. a copy of the business document, where applicable, such as *Proprietorship, Partnership or Corporations*, as indicated and defined on the back of this form. *Affidavit* action pertaining to ownership and citizenship requirements is also required.
9. This form will be signed as having been reviewed by AM&M and Commercial and Business Aviation Divisions.
10. This form provides the basis for the initial NACIS entries.


Air Operator Certificate
26-0380 Statement of Intent
Form 26-0380

Transport Canada / Transports Canada		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="font-size: small;">File No. - Dossier n°</td> <td>5258 -</td> </tr> <tr> <td style="font-size: small;">5260 -</td> <td></td> </tr> </table>	File No. - Dossier n°	5258 -	5260 -				
File No. - Dossier n°	5258 -								
5260 -									
COMMERCIAL AIR SERVICE STATEMENT OF INTENT		SERVICE AÉRIEN COMMERCIAL ÉNONCÉ D'INTENTION							
PART I - TO BE COMPLETED BY APPLICANT - PARTIE 1 - À ÊTRE REMPLIE PAR LE REQUÉRANT									
Legal name and Trade Name, address and Postal Code of applicant - Dénomination sociale et nom commercial, adresse et code postal du requérant									
Principal place of business - Le bureau d'affaire principal du requérant									
Telephone - Téléphone	Facsimile - Facsimilé	Telex - Télex							
Area Code Ind. Rég.	No. - N°	No. - N°							
<input type="checkbox"/> Fed. Féd.	<input type="checkbox"/> Prov.	<input type="checkbox"/> Y.A. Date M D-J							
Incorporated - Constituée									
No. - N°									
I understand that - Je comprends que									
The executive head of the corporation is a Canadian citizen - Le chef exécutif de la société est un citoyen canadien.		Yes - Oui <input type="checkbox"/> No - Non <input type="checkbox"/>							
Not less than 75% of the voting interest is to be owned and controlled by Canadian citizens Non moins que 75% de l'intérêt votant appartiendra et sera contrôlé par des citoyens canadiens		Yes - Oui <input type="checkbox"/> No - Non <input type="checkbox"/>							
Attach Pertinent Business Documents (see reverse side) - Joindre les documents d'affaires pertinents (voir au verso)									
PROPOSED TYPE OF SERVICE - TYPE DE SERVICE PROPOSÉ									
<input type="checkbox"/> Domestic / Intérieur <input type="checkbox"/> International Scheduled - Régulier <input type="checkbox"/> International Non-Scheduled - À la demande									
<input type="checkbox"/> Aerial Work (Select type) / Travail aérien (Sélectionnez le type)									
<input type="checkbox"/> Aerial Advertising / Publicité aérienne	<input type="checkbox"/> Aerial Construction / Construction à moyen d'aéronefs	<input type="checkbox"/> Aerial Inspection and Surveillance / Inspection et surveillance aérienne							
<input type="checkbox"/> Aerial Mapping / Cartographie aérienne	<input type="checkbox"/> Aerial Photography / Photographie aérienne	<input type="checkbox"/> Aerial Harvesting / Récolte aérienne							
<input type="checkbox"/> Aerial Surveying / Levée topographique aérienne	<input type="checkbox"/> External Load / Charge externe	<input type="checkbox"/> Aerial Sightseeing / Excursion aérienne							
<input type="checkbox"/> Forest Fire Management / Gestion des incendies de forêt	<input type="checkbox"/> Glider Tower / Remorquage de planeurs	<input type="checkbox"/> Fire Fighting / Lutte contre incendie							
<input type="checkbox"/> Parachute Jumping / Sauts en parachute	<input type="checkbox"/> Wild Life Management / Gestion de la faune	<input type="checkbox"/> Heli-logging / Hélicabardage							
<input type="checkbox"/> Human Organs / Organes humains	<input type="checkbox"/> Flight Training / Formation au pilotage								
AREA OF OPERATION (Aerodrome location identifier and name or (lat.- Long.) - RÉGION D'EXPLOITATION (Code d'identification et le nom d'aérodrome ou (lat.-long.))									
Base(s)		Aircraft Types - Types d'aéronefs							
Name of approved maintenance organization (if available) - Nom de l'organisme de maintenance agréé (si disponible)		Approval No. - N° d'agrément							
OPERATING CONDITIONS (Check where applicable) - CONDITIONS D'EXPLOITATION (Cocher où applicable)									
Authorization / Autorisation	Operating conditions (check where applicable) - Conditions d'exploitation (cocher où applicable)								
	Day / Jour	Night / Nuit	VFR	IFR	VFR / OTT	Passengers and cargo	Passengers only / Passagers seulement	Cargo only / Fret seulement	Comments / Observations
Multi-engine aircraft / Aéronefs multimoteurs									
Rotorcraft / Giravions									
Single-engine aircraft / Aéronefs monomoteurs									
MANAGERIAL PERSONNEL - PERSONNEL DE GESTION									
Name - Nom									
All the statements contained herein are true and complete to the best of my knowledge					À ma connaissance, tous les renseignements fournis dans la présente sont vrais et complets.				
Date (Y-A, M, D-J)			Signature (of person duly authorized to execute this application on behalf of the applicant) (de la personne dûment autorisée à exécuter cette demande au nom du requérant)				Title - Titre		


26-0380 (0301-04)



**Air Operator Certificate
Statement of Intent
Instructions
Form 26-0380**

 Transport Canada / Transports Canada		
PART II - TO BE COMPLETED BY DOT REGIONAL OFFICE - PARTIE 1 - À ÊTRE REMPLIE PAR LE BUREAU RÉGIONAL DU M.D.T.		
Name of principal inspector - Nom de l'inspecteur principal		
Operations - Opérations	Airworthiness - Navigabilité aérienne	Flight Training - Formation au pilotage
Commercial and Business Aviation - Aviation commerciale et d'affaires	General Aviation - Aviation générale	Aircraft Maintenance and Manufacturing - Maintenance et construction des aéronefs

<p style="text-align: center;">BUSINESS DOCUMENTS</p> <p>NOTICE</p> <p>Transport Canada Civil Aviation will not undertake a quality assurance role with regard to any form or document submitted in application for a service. Documentation that contains errors or does not meet regulatory requirements will be returned for correction.</p> <p>Delays thus incurred are the sole responsibility of the applicant.</p> <p>Proprietorship</p> <p>If applicable state firm name of proprietorship and furnish copy of firm name registration.</p> <p>Partnership</p> <p>If applicable state firm name and style of partnership and furnish copy of partnership registration.</p> <p>Corporations</p> <p>Furnish a copy of the Company's Charter or Letters Patent of Incorporation and any amendments. If incorporated under the laws of a province which issues only a Certificate of Incorporation, a copy of such certificate must be accompanied by a copy of the Memorandum and Articles of Association.</p> <p>Affidavit</p> <p>The ownership and citizenship requirements shall be verified by affidavit.</p>	<p style="text-align: center;">DOCUMENTS D'AFFAIRES</p> <p>AVIS</p> <p>Transports Canada, Aviation civile ne procédera pas à une assurance de la qualité de tout formulaire ou de tout document soumis avec une demande de service. La documentation erronée ou ne répondant pas aux exigences réglementaires sera retournée pour que les corrections nécessaires soient apportées.</p> <p>Tout retard occasionné par une telle démarche incombera au demandeur.</p> <p>Droit de propriété</p> <p>Selon le cas, déclarer la raison sociale de la société qui a le droit de propriété et fournir une copie de l'enregistrement de la raison sociale.</p> <p>Société en nom collectif</p> <p>Selon le cas, déclarer la raison sociale de la société et le type de société en nom collectif et fournir une copie de l'enregistrement des sociétés en noms collectifs.</p> <p>Société par actions</p> <p>Fournir une copie de la charte ou des lettres patentes de la société constituée ainsi que de toutes les modifications effectuées. Si celle-ci est constituée en vertu des lois d'une province qui ne fournit qu'un certificat de constitution, une copie de ce certificat doit être accompagnée de la note de service et des statuts d'association.</p> <p>Déclaration écrite</p> <p>Les exigences de propriété et de citoyenneté devraient être vérifiées au moyen d'une déclaration écrite.</p>
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Form 26-0440 — Aerial Work Operations

1. This form is to be completed and signed by the person duly authorized by the air operator to execute this application. This form shall be verified and signed by Aerodrome Safety, M&M and Commercial and Business Aviation Divisions.
2. This form provides all necessary information for NACIS. Check the NACIS Advisories for forms 26-0045, 26-0046, 26-0047, 26-0048 and 24-0070 for information on NACIS data entry.
3. When the aerial work operations are authorized on the AOC, please ensure that you indicate which “types of aerial work operations” are authorized.

Air Operator Certificate
26-0440 Aerial Work
Form 26-0440

Transport Canada / Transports Canada		File No. - Dossier n° 5258 - 5260 -
AIR OPERATOR CERTIFICATE APPLICATION AERIAL WORK		DEMANDE DE CERTIFICAT D'EXPLOITATION AERIENNE TRAVAIL AERIEN
1. Name of Applicant - Nom du demandeur		Address - Adresse
Telephone No. - N° de téléphone		
2. (a) Airport/Aerodrome - Aéroport/Aérodrome (Name and Geographic Coordinates - Toponyme et les coordonnées géographiques) - Identifier/Identificateur		
Aerodrome registered / Aérodrome enregistré <input type="checkbox"/> Yes / Oui <input type="checkbox"/> No / Non		Airport - Aéroport <input type="checkbox"/> Public <input type="checkbox"/> Private / Privé <input type="checkbox"/> Day / Jour <input type="checkbox"/> Night / Nuit <input type="checkbox"/> VFR <input type="checkbox"/> IFR
Reg. No. / N° Enr. <input type="text"/> Dated / Daté <input type="text"/>	Cert. No. / N° Cert. <input type="text"/> Dated / Daté <input type="text"/>	<input type="checkbox"/> Land / Terre ferme <input type="checkbox"/> Water / Plan d'eau <input type="checkbox"/> Ice / Sur glace <input type="checkbox"/> Heliport
(b) Name of aerodrome or airport operator - Nom de l'exploitant de l'aérodrome ou de l'aéroport		Telephone No. - N° de téléphone
(c) Uncertified aerodrome, not in CFS, give runway details - Aérodrome non agréé, non dans le CSV, indiquez les détails de la piste - (with/avec Lat. & long.)		
Aerodrome facilities - Installations à l'aérodrome <input type="checkbox"/> ATC tower / Tour de contrôle <input type="checkbox"/> FSS <input type="checkbox"/> Weather briefing / Exposé météorologique		Navigational and landing aids - Aides à la navigation et aux atterrissages <input type="checkbox"/> ILS <input type="checkbox"/> NDB <input type="checkbox"/> VOR <input type="checkbox"/> PAR <input type="checkbox"/> ASR <input type="checkbox"/> Other / Autre _____
3. <input type="checkbox"/> Aerial Work / Travail aérien Select the type aerial work, by number, as referred on the reverse of this form. / Sélectionnez, par numéro, le type de travail aérien mentionné au verso de cette formule.		
4. Flight Instruments in accordance to - Instruments de vol conformément aux		
Type of Aircraft / Type d'aéronef	Marks / Marques	Radio Equipment / Equipement de radio
		IFR CAR/RAC 605.18 <input type="checkbox"/> Yes - Oui <input type="checkbox"/> No - Non VFR OTT CAR/RAC 605.15 <input type="checkbox"/> Yes - Oui <input type="checkbox"/> No - Non VFRF Night/Nuit CAR/RAC 605.16 <input type="checkbox"/> Yes - Oui <input type="checkbox"/> No - Non
5. Operations Manager - Gestionnaire opérations		Chief Pilot - Pilote en chef
Person Responsible - Maintenance Control System / Personne responsable - Système de contrôle de la maintenance		
Name - Nom	No./N° de licence	Name - Nom
		No./N° de licence
Name - Nom	No./N° de licence	Name - Nom
		No./N° de licence
6. Name, address, Approval No. of Approved Maintenance Organization - Nom, adresse, n° d'agrément de l'Organisme de maintenance agréé		
7. The Maintenance Control Manual has been submitted for approval / Le manuel de contrôle de la maintenance a été présenté pour approbation <input type="checkbox"/> Yes - Oui <input type="checkbox"/> No - Non		
I certify that the above data is correct. / J'atteste que les renseignements ci-dessus sont exacts.		Date submitted / Date de présentation
Date		Signature
		(of person duly authorized to execute this application on behalf of the air operator) / (de la personne dûment autorisée à exécuter cette demande au nom de l'exploitant aérien)
		Title - Titre
FOR DEPARTMENT OF TRANSPORT USE - À L'USAGE DU MINISTÈRE DES TRANSPORTS		
The information provided in section 2 is correct. / L'information présentée à la partie 2 est correcte.		
Aerodrome Safety - Sécurité des aérodromes		Date
The Approval Maintenance Organization referred to in section 6 holds the appropriate Categories and Ratings. The information relating to maintenance meets the CAR 706 requirements. / L'Organisme de maintenance agréé mentionné à l'article 6 détient les catégories et qualifications appropriées. Les renseignements relatifs à la maintenance satisfont aux exigences du RAC 706.		
Aircraft Maintenance and Manufacturing - Maintenance et construction des aéronefs		Date
Facilities, equipment, personal qualifications and operations manual, if applicable, have been inspected and approved and are adequate for the proposed operations. / Les installations, l'équipement, les qualifications du personnel et le manuel d'exploitation, (selon le cas), ont été vérifiés, et approuvés et conviennent à l'exploitation proposée.		
Commercial and Business Aviation - Aviation commerciale et d'affaires		Date

26-0440 (0205-02)



Air Operator Certificate Instructions Form [26-0440](#)

NOTICE

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AVIS

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Tout retard occasionné par une telle démarche incombera au demandeur.

1. Aerial Advertising
Publicité aérienne
2. Aerial Construction
Construction à moyen d'aéronefs
3. Aerial Inspection and Surveillance
Inspection et surveillance aérienne
4. Aerial Harvesting
Récolte aérienne
5. Aerial Mapping
Cartographie aérienne
6. Aerial Photography
Photographie aérienne
7. Aerial Sightseeing
Excursion aérienne
8. Aerial Spraying
Pulvérisation aérienne
9. Aerial Surveying
Levé topographique aérien
10. External Load
Charge externe
11. Fire Fighting
Lutte contre incendie
12. Flight Training
Formation au pilotage
13. Forest Fire Management
Gestion des incendies de forêt
14. Glider Tower
Remorquage de planneurs
15. Heli-logging
Hélicabardage
16. Human Organs
Organes humains
17. Parachute Jumping
Sauts en parachute
18. Wild Life Management
Gestion de la faune

Form 26-0448 — Passenger Carrying Authority – Cabin Safety

1. When required, this form is used for the initial issue and/or amendment of an AOC.
2. The inspector will prepare a certification package based on the items indicated on this form. This certification package is to be tailored to each application.
3. The air operator is required to complete the “Applicant’s Use” column and to sign the form prior to its submission.
4. Items that do not require TC approval must be evaluated against the appropriate standard outlined in the Commercial Air Services Standard to ensure compliance with minimum requirements.
5. The Cabin Safety Inspector in the region or at a base or a service center will sign off each required item by placing the approval date the item was approved or met the standard in the appropriate box.
6. The air operator will advise TC when the aircraft is ready for inspection.
7. Flight Attendant Training dates and location will be required so that arrangements can be made to have training inspected.
8. It is the responsibility of the air operator to ensure that all company manuals are cross-referenced for consistency.
9. Once all items have been approved and evaluated to meet the standard, the inspector will sign this form to confirm that all Cabin Safety requirements have been met.
10. Commercial and Business Aviation will also sign the form when it is processed from a region and Airline Inspection will sign the form when it is processed from a base or a service _enter.
11. Cabin Safety Key Personnel information for NACIS is derived from this form.

Air Operator Certificate
26-0448 Passenger Carrying Authority – Cabin Safety
Cabin Safety
Form 26-0448

 Transport Canada / Transports Canada		FOR TC USE - À L'USAGE DE TC File No. - Dossier n° 5258 - 5260 - <input type="checkbox"/> Initial <input type="checkbox"/> Amendment Modification Date (Y/A-M-D/J)		
AIR OPERATOR CERTIFICATE APPLICATION - PASSENGER CARRYING AUTHORITY - CABIN SAFETY		DEMANDE DE CERTIFICAT D'EXPLOITATION AÉRIENNE - AUTORISATION DE TRANSPORT DE PASSAGERS - SÉCURITÉ DES CABINES		
Name of Air Operator - Nom de l'exploitant aérien		Base		
Address and Telephone No. - Adresse et n° de téléphone				
APPLICANT'S USE À L'USAGE DU REQUÉRANT		FOR TC USE À L'USAGE DE TC		
		Date (Y/A-M-D/J)	Meets Stand. Renc. normes (Y/A-M-D/J)	
			Approved Approuvé (Y/A-M-D/J)	
ALL OPERATIONS - TOUTES OPÉRATIONS				
Safety Features Cards for these Aircraft Types: Cartes de mesures de sécurité pour ces types d'aéronefs 1. 2. 3.				
Passenger and Cabin Safety Procedures Procédures de sécurité des passagers et dans la cabine	R-		not - non applicable	
Briefing of Passengers Exposé donné aux passagers	R-		not - non applicable	
Aircraft Inspection Inspection d'aéronef			not - non applicable	
OPERATIONS WITH FLIGHT ATTENDANTS - OPÉRATIONS AVEC AGENTS DE BORD				
Flight Attendant Manager Qualifications Qualifications du Gestionnaire des agents de bord	R-		not - non applicable	
Flight Attendant Training Program - (See note on back) Programme de Formation des agents de bord - (Voir Note au verso)	(A) <input type="checkbox"/> Initial (B) <input type="checkbox"/> Annual Annual	A B	not - non applicable	
Flight Attendant Training Syllabus (See note on back) Programme de cours des agents de bord - (Voir Note au verso)	(A) <input type="checkbox"/> Initial (B) <input type="checkbox"/> Annual Annual	A B	not - non applicable	
Line Indoctrination Training Formation de Qualification en ligne	R-		not - non applicable	
Record Keeping System for Training and Qualifications Système de mise à jour de dossiers de formation et de qualifications	R-		not - non applicable	
Instructor Qualifications Qualifications d'instructeur	R-		not - non applicable	
Training Facilities Installations de formation	R-		not - non applicable	
Cabin Emergency Evacuation Trainer Cabine d'entraînement à l'évacuation d'urgence	R-		not - non applicable	
Flight Attendant Manual - (See Note on back) Manuel de l'agent de bord - (Voir Note au verso)	R-		not - non applicable	
Flight Attendant Stations Postes d'agent de bord	R-		not - non applicable	
Minimum Number of Flight Attendants per Aircraft Type Nombre minimal d'agents de bord selon le type d'aéronef	R-		not - non applicable	
Carry-on Baggage Control Program Programme de contrôle de baggages de cabine	R-		not - non applicable	
I understand that the above information is correct.		Je comprends que les renseignements ci-dessus sont exacts.		
Date (Y/A-M-D/J)	Signature <small>(of person duly authorized to execute this application on behalf of the air operator) (de la personne dûment autorisée à exécuter cette demande au nom de l'exploitant aérien)</small>	Title - Titre		
This confirms that all the Cabin Safety requirements have been met.		FOR TC USE À L'USAGE DE TC	La présente confirme que toutes les exigences de sécurité de cabines ont été rencontrées.	
Date (Y/A-M-D/J)	Cabin Safety Inspector - Inspecteur de la sécurité des cabines			
Date (Y/A-M-D/J)	Airline Inspection - Inspection des entreprises de transport aérien		Commercial and Business Aviation Aviation commerciale et d'affaires	
26-0448 (0205-02)		INSTRUCTIONS (see back - au verso)	NOTE (see back - au verso)	
				

Air Operator Certificate
Application – Passenger Carrying Authority
Cabin Safety
Instructions
Form 26-0448

INSTRUCTIONS

NOTICE

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Delays thus incurred are the sole responsibility of the applicant.

1. This form is used for the initial issue and / or amendment of an air operator certificate (AOC) and the addition of a new aircraft type to the air operator certificate.
2. Coordination is required with the Cabin Safety Division whenever there are requirements to amend or issue an AOC or an operation specification pertaining to Cabin Safety.
3. The shaded areas are for TC use only. The applicant completes the white area of the form.
4. At the top right-hand of the form, the inspector enters the file numbers, whether this form is for initial issuance of an AOC or an amendment to an existing AOC and the date that the form was received from the applicant.
5. The applicant enters the name, address, and base of the air operator.
6. The applicant enters the aircraft type(s) and the date on which the safety features' cards were submitted.
7. For each line entry, the applicant enters the date submitted and a reference(R) to where the information relative to the item is located (i.e., Flight Operations Manual, Chapter 4, pages 3-6; Flight Attendant Manual, Chapter 3 section 3.8; Agent's Handbook sections 5.6 - 6.7) or attaches a copy of the item with the form.
8. For each line entry, the inspector enters the date on which the information was evaluated and determined to either meet the standards or was approved.
9. The applicant signs the form attesting to the correctness of the information.
10. The Cabin Safety Inspector signs the form confirming that all cabin safety requirements have been met before the applicable Airline Inspection or Commercial and Business Aviation division signs off.

AVIS

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Tout retard occasionné par une telle démarche incombera au demandeur.

1. Ce formulaire sert à la délivrance d'un premier certificat d'exploitation aérienne (CEA) et/ou à la modification de ce certificat et pour l'ajout d'un nouveau type d'aéronef au certificat d'exploitation aérienne.
2. On doit coordonner avec la division des Normes relatives à la sécurité des cabines lorsqu'il est nécessaire de modifier ou de délivrer un CEA ou une spécification d'exploitation se rapportant à la Sécurité des cabines.
3. La partie ombrée est à l'usage de TC. Le requérant doit remplir les parties du formulaire qui ne sont pas ombrées.
4. L'inspecteur doit entrer les numéros des dossiers à la partie droite du haut du formulaire, soit si ce formulaire est utilisé pour la délivrance initiale ou pour la modification d'un présent CEA ainsi que la date de la réception de ce formulaire du requérant.
5. Le requérant doit entrer le nom, l'adresse et la base de l'exploitant.
6. Le requérant doit entrer les types d'aéronefs et la date que les cartes de mesures de sécurité ont été soumises.
7. Le requérant doit entrer sur chaque ligne la date et la référence(R) d'où provient l'information relative à l'élément (i.e., Chapitre 4, pages 3-6 du Manuel de vol de l'aéronef; Chapitre 3, article 3.8 du Manuel de l'agent de bord; les articles 5.6 - 6.7 du Manuel d'agent) ou y attacher une copie des éléments à ce formulaire.
8. L'inspecteur doit entrer sur chaque ligne la date que l'information a été évaluée et déterminée qu'elle rencontre les normes ou qu'elle a été approuvée.
9. Le requérant signe le formulaire attestant l'exactitude de l'information.
10. L'inspecteur de la sécurité des cabines signe le formulaire confirmant que tous les exigences de sécurité des cabines sont rencontrées avant que la division applicable des Entreprises de transport aérien ou de l'Aviation commerciale et d'affaires signe ce formulaire.

NOTES

1. Flight attendant training may not commence until the **Flight Attendant Training Program** has received written conditional approval and the **Flight Attendant Manual** has received written approval.
 2. **Annual Flight Attendant Training Syllabus and Program** do not require approval during the Initial Certification process. The documents must be submitted for review and approval no later than 90 days before Annual training is due.
 3. For operations with flight attendants and depending on the complexity of the operation or the documents:
 - (a) the certification process for an **initial** air operator certificate can take between 60 to 90 days to complete from the date the documents are received;
 - (b) the certification process to **amend** an air operator certificate can take between 30 to 60 days to complete from the date the documents are received.
1. La formation d'agent de bord ne débutera avant que le **Programme de Formation des agents de bord** n'ait reçu une approbation conditionnelle par écrit et que le **Manuel de l'agent de bord** n'ait reçu une approbation par écrit.
 2. Le **Programme de cours et de formation des agents de bord annuel** ne requiert pas d'approbation lors du processus initial d'Accord. Ces documents doivent être soumis pour révision et approbation 90 jours avant la date d'échéance de la formation annuelle.
 3. Pour les exploitations avec agents de bord et selon la complexité de l'exploitation ou des documents :
 - a) dans le cas d'un **premier** certificat d'exploitation aérienne, le processus d'accord peut prendre de 60 à 90 jours à partir de la date où les documents ont été reçus ;
 - b) dans le cas d'une **modification** à un certificat d'exploitation aérienne, le processus d'accord peut prendre de 30 à 60 jours à partir de la date où les documents ont été reçus.

Form 24-0070 — Application for Approval of a Maintenance Organization

1. This form serves as an application to use a specific Approved Maintenance Organization (AMO) for the maintenance of the applicant's aircraft.
2. Where an air operator is qualified as an Approved Maintenance Organization (AMO) under the terms of Chapter 573 of the *Airworthiness Manual*, this form, when signed confirms the acceptability of Maintenance Facilities, Equipment and Personnel as an AMO.
3. The region should ensure that a copy of the approval letter for AMOs, MCMs, etc., are on the 5260 file prior to the issuance of an air operator certificate.
4. This form provides all necessary NACIS information for personnel and MC Manual.

Application
24-0070 Approval of a Maintenance Organization
Form 24-0070

Transport Canada Transports Canada		APPLICATION FOR APPROVAL OF A MAINTENANCE ORGANIZATION DEMANDE D'AGRÈMENT D'ORGANISME DE MAINTENANCE	
1 NAME OF APPLICANT - NOM DU DEMANDEUR		3 TYPE OF APPLICATION - GENRE DE DEMANDE <input type="checkbox"/> INITIAL ORIGINALE <input type="checkbox"/> AMENDMENT MODIFICATION	
2 ADDRESS - ADRESSE		4 APPROVAL NUMBER - NUMERO D'AGRÈMENT	
		POSTAL - CODE - POSTAL	TELEPHONE NO. - N° DE TÉLÉPHONE
		FAX NO - N° DE TÉLÉCOPIEUR	
5 RATINGS - SPÉCIALITÉS <input type="checkbox"/> AIRCRAFT AÉRONEF <input type="checkbox"/> PROPELLERS HÉLICES <input type="checkbox"/> AVIONICS AVIONIQUE <input type="checkbox"/> STRUCTURES CELLULES <input type="checkbox"/> COMPONENTS COMPOSANTS <input type="checkbox"/> WELDING SOUDURE <input type="checkbox"/> ENGINES MOTEURS <input type="checkbox"/> OTHER AUTRE <input type="checkbox"/> NONDESTRUCTIVE TESTING ESSAIS NON DESTRUCTIFS		6 DETAILS REGARDING RATINGS REQUESTED (FOR AIRCRAFT, SPECIFY TYPE) DÉTAILS CONCERNANT LES SPÉCIALITÉS DEMANDÉES (POUR AÉRONEF, PRÉCISER LES TYPES)	
7 MANAGEMENT PERSONNEL (ATTACH RÉSUMÉS) - PERSONNEL DE GESTION (JOINDRE C.V.) DIRECTOR OF MAINTENANCE DIRECTEUR DE MAINTENANCE _____ QUALITY MANAGER RESPONSABLE DE LA QUALITÉ _____ PRODUCTION MANAGER RESPONSABLE DE LA PRODUCTION _____		8 MAINTENANCE PERSONNEL (MINIMUM NUMBERS) PERSONNEL D'ENTRETIEN (NOMBRE MINIMUM) LICENSED AMES TITULAIRES D'UNE LICENCE TEA _____ TECHNICIANS TECHNICIENS _____ TECHNICAL SUPPORT SOUTIEN TECHNIQUE _____	
9 DECLARATION: THE ABOVE INFORMATION AND THAT CONTAINED IN THE MAINTENANCE CONTROL MANUAL AND OTHER SUPPORTING DOCUMENTATION IS A TRUE AND ACCURATE DESCRIPTION OF THE ORGANIZATION. DÉCLARATION: LES RENSEIGNEMENTS DONNÉS CI-DESSUS, AINSI QUE CEUX CONTENUS DANS LE MANUEL DE CONTRÔLE DE LA MAINTENANCE ET DANS LES AUTRES DOCUMENTS PERTINENTS DÉCRIVENT L'ORGANISME AVEC EXACTITUDE ET FIDÉLITÉ. CORRESPONDENCE IS REQUESTED IN LANGUAGE UTILISÉE DANS LA CORRESPONDANCE <input type="checkbox"/> ENGLISH ANGLAIS <input type="checkbox"/> FRENCH FRANÇAIS			
(NAME AND TITLE OF PERSON AUTHORIZED TO SIGN ON BEHALF OF THE ORGANIZATION) (NOM ET FONCTION DE LA PERSONNE HABILITÉE À SIGNER AU NOM DE L'ORGANISME) _____ DATE _____ DOT USE ONLY - RÉSERVE AU MDT			
10 EVALUATION OF PROPOSED MAINTENANCE CONTROL SYSTEM ÉVALUATION DE LA PROPOSITION DE PROGRAMME DE CONTRÔLE DE LA MAINTENANCE <input type="checkbox"/> MAINTENANCE CONTROL MANUAL MANUEL DE CONTRÔLE DE MAINTENANCE <input type="checkbox"/> MANAGEMENT PERSONNEL PERSONNEL DE GESTION <input type="checkbox"/> MAINTENANCE PERSONNEL PERSONNEL DE MAINTENANCE <input type="checkbox"/> QUALITY ASSURANCE SYSTEM PROGRAMME DE CONTRÔLE DE LA QUALITÉ <input type="checkbox"/> TRAINING PROGRAM PROGRAMME DE FORMATION <input type="checkbox"/> FACILITIES INSTALLATIONS <input type="checkbox"/> EQUIPMENT ÉQUIPEMENT <input type="checkbox"/> SUBCONTRACTS SOUS-TRAITANCE THE PROPOSED MAINTENANCE CONTROL SYSTEM MEETS THE REQUIREMENTS OF THE AIRWORTHINESS MANUAL. LA PROPOSITION DE PROGRAMME DE CONTRÔLE DE LA MAINTENANCE EST CONFORME AUX EXIGENCES DU MANUEL DE NAVIGABILITÉ. AIRWORTHINESS INSPECTOR INSPECTEUR DE LA NAVIGABILITÉ _____ DATE _____		11 RECOMMENDATION: THE ORGANIZATION HAS BEEN INSPECTED (SEE SEPARATE INSPECTION REPORT) AND IS RECOMMENDED FOR APPROVAL WITH THE FOLLOWING RATINGS. RECOMMANDATION: L'ORGANISME A FAIT L'OBJET D'UNE INSPECTION (VOIR LE RAPPORT DISTINCT) ET NOUS RECOMMANDONS QU'IL SOIT AGRÉÉ DANS LES DOMAINES SUIVANTS: <input type="checkbox"/> AIRCRAFT AÉRONEF <input type="checkbox"/> AVIONICS AVIONIQUE <input type="checkbox"/> COMPONENTS COMPOSANTS <input type="checkbox"/> ENGINES MOTEURS <input type="checkbox"/> NONDESTRUCTIVE TESTING ESSAIS NON DESTRUCTIFS <input type="checkbox"/> PROPELLERS HÉLICES <input type="checkbox"/> STRUCTURES CELLULES <input type="checkbox"/> WELDING SOUDURE <input type="checkbox"/> OTHER AUTRE DETAILS (FOR AIRCRAFT, SPECIFY TYPE) DÉTAILS (POUR AÉRONEF, PRÉCISER LES TYPES)	

24-0070 (07-99)



NOTE: In order to clearly indicate that is a new type of commercial air service, the certification date on the AOC screen is to be changed to the effective date of the change in NACIS so that the amended AOC is issued with a new certification date indicating when the air operator was certificated to the higher standard.

4.13 ADVANCE PAYMENT OF CHARGES FOR THE INITIAL ISSUE OF AN AOC

Purpose

1. The purpose of this policy is to recover the costs of TC resources that are expended in the process of certifying an air operator for an AOC, whether or not the air operator completes the process and is issued an AOC.

Background

2. In many past instances, TC has devoted costly resources to the certification of an air operator only to have the air operator abandon the process, often just as the AOC was about to be issued, or just after it had been issued. The result is that months of work and expense are wasted, leaving fewer resources available for other more viable tasks. Consequently, the Financial Policy and Procedures Manual (TP 117) is being amended requiring new and high risk air operators to pay a security deposit against the expected costs of services received from TC. This is further to existing cost recovery policy, and is expanded to include the costs of certifying new entrant carriers. At the same time, a revised schedule of charges was approved that more realistically reflects the costs involved. Various means of collecting and administering security deposits were explored to develop an efficient and effective means of cost recovery, which would also minimize the administrative burden. It was concluded that this would best be accomplished by requiring new applicants for an AOC to pay the charge in advance, before any certification work will begin. Should the certification work never start, the advance charge should be refunded to the applicant.

Procedure

1. During preliminary discussions with a new applicant, Regional Managers, Commercial and Business Aviation or the Chief, Airline Inspection(AARXD) are to inform the applicant of the charge that will apply and that it must be paid in advance, and that it is not refundable. Moreover, it is also to be made clear to the applicant that TC will not begin the certification process, such as reviewing manuals, training programs, management personnel, and so forth, until the charge is paid. It should be noted that the charge does not include cost-recoverable expenses associated with certification, such as inspections, proficiency checks and aircraft inspections. It is incumbent on the air operator to

make payment in a timely and acceptable manner in order to be issued with an AOC before the planned start of operations. Moreover, the charge must be paid in full in a single payment, and part payments with a balance owing are not acceptable.

2. Confirmation that the charge has been paid will depend on the method of payment and coordination with the respective finance officer. For example, if payment is by uncertified cheque, and it fails to clear, the Regional Managers, Commercial and Business Aviation or the Chief, Airline Inspection (AARXD) can be so advised, and then cease any certification work that may have begun. It is recommended that appropriate liaison between the respective officers be established prior to implementing this policy.
3. In cases of an AOC being split at the request of TC, the charge payable should be that applicable to amending an AOC.

4.14 ISSUE OF TEMPORARY AOCs AND/OR TEMPORARY OPERATIONS SPECIFICATIONS AND DELEGATION OF AUTHORITY

1. Since the regions are delegated the authority to issue AOCs under NACIS, a temporary AOC or operations specification will rarely need to be issued.
2. If undue delay occurs due to technical problems with NACIS, a temporary document may be issued, provided that all statutory requirements have been met.
3. Copies of a sample temporary AOC and operations specification appear on pages 39 to 42.

Delegation of Authority

1. Pursuant to the Ministerial Delegation of Authority, under Schedule 32.1 the Regional Superintendent, Certification and under Schedule 11.2 the Superintendent, Airline Inspection Certification have been authorized to issue "*Air Operator Certificates and amendments certifying that the air operator has complied with the conditions and operations specifications of an air operator certificate issued to him by the Minister.*"
2. When issuing a temporary AOC or temporary operations specifications to an air operator, the temporary authority must stipulate the conditions under which this temporary authority has been granted and shall be valid for a period not exceeding 60 days.
3. A temporary operations specification must use the same wording as contained in NACIS.

4. The procedure of issuing temporary authorizations shall only be used in extreme cases and should not become a standard practice.

NOTE: The type of paper to be used for AOCs must be Cream White Krypton Parchment, manufactured by DOMTAR or Spexel 0812.

4.15 SIGNATURE — TEMPORARY AOC AND/OR OPERATIONS SPECIFICATIONS

1. Temporary AOCs and/or operations specifications shall only be signed by the persons so delegated and shall be signed "FOR MINISTER OF TRANSPORT".
2. Please add the following statement on the covering letter pertaining to the temporary AOC, where applicable, "The commercial air services under this authority may not be operated unless the company holds a valid and subsisting Licence issued by the Canadian Transportation Agency".

NOTE: In addition, where space permits, the delegated official should sign over his/her title and "*for Minister of Transport*", as follows:

S. Jones
Regional Delegated Person

for Minister of Transport

4.16 SAMPLE MESSAGES AND LETTERS REGARDING ISSUE OF TEMPORARY AOCs AND OPERATIONS SPECIFICATIONS

Letter Form

Temporary AOC

Name of the air operator
Address

Dear Sir/Madam:

Pending the issue of the formal document, this letter constitutes your temporary air operator certificate valid for 60 days (from ... to ...) for the operation of a (domestic or aerial work operations type of service) from a base at (name of the airport, heliport, stolport, waterport or aerodrome using the types of aeroplanes or rotorcraft) under (specify type of operating conditions) and subject to the following conditions: (list the General Conditions appearing on the latest revised version of an air operator certificate).

Signature Block

S. Jones
Regional Delegated Person

for Minister of Transport

Message Form

Temporary AOC

Name of the air operator
Address

(MESSAGE NUMBER). PENDING ISSUE OF FORMAL DOCUMENT, THIS CONSTITUTES TEMPORARY AIR OPERATOR CERTIFICATE VALID FOR 60 DAYS (FROM ... TO ...) FOR THE OPERATION OF (DOMESTIC OR AERIAL WORK OPERATIONS TYPE OF SERVICE) FROM A BASE AT (NAME OF AIRPORT, HELIPORT, STOLPORT, WATERPORT OR AERODROME) USING (THE TYPES OF AEROPLANES OR TYPE OF ROTORCRAFT) UNDER (SPECIFY THE TYPE OF OPERATING CONDITIONS) AND SUBJECT TO THE FOLLOWING CONDITIONS: (GENERAL CONDITIONS APPEARING ON THE LATEST REVISED VERSION OF AIR OPERATOR CERTIFICATE).

Signature Block

S. Jones
Regional Delegated Person

for Minister of Transport

Letter Form

Temporary Operations Specifications

Name of the air operator
Address

Dear Sir/Madam:

Pending the issue of the formal document, this letter constitutes a temporary operations specifications forming part of air operator certificate no. ... date ..., valid for 60 days (from ... to ...) (specify what the specification pertains to).

Signature Block

S. Jones
Regional Delegated Person

for Minister of Transport

Message Form

Temporary Operations Specifications

Name of the air operator
Address

(MESSAGE NUMBER). PENDING ISSUE OF FORMAL DOCUMENT, THIS CONSTITUTES TEMPORARY OPERATIONS SPECIFICATIONS FORMING PART OF AIR OPERATOR CERTIFICATE NO. ... DATED ..., VALID FOR 60 DAYS (FROM ... TO ...). (SPECIFY WHAT THE SPECIFICATION PERTAINS TO).

Signature Block

S. Jones
Regional Delegated Person

for Minister of Transport

4.17 ISSUE OF FORMAL AOC

1. Complete documentation must be in the possession of the region prior to the issue of a formal NACIS AOC.

4.18 CANADIAN TRANSPORTATION AGENCY (AGENCY)

1. Presently, AOCs state that air operators are authorized to provide an air service. Therefore, an air operator may interpret this as justification to start operations without possessing an Agency licence. The wording of the AOC gives the air operator a legal defence against a charge of operating without a licence. Therefore, in response to the Agency's request, **any temporary or formal authority issued for a Domestic and/or International commercial air services** requiring an Agency licence, the covering letter to the air operator shall include a statement to the effect that "*air services under this authority may not be operated unless the company holds a valid and subsisting Licence issued by the Canadian Transportation Agency.*"

4.19 GUIDE ON THE USE OF THE 5260 FILE

1. This guide serves as a recommendation of what could be found on an air operator's 5260 files. The 5260 is not only data source, but could serve as the 'hard-copy' back-up to NACIS along with the 5258 file.
2. As a preliminary to an inspector carrying out an inspection and/or audit of an air operator he/she will review the air operator's file, AOCs, operations specifications, etc., in order to confirm the services authorized, company policy, personnel and operating procedures.
3. A NACIS pre-audit report will provide the basic data for the audit report.
4. The 5260 file could be used as the justification file, i.e., it could contain the justification for the various valid and subsisting authorizations, managerial positions, aircraft, etc., as well as showing that the operator is meeting and continues to meet the conditions of its AOC.
5. The 5260 file can contain the following documents:
 - (a) form 26-0380, *Statement of Intent*, with applicable business documents or a declaration (for an air operator not going the incorporation route) attached, and if it is for a proposed aerial work operations type of service, a statement of insurability;

- (b) a copy of the covering letter that accompanies the Certification package provided to an applicant;
- (c) form 26-0045, *Airport/ Aerodrome*, completed, corrected and attached, together with a letter/statement of no objection from the airport/aerodrome and/or facility (e.g., dock) operator/owner;

NOTE: Sub-base requirements vary according to Company scope, complexity, location and type of operation and therefore, may differ from requirements as a main-base.

- (d) form 26-0046, *Aircraft*, completed, corrected and attached with copies of the Safety Feature Card (as applicable) and the attached aircraft inspection report, for each aircraft they propose to operate;

NOTE: If deficiencies are noted during any aircraft inspection, a copy of the letter to the air operator advising of such deficiencies is required, as well as a copy of the air operator's response and TC's disposition (letter accepting response and/or further inspection report).

- (e) form 26-0047; *Personnel*, completed and corrected and accompanied by required resumes/nominations/proof of training/any request(s) regarding allocation of positions and/or requests for exemptions, for example, Chief Pilot;
- (f) copies of letters accepting nominations, advice as to meeting requirements, approval of allocations of positions and/or granting of an exemption or authorization;
- (g) form 26-0048; *Maintenance Facilities*
- (h) form 24-0070 *Approved Maintenance Organization* completed and corrected together with approval letters for AMOs, MCMs etc., and executed copies of (a) hangar lease, and (b) maintenance contract, a summary giving names, dates, duration and specifics in areas of responsibility, would be satisfactory. Upon completion of a base inspection, a copy of the base inspection report is to be attached;
- (i) where applicable, forms 26-0440, 26-0448, 26-0592 and/or
- (j) form 26-0049: *Summary and Recommendations* and, if necessary, a covering memorandum;
- (k) any temporary authorization given; and
- (l) copies of any correspondence, memos, reports, (the content of which may result in suspension or cancellation action taken against an AOC); copies of these documents are also to be placed on the 5258 file.

- 6. The 5260 file should contain the latest authority issued to the air operator along with the historical copies of the superseded documents.

4.20 DISCRETION - COLLECTION OF REGULATORY CHARGES

The Schedule of Charges is part of section 104.01 of the *CARs* and must be interpreted in the same way as any other part of these regulations. Consequently, charges must be payable in accordance with the description in the Schedule and a different charge cannot be payable on the basis of exceptional circumstances. The only possible alternative to not collecting the charges set out in the Schedule would be to take no steps at all to collect the regulatory charge. In certain circumstances, this may be an appropriate step, in a manner analogous to the exercise of prosecutorial discretion but, of course, it is one that should be taken sparingly and primarily in a situation where the cause of the suspension of an AOC is due to an administrative error.

4.21 PROCEDURES IN APPROVING A SCHEDULED SERVICE FOR THE TRANSPORT OF PASSENGERS IN UNCERTIFIED AERODROMES

The procedures in approving scheduled service for the transport of passengers in uncertified aerodromes to be followed by Aerodrome Safety and Commercial and Business Aviation Inspectors when handling requests from air operators who wish to provide and a scheduled service to an uncertified aerodrome, are listed in Chapter 15 of this Manual.

4.22 UNNECESSARY EXPENDITURE OF RESOURCES - FINANCIAL AND CANADIAN REQUIREMENTS

Subject

This policy is designed to ensure that Transport Canada (TC) does not expend its resources unnecessarily.

Policy Statements

The *Canadian Transportation Agency* will determine whether those applicants needing to meet financial requirements fulfil the financial requirements and are Canadian, as prescribed by the *Canada Transportation Act* and the *Air Transportation Regulations* made there under. In the interests of making the best use of public resources and in support of the above policy initiative, the Agency will make this determination as soon as possible after it receives a licence application and before TC processes an AOC or amendment.

1. Canadian new entrants and existing air operators applying for a licence to operate an air service using medium aircraft (more than 39 but not more than 89 passengers), and applicants for the reinstatement of a licence to operate such aircraft where the licence has been suspended for 60 days or longer, must

normally meet the financial requirements contained in the Regulations and the Canadian ownership requirements set out in the *Act*. The financial requirements do not normally apply to those applying for the issuance or reinstatement of a licence to operate an air service (i) using medium aircraft if they already operate an air service using medium or large aircraft, or (ii) using large aircraft if they already operate an air service using large aircraft. All cargo operators are exempt from the financial requirements, but must be Canadian;

2. In addition, TC must receive the required payment before the air operator certification process may start.

Procedures

1. The Agency is the administrative body that ensures that such applicants meet the financial requirements and are Canadian, and it should be consulted if there is any doubt about the applicability of the requirements. An Agency financial officer can be contacted at (819) 953-8959 to discuss these matters;
2. All such applicants should be advised that TC will not process an AOC or amendment until the applicable charge has been received and proof has been provided that the Agency has found compliance with the applicable requirements. All such applicants for a new AOC or an amendment to an existing document that have not yet complied with the requirements and have questions about the Agency's licence application form should be referred to Agency licensing officers at the telephone numbers contained in Annex A of page 47. Those with questions about the requirements to be met should be referred to an Agency financial officer at (819) 953-8959.
3. The Certification Standards Division (AARXC) in Ottawa will be advised of the referral by the region and, along with the region, will receive a copy of the Agency's determination.

Action

In the above cases, when the Agency has made a favourable compliance finding and the charge or cost-recovery charge has been paid, the region will begin the process of certifying the air operator. In the event of an unfavourable finding, the cost-recovering charge will not be refunded. The reimbursement of the air operator fee is subject to existing policy.

ANNEX A
ANNEXE A

AGENCY LICENSING OFFICERS BUREAUX DES OFFICIERS DE LICENCES DE L'AGENCE			
Quebec and Maritimes	(819) 953-9788	Québec et les Maritimes	(819) 953-9788
Ontario	(819) 953-8950	Ontario	(819) 953-8950
Manitoba, Saskatchewan Northwest Territories and Yukon	(819) 953-8954	Manitoba, Saskatchewan Territoires du Nord ouest et du Yukon	(819) 953-8954
Alberta and British Columbia	(819) 997-6108	Alberta et la Colombie-Britannique	(819) 997-6108

4.23 PUBLIC INTEREST DETERMINATION

General

1. Where an exemption to any provision of the *Aeronautics Act* or to the *Canadian Aviation Regulations* (CARs) made pursuant to that *Act* is requested under subsection 5.9(2) of the *Act*, whether from the Minister himself or from an official acting under delegated authority of the Minister, whether the applicant is a Canadian or foreign air operator, there are two requirements that must be met. First and foremost, the granting of an exemption must not compromise aviation safety. Second, once this requirement is satisfied, the applicant must demonstrate that the granting of the exemption is in the public interest.
2. Since it is normally in the public interest for applicable provisions of the *Act* and of the CARs to be adhered to, the onus is on the applicant to demonstrate the public interest and not on the Minister or his delegated official to find a reason to reject the application. The fact the request is not in conformity with the law or the regulation is sufficient reason in and of itself for rejecting an exemption request.
3. The burden of proof on the applicant can vary with the nature and duration of the exemption requested. It is also a function of the economic advantage that may be gained by a party not required to adhere to the law or to regulations relative to a party that does. It is therefore not possible to provide specific guidelines of what is needed to meet the public interest test. However, an exemption should not be merely for the commercial convenience or advantage of the applicant. This creates the risk of rewarding non-compliance. By allowing the cost of compliance to be avoided, the integrity of the regulatory regime and of aviation safety may thereby potentially be undermined since it could have the effect of penalizing compliant operators by making them economically uncompetitive.
4. Delegated officials must bear in mind that they are acting in the place of the Minister who, ultimately, remains responsible for their decisions. They should thus weight the same considerations as would the Minister if he were himself deciding on the matter. Where the economic advantage of an exemption may be significant, where foreign operators are involved or where there are any other significant policy considerations, the Deputy Minister has stated that delegated officials are to consult with the Air Policy and Programs Directorate (ACE) with respect to the public interest aspects of an exemption request.

Procedures

1. The documentation received from the applicant is to be submitted to ACE through Headquarters' Certification Standards Division (AARXC).
2. In order to justify a positive public interest finding, the Canadian air operator or the foreign air operator, or someone having the foreign operator's legal authorization to do so on its behalf, must provide the following information when requesting exemptions:
 - (a) what are the benefits to the public of granting the requested exemption?
 - (i) economic;
 - (ii) policy;
 - (iii) other;
 - (b) what other public interest considerations are relevant?
 - (c) who else would benefit from the granting of the exemption?
 - (d) how would any negative aspects associated with the exemption be mitigated?
 - (e) what is the policy of the state of registry of the foreign operator with respect to similar requests within its territory?
3. In addition to the foregoing points, any other considerations the air operator might consider relevant to a favourable public interest determination should be addressed.

4.24 LIST OF AIR OPERATORS - CHARGES

From time to time, you may receive a request for a list of Air Operators. In this office, we charge \$55.00 for any list. We ask whether it is needed in electronic format or paper. We encourage the electronic version. After a list is downloaded from NACIS, it requires some formatting before printing. The whole document needs to have the font set to Courier 10. The price includes GST and mailing whether by Canada Post or courier. You will find that this discourages the casual request. Industry does not have a problem with paying this fee. If you have any questions, please call R. McKnight, (613) 990-1098.

4.25 MINISTERIAL DELEGATION OF AUTHORITY - CIVIL AVIATION SAFETY INSPECTOR - COMMERCIAL AND BUSINESS AVIATION

Policy Statement

1. Pursuant to subsection 4.3(1) of the *Aeronautics Act*, the Minister authorizes the person employed in the positions set out in the Schedules of the Commercial and Business Aviation “H-Group” to exercise the powers, duties or functions described in the schedules as amended from time to time. The authorization may be limited by superiors in respect of subordinates who lack the knowledge, experience or training needed to exercise the powers listed in the schedule or who are not required to exercise responsibilities related to such powers.
2. Nothing in this document relieves any person who is authorized to exercise any power, duty or function under this document of the responsibility to take appropriate action to preserve flight safety and to protect persons or property on the ground or water from the risk of injury arising from air operations.
3. The person to whom an office or duty is delegated cannot lawfully devolve the duty on another, unless he or she is expressly authorized to do so. Furthermore, any limitations placed on the exercise of the delegated powers by an official’s superior restricts the scope of the delegation set out in the document.
4. When exercising any of the duties, powers and functions, if any documentation is involved, the delegated official must sign the document “for the Minister of Transport” or “on behalf of the Minister of Transport”. In addition, where space permits, such as when granting a written authorization, the official should sign over his or her title and “for the Minister of Transport”.

Procedure

The person delegated to exercise these powers shall:

- (a) read and understand the above policy statement;
- (b) be trained on the delegated powers and limited only to the particular items of the schedule authorized by his or her superior;
- (c) be conversant with the *Aeronautics Act*, the *Canadian Aviation Regulations* and the *Commercial Air Service Standards*;
- (d) be issued with a letter of authorization indicating the items, of the schedule listed on his official credential card, that he or she is authorized to exercise.

4.26 ARCHIVING AND/OR REACTIVATING AIR OPERATOR FILES – INITIAL CERTIFICATION PROCESS

1. During the initial certification process an applicant has not replied to a letter from the Minister within 9 months. A further letter is to be sent to the applicant and no answer is received within 3 months. The files are then to be archived. If the applicant desires to reactivate his application, the files are then retrieved from archives and the certification process is continued.
2. Whether the applicant requires a GMEL or not, delete the draft AOC from NACIS when archiving the files.

Appendix 1
SERVICE LEVELS
Air Operations

SERVICE CATEGORY DEFINITION

Air Operations: Certification of commercial and private air operators, inspections of commercial air operators, air transport of dangerous goods and cabin safety.

SERVICE LEVELS
TRANSPORT CANADA / CIVIL AVIATION

SERVICE CATEGORY: Air Operations

REVISION NO: Original

DATE: December 12, 2002

<i>SERVICE</i>	<i>MINIMUM SERVICE LEVEL</i>	<i>MAXIMUM SERVICE LEVEL</i>
<i>Approval of management personnel</i>	<i>10 days</i>	<i>30 days</i>
<i>Declaration of intent</i>	<i>10 days</i>	<i>15 days</i>
<i>Certification of new air operator (airlines)</i>	<i>150 days</i>	<i>210 days</i>
<i>Certification of new air operator (commuter)</i>	<i>120 days</i>	<i>180 days</i>
<i>Certification of new air operator (taxi)</i>	<i>90 days</i>	<i>120 days</i>
<i>Certification of new air operator (aerial work)</i>	<i>60 days</i>	<i>120 days</i>
<i>Certification of new air operator (private)</i>	<i>60 days</i>	<i>120 days</i>
<i>Air Operator Certificate (AOC) modification – airline operator</i>	<i>30 days</i>	<i>90 days</i>
<i>AOC modification – commuter</i>	<i>30 days</i>	<i>60 days</i>
<i>AOC modification – air taxi IFR</i>	<i>30 days</i>	<i>60 days</i>
<i>AOC modification – air taxi VFR</i>	<i>20 days</i>	<i>40 days</i>
<i>AOC modification – aerial work</i>	<i>20 days</i>	<i>40 days</i>
<i>Private Operator Certificate (POC) modification – private</i>	<i>30 days</i>	<i>90 days</i>
<i>Special authorization</i>	<i>5 days</i>	<i>60 days</i>
<i>Generated Minimum Equipment List (GMEL) review/approval</i>	<i>60 days</i>	<i>120 days</i>
<i>Minimum Equipment List (MEL) review/approval</i>	<i>150 days</i>	<i>210 days</i>
<i>Modification – GMEL</i>	<i>20 days</i>	<i>40 days</i>
<i>Modification – MEL</i>	<i>50 days</i>	<i>70 days</i>
<i>Declaration of intent (meeting)</i>	<i>10 days</i>	<i>20 days</i>
<i>Pilot Proficiency Check (PPC)</i>	<i>20 days</i>	<i>40 days</i>
<i>PPC Extension</i>	<i>2 days</i>	<i>7 days</i>

<i>SERVICE</i>	<i>MINIMUM SERVICE LEVEL</i>	<i>MAXIMUM SERVICE LEVEL</i>
<i>Check pilot – initial briefing</i>	<i>20 days</i>	<i>40 days</i>
<i>Check pilot (simulator and aircraft)</i>	<i>20 days</i>	<i>40 days</i>
<i>Simulator evaluation</i>	<i>90 days</i>	<i>120 days</i>
<i>Dispatcher approval</i>	<i>20 days</i>	<i>40 days</i>
<i>Verification of dispatcher competency</i>	<i>20 days</i>	<i>40 days</i>
<i>Company manual modification (simple)</i>	<i>20 days</i>	<i>40 days</i>
<i>Company manual modification (complex)</i>	<i>30 days</i>	<i>90 days</i>
<i>Regulatory interpretation – Canadian Aviation Regulations (CARs)</i>	<i>10 days</i>	<i>120 days</i>
<i>Regulatory interpretation – Transportation of Dangerous Goods Regulations</i>	<i>5 days</i>	<i>120 days</i>
<i>Initial review of chapter on Dangerous Good Operations Manual</i>	<i>30 days</i>	<i>60 days</i>
<i>Approval of training program on dangerous goods</i>	<i>30 days</i>	<i>60 days</i>
<i>Approval of Flight Attendant Manual</i>	<i>21 days</i>	<i>45 days</i>
<i>Approval of flight attendant initial training program</i>	<i>21 days</i>	<i>45 days</i>
<i>Approval of flight attendant training program (other than initial)</i>	<i>15 days</i>	<i>30 days</i>
<i>Approval of modification or revision of operator publications (minor)</i>	<i>7 days</i>	<i>14 days</i>
<i>Acceptance of safety features cards</i>	<i>7 days</i>	<i>14 days</i>
<i>Approval of emergency evacuation trainer / cabin safety</i>	<i>7 days</i>	<i>14 days</i>

<i>Headquarters Operational Standards SERVICE</i>	<i>SERVICE LEVEL</i>
<i>Preparing Letters of Authority</i>	<i>14 days</i>
<i>Preparing exemptions to Regulations</i>	<i>60 days</i>
<i>Acquiring legal interpretations</i>	<i>6 months to 1 year</i>
<i>Providing interpretations to Regulations and Standards</i>	<i>10 days</i>
<i>Preparation of Commercial and Business Aviation Advisory Circulars (CBAAC)</i>	<i>60 days</i>
<i>Preparation of Policy Letters</i>	<i>30 days</i>
<i>Preparation of Flight Manual amendments</i>	<i>60 days</i>
<i>Preparation of flight and duty time amendments</i>	<i>28 days</i>

NOTE: Some of the services provided by the Operational Standards Division may also be provided by the Regions.

CHAPTER

5

*Amendment to Air
Operator Certificates and/or
Operations Specifications*

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Amendment to Air Operator Certificates and/or Operations Specifications

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Chapter 5

5.1 GENERAL

1. Operations specifications may cover any area of operation provided it is logical, justified and the paramount importance is that it does not compromise air safety. They are issued pursuant to specific subpart 702, 703, 704 or 705 of the *CARs*, and they authorize deviations, provide a prohibition or an authorization for a particular operation.
2. Under the NACIS programme, for an amendment to an active NACIS AOC, the certificate shall be superseded and the amendments shall be incorporated as required, then the *pending* certificate should be approved, saved, printed and then issued to the air operator.

5.2 CHANGE OF NAME OR OF OWNERSHIP

1.
 - (a) An air operator certificate must contain the legal name, i.e. corporate, name of the entity holding the certificate. The certificate may also include names by which the entity is known to the public such as trade names. Consequently, if the corporate name changes, the certificate should be amended.
 - (b) The issue is to determine whether the new name also reflects a new entity in which case a new air operator certificate must be applied for. In Canada, all corporate legislation does not prohibit a corporation from changing its name, although the legislation may impose certain requirements for doing so with the result that a change of name does not necessarily reflect a change in status.
2. The following procedures apply when only the name of a certified air operator is changed and determine if it is truly a name change or a new entity.
 - (a) the air operator should advise the regional office by letter as to the name change. The notification must be signed by a senior official of the air operator and must be accompanied by a document confirming jurisdictional approval/acceptance of name change;
 - (b) the AOC will be re-issued under the legally constituted name justified by the business document;

- (c) the Agency should be advised of the name change by their being sent a copy of the reissued AOC, this does not apply to "*Aerial Work Operations*" AOC; and
 - (d) name changes are often an indication of expansion or other change of the air operator's activity. The regional office should verify that no other changes are involved in operations, aircraft, personnel, etc.
3. In Canada there are four possible scenarios that result in the transfer of a corporate business:
- (a) an amalgamation in accordance with a Business Corporations Act – a new entity is created and a new certificate must be issued;
 - (b) a new corporation purchases either the all the shares or assets of two or more other corporations – a new entity is created and a new certificate must be issued;
 - (c) all the shares in a corporation holding a certificate are purchased by another individual or corporation – the corporation continues under new ownership but no new entity has been created;
 - (d) all the assets of a corporation holding a certificate are purchased by another corporation – new entity has been created and a new certificate must be issued.
4. A request by the air operator for a change of address shall be submitted to the Minister in writing.

5.3 APPLICATION FORMS — CHECK LIST

1. In order to provide guidance on the issue and amendment of air operator certificates and operations specifications a check list is provided as a guide for selecting the certification requirements for a particular air operator:
- (a) Domestic and International Air Services; and
 - (b) Aerial Work Services Operations.
2. This check list covers the most common certification action.
3. You may now obtain a Certification Check List from NACIS, built to the specific certification requirements.

DOMESTIC & INTERNATIONAL AIR SERVICE – OPERATIONS SPECIFICATIONS

<i>APPLICATION FORMS "CHECK LIST</i>		<i>* = OPTIONAL</i>		<i>SUP. - DOC. = SUPPORT DOCUMENTS</i>							
		<i>** = AS APPLICABLE</i>		<i>BUSI. - DOC. = BUSINESS DOCUMENTS</i>							
		<i>0 = 24-0070</i>									
<i>SUBJECT</i>	<i>26-0045</i>	<i>26-0046</i>	<i>26-0047</i>	<i>26-0048</i>	<i>26-0049</i>	<i>26-0344</i>	<i>26-0380</i>	<i>26-0440</i>	<i>26-0448</i>	<i>BUSI. DOC.</i>	<i>SUP. DOC.</i>
<i>INITIAL ISSUE</i>	x	x	x	x & 0	x		x		x	x	
<i>NAME CHANGE</i>					x					x	
<i>CHANGE OF OWNERSHIP</i>					x					x	
<i>ADD NEW TYPE - SINGLE ENGINE OR MULTI-ENGINE</i>		x	x	x	x				**		
<i>ADD ANOTHER - SAME TYPE</i>		x			*				**		
<i>ADD BASE/SUB-BASE</i>	x			x	x				**		
<i>CHANGE BASE/SUB-BASE</i>	x			x	x						
<i>CHANGE OF MAINTENANCE AT FOREIGN-BASE</i>				x							
<i>DELETE BASE/SUB-BASE</i>					x						
<i>ADD SPECIAL CONDITIONS</i>					x				**		**
<i>DELETE SPECIAL CONDITIONS</i>					x						
<i>CHANGE OPS. CONDITIONS</i>					x				**		**
<i>ADD RESTRICTIONS</i>					x						**
<i>DELETE RESTRICTIONS</i>					x						
<i>NEW OPERATIONS SPECIFICATIONS</i>					x				**		
<i>DELETE OPERATIONS SPECIFICATIONS</i>					x						
<i>AMENDMENT TO OPS. SPECS.</i>					x				**		
<i>ADD APPROVED POINT</i>	x				x						
<i>DELETE APPROVED POINT</i>					x						

AERIAL WORK OPERATIONS

<i>APPLICATION FORMS "CHECK LIST</i>											
	* = <i>OPTIONAL</i>			<i>SUP. - DOC. = SUPPORT DOCUMENTS</i>							
	** = <i>AS APPLICABLE</i>			<i>BUSI. - DOC. = BUSINESS DOCUMENTS</i>							
	0 = 24-0070										
<i>SUBJECT</i>	<i>26-0045</i>	<i>26-0046</i>	<i>26-0047</i>	<i>26-0048</i>	<i>26-0049</i>	<i>26-0344</i>	<i>26-0380</i>	<i>26-0440</i>	<i>26-0448</i>	<i>BUSI. DOC.</i>	<i>SUP. DOC.</i>
<i>INITIAL ISSUE</i>	*	*	*	* & 0	x		x	x & 0		x	
<i>NAME CHANGE</i>					x					x	
<i>CHANGE OF OWNERSHIP</i>					x					x	
<i>ADD NEW TYPE - SINGLE ENGINE OR MULTI-ENGINE</i>		x	x	x	x						
<i>ADD ANOTHER - SAME TYPE</i>		x									
<i>ADD BASE/SUB-BASE</i>					*						
<i>CHANGE BASE/SUB-BASE</i>				*	x						
<i>DELETE BASE/SUB-BASE</i>				*	x						
<i>ADD SPECIAL CONDITIONS</i>					x						**
<i>DELETE SPECIAL CONDITIONS</i>					x						
<i>ADD OPERATIONS SPECIFICATIONS</i>					x						**
<i>DELETE OPERATIONS SPECIFICATIONS</i>					x						
<i>ADD RESTRICTIONS.</i>					x						
<i>DELETE RESTRICTIONS</i>					x						

5.4 AIR OPERATOR MERGER OR TAKE-OVER PROCEDURES

1. Definitions

(a) Controlling Certificate Holder

- refers to the air operator who will emerge as the surviving air operator following the merger. TC will issue the new AOC to this air operator;

(b) Principal Inspector

- refers to the Air Carrier Inspector who is responsible for the operations surveillance of an air operator;

(c) Principal Airworthiness Inspector

- refers to the Airworthiness Inspector who is responsible for the airworthiness surveillance of an air operator; and

(d) Principal Cabin Safety Inspectors

- refers to the Cabin Safety Inspector who is responsible for the cabin safety aspect of an air operator;

(e) Office of Primary Interest

- refers to the regional office holding the AOC.

2. Mergers or take-overs affect the capability and character of the merging of take-over of air operators. These procedures provide TC and air operator personnel with guidance in the merger or take-over of air operators. TC must be sure of the company's continuing compliance with regulatory requirements and safe operating practices during the transition period. Each company must continue to operate under its current TC approvals until a new AOC is issued in the name of the "Controlling Certificate Holder." Mergers or take-overs vary considerably, ranging from a simple change of name to a complex situation involving several air operators. TC must consider each application on an individual basis.

3. Mergers or Take-overs and Explanations

Mergers or take-overs are one of the following types:

1. Take-over-integrated:

- (a) a corporate entity with outside interests, buys the assets of an air operator, including taking the employees onto the "new company's payroll"; and

- (b) as an AOC is not transferable from one legal entity to another, this requires the corporate entity with outside interests to apply for a new AOC;

2. Take-over-non-integrated:

- (a) one air operator assumes management or operational control, or both, of another air operator;
- (b) these air operators may operate at arm's length under their original AOCs, but may also incorporate management agreements for personnel, operations and maintenance. They may decide to use one operations manual and one maintenance manual. There may not be a change in their individual AOCs. However, TC may issue an operations specification specifying the conditions of approval based on the management agreements;

3. Take-over-corporate

- (a) the formation of a holding company to control and operate two or more air operators;
- (b) this is short of a complete consolidation of operations with each company operating under its original name. Usually, TC issues a single AOC to the holding company. This allows it to "carry on business as or under the firm name and style of, etc.". Operations and maintenance are generally under central control and it is not uncommon for each to have a separate operations manager, chief pilot and maintenance manager;

4. Merger

- (a) a consolidation of all personnel, equipment and facilities of two or more air operators into one company.
- (b) this is a total consolidation of operations, maintenance, aircraft, personnel and routes under one AOC and one company name.

4. Merger or Take-Over Announcement

When a company announces its intent to merge or TC learns that a merger or take-over is likely to occur, TC must become involved to understand exactly what changes in operations, maintenance, training and facilities may take place. The following outlines the procedures to be followed to be sure that the merger or take-over will take place with a minimum of delay and difficulty.

5. Regional Interface

More often than not, mergers or take-overs will involve more than one region and may, in fact, involve all regions and headquarters. Cooperation and coordination at all levels are essential. Where a merger or take-over involves certificates that are held in two or more regions including AOCs, Approved Training Organization (ATO), Airworthiness Engineering Organization (AEO), or Aircraft Maintenance Organization (AMO), a Functional Director, normally the Director, Commercial and Business Aviation, is appointed to oversee the merger or take-over. The assigned Functional Director is responsible to ensure that all regulatory requirements are met prior to authorizing the amendment, issue, or cancellation of any certificate resulting from the merger or take-over process. The Functional Director may form an Integration Team of TC Inspectors representing different disciplines, and drawn from different regions, to participate in the review process. In the case of a large merger or takeover, it may be desirable to have an Operations Team and a Maintenance Team. There will be a Team Leader for each team, to whom members will report. The integration plan shows how TC proposes to conduct oversight of the merged companies. It should contain details of any changes to TC's oversight, and how those changes will be made within the various regions. It should also contain timelines for completion of the changes, and should reflect those associated with the merger/takeover process. This will be developed by the Functional Director in consultation with concerned policy makers and affected Regional Personnel. It will be disseminated to Regional Directors and Managers.

6. Initial Meeting

An early and timely date for a meeting between the air operator's key personnel and the necessary TC personnel should be arranged. The company should, at this meeting, indicate the intent and extent of the merger or take-over and must provide a transition plan showing how they plan to proceed. The air operator should specify what the end result will be (see 3 above). The air operator should be cautioned to avoid making immediate changes before completion of the merger or take-over, which could invalidate the conditions under which their original AOCs were issued, unless TC authorizes such changes. The company and TC should each appoint one representative who will be the chief merger or take-over coordinator for each.

7. Target Date

Once the company has presented its merger or take-over plan to TC, the TC representatives (i.e., Certification Inspector, Principal Inspector, Principal AM&M Inspector, Cabin Safety Inspector, Dangerous Goods Inspector) will then detail the certification requirements and the timeframe within which they are to be met. All

parties must agree to a realistic target date for the AOC issuance after completion of the merger or take-over. An unrealistic deadline brings needless pressure on both parties to meet requirements and could compromise safety.

8. Management Personnel

Key personnel must be in place and should attend the initial meeting so that TC can brief these personnel on exactly what is required. This is particularly important if there will be new management staff requiring approval by TC. An organization chart showing duties and responsibilities should be presented at this meeting.

9. Manuals

An important aspect of a merger or take-over is the approval of the manuals required for an AOC. The company may decide either to use one of the present manuals, to use part of each company's manual or to produce a new manual entirely. This applies to maintenance, operations, flight attendants, training, weight and balance, dangerous goods and MELs, etc. Since the new manuals have to reflect how the new company operates, they will require considerable review before TC can approve them.

10. Maintenance

- (a) TC will check the merger or take-over application for changes to the maintenance structure and capabilities. The company's plan should provide details of how and when they will merge operations specifications, maintenance, inspection and training programs, manuals, record keeping systems and key maintenance personnel. The air operator should include in its merger or take-over plan the following or similar maintenance related information:
- (i) the appointment of a company representative who will provide merger information to TC;
 - (ii) the company shall provide the maintenance and inspection programs they intend to use. It shall also provide temporary measures associated with the merger of these programs, also a supplementary inspection structure document;
 - (iii) the company shall provide temporary training procedures to ensure that maintenance personnel remain qualified. These procedures shall
 - (iv) include the amendments to the training programs, the updating of the training files and the training schedules in accordance with the integrated program;
 - (v) the temporary training procedures concerning the maintenance files and the proposed amendments to the integrated program systems of updating the files;
 - (vi) procedures for integration of Maintenance Control Manuals (MCM), aircraft maintenance manuals, minimum equipment lists (MELs) and any other maintenance related manuals;
 - (vii) changes of responsibility for reliability programs, contract maintenance and continuing analysis and surveillance programme;
 - (viii) changes to maintenance facilities and equipment (that is, establishment of alternate bases of operation);
 - (ix) procedures for the combining of parts and material inventories and component certification; and
 - (x) changes regarding the phasing of aircraft into the controlling certificate holder's maintenance programme.
- (b) This list is not all inclusive. The principal M&M inspector will advise the air operator of any other information to be included in their plan.

11. Aircraft

- (a) Companies operating the same type of aircraft would appear to present fewer merger or take-over problems. However, there are many models of a single type of aircraft. Cockpit differences can be extensive. TC needs to assess internal and external configurations, for example, combis, gravel kits, etc. Flight Manual consolidation is also an important consideration for these aircraft.
- (b) Reregistration of the aircraft should coincide with the issuance of the AOC. TC needs to confirm there will be no problems with proof of ownership, lease purchases, and subleases, so when the time for re-registration arrives, there will be minimum delay.
- (c) The companies may plan to request lease type interchange of aircraft during the interim phase of a merger or take-over. TC must be sure that cockpit differences and type training is complete. When requested, TC must approve Flight Attendant differences and type training, as well as emergency equipment storage. TC must also approve the maintenance procedures in use during this phase.

12. Base of Operation

The company must establish a main base for operations and maintenance plus any sub-bases necessary. As bases are often associated with Minimum Equipment Lists, problems could arise with operations if bases are omitted from the AOC.

13. Pilot Qualifications

- (a) TC will have to look closely at pilot qualifications, if an interchange of aircraft and pilots will take place. As stated in "*Aircraft*", there are considerable differences in equipment, operational procedures and training procedures. For example, are all crews capable of oceanic, mountainous, arctic or MNPS airspace operations? If not, when will they become so qualified and what are the scheduling controls in the interim?
- (b) The company must standardize variations in training and operational procedures and must have an approved crew training programme in place before the merger or take-over is complete. TC must approve such training before the training begins and the company's transition plan must provide a schedule for this training. Simulators in use for training may require TC re-approval as well.

14. **Flight Attendants**

The company must submit a revised or new training program for approval by TC. In addition, the new company must be sure that all procedures are standardized and that flight attendants have received the required training. This training may involve general differences training, operational procedures, emergency procedures, equipment locations and/or new aircraft type training.

15. **Dispatch**

- (a) Dispatch procedures are an important part of an Approved Flight Watch system. This is true for air operators using large aircraft in scheduled and non-scheduled operations. It is also true where operations involve arctic, oceanic or any unusual type of operation. It is TC's responsibility to be sure that the air operator uses flight dispatchers qualified for the particular types of operations as mentioned in section 705.110 of the CARs and, after June 1, 1998, the dispatchers must hold a flight dispatcher certificate.
- (b) The company must train all aircrew in the correct use of the dispatch system. A newly approved Dispatch Manual may include new weight and balance procedures.

16. **Minimum Equipment Lists (MELs)**

Where these lists are mandatory, the company must submit the final version for each aircraft to TC as soon as possible. TC must approve the documents before they may be used.

17. **Contract Services**

Contracting of services is becoming an ever-increasing way of doing business, particularly for the airworthiness side of the organization. Where such contracts exist, the company must submit the versions that will be in place after the merger or take-over. TC will approve them as part of the overall maintenance programme where the company does its training under contract. These contracts must be part of an approved training programme.

18. **AOCs and Operations Specifications**

- (a) Normally, TC produces these aviation documents when the company meets all requirements. The certification section must examine all facets of the merger or take-over and must confirm that all conditions are met before issuing the documents. The air operator must provide copies of business documents showing the approved/accepted names together with any trade names. The AOC certificate will reflect the company's name as per such documents.

- (b) Authorities granted to one of the merging or take-over companies will not automatically be granted to the new company. The TC must review each request in detail to be sure that they are appropriate for the new company. It may be necessary to impose more stringent limits on some parts of the operation through the operations specifications, until TC considers unrestricted operations can be conducted safely. When TC has issued the new AOC, the old certificates will become redundant.

19. **Management Agreements**

Management Agreements will be time limited, between existing AOC holders for the purpose of a merger or a take-over.

20. **Canadian Transportation Agency Licences**

The Agency will take licence action after the AOC is issued.

5.5 MERGER OR TAKE-OVER REMINDER CHECK LIST

1. The following list illustrates the types of items that could be included in a merger or take-over plan. It is neither an all-inclusive nor mandatory list, due to the variable nature of each merger or take-over situation. It is designed to remind inspectors and operators of the need to schedule work activities and submissions in a logical and timely manner.
2. **Manuals**
 - (a) General Operations Manual;
 - (b) Approved Airplane Flight Manual;
 - (c) Company Aircraft Operations Manual;
 - (d) Aircraft Checklists
 - (i) Normal,
 - (ii) Abnormal, and
 - (iii) Emergency;
 - (e) Cabin Attendant Manual;
 - (f) Dispatcher/Flight Following Manual;
 - (g) Station Operations Manual;
 - (h) Company Emergency Manual;
 - (i) Airport Data/Enroute Manual (Charts & Plates)

- (j) Minimum Equipment List;
- (k) Configuration Deviation List;
- (l) Maintenance Control Manual;
- (m) Maintenance Technical Manuals
 - (i) Airframe/Powerplant,
 - (ii) Structural Repair,
 - (iii) Reliability Programs,
 - (iv) Parts Catalogue,
 - (v) Maintenance/Inspection Programme,
 - (vi) Manufacturer's/Vendor's Manual,
 - (vii) Wiring Manual, and
 - (viii) Overhaul Manual;
- (n) Fuelling/Refuelling/Defuelling Manual;
- (o) Weight and Balance Programme;
- (p) Transportation of Dangerous Goods Manual; and

3. Training Programmes

- (a) Flight Crew
 - (i) Basic Indoctrination,
 - (ii) Initial Aircraft, (Ground/Simulator (LOFT)),
 - (iii) Emergency,
 - (iv) Recurrent,
 - (v) Differences,
 - (vi) Transition,
 - (vii) Upgrade,
 - (viii) Instructor, and
 - (ix) Company Check Pilot;

- (b) Flight Attendant
 - (i) Initial Training,
 - (ii) Annual Training,
 - (iii) Type Training,
 - (iv) Line Indoctrination;
 - (v) In-Charge Training; and
 - (vi) Emergency Training,
 - (c) Dispatcher
 - (i) Basic Indoctrination,
 - (ii) General Subjects,
 - (iii) Initial Aircraft, and
 - (iv) Weight and Balance;
 - (d) Security Training;
 - (e) Dangerous Goods Training; and
 - (f) Maintenance Training
 - (i) Mechanic/Repairman,
 - (ii) Inspection Personnel,
 - (iii) Ground Handling/Serviceing,
 - (iv) Station Personnel, and
 - (v) MEL Dispatch Procedures.
4. **Contracts/Leases/Agreements**
- (a) Training Contracts;
 - (b) Maintenance Contracts/Agreements;
 - (c) Aircraft Leases;
 - (d) Weather/Communication Contracts;
 - (e) Airports Analysis Contracts; and
 - (f) Exclusive-Use Contracts.
5. **Other Documents/Programmes**
- (a) Environmental Assessment — Noise;
 - (b) Existing Deviations/Exceptions and Deviation Requests;
 - (c) Emergency Evacuation Demonstration Plan;

- (d) Proving Test Plan — INS/OMEGA;
- (e) Operations Specifications;
- (f) Safety Features Cards;
- (g) Record Keeping Systems;
- (h) Use and Disposition of Aircraft Log Papers;
- (i) Training Facilities;
- (j) Carry-On Baggage Control Program;
- (k) Cabin Emergency Evacuation Trainer;
- (l) Passenger and Cabin Safety Procedures;
- (m) Minimum Crew; and
- (n) Flight Attendant Stations.

5.6 CHANGE OF AIR OPERATOR'S MAIN OPERATIONS BASE AND/OR MAINTENANCE BASE

1. Although a change of main base of operations and/or maintenance base is a matter that involves amending the AOC, the change may involve a transfer of regional office responsibility. When this occurs, the regional office which has been responsible for the air operator will inform Headquarters.
2. The regional offices involved in the intended transfer will cooperate and coordinate closely to ensure mutual agreement on the date of transfer of certificate responsibility, as well as continuity of surveillance.

5.7 PROCEDURES CONCERNING SUPERSEDED AOCs AND OPERATIONS SPECIFICATIONS

1. In the case of AOCs and/or operations specifications which have been superseded, the Canadian air operator should be advised that the superseded documents shall be destroyed by him/her.

5.8 ROUTE REQUIREMENTS

1. When an air operator conducts flights within controlled airspace, the routing will be subject to air traffic control procedures and requirements.

2. No air operator shall, in uncontrolled airspace, conduct an IFR flight or a night VFR flight on a route other than an air route unless he establishes the route in accordance with the applicable commercial air service standards of sections 723.31, 724.26 or 725.36 of the *CASS*.

5.9 MUTILATED, LOST OR DESTROYED AOC

1. A request for reissuance of an AOC that was declared mutilated, lost or destroyed shall only be actioned if the air operator provides a written declaration that the document was lost or destroyed and returns the mutilated document for replacement. Actioning of such a request is simply a matter of reprinting the existing **active** AOC for re-issue.
2. Refer to item 2, Schedule I, General of Section 104.01 of the CARs, for the replacement charge of \$35.00 dollars for a mutilated, lost or destroyed Canadian aviation document.

5.10 AOC CHECK LIST - INITIAL OR AMENDMENT (AS APPLICABLE)

**AIR OPERATOR CERTIFICATION CHECKLIST - COMMERCIAL AVIATION
INITIAL OR AMENDMENT (AS APPLICABLE)**

COMPANY NAME: _____
DATE: _____

ACTION: _____		FILE NO. 5258- _____ 5260- _____
ADDRESS: _____ _____ _____		CONSULTANT: _____ _____ _____
COMPANY CONTACT: _____		CONSULTANT PHONE: _____ FAX: _____
COMPANY PHONE: _____		REGIONAL INSPECTOR: _____
COMPANY FAX: _____		REGIONAL M&M INSPECTOR: _____

FOR REQUIREMENT DETAILS - REFER TO APPLICABLE CARs & CERTIFICATION MANUAL

702	703	704	705	DESCRIPTION (X Indicates requirements)	REFERENCE	DATE SENT	DATE REC'D	DATE COMPL	INIT.
				Requirements Letter	Admin requirement				
				Statement of Intent Form - 26-0380					
				Financial Rqmts. aircraft w/ >39 seats	Cda Trans Act sect 61				
				OC Fee: \$ _____ Rec't. No. _____	104.01(1) Schedule IV				
				Registration/Articles of Incorporation	Admin requirement				
				Citizenship Affidavit	Form 26-0380, 700.04				
				ABCC Security Notification	Cert Man sect 3.1				
				Consultant Permission Letter	Admin requirement				
				Aerodrome Permission	72*.07(1)(a)				
				Aerodrome Form - 26-0045	72*.07(1)(a)				
				Uncert. Aerodrome Authority-Sched Operations	703.15, 704.14, 705.19 Cert Man Sect 4.21				
				Environmental Assessment	Cert Man Chap 9				
				Aerial Work Operations Form - 26-0440	722.07(1)				
				Proof of Liability Ins (Aerial Work only)	606.02				
				Aircraft Form - 26-0046 for each type	72*.07				
				Personnel Form - 26-0047	72*.07				
				Maintenance Facilities form 26-0048	72*.07				
				Date Application Forms Sent to M&M Note:	Admin requirement				
				Ops Manager Nom/Exam/Approval Letter	72*.07(2)(a)				
				New Ops Mgr CASO Course	723.07(2)(c)				
				Chief Pilot Resume/Exam/Approval Letter	72*.07(2)(b)				
				Operations Manual/for Amendment - see Ops Manual Checklist for 703, 704, 705	722.82, 723.105, 724.121, 725.135				
				Standard Operating Procedures (if applicable)	702.84, 703.107, 704.124, 705.138				
				Req'd Operations Specifications _____					
				Notify AARXB if Operations in Performance Airspace Ops Spec Req'd					
				Special Airspace Equipment 624.06, 722.08, 723.08, 724.08, 725.08					
				Flight Safety Program	725.07(3)				

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AIR OPERATOR CERTIFICATION CHECKLIST - COMMERCIAL AVIATION
INITIAL OR AMENDMENT (AS APPLICABLE)

702	703	704	705	DESCRIPTION (X indicates requirements)	REFERENCE	DATE SENT	DATE REC'D	DATE COMPL.	INIT.
				Ground Icing/Aircraft Inspection Program	622.11				
				Aircraft Safety Features Card Date passed to Cabin Safety Inspector: _____	723.39(4); Aero 724.34(4); Helo 724.35; 725.44				
				Passenger Carrying Authority - Cabin Safety Form - 26-0448	723.07(1)(i), 724.07(1)(j), 725.07(1)(j)				
				Flight Attendant Manual	705.139				
				Flight Attendant Mgr (if applicable) - Resume	725.7 2.(d) CBAAC No. 0115				
				Minimum Equipment List (MEL) 704 & 705 only	605.07, 625.07				
				CCP Nom/Monitor Rides/Approval Letter	72*.07				
				Aeroplane Crash Charts (if applicable)	723.07(1)(j), 724.07(1)(k), 725.07(1)(k)				
				New Aircraft Type in Canada Operational Evaluation Requirements	See CBA Policy Ltr #136				
				Aircraft Inspection (if applicable)	Admin requirement				
				Base Inspection (See MRA Checklist)	Admin requirement				
TRAINING PROGRAMMES									
				Flight Attendant Training Programme	Appendix A				
				Dispatcher/Flight Follower Trg Programme	Appendix A				
				Training Programmes, General	72*.*				
				Conditional Approval of Training Programme (if req'd)	704.116, 705.125, 725.115				
MISCELLANEOUS									
				Enter New Company in NACIS	Admin Requirement				
				Notify Admin of New Company	Admin Requirement				
				Company Implementation Plan (if applicable)	Admin requirement				
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	CBAAC and Policy Letter Review	Admin requirement				
				705 A/C Noise Emission	602.150				
				PPC Flight Checks Arranged if req'd					
				BF File for 5 mos. for Initial Audit	Admin requirement				
				Summary and Recommend. Frm - 26-0049	Admin & OPI requirement				
				Co-ordination with AOSH (Co-ord with OSH when ACC issued)	Admin requirement				
				Assign New Co. OPI / Enter New OPI into NACIS	1) Supt. Operations 2) Admin Requirement				

TO ? Certification: Please process A.O.C. _____
 Inspector Signature

**5.11 APPENDIX B TO AIR OPERATOR CERTIFICATION CHECKLIST –
COMMERCIAL AVIATION**

**APPENDIX B to
AIR OPERATOR CERTIFICATION CHECKLIST – COMMERCIAL AVIATION**

Company Name: _____

General Instructions

- List each type of aircraft operated by the company.
- For each type of aircraft indicate which subpart or subparts the aircraft will operate under.
- For aircraft that operate entirely or partially under subpart 702, indicate the type of aerial work operations that the aircraft is to be authorized for. Any entry of type of aerial work operation indicates that the operator will conduct operations under subpart 702.
- This information is required to ensure that the correct authorities are included on the company's Air Operator Certificate.

702														703	704	705	Aircraft Type Designator	
Aerial Advertising	Aerial Construction	Aerial Insp & Sinc	Aerial Harvesting	Aerial Mapping	Aerial Photography	Aerial Spraying	Aerial Surveying	External Load	Fire Fighting	Forest Fire Mgmt	Glider Tower	Helicopter	Human Organs					Wild Life Mgmt

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5.12 DASH 8, SERIES 100 OR 200 – SPECIAL CONDITION

The Canadian Transportation Agency (Agency) finds that the Dash 8, Series 100 or 200 aircraft with a 40 seats configuration is a “medium aircraft” within the meaning of the *Air Transportation Regulations* (ATR). However, the Agency is of the opinion that, when a Canadian Air Operator Certificate contains a Special Condition limiting the carrying capacity of a Dash 8, Series 100 or 200 aircraft to no more than 39 passengers, any application for a license filed in that regard will be dealt with as an application for a license “using small aircraft”.

Accordingly, any application for a license to operate a Dash 8, Series 100 or 200 aircraft as a “small aircraft” must include the Canadian Air Operator Certificate containing the Special Condition with the following words: “The operations of the Dash 8-100 aircraft, registration C-XXXX, is restricted to a maximum of 39 passengers”.

When such a request is submitted, please advise the air operator of the requirement to amend the AOC to include the Special Condition.

Should such Dash 8 aircraft be converted to more than 39 seats, the Agency must be advised accordingly and then the Agency will consider this aircraft as “medium aircraft”, thus requiring a License change.

CHAPTER

6

*Air Operator
Certificate Monitoring*

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Air Operator Certificate Monitoring

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Chapter 6

6.1 GENERAL

1. It is the policy of TC to conduct periodic inspections of all commercial air operators operating in Canada. This is to ensure that proper procedures and acceptable safety standards are being maintained. Inspections on Canadian air operators will be arranged by the responsible Regional Manager, Commercial and Business Aviation and the Chief, Airline Inspection for Canadian air operators.

6.2 ON-GOING INSPECTIONS OF AIR OPERATORS

1. Inspections of air operators, operating or applying to operate under subparts 702, 703, 704 or 705 of the *CAR*, will be carried out by TC inspectors based in the responsible region. Details of the areas to be inspected by Air Carrier Inspectors are outlined in the Air Carrier Inspector Manual. Where applicable, details of the areas to be inspected by Cabin Safety Inspectors are outlined in the Cabin Safety Inspection Manual.
2. The authority to enter, seize or detain an aircraft is referred to in subsection 8.7(1) of the *Aeronautics Act*.

6.3 FINANCIAL FITNESS OF AIR OPERATORS

1. Regional TC inspectors should be alert to outward signs of financial deterioration of air operators, as financial deterioration may lead to a lowering of operational standards. When this is known or suspected, the certificate holding regional office should consider increasing surveillance of the air operator in question.
2. Some examples which might indicate unfavourable trends in an air operator's financial condition are:
 - (a) demands for "*Cash on Delivery*" by suppliers who normally provided revolving credit privileges to an operator;
 - (b) significant lay-off of personnel due to loss of business;
 - (c) high employee turnover;

- (d) delays in meeting financial liabilities such as payrolls;
 - (e) sale or repossession of aircraft and equipment;
 - (f) inadequate maintenance of aircraft;
 - (g) decreasing revenue operations; and
 - (h) significant change in scope or rapid expansion of operation.
3. When several indicators show up over a short period of time, a detailed audit should be considered even if there have been no reported violations of an AOC or of *Canadian Aviation Regulations*.

6.4 INTER-REGIONAL OPERATIONS

1. Air operators normally maintain their main operations base at a certain location within a designated region. Due to contractual or other reasons, certain air operators are at times required to operate extensively at other locations. If the proposed operation is to be conducted for a period of 90 days or more in an area other than that covered by the AOC holding regional office, the other regional office will assist the certificate holding office in maintaining surveillance. Direct liaison between both regional offices will be maintained until termination of the temporary operation.
2. A regional office should, on its own initiative, monitor any operations conducted by an air operator within its area of responsibility including a scheduled point. In such cases, reports and results of inspections should be forwarded to the AOC holding regional office.
3. An air operator wishing to operate on a permanent basis from a base other than the certified main base will be required to submit a formal application for the new base and obtain the requisite air AOC amendment.

6.5 CANADIAN COMPANIES PLANNING TO OPERATE OR ARE MOVING THEIR COMMERCIAL AIR SERVICES WHOLLY OUTSIDE OF CANADA

Policy Statement

1. TC does not normally consider it to be in the public interest:
 - (a) to issue an AOC to a Canadian company who plans to operate a commercial air service wholly outside Canada; or
 - (b) where Canadian air operators move their commercial air service wholly outside Canada.

2. Regarding paragraph (b), TC will normally suspend and cancel the Canadian AOC pursuant to subsection 6.71 (1) of the *Aeronautics Act*.

Purpose

3. TC has the responsibility to ensure the safety of Canadian air operator operations through regulatory compliance wherever they occur, nationally or internationally. TC also strives to assist Canadian air operators to compete in the global aviation market.
4. With an operation wholly outside Canada, the Canadian air operator would have no domestic operation in Canada to assist TC in the evaluation of regulatory compliance. Even with cost recovery for travel expenses, salaries and overtime hours, there would be significant resource requirements in order to have TC inspectors fulfil TC's regulatory responsibilities outside Canada.
5. However, to prevent undue hardship, TC is prepared to consider such operations with a Canadian AOC if the air operator is prepared to accept responsibility for all costs, including salaries and overhead, that are required to be expended by TC to properly certify, inspect and monitor the safety of the air operator's operation.

Procedures

6. If an application is received from a Canadian air operator that does not have a domestic operation and is planning to operate wholly outside Canada, the operation is to be denied, pursuant to subsection 6.71 (1) of the *Aeronautics Act*, as not being in the public interest.
7. When TC determines that a Canadian air operator is operating its commercial air service wholly outside of Canada, or that it intends to do so, its AOC shall be suspended or cancelled pursuant to paragraph 7.1(1)(b) of the *Aeronautics Act*, unless the air operator concerned satisfies TC that it is in the public interest that it be allowed to maintain its Canadian AOC and that the air operator is prepared to defray any additional costs incurred by TC in ensuring compliance by that air operator with applicable regulatory requirements.
8. When the AOC of a Canadian air operator is cancelled or suspended, TC will advise the Civil Aviation Authority of the country where the Canadian air operator operates, that the air operator no longer holds a subsisting Canadian AOC.
9. It is essential to inform all other regional divisions, such as AM&M, Licensing, etc., of the action being taken to ensure that no unnecessary resources are expended.
10. When an air operator invokes economic or commercial arguments to support an exception to this policy on public interest grounds, the Air Policy and Programs

Directorate of Policy and Coordination (ACE) should also be consulted through the Certification Standards Division (AARXC).

6.6 AIR OPERATOR OPERATIONS ABROAD - COST RECOVERY

Purpose

1. The purpose of this policy is to provide guidance to Regions concerning any Canadian air operator operations outside of Canada or on a charter for a period of less than three weeks. This will also provide clarification of TC policy on cost recovery for inspections of these air operators operating outside Canada.

NOTE: Please refer to section 6.7 of this manual concerning the policy on "Extended Charter of Aircraft" for a period of operation of more than three weeks.

Policy Statement

2. Where a Canadian air operator is planning to operate or operates a commercial air service outside of Canada "Between Points Abroad" for any length of time, it should be authorized to do so in the "Area of Operations" of the AOC. The standards for operations "Between Points Abroad" are referred to in section 720.08 of the *CASS*. In addition, the air operator must provide TC with a signed agreement that it will reimburse TC in accordance with Civil Aviation Directive No. 3, "Recovering the Incremental Costs of Providing Services Inside/Outside Canada" (form 26-0622) for transportation, lodging, meals, incidental, and overtime expenses incurred by the persons authorized by the Minister to perform surveillance and inspection duties relating to the air operation and maintenance of the air operator's aircraft.
3. This cost recovery agreement is the same as the one referred to in the "Extended Charter of Aircraft" policy on page 6, subparagraph 4.(a)(i).

NOTE: The signed agreement will include an option that TC has the right to perform an airworthiness and/or an air operations inspection.

Procedures

4. When an air operator is planning to operate a commercial air service outside Canada, the following procedures shall be followed:
 - (a) the air operator must apply to have its AOC amended to indicate that it is authorized to operate "Between Points Abroad";
 - (b) applicable maintenance requirements must be approved by the regional AM&M Division and incorporated in the air operator's maintenance control manual;

NOTE: A close coordination between respective Commercial and Business Aviation and AM&M Divisions is essential prior to the issuance of an AOC authorizing "Between Points Abroad".

- (c) the air operator must obtain the approval of the relevant Foreign Civil Aviation Authority (FCAA) prior to commencement of any operation in that country.
5. Where the Canadian air operator has difficulty in obtaining the FCAA authority, regions should solicit the help from Headquarters AARXC Division who will, in turn, write to the FCAA to try to procure the required authority.
6. Where the air operator chooses not to comply with this policy, AARXC will advise the relevant FCAA on behalf of the region that the Canadian AOC is not valid for operations in their country.
7. When a TC inspector becomes aware that a Canadian air operator is operating in another country without prior authorization, the inspector shall advise the Canadian air operator of the necessity to obtain the approval of the relevant FCAA and meet the regulatory requirements. The inspector shall take the necessary corrective action to ensure future compliance.

6.7 EXTENDED CHARTER OF AIRCRAFT

Definition

1. In respect of this policy "*Extended Charter of Aircraft*" means the charter of a Canadian commercial aircraft to a Canadian or foreign air operator for a period exceeding three weeks in order to supplement the fleet of the air operator that is chartering the aircraft, as referred to in section 700.01 of the *CARs*.

NOTE: The foregoing definition in no way implies that TC is infringing on areas of the Canadian Transportation Agency's jurisdiction, that is, the regulation of the provision of charter services to the public.

Purpose

2. The purpose is to allow a Canadian air operator to operate on behalf of another Canadian air operator or a foreign air operator under a charter or extended charter agreement for a specified period of time with a Canadian aircraft, under their Canadian AOC, as long as no transfer of the legal custody and control has taken place.

NOTE: Where a Canadian air operator wishes to operate a commercial air service on behalf of a foreign air operator under a charter agreement, for a period of less than three weeks and the Canadian air operator shall meet the standards referred to in section 720.06 of the *CASS*.

Documentation

3. The following documentation will have to be provided prior to the issuance of the operations specification:
 - (a) to satisfy the standards, the names of the parties to the agreement and the duration of the extended charter;
 - (b) the registration marks of the Canadian aircraft involved in the agreement;
 - (c) in the case of an extended charter agreement between two Canadian air operators, a description of the type of operation (Domestic, Scheduled or Non-Scheduled International) must be provided;
 - (d) the proposed airports or areas of operation; and
 - (e) a copy of the appropriate "*non-financial parts*" of the executed agreement must be provided to TC; and
 - (f) confirmation that the maintenance control manual has been approved to include maintenance provisions for extended charter operations.

Requirements

4. The following requirements will have to be met before the amendment to the AOC (where applicable) and/or the issuance of an operations specification:
 - (a) a signed agreement that the Canadian air operator will reimburse TC for:
 - (i) transportation, lodging, meals, incidentals and overtime expenses incurred by the person(s) authorized by the Minister to perform surveillance and inspection duties relating to the operation and maintenance of such aircraft in accordance with the Civil Aviation Directive No. 3 - "Recovering the Incremental Costs of Providing services inside/outside Canada (form 26-0622)"; and
 - (ii) this will include an option at TC's discretion to perform an airworthiness and an air operation inspection prior to the renewal after the first six month period and an annual audit thereafter;
 - (b) the Canadian air operator will ensure that the requirements of TC relating to flight operations and continuing airworthiness are complied with during the period of the agreement;
 - (c) maintenance arrangements must be approved by the AM&M Division in accordance with the Airworthiness Notice (AN) No. B033 entitled "Maintenance Requirements for the Issuance of «Extended Charter» and «Points Abroad» Operational Authority", therefore, a close coordination between the regional Airworthiness Division and Headquarters' Aircraft Maintenance and Manufacturing Branch (AARP) is essential in this regard;

- (d) where the extended charter agreement involves a Canadian air operator and a foreign air operator, the Canadian air operator must apply to have its AOC amended to reflect the authorization of operations "Between Points Abroad"; and

NOTE: Should the foreign air operator have difficulty in obtaining the foregoing document, the regional office is to notify (AARXC) Headquarters, who will in turn write to the Foreign Civil Aviation Agency, in this regard.

Procedures

- 5. On receipt of an application from an air operator to enter into an extended charter agreement, the following procedures will apply:
 - (a) the approval of the extended charter agreement, the issuance or the amendment of an AOC and/or operations specification rests with the Chief, Airline Inspection and the Regional Manager, Commercial and Business Aviation;
 - (b) where the extended charter agreement is for a period longer than 6 months, the Chief, Airline Inspection or the Regional Manager, Commercial and Business Aviation may extend the validity period of the operations specification without any further application from the Canadian air operator provided that they are satisfied that the original conditions are still met. Each extension is limited to a period of 6 months. Where the original agreement was for 6 months or less, an extension may be granted if the operator provides a written confirmation that none of the original conditions have changed;
 - (c) where an aircraft has been operated under an extended charter agreement for a period of one year and where a further extension is requested, an audit of the air operator must be performed before a further extension is granted;
 - (d) when the applicant retains legal custody and control of the aircraft and when all other requirements have been met, then the Department may issue an operations specification to the applicant;
 - (e) a statement to the effect that the extended charter agreement will form part of the operations specification; and
 - (f) once the requirements of the procedures of paragraphs 5.(a) to (e) have been met, the regional office will issue the initial operations specification or the extension thereof.

NOTE: 1. In cases of extended charter agreements involving air operators from different regions, the Host region shall have oversight responsibility for the chartering air operator.

2. Should the *Operator* of the aeroplane wish to operate it painted in the *Charterer's* colours, there shall be displayed, clearly and legibly, near the cabin door of the aeroplane the words "Operated by (name of *operator*)".

Operations Specifications

6. When a Regional Office or Airline Inspection Division issues Operations Specifications Specification No. 090 for Extended Charter operations that affects another region, this region will provide the affected region with a copy of the operations specification.

NOTE: The region should advise the *Charterer* to contact the Agency in order to ascertain whether his Licence has to be amended, whether he needs an exemption from the regulatory requirements of the Agency or whether any air operator certification actions, on the part of the *Charterer*, are required depending on the type or area operations involved, regarding the extended charter agreement between two Canadian air operators.

6.8 VERBAL AND CONDITIONAL OR INTERIM APPROVALS

Verbal Approvals

1. Air operators should be given verbal approvals by a person with the appropriate delegated authority only in exceptional circumstances, and any verbal approval granted must always be followed up with written confirmation. The written copy may be sent by mail, telex, facsimile, or electronic mail provided that a hard copy can be available for audit purposes. For example, an extension to the repair interval for a MEL item may be given by telephone during off duty hours; written confirmation must, however, follow as soon as possible the next working day.

Conditional/Interim Approvals

2. (a) TC may give air operators conditional/interim approvals for such items as training programmes of operations manuals pending further review and final approval through monitoring/inspection. Whenever a conditional/interim approval is given, the document must contain a

suspense date by which final approval must be given or the conditional/interim approval becomes invalid. Regions must set up systems to ensure that appropriate follow-up action takes place for every conditional/interim approval granted.

- (b) The Minister may give conditional approvals of training programs under section 705.125 of the *CARs*.

CHAPTER

7

*Cancellation and/or
Suspension*

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Chapter 7

7.1 PROCEDURES TO FOLLOW PRIOR TO SUSPENSION OR CANCELLATION OF AN AOC

1. Introduction

The procedures set out below are to be followed by the appropriate Director* or Chief* [*Regional Manager, Commercial and Business Aviation, Director, Commercial and Business Aviation; or, Chief, Airline Inspection and their inspectors].

2. Steps Leading Up To Issuance Of Notice

Step 1: Observed Deficiencies During Inspection

An observed deficiency may be found during a base inspection, an in-flight inspection, a ramp check or at any other time by an inspector. It is imperative that Inspectors obtain evidence as required to support their findings. Such evidence may be in the form of photographs, witnessed copies of documentary material, statements, etc.

Step 2: Report of Findings

The written report should be directed to the Regional Manager, Commercial and Business Aviation or the Director, Commercial and Business Aviation or the Chief, Airline Inspection. It is essential that the report be detailed and copies of any evidence should be attached. The Regional Manager, Commercial and Business Aviation and the Director, Commercial and Business Aviation and the Chief, Airline Inspection, will decide if enforcement action should be taken or if the problem should be handled by their sections.

Step 3: Letter to Air Operator

Where it is determined that the problem can be resolved internally (i.e. section action), a letter signed by the appropriate Director should be sent to the air operator containing the following:

- (a) details of the observed deficiency(ies);
- (b) date, time and place of the observations;
- (c) details of the corrective action which must be undertaken; and
- (d) specific period of time within which the air operator has an opportunity to respond.

Step 4: Non-Conformity

If the air operator has not taken corrective action, proceed to step number 6.

Step 5: Conformity

If the air operator has satisfied the appropriate Director, Manager or Chief that he/she has complied with the requirements, no further action is required other than to advise (by letter) of the acceptance of the corrective action.

Step 6: Non-Conformity – Further Communications

Where the appropriate Director, Manager or Chief is of the opinion that the air operator may still comply, he or she should do one of the following:

- (a) send out a second letter which is stronger in tone and provides for a shorter conformity period; or
- (b) arrange a meeting with the air operator.

Step 7: Conformity – Same as step number 5.

Step 8: Non-Conformity – Issuance of Notice by Appropriate Director, Manager or Chief (See Procedures Chart on page 5)

3. Steps To Consider In The Issuance Of A Notice

Prepare a Notice of Suspension or Cancellation, keeping in mind the following:

(a) Content of Notice

- (i) The notice must adhere to the requirements set out in the *Aeronautics Act* (i.e. s.6.9, 7, 7.1, etc...), section 103.07 of the *Canadian Aviation Regulations* and the Civil Aviation Tribunal Manual (CAT), TC Staff Guidelines (TP 7497).
- (ii) Care should be exercised in using TP 7497 as this publication has not been amended since 1989.
- (iii) A Notice of Suspension must provide a specified date for the meeting of the conditions of reinstatement set out in the Notice.
- (iv) A Notice of Suspension may contain the following phrase:

"Failure to meet the conditions for reinstatement by the above-noted date, will result in the Minister revisiting the matter, and may result in the issuance of a Notice of Cancellation."

(b) Form of Notice

- (i) Notice of Suspension (in whole), paragraph 7.1(1)(b) or (c) of the *Act* - (Form 26-0368);
- (ii) Notice of Suspension (in part), paragraph 7.1 (1) (b) or (c) of the *Act* - (Form 26-0576);
- (iii) Notice of Cancellation (in whole), paragraph 7.1(1)(b) or (c) of the *Act* -(Form 26-0436);
- (iv) Notice of Cancellation (in part), paragraph 7.1(1)(b) or (c) of the *Act* -(Form 26-0577);
- (v) Appendix to Notice of Suspension or Cancellation - (Form 26-0369).

NOTE: POC Suspension and Cancellation - see Chapter 13 for the appropriate forms.

(c) Service of Notice

- (i) These are the types of service Notices permitted under subsection 7.1(1) of the *Aeronautics Act*; personal, registered mail and certified mail. The types of service available will depend on the grounds upon which the suspension or cancellation is based.

(d) **Effective Date of Notice**

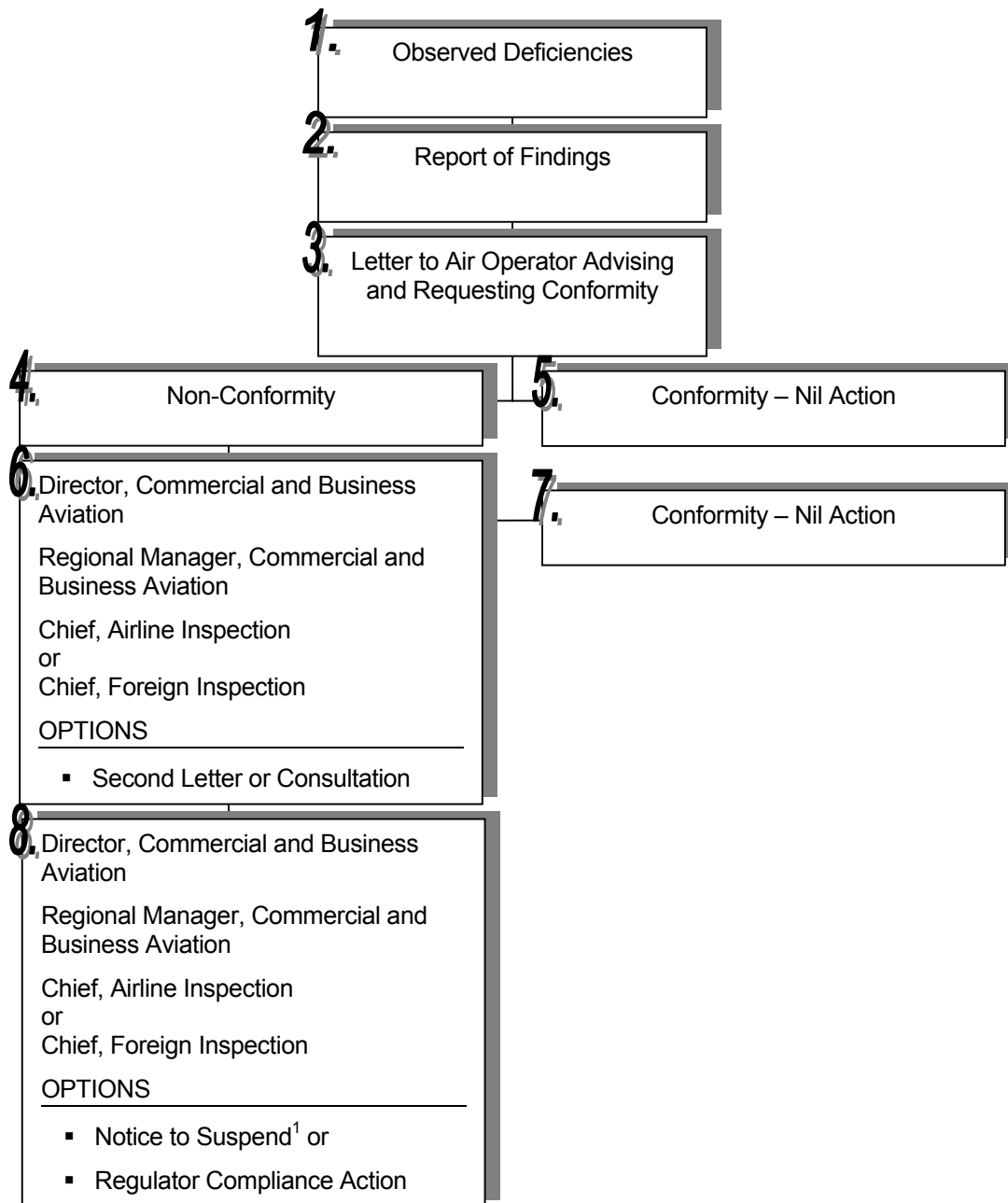
- (i) As there are no statutory requirements with respect to the effective date of a suspension or cancellation imposed pursuant to subsection 7.(1), paragraph 7.1 (1) (b), and (c) of the *Act*, care must be exercised in determining when the Notice is to take effect.
- (ii) Where the grounds for the suspension do not immediately reduce flight safety (i.e. poor record keeping) then a delay in the effective date may be acceptable. However, where the grounds for the suspension, involve serious aviation safety defects, a delay in the effective date creates an unacceptable risk (in that an accident could occur prior to the effective date of the suspension).
- (iii) Obviously a suspension based on subsection 7.(1) of the *Act* should take effect immediately.
 - (A) Coordinate your actions with the appropriate interested parties:
 - i.e. "Aviation Enforcement" (based on the facts, you may consider it more appropriate for this division to have carriage of the file)
 - i.e. "Aircraft licensing" (send a copy of the Notice for their information and action pertaining to the aircraft registration)
 - (B) Take all related actions.
 - i.e. where an AOC is cancelled, make sure the approved check pilots' CCP authorizations are revoked.

(C) Make necessary NACIS entries, e.g., cancellation of AOC, revocation of the individual CCP authorities.

NOTE: Use the Notice of Suspensions - (Form 26-0368 or 26-0576) or the Notice of Cancellations - (Form 26-0436 or 26-0577) along with the Appendix - (Form 26-0369) indicating the grounds for the Suspension or Cancellation of the AOC or operations specification (see pages 10 to 14).

7.2 PROCEDURES CHART

Suggested Steps Prior to Notice of Suspension



¹ Follow procedures in CAT Manual

7.3 IMMEDIATE THREAT TO SAFETY

1. Introduction

The preliminary steps outlined in section 7.1 of this Chapter do not apply in the case of an Immediate Threat to Safety, the definition of which is:

"Any act or circumstances which, if allowed to continue or develop, could expose a person to the risk of injury or death or expose any aircraft to the risk of damage or destruction."

2. Detention

An inspector, on behalf of the Minister, has the authority to detain an aircraft that he believes on reasonable grounds is unsafe or is likely to be operated in an unsafe manner and take reasonable steps to ensure its continued detention, pursuant to paragraph 8.7(1)(d) of the *Aeronautics Act*.

3. Suspension

If the inspector is unable to obtain compliance with the safety and regulatory requirements through negotiation with the party or parties involved, the Regional Manager, Commercial and Business Aviation, Director, Commercial and Business Aviation, Chief, Foreign Inspection or the Chief, Airline Inspection should be contacted for the issuance of a formal Notice of Suspension.

NOTE: Inspectors will be expected to exercise good judgement in such cases.

7.4 SUSPENSION, CANCELLATION OR REFUSAL TO RENEW AN AOC AND/OR OPERATIONS SPECIFICATIONS

1. The foregoing action shall also be subject to the following guidelines:
 - (a) the decision to suspend is taken in consultation with the Regional Department of Justice Agent and considered to be defensible before the Civil Aviation Tribunal in the event of an appeal;
 - (b) circumstances are such that suspension action is not only warranted but preferable to court action;
 - (c) suspension of AOCs and/or operations specifications, not authorized in the delegation of authority, shall be referred to Headquarters, along with appropriate recommendations for suspension action;

NOTE: AOC or operations specifications suspended by Headquarters may not be reinstated by the regions.

- (d) once an AOC is suspended or cancelled, in addition to the standard procedures, regional M&M, Aviation Enforcement and Aerodrome Safety divisions shall be notified by the Regional Manager, Commercial and Business Aviation, the Director, Commercial and Business Aviation or the Chief, Airline Inspection, of the action. Regions are to ensure that air operators under suspension are closely monitored to ensure they do not operate commercially in violation of the suspension;
 - (e) except for seasonal operators whose AOC may remain suspended for 1 year, a suspended AOC shall normally only remain suspended for 90 days after which time it shall be reviewed and it shall be cancelled. The subsequent cancellation requires the issuance of a Notice of Cancellation;
 - (f) when an air transport service AOC is suspended by the region, a copy of the notice regarding the suspension should be forwarded to Headquarters and the Agency, and should the suspension be lifted, a copy of the document withdrawing the suspension should be sent to Headquarters, copied to the Agency;
 - (g) when Headquarters suspends or cancels an AOC, a copy of such notice will be forwarded to the region concerned and the Agency; and
 - (h) in each case, make appropriate NACIS entries.
2. A copy of the Notice of Suspension shall be submitted to Headquarters with documentation of all action that has been taken to date.
3. The following Regional Managers, Chief, Foreign Inspection, Chief Airline Inspection have the delegated authority to suspend, cancel or refuse to issue AOCs pursuant to the *Aeronautics Act* as follows:
- (a) Regional Manager, Commercial and Business Aviation
 - (i) section 6.71 -
 - (ii) subsections 7.1(1) and (2) -
 - (iii) paragraphs 7.1(1) (b) and (c) - only
 - (iv) section 103.07, *Canadian Aviation Regulations* -
 - (b) Chief, Airline Inspection
 - (i) subsections 7.1(1) and (2) and 7.9) -
 - (ii) paragraphs 7.1(1)(b) and (c) and subsection 2 -
 - (iii) section 103.07, *Canadian Aviation Regulations* -

- (c) Chief, Foreign Inspection
 - (i) section 6.71 -
 - (ii) subsection 7.(1) and (2) and 7.(9) -
 - (iii) paragraphs 7.1(1)(b) and (c) and section (2) -
 - (iv) section 103.07, *Canadian Aviation Regulations* -
- (d) The air operator shall be advised in detail by personal service or by registered mail on the circumstances that necessitate the suspension, or cancellation or refusal to renew an AOC, operations specifications or any part thereof. (See procedures Chart, Page 5).

NOTE: Where, in the opinion of regional officials, an immediate threat to safety exists, immediate *suspension* action should be initiated pursuant to subsection 7.(1) of the *Act*.

7.5 SUSPENSION FORM 26-0368 OR 26-0576 AND CANCELLATION FORM 26-0436 OR 26-0577 OF AN AOC PURSUANT TO PARAGRAPH 7.1 (1) (b) OF THE *AERONAUTICS ACT* - Ceases to meet or comply with conditions of issuance of document.

1. *Notice of Suspension* (Form 26-0368 or 26-0576) —and *Notice of Cancellation* (Form 26-0436 or 26-0577) have been revised to provide for the suspension or cancellation of an AOC in whole or in part.
2. Ensure that you use the following new Tribunal address:
 - Registrar, Civil Aviation Tribunal
 - Canada Building
 - 333 Laurier Avenue West, Room 1201
 - Ottawa, Ontario
 - K1A 0N5
 - Telephone (613) 990-6906
3. See pages 10 to 13 for sample copies of Notice of Suspension and/or Notice of Cancellation and 14 for the Annex thereof.
4. An English Notice will not be valid unless the following phrase is added:

"Les Faits mentionnés aux présentes sont également disponibles dans l'autre langue officielle auprès du bureau Régional de Transports Canada à l'adresse indiquée ci-dessus."

5. It is important to state on the Notice of Suspension that the suspended document will be automatically cancelled after a certain date should the air operator fail to take the corrective action set out in the Notice of Suspension. A subsequent Notice of Cancellation must be issued.

7.6 SUSPENSION AND CANCELLATION FORMS OF AN AOC PURSUANT TO PARAGRAPH 7.1 (1) (c) OF THE *AERONAUTICS ACT* - public interest

The Suspension and Cancellation Forms to be used regarding paragraph 7.1(1)(c) of the *Act* dealing with Public Interest matters are the same ones as in section 7.5 above.

**Air Operator Certificate
Notice of Suspension (in whole)
Form 26-0368**

 Transport Canada / Transports Canada

To
A

Date
File No. - N° du dossier
Certificate No. - N° du certificat
Certificate Date * - Date du certificat *
Transport Canada - Transports Canada (address - adresse)

**NOTICE OF SUSPENSION
AIR OPERATOR CERTIFICATE**

Pursuant to paragraph 7.1(1) (b) (c) of the *Aeronautics Act*, the Minister of Transport has decided to suspend your Air Operator Certificate indicated above for the following reasons:

This suspension comes into effect immediately or on the _____ of _____, at 23:59 hours local time and will remain in effect until the conditions of reinstatement in the attached Appendix are complied with and the document is reinstated by the Minister.

If you wish a review by the Civil Aviation Tribunal of the Minister's decision, you must file a request in writing with the Tribunal on or before the date that is indicated below. Requests for review may be filed with the Registrar, Civil Aviation Tribunal, 333 Laurier Ave. West, Room 1201, Ottawa, Ontario, K1A 0N5. The telephone number is (613) 990-6906. The Tribunal has prepared a *Guide for Applicants* which you may obtain from the Registrar.

Your request for review must be received by the Tribunal no later than 23:59 hours on _____.

A request for review by the Civil Aviation Tribunal does not prevent the suspension from coming into effect.

On the effective date of this Notice of Suspension, you must return your Air Operator Certificate by bringing or mailing it to the Transport Canada, Civil Aviation regional office indicated above. **Failure to return a suspended Canadian aviation document is an offence contrary to section 103.03 of the Canadian Aviation Regulations.**

The particulars herein are also available in the other official language from the Transport Canada, Regional Office indicated above.

**AVIS DE SUSPENSION
CERTIFICAT D'EXPLOITATION AÉRIENNE**

En vertu du paragraphe 7.1(1) de la *Loi sur l'aéronautique*, le ministre des Transports a décidé de suspendre votre certificat d'exploitation aérienne susmentionné pour les raisons suivantes :

La présente suspension entre en vigueur immédiatement ou le _____, à 23 h 59, heure locale, et demeurera en vigueur jusqu'à ce que les conditions de rétablissement mentionnées à l'annexe ci-jointe soient respectées et que le document soit rétabli par le ministre.

Si vous souhaitez faire réviser la décision du ministre par le Tribunal de l'aviation civile, vous devez déposer une requête écrite auprès du Tribunal au plus tard à la date indiquée ci-dessous. Les requêtes peuvent être déposées auprès du greffier du Tribunal de l'aviation civile, 333, av. Laurier Ouest, bureau 1201, Ottawa, Ontario K1A 0N5. Le numéro de téléphone est (613) 990-6906. Le Tribunal a préparé un livret intitulé *Guide des requérants* que vous pouvez obtenir auprès du greffier.

Votre requête de révision doit parvenir au Tribunal au plus tard le _____ à 23 h 59.

Le dépôt d'une requête en révision auprès du Tribunal de l'aviation civile n'empêche pas la suspension de prendre effet.

Vous devez remettre, au plus tard à la date de prise d'effet de cet avis de suspension, votre certificat d'exploitation aérienne, en personne ou par la poste, au bureau régional de Transports Canada, Aviation civile à l'adresse indiquée ci-dessus. **Le fait de ne pas retourner un document d'aviation canadien suspendu au ministre constitue une contravention à l'article 103.03 du Règlement de l'aviation canadien.**

Les faits mentionnés aux présentes sont également disponibles dans l'autre langue officielle auprès du bureau régional de Transports Canada à l'adresse indiquée ci-dessus.

For the Minister of Transport - Pour le ministre des Transports

* The date of the latest approved amendment of the certificate.

* La date de la dernière modification approuvée du certificat.

26-0368 (0010-02)



**Air Operator Certificate
Notice of Suspension (in whole)
Form [26-0576](#)**



To
A

**NOTICE OF SUSPENSION
AIR OPERATOR CERTIFICATE**

Pursuant to paragraph 7.1(1) (b) (c) of the *Aeronautics Act*, the Minister of Transport has decided to suspend the part(s) of your Air Operator Certificate indicated below which authorizes

This suspension comes into effect immediately or on the of , at 23:59 hours local time and will remain in effect until the conditions of reinstatement in the attached Appendix are complied with and the document is reinstated by the Minister.

If you wish a review by the Civil Aviation Tribunal of the Minister's decision, you must file a request in writing with the Tribunal on or before the date that is indicated below. Requests for review may be filed with the Registrar, Civil Aviation Tribunal, 333 Laurier Ave. West, Room 1201, Ottawa, Ontario, K1A 0N5. The telephone number is (613) 990-6906. The Tribunal has prepared a *Guide for Applicants* which you may obtain from the Registrar.

Your request for review must be received by the Tribunal no later than 23:59 hours on .

A request for review by the Civil Aviation Tribunal does not prevent the suspension from coming into effect.

On the effective date of this Notice of Suspension, you must return the suspended part(s) of your Air Operator Certificate by bringing or mailing the suspended part(s) to the Transport Canada, Civil Aviation regional office indicated above. **Failure to return a suspended Canadian aviation document is a contravention to section 103.03 of the *Canadian Aviation Regulations*.**

The particulars herein are also available in the other official language from the Transport Canada, Regional Office indicated above.

For the Minister of Transport - Pour le ministre des Transports

* The date of the latest approved amendment of the part of the certificate.

26-0576 (0010-02)

Date
File No. - N° du dossier
Certificate No. - N° du certificat
Certificate Date * - Date du certificat *
Transport Canada - Transports Canada
(address - adresse)

**AVIS DE SUSPENSION
CERTIFICAT D'EXPLOITATION AÉRIENNE**

En vertu du paragraphe 7.1(1) de la *Loi sur l'aéronautique*, le ministre des Transports a décidé de suspendre la (les) partie(s) de votre certificat d'exploitation aérienne sous-mentionnée(s) qui autorise(nt)

La présente suspension entre en vigueur immédiatement ou le , à 23 h 59, heure locale, et demeurera en vigueur jusqu'à ce que les conditions de rétablissement mentionnées à l'annexe ci-jointe soient respectées et que le document soit rétabli par le ministre.

Si vous souhaitez faire réviser la décision du ministre par le Tribunal de l'aviation civile, vous devez déposer une requête écrite auprès du Tribunal au plus tard à la date indiquée ci-dessous. Les requêtes peuvent être déposées auprès du greffier du Tribunal de l'aviation civile, 333, av. Laurier Ouest, bureau 1201, Ottawa, Ontario K1A 0N5. Le numéro de téléphone est (613) 990-6906. Le Tribunal a préparé un livret intitulé *Guide des requérants* que vous pouvez obtenir auprès du greffier.

Votre requête de révision doit parvenir au Tribunal au plus tard le à 23 h 59.



Le dépôt d'une requête en révision auprès du Tribunal de l'aviation civile n'empêche pas la suspension de prendre effet.

Vous devez remettre, au plus tard à la date de prise d'effet de cet avis de suspension, la (les) partie(s) de votre certificat d'exploitation aérienne faisant l'objet de suspension, en personne ou par la poste, au bureau régional de Transports Canada, Aviation civile à l'adresse indiquée ci-dessus. **Le fait de ne pas retourner un document d'aviation canadien suspendu au ministre constitue une contravention à l'article 103.03 du *Règlement de l'aviation canadien*.**



Les faits mentionnés aux présentes sont également disponibles dans l'autre langue officielle auprès du bureau régional de Transports Canada à l'adresse indiquée ci-dessus.





**Air Operator Certificate
Notice of Cancellation
Form 26-0436**

 <p style="display: inline-block; margin-left: 10px;">Transport Canada</p> <p style="display: inline-block; margin-left: 20px;">Transports Canada</p> <p>To A</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="padding: 2px;">Date</td></tr> <tr><td style="padding: 2px;">File No. - N° du dossier</td></tr> <tr><td style="padding: 2px;">Certificate No. - N° du certificat</td></tr> <tr><td style="padding: 2px;">Certificate Date * - Date du certificat *</td></tr> <tr><td style="padding: 2px;">Transport Canada - Transports Canada</td></tr> <tr><td style="padding: 2px; text-align: right;">(address - adresse)</td></tr> </table>	Date	File No. - N° du dossier	Certificate No. - N° du certificat	Certificate Date * - Date du certificat *	Transport Canada - Transports Canada	(address - adresse)
Date							
File No. - N° du dossier							
Certificate No. - N° du certificat							
Certificate Date * - Date du certificat *							
Transport Canada - Transports Canada							
(address - adresse)							
<p style="text-align: center;">NOTICE OF CANCELLATION AIR OPERATOR CERTIFICATE</p> <p>Pursuant to paragraph 7.1(1) (b) <input type="checkbox"/> (c) <input type="checkbox"/> of the <i>Aeronautics Act</i>, the Minister of Transport has decided to cancel your Air Operator Certificate indicated above for the following reasons:</p> <p>This cancellation comes into effect immediately <input type="checkbox"/> or on the _____ of _____, at 23:59 hours local time.</p> <p>If you wish a review by the Civil Aviation Tribunal of the Minister's decision, you must file a request in writing with the Tribunal on or before the date that is indicated below. Requests for review may be filed with the Registrar, Civil Aviation Tribunal, 333 Laurier Ave. West, Room 1201, Ottawa, Ontario, K1A 0N5. The telephone number is (613) 990-6906. The Tribunal has prepared a <i>Guide for Applicants</i> which you may obtain from the Registrar.</p> <p>Your request for review must be received by the Tribunal no later than 23:59 hours on _____.</p> <p>A request for review by the Civil Aviation Tribunal does not prevent the cancellation from coming into effect.</p> <p>On the effective date of this Notice of Cancellation, you must return your Air Operator Certificate by bringing or mailing it to the Transport Canada, Civil Aviation regional office indicated above. Failure to return a cancelled Canadian aviation document is a contravention to section 103.03 of the <i>Canadian Aviation Regulations</i>.</p> <p>The particulars herein are also available in the other official language from the Transport Canada, Regional Office indicated above.</p>	<p style="text-align: center;">AVIS D'ANNULATION CERTIFICAT D'EXPLOITATION AÉRIENNE</p> <p>En vertu du paragraphe 7.1(1) de la <i>Loi sur l'aéronautique</i>, le ministre des Transports a décidé d'annuler votre certificat d'exploitation aérienne susmentionné pour les raisons suivantes :</p> <p>La présente annulation entre en vigueur immédiatement <input type="checkbox"/> ou le _____, à 23 h 59, heure locale.</p> <p>Si vous souhaitez faire réviser la décision du ministre par le Tribunal de l'aviation civile, vous devez déposer une requête écrite auprès du Tribunal au plus tard à la date indiquée ci-dessous. Les requêtes peuvent être déposées auprès du greffier du Tribunal de l'aviation civile, 333, av. Laurier Ouest, bureau 1201, Ottawa, Ontario K1A 0N5. Le numéro de téléphone est (613) 990-6906. Le Tribunal a préparé un livret intitulé <i>Guide des requérants</i> que vous pouvez obtenir auprès du greffier.</p> <p>Votre requête de révision doit parvenir au Tribunal au plus tard à 23 h 59.</p> <p>Le dépôt d'une requête en révision auprès du Tribunal de l'aviation civile n'empêche aucunement l'annulation de prendre effet.</p> <p>Vous devez remettre, au plus tard à la date de prise d'effet de cet avis d'annulation, votre certificat d'exploitation aérienne, en personne ou par la poste, au bureau régional de Transports Canada, Aviation civile à l'adresse indiquée ci-dessus. Le fait de ne pas retourner un document d'aviation canadien annulé au ministre constitue une contravention à l'article 103.03 du <i>Règlement de l'aviation canadien</i>.</p> <p>Les faits mentionnés aux présentes sont également disponibles dans l'autre langue officielle auprès du bureau régional de Transports Canada à l'adresse indiquée ci-dessus.</p>						
<p>For the Minister of Transport - Pour le ministre des Transports</p>							
<p><small>* The date of the latest approved amendment of the certificate.</small></p> <p>26-0436 (0010-03)</p>	<p><small>* La date de la dernière modification approuvée du certificat.</small></p> 						

**Air Operator Certificate
Notice of Cancellation (In Parts)**
Form [26-0577](#)

 <p style="display: inline-block; margin-left: 10px;">Transport Canada</p> <p style="display: inline-block; margin-left: 20px;">Transports Canada</p> <p>To A</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="padding: 2px;">Date (Y/A-M-D/J)</td></tr> <tr><td style="padding: 2px;">File No. - N° du dossier</td></tr> <tr><td style="padding: 2px;">Certificate No. - N° du certificat</td></tr> <tr><td style="padding: 2px;">Certificate Date * - Date du certificat *</td></tr> <tr><td style="padding: 2px;">Transport Canada - Transports Canada</td></tr> <tr><td style="padding: 2px; text-align: right;">(address - adresse)</td></tr> </table>	Date (Y/A-M-D/J)	File No. - N° du dossier	Certificate No. - N° du certificat	Certificate Date * - Date du certificat *	Transport Canada - Transports Canada	(address - adresse)
Date (Y/A-M-D/J)							
File No. - N° du dossier							
Certificate No. - N° du certificat							
Certificate Date * - Date du certificat *							
Transport Canada - Transports Canada							
(address - adresse)							
<p style="text-align: center;">NOTICE OF CANCELLATION AIR OPERATOR CERTIFICATE</p> <p>Pursuant to paragraph 7.1(1) (b) <input type="checkbox"/> (c) <input type="checkbox"/> of the <i>Aeronautics Act</i>, the Minister of Transport has decided to cancel the part(s) of your Air Operator Certificate indicated below which authorizes</p> <p>This cancellation comes into effect immediately <input type="checkbox"/> or on the _____ of _____, at 23:59 hours local time.</p> <p>If you wish a review by the Civil Aviation Tribunal of the Minister's decision, you must file a request in writing with the Tribunal on or before the date that is indicated below. Requests for review may be filed with the Registrar, Civil Aviation Tribunal, 333 Laurier Ave. West, Room 1201, Ottawa, Ontario, K1A 0N5. The telephone number is (613) 990-6906. The Tribunal has prepared a <i>Guide for Applicants</i> which you may obtain from the Registrar.</p> <p>Your request for review must be received by the Tribunal no later than 23:59 hours on _____.</p> <p>A request for review by the Civil Aviation Tribunal does not prevent the cancellation from coming into effect.</p> <p>On the effective date of this Notice of Cancellation, you must return the cancelled part(s) of your Air Operator Certificate by bringing or mailing the cancelled part(s) to the Transport Canada, Civil Aviation regional office indicated above. Failure to return a cancelled Canadian aviation document is a contravention to section 103.03 of the <i>Canadian Aviation Regulations</i>.</p> <p>The particulars herein are also available in the other official language from the Transport Canada, Regional Office indicated above.</p>	<p style="text-align: center;">AVIS D'ANNULATION CERTIFICAT D'EXPLOITATION AÉRIENNE</p> <p>En vertu du paragraphe 7.1(1) de la <i>Loi sur l'aéronautique</i>, le ministre des Transports a décidé d'annuler la (les) partie(s) de votre certificat d'exploitation aérienne sous-mentionné(s) qui autorise(nt)</p> <p>La présente annulation entre en vigueur immédiatement <input type="checkbox"/> ou le _____, à 23 h 59, heure locale.</p> <p>Si vous souhaitez faire réviser la décision du ministre par le Tribunal de l'aviation civile, vous devez déposer une requête écrite auprès du Tribunal au plus tard à la date indiquée ci-dessous. Les requêtes peuvent être déposées auprès du greffier du Tribunal de l'aviation civile, 333, av. Laurier Ouest, bureau 1201, Ottawa, Ontario K1A 0N5. Le numéro de téléphone est (613) 990-6906. Le Tribunal a préparé un livret intitulé <i>Guide des requérants</i> que vous pouvez obtenir auprès du greffier.</p> <p>Votre requête de révision doit parvenir au Tribunal au plus tard à 23 h 59.</p> <p>Le dépôt d'une requête en révision auprès du Tribunal de l'aviation civile n'empêche aucunement l'annulation de prendre effet.</p> <p>Vous devez remettre, au plus tard à la date de prise d'effet de cet avis d'annulation, la (les) partie(s) de votre certificat d'exploitation aérienne faisant l'objet d'annulation, en personne ou par la poste, au bureau régional de Transports Canada, Aviation civile à l'adresse indiquée ci-dessus. Le fait de ne pas retourner un document d'aviation canadien annulé au ministre constitue une contravention à l'article 103.03 du <i>Règlement de l'aviation canadien</i>.</p> <p>Les faits mentionnés aux présentes sont également disponibles dans l'autre langue officielle auprès du bureau régional de Transports Canada à l'adresse indiquée ci-dessus.</p>						
<p>For the Minister of Transport - Pour le ministre des Transports</p> <p><small>* The date of the latest approved amendment of the part of the certificate.</small></p> <p>26-0577 (0010-03)</p>	<p>* La date de la dernière modification approuvée de la partie du certificat.</p> 						

**Air Operator Certificate
Appendix To Notice of Suspension or Cancellation
Form [26-0369](#)**

 Transport Canada / Transports Canada	Page _____ of _____ de _____ de _____					
Name of Air Operator: Nom de l'exploitant aérien :		<table border="1" style="width: 100%;"><tr><td>DATE</td></tr><tr><td>FILE NO. - N° DE DOSSIER</td></tr><tr><td>CERTIFICATE NO. - N° DU CERTIFICAT</td></tr><tr><td>CERTIFICATE DATE * - DATE DU CERTIFICAT *</td></tr></table>	DATE	FILE NO. - N° DE DOSSIER	CERTIFICATE NO. - N° DU CERTIFICAT	CERTIFICATE DATE * - DATE DU CERTIFICAT *
DATE						
FILE NO. - N° DE DOSSIER						
CERTIFICATE NO. - N° DU CERTIFICAT						
CERTIFICATE DATE * - DATE DU CERTIFICAT *						
<p>APPENDIX TO NOTICE OF SUSPENSION OR CANCELLATION ANNEXE À L'AVIS DE SUSPENSION OU D'ANNULATION</p>						
Grounds for the Suspension or Cancellation Raison de la suspension ou de l'annulation	Conditions for reinstatement Conditions pour rétablissement					
<hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>	<hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>					
<p>* The date of the latest approved amendment of the part or the whole certificate.</p>		<p>* La date de la dernière modification approuvée de la partie ou du certificat en entier.</p>				
26-0369 (0010-02)						

7.7 EMERGENCY ACTIONS INVOLVING AIR OPERATOR OPERATIONS

1. As a result of emergency conditions, such as military actions, insurrections, earthquakes, floods, tidal waves, etc., it may be necessary to restrict, suspend or immediately amend the approvals of certified air operators operating in such areas.
2. The nature of these situations are such that they will be handled by Headquarters.

7.8 CONSIDERATION FOR CANCELLATION OF AN AOC ON A PERMANENT BASIS

Legislative Provisions

1. (a) Paragraph 7.1 (1) (b) of the *Aeronautics Act* authorizes the Minister to suspend, cancel or refuse to renew a Canadian aviation document on the grounds that the holder of the document is incompetent or the holder of any aircraft, airport or other facility in respect of which the document was issued ceases to have the qualifications necessary for the issuance of the document or to meet or comply with the conditions subject to which the document was issued.

(b) Paragraph 7.1 (1) (c) of the *Aeronautics Act* authorizes the Minister to suspend or cancel a Canadian aviation document because he/she is of the opinion that the public interest and, in particular, the record in relation to aviation of the holder of a Canadian aviation document or of any principal of the holder, as defined in regulations made under subsection 6.71(2) of the *Act*, warrant it.

Delegation of Authority

2. The Deputy Minister; the Assistant Deputy Minister, Safety and Security; the Director General, Civil Aviation; the Regional Director, Civil Aviation; the Director, Commercial and Business Aviation; the Regional Manager, Commercial and Business Aviation and the Chief, Airline Inspection and the Chief, Foreign Inspection have the delegated powers to suspend, cancel or refuse to issue or renew an AOC.

Criteria for Cancellation

3. Cancellation of an AOC shall be considered when one or more of the following circumstances or grounds are present:
 - (a) a lack of capability on the part of the air operator to operate the commercial air service safely and in accordance with the terms and conditions of the AOC;
 - (b) commission of an offence contrary to paragraphs 7.3(1) (a), (f) or (g) of the *Aeronautics Act* or a *Criminal Code* offence related to the air operator's operations;
 - (c) a series of violations over a period of time indicating that the air operator is unable or unwilling to operate the commercial air service in accordance with the safety standards;
 - (d) wilful misrepresentation of information during the initial air operator certification application or during the tenure of the AOC;
 - (e) a frequent loss of operational or maintenance control by the air operator;
 - (f) failure on the part of the air operator to meet the conditions of issue of the AOC where the situation continues for an unknown or an extended period of time; and
 - (g) where one of the principals of the company was previously denied the issue of an air AOC or had the AOC cancelled for failure to operate a commercial air service in a safe manner.

Procedures

4. Specific criteria for the cancellation of an AOC are not possible as each case is unique and must be considered on its individual merits. The severity of the individual situation and the potential impact on aviation safety will determine whether suspension action or cancellation is more appropriate. Where cancellation action is being considered, the following procedures shall be followed:
 - (a) the Director General, Civil Aviation is to be consulted as soon as cancellation action is considered;
 - (b) Regional or Headquarters (as applicable) lawyers for TC are to be consulted regarding the potential action;
 - (c) prior to taking cancellation action, the Regional Director, Civil Aviation or the Director, Commercial and Business Aviation (H.Q.), shall have the documentation necessary to justify such action. This would normally include the results of a recent audit or a series of recent audits;

- (d) once the decision has been made to cancel an AOC, a briefing note to the Minister is to be forwarded immediately along with all necessary supporting documentation;
- (e) the applicable Regional Manager, Commercial and Business Aviation or the Chief, Airline Inspection is the Officer of Primary Interest for cancellation action and is responsible for coordinating with the AM&M and Regulatory Compliance Branches;
- (f) Regional or Headquarters (as applicable) Public Affairs Branch is to be informed;
- (g) in the case of a *Domestic or a Domestic and International* commercial air service AOC, a copy of the cancellation notice is to be sent to the Canadian Transportation Agency and the H.Q. Commercial and Business Aviation Branch by the cancelling authority;
- (h) in the case of an *"Aerial Work Operations"* AOC, a copy of the cancellation notice is to be sent to the Commercial and Business Aviation Branch of the cancelling authority; and
- (i) make appropriate entries in NACIS.

7.9 SUSPENSION AND/OR CANCELLATION OR REFUSAL TO RENEW AN AOC PURSUANT TO SECTION 103.07 OF THE *CANADIAN AVIATION REGULATIONS*

1. Pursuant to section 103.07 of the *Canadian Aviation Regulations*, the Minister may suspend, cancel or refuse to renew a Canadian aviation document where:
 - (a) the Canadian aviation document has been voluntarily surrendered to the Minister by its holder;
 - (b) the Canadian aviation document has been mutilated, altered, or rendered illegible;

NOTE: Caution should be used in using the ground 1.(b) as it is not without controversy. You may contact the Regulatory Compliance and Appeals Division (AARBG) at (613) 990-1218 for further elaboration in this matter.

 - (c) the aircraft in respect of which the Canadian aviation document was issued has been destroyed or withdrawn from use; or
 - (d) the commercial air service, other service or undertaking, in respect of which the Canadian aviation document was issued has been discontinued.
2. Copies of sample Suspension or Cancellation letters are found on pages 19 and 21.

3. Do not use the Notice of Suspension - (Form 26-0368 or 26-0576) or the Notice of Cancellation - (Form 26-0436 or 26-0577) and Appendix - (Form 26-0369) for the suspension or cancellation of Canadian aviation documents pursuant to section 103.07 of the *Canadian Aviation Regulations*, use instead the Suspension or Cancellation Letters appearing on pages 19 and 21.

Suspension — Sample Letter

5258 - _____
5260 - _____

(Date)

Dear _____:

1. Pursuant to section 103.07 of the *Canadian Aviation Regulations (CARs)*, the Minister has decided to suspend your _____ for the following reasons:
 - (a) the Canadian aviation document has been voluntarily surrendered to the Minister by its holder;
 - (b) the Canadian aviation document has been mutilated, altered, or rendered illegible;
 - (c) the aircraft in respect of which the Canadian aviation document was issued has been destroyed or withdrawn from use; or
 - (d) the commercial air service, other service or undertaking, in respect of which the Canadian aviation document was issued has been discontinued.

(Choose the applicable provision)

2. (a) This suspension comes into effect within 30 days of the date indicated below.

or
- (b) Effective date of suspension: _____.

3. (a) On the effective date of this suspension you must return your Canadian aviation document by bringing or mailing it to the Transports Canada, Regional Office indicated above. Failure to return a suspended Canadian aviation document is an offense contrary to section 103.03 of the *Canadian Aviation Regulations (CARs)*.

or

- (b) We acknowledge receipt of your Canadian aviation document.
4. This aviation document shall be cancelled 90 days after the effective date of suspension.
5. The particulars herein are also available in the other official language from the TC office indicated above.

Yours truly,

Regional Delegated Person
(Functional area)

Cancellation — Sample Letter

5258 - _____
5260 - _____

(Date)

Dear _____:

1. Pursuant to section 103.07 of the *Canadian Aviation Regulations (CARs)*, the Minister has decided to cancel your _____ for the following reasons:
 - (a) the Canadian aviation document has been voluntarily surrendered to the Minister by its holder;
 - (b) the Canadian aviation document has been mutilated, altered, or rendered illegible;
 - (c) the aircraft in respect of which the Canadian aviation document was issued has been destroyed or withdrawn from use; or
 - (d) the commercial air service, other service or undertaking, in respect of which the Canadian aviation document was issued has been discontinued.

(Choose the applicable provision)

2. (a) This cancellation comes into effect within 30 days of the date of receipt of this letter.

or
- (b) Effective date of cancellation: _____.

3. (a) On the effective date of this cancellation you must return your Canadian aviation document by bringing or mailing it to the Transports Canada, Regional Office indicated above. Failure to return a cancelled Canadian aviation document is an offense contrary to section 103.03 of the *Canadian Aviation Regulations (CARs)*. (If you wish to start your commercial air service again, please contact our regional office).

or

- (b) We acknowledge receipt of your Canadian aviation document.
4. The particulars herein are also available in the other official language from the Transport Canada, Regional Office indicated above.

Yours truly,

Regional Delegated Person
(Functional area)

7.10 LEGISLATIVE PROVISIONS TO WITHHOLD THE ISSUE OF AN AOC

1. Once an AOC has been cancelled, a decision may be made on behalf of the Minister to *withhold* the issue of the document on a re-application by the air operator. The authority to withhold the issue is contained in subsection 6.71(1) of the *Aeronautics Act* which states:

"The Minister may refuse to issue a Canadian aviation document, where the Minister is of the opinion that the public interest and, in particular, the record in relation to aviation of the applicant or of any principal of the applicant warrant it."

2. On occasion, it is not in the public interest to issue a Canadian aviation document notwithstanding the fact that all technical safety standards may be met by the applicant. An example of this would be where an individual whose aviation document is suspended or cancelled and re-applies for the same or another kind of aviation document. There have been occasions in the past where document holders have seriously compromised aviation safety and have had their documents cancelled and who have subsequently applied for a similar or different type of licence or AOC. Considering their record, it is generally not in the public interest to issue them a new document, at least not without an appropriate "cooling-off" period.
3. The authority to withhold, on the basis of previous aviation record, applies both to individuals and, in the case of corporations, their principals.

7.11 VOLUNTARY SURRENDER OF AOC

1. When an air operator voluntarily surrenders an AOC, a Letter of Suspension or Cancellation shall be sent to the air operator using the "Sample Letter" wording on pages 19 and 21.
2. The suspended AOC shall only remain suspended for a period of 1 year after which time it shall be cancelled.
3. Make appropriate NACIS entries.

7.12 LEGAL OPINIONS

Policy Statement

1. The Commercial and Business Aviation Branch of Headquarters (AARX) has established a bank of legal opinions.

Background

2. On many occasions, regions or divisions of the Commercial and Business Aviation Branch (AARX) are requesting legal opinions on subjects that the Department General Counsel – Transport (AJ) has dealt with previously. This results in a duplication of requests on the same subject.

Purpose

3. The purpose is to establish standard procedures in requesting a legal opinion.

Procedures

4. In order to establish standard procedures and an AARX's legal opinion bank, the following procedures apply:
 - (a) all Divisions of AARX have provided the Certification Standards Division (AARXC) with a copy of their legal opinions which have been catalogued for ease of reference;
 - (b) Chiefs of AARX may solicit a legal opinion directly from AJ; however, before requesting the legal opinion, the legal opinion bank of AARXC and of the Director, Regulatory Services Branch (AARB) must be researched on the subject matter;
 - (c) a region, including the Airline Inspection Division (AARXD), may solicit legal opinions from their regional legal advisors on strictly regional issues, however, legal opinions on the interpretation of policies or regulations are to be solicited via AARX; and
 - (d) all copies of requests and answers of legal opinions received by AARX divisions must be sent to AARXC legal opinion bank.

7.13 C&BA SUSPENSION & CANCELLATION CHECKLIST

Company Name _____ Date _____
 Susp/Cnx Document Prepared By _____

	Reviewer's Initials
Contact company to advise that susp/cnx is forthcoming	
If required, co-ordinate suspension with POIs for CBA & M&M. For susp. Due OPS personnel with multi-roles, ensure that susp. Deals with Ops Mgr, Chief Pilot & Person resp. For Mtce, as applicable.	
1. Correct suspension format, use either in full or in part format	
2. Suspension to be sent registered, to be indicated on suspension notice	
3. Correct company name	
4. Correct 5258 Number	
5. Correct 5260 Number	
6. Correct certification date, this is the APPROVED date on the bottom left corner of the Table of Contents page.	
7. Correct company address	
8. Correct <i>Aeronautics Act</i> suspension reference	
9. Correct regulatory references, grounds of suspension	
10. Corrective effective time and date of suspension/cancellation	
11. Correct 30 day appeal date, from date of issue	
12. Reasons for suspension described in full not just regulatory reference	
13. Conditions for reinstatement	
14. Ensure French wording is included on appendix which allows recipient of document to have suspension issued in the French language	

Items 1 – 14 must be reviewed for accuracy by at least two separate people.

Reviewed by _____ & _____

Administrative Tasks

	Admin Initials
1. Briefing note required Yes _____ No _____	
2. Copy of suspension/cancellation faxed to company	
3. Inspector to update ARASS if the suspension does not go into effect.	
4. Update NACIS	
5. Update Tracker if Applicable	
6. E-mail to Managers of CBA, M&M, Enforcement and AOSH to advise their inspectors of suspension	
7. Copy of susp. Faxed to the Agency if immediate, otherwise, on effective date or fax cancellation to the Agency. (Neither action required for 702)	
8. Copy of suspension/cancellation placed on 5258 and 5260 files	
9. Copy of this checklist to be placed on 5260 file	
10. If Cancellation – cancel files – notify DG, AOSH, CS to cancel their files.	
11. BF File for follow-up and return of formal document and formal cancellation if required	

7.14 REVIEW OF CIVIL AVIATION TRIBUNAL (CAT) CASES REFERRED TO THE DIRECTOR, COMMERCIAL AND BUSINESS AVIATION (AARX) FOR HIS CONSIDERATION

Introduction

Cases that are being referred by the Civil Aviation Tribunal (CAT) Transport Canada, Commercial and Business Aviation for reconsideration must be reviewed in a manner that ensures fairness and transparency at all times.

Purpose

This *Commercial and Business Aviation Advisory Circular* (CBAAC) is intended to inform holders of Canadian Aviation Documents of the process followed when a CAT case (pertaining to *Canadian Aviation Regulation* (CAR) Part VI, subpart 604, and CARs Part VII has been referred back to the Minister of reconsideration.

References

Subsections 7.1(8) and (9) of the *Aeronautics Act*.

Background

The Delegation of Authority document, specifically Schedule H-1, #7, has authorized the Director, Commercial and Business Aviation (AARX) to reconsider cases pertaining to CARs Part VI, subpart 604, and CARs Part VII that were sent for referral by the CAT as per subsection 7.1 (8) of the *Aeronautics Act*.

Policy Development

Where a matter of the suspension, cancellation of, or refusal to renew a Canadian Aviation Document as per paragraph 7.1(1)(b) or (c) of the *Aeronautics Act* (pertaining to CARs Part VI, subpart 604, and CARs Part VII) is referred back to the Minister for reconsideration, the following procedures will be followed.

1. The case shall be forwarded to Commercial and Business Aviation, Operational Standards (AARXB) for processing.
2. A review panel reporting to AARX shall be formed consisting of 2-3 persons who do not have a direct involvement in the case.

NOTE: In the case of a Pilot Proficiency Check (PPC) referral, a person would be considered as being directly involved if he or she is:

- (a) the Approved Check Pilot (ACP) who conducted the PPC;
- (b) the Air Carrier Inspector who monitored the PPC conducted by another ACP;
- (c) the immediate supervisor of the person specified in (a) and/or (b) above;
- (d) the Case Presenting Officer who presented the original case; or
- (e) any other persons who participated in the decision making of the original case.

3. The review panel shall make recommendations to AARX who will determine the Minister's position whether or not to change the original decision.
4. A copy of the Minister's decision shall be sent to the complainant, the Civil Aviation Tribunal, the Regional Manager, Commercial and Business Aviation or the Chief, Airline Inspection (AARXD) implicated within the original case, the Chief, Operational Standards (AARXB), the Director, Regulatory Services (AARBH) and the Chief, Appeals (AARBG).

Conclusion

The procedures outlined in this CBAAC are considered fair and equitable for reconsidering cases that are referred to Commercial & Business Aviation from the CAT.

7.15 IMMEDIATE SUSPENSION OF A CANADIAN AVIATION DOCUMENT PURSUANT TO PARAGRAPH 7.1(1)(b) OF THE ACT

- (a) The Federal Court recently reversed a decision of the Civil Aviation Tribunal. The judge set aside the Minister's decision to suspend a company's AOC, based on the fact that the AOC holder had not received a reasonable notice of the intended action.
- (b) If you intend to suspend a Canadian Aviation Document pursuant to paragraph 7.1(1)(b) of the *Aeronautics Act*, and you would like the suspension to come into effect *immediately*, we would like to remind you of the necessity to give some responsible short notice of the intended action. This can be accomplished by calling, or writing to the document holder prior to the issuance of the Notice of Suspension. Usually the contact with the document holder should be done at least a few hours before the Notice is sent.
- (c) This very short "pre-Notice" should not be perceived as defeating the purpose of an immediate document suspension, but rather as a means of meeting a basic administrative law principle of "Procedural Fairness". This principle requires that people be given the opportunity to be heard before an administrative action is taken against them. For instance, you may want to suspend an AOC because the operator no longer has a chief Pilot as a full time employee. A quick phone call to the operator to notify him of your intentions gives him the opportunity to be heard, and he might let you know that he has found a new Chief Pilot who would be acceptable to you and ready to start immediately. Of course, if the operator cannot meet the imposed conditions, the suspension can take effect immediately after he is been given the opportunity to respond.

- (d) From a practical standpoint, discussions on critical operational issues are usually entertained between Transport Canada's staff and the operators before a notice of immediate suspension.
- (e) The Advisory and Appeal Division of Regulatory Services will review the course material dealing with suspensions made pursuant to paragraph 7.1(1)(b) of the *Act* to ensure that it is amended to further address the above mentioned process.

CHAPTER

8

*Leasing of Aircraft,
Ministerial Authorization and
Exemption*

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Leasing of Aircraft, Ministerial Authorization and Exemption

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Chapter 8

8.1 DRY LEASING OF CANADIAN AIRCRAFT TO A CANADIAN OR FOREIGN AIR OPERATOR

1. (a) The dry leasing operations of commercial aircraft fall under the following four scenarios:
 - (i) the leasing of a foreign registered aircraft to be operated by a Canadian air operator on its own air operator certificate;
 - (ii) the leasing of aircraft between two Canadian air operators;
 - (iii) the leasing of a Canadian commercial aircraft by a Canadian air operator to a foreign air operator; and
 - (iv) the leasing by a foreign operator of a Canadian commercial aircraft from a Canadian aircraft manufacturer;
- (b) Subpart 203 of the CARs pertains to the Operation of a Leased Aircraft by a Non-Registered Owner.
2. A Canadian air operator (lessee) who wishes to dry lease an aircraft from a Foreign air operator (lessor) in order to operate it on its air operator certificate:
 - (a) may do so under the authority of subsection 203.03(2) of the *CARs* and must conform to the requirements of subsection 223.03(2) of the *Standards Respecting the Operation of a Leased Aircraft by a Non-Registered Owner* in order to obtain the necessary authorization;
 - (b) must submit to the Minister "Application to Authorize a Leasing Operation Involving a Canadian Air Operator (Lessee) and a Foreign Air Operator (Lessor); (Form LF - 3)
 - (c) where the information in the form referred in paragraph 2 (a) has been verified and all regulatory requirements have been met, the regional Commercial and Business Aviation Division or the Airline Inspection Division (AARXD) will issue to the air operator the "Authorization to Conduct a Lease Operation";
 - (d) pursuant to paragraph 203.07(1)(a) of the CARs, the air operator shall not operate a number of foreign leased aircraft that exceeds 25 per cent of the total number of aircraft registered to that Canadian air operator, rounded out to the next highest whole number; and

- (e) a signed copy of the lease must be submitted to the Minister within seven days after the day on which the authorization was issued, in accordance with the requirements of section 203.09 of the *CARs*.
- 3. The leasing operations requests referred to subparagraph 1.(a) (iii) and (iv) are to be referred to the Regional Aircraft Registration Division for onward transmittal to the Aircraft Registration Division (AARRC) in Headquarters.
- 4. The aircraft leasing operations procedures pertaining to subparagraph 1.(a) (i) are established in Chapter 5 and to subparagraph 1.(a) (ii) in Chapter 2 or 3 of the Aircraft Leasing Operations Administrative Procedures Manual established by AARRC at Headquarters.

Leasing Forms and Authorization

The following forms are used for leasing and authorization actions.

1. ADVISORY AIRCRAFT LEASING OPERATION
(AVIS DE LOCATION D'AÉRONEF) LF-5
2. AUTHORIZATION: TO CONDUCT A LEASING OPERATION
(AUTORISATION: UTILISATION D'AÉRONEFS LOUÉS) LF-6
3. APPLICATION TO AUTHORIZE A LEASING OPERATION OF AN
AIRCRAFT INVOLVING TWO CANADIAN AIR OPERATORS
(DEMANDE POUR AUTORISER LA LOCATION D'UN AÉRONEF ENTRE
DEUX EXPLOITANTS AÉRIENS CANADIENS) LF-1
4. APPLICATION TO AUTHORIZE A LEASING OPERATION OF AN
AIRCRAFT INVOLVING A CANADIAN AIR OPERATOR (LESSOR) AND
A FOREIGN AIR OPERATOR (LESSEE)
(DEMANDE POUR AUTORISER LA LOCATION D'UN AÉRONEF ENTRE
UN EXPLOITANT AÉRIEN CANADIEN (LOCATEUR) ET UN
EXPLOITANT AÉRIEN ÉTRANGER (LOCATAIRE)) LF-2
5. APPLICATION TO AUTHORIZE A LEASING OPERATION OF AN
AIRCRAFT INVOLVING A CANADIAN AIR OPERATOR (LESSEE) AND
A FOREIGN AIR OPERATOR (LESSOR)
(DEMANDE POUR AUTORISER LA LOCATION D'UN AÉRONEF ENTRE
UN EXPLOITANT AÉRIEN CANADIEN (LOCATAIRE) ET UN
EXPLOITANT AÉRIEN ÉTRANGER (LOCATEUR)) LF-3
6. APPLICATION TO AUTHORIZE A LEASING OPERATION OF AN
AIRCRAFT INVOLVING A CANADIEN AIRCRAFT MANUFACTURER
(LESSOR) AND A FOREIGN OPERATOR (LESSEE)
(DEMANDE POUR AUTORISER LA LOCATION D'UN AÉRONEF ENTRE
UN CONSTRUCTEUR D'AÉRONEFS CANADIEN (LOCATEUR) ET UN
EXPLOITANT ÉTRANGER (LOCATAIRE)) LF-4

8.2 LEASING OF FOREIGN AIRCRAFT — MINISTERIAL AUTHORIZATION AND EXEMPTION

1. Where a Canadian air operator intends to lease a foreign registered aircraft, the following points should be considered along with the regulatory leasing requirements:
 - (a) the air operator should be advised that the foreign aircraft has to meet our airworthiness requirements (Canadian Type Certificate). A close coordination with the Regional AM&M section who in turn will coordinate the authorization through the Headquarters' Maintenance and Manufacturing Branch (AARP) is important in this regard. This is to protect the air operator from leasing a foreign aircraft that may not be allowed to be operated under his/her AOC should it not meet our airworthiness requirements;
 - (b) where the lease involves a type of aircraft not included on the lessee's AOC, the lessee shall submit an application for an amendment to the air operator certificate (forms 26-0045 to 26-0048 and 24-0070 (AMO)) and meet the requirements of the applicable *CARs*;
 - (c) please refer to section 203.08 of the *CARs* regarding the "Limits on Period of Operation under an Authorization" regarding the operation of an aircraft registered in a foreign state;
 - (d) subsection 203.04 (1) of the *CARs* states that "No person shall operate a leased aircraft when one of the lessor and the lessee of the aircraft is not a Canadian unless the Minister and the civil aviation authority of the state of the lessor or the lessee have consented to such operation";
 - (e) paragraph 223.03 (3)(c) of the *Standards Respecting the Operation of a Leased Aircraft by a Non-registered Owner* requires that the lessee shall provide such evidence as the Minister considers necessary to establish that the aircraft complies with the type certificate issued in respect of the aircraft or other equivalent document as has been accepted by the Minister and meets the applicable standards of airworthiness and equipment requirements prescribed in the *CARs*;
2. No Canadian AOC holder may charter an aircraft from:
 - (a) a foreign air operator;
 - (b) any other foreign person; or
 - (c) any Canadian personwho does not hold an AOC.

8.3 OTHER TYPES OF MINISTERIAL EXEMPTION

1. When a Ministerial Exemption from the requirements of the *CARs* is required, other than for the lease of a foreign registered aircraft, the region should have the following documents before issuing the Ministerial Exemption:
 - (a) written request from the air operator;
 - (b) justification for such request from the air operator;
 - (c) where applicable, a copy of an agreed date for the duration of the exemption; and
 - (d) M&M Division approval for such request.
2. Should an extension be required to an existing Ministerial Exemption, please ensure that you have some lead time in order to have the exemption processed through the necessary co-ordinating divisions before the exemption expires.
3. Air operators requesting such exemptions should be advised not to call Headquarters in this matter since all the processing of these requests and the issuing of the exemptions are handled through the regional office.

8.4 OPERATION OF FOREIGN AIRCRAFT IN CANADA BY A FOREIGN AIR OPERATOR NOT HOLDING A CANADIAN FOREIGN AIR OPERATOR CERTIFICATE — MINISTERIAL EXEMPTION - AERIAL WORK OPERATIONS

1. Where a foreign air operator requests to operate an aircraft in Canada for aerial work operations, he should be advised that he should apply for a Canadian Foreign AOC North American Free Trade Agreement (NAFTA) by contacting the Foreign Inspection Division (AARXH) at Headquarters and be refused the issuance of a Ministerial Exemption for the proposed aerial work.
2. The operation of a foreign aircraft by a foreign air operator in Canada who is not a holder of a Canadian AOC requires a Ministerial Exemption to subsection 700.02(1) and section 702.02, 703.02, 704.02 or 705.02 of the *CARs* issued pursuant to subsection 5.9(2) of the *Aeronautics Act*. A Ministerial Exemption to the AOC requirement in subsection 700.02(1) and section 702.02, 703.02, 704.02 or 705.02 of the *CARs* for a foreign air operator is issued by the regional office for aerial work operations only when it can be determined that:
 - (a) the exemption is in the public interest;
 - (b) it can be demonstrated that the foreign air operator will operate the commercial air service in a safe manner; and

- (c) reasonable efforts have been taken by the Canadian contractor to engage a Canadian certified air operator but none is available or if one is available, he/she is not able to provide the equipment to perform the work because of other commitments.

Procedures

- 3. When inquiries are made to the TC requesting a Ministerial Exemption to section 702.02 of the *CARs*, the application for a Ministerial Exemption must be sent to the regional office of interest by the foreign air operator or by someone having the foreign air operator's legal authorization to do so in its behalf, a copy of Appendix "A" Kit containing a covering letter as presented on pages 10 to 14 shall be provided to both the client company and the foreign air operator covering the following direction:

- (a) the foreign air operator must provide the following documentation except that the numbers in subparagraph (iv) below may be adjusted to meet the circumstances:
 - (i) a copy of their AOC or other document of competency; if the operator is American, pages A1 (Issuance and Applicability), A3 (Aircraft Authorization) and B50 (Authorized Areas) of operations specifications must also be provided;
 - (ii) a copy of a letter from the civil aviation authorities of his state of registry stating that they are aware of and approve this operation in Canada by this foreign air operator;
 - (iii) a copy of aircraft Certificate of Registration and Certificate of Airworthiness;

NOTE: There must be a Canadian type certificate for this type of aircraft. The aircraft must meet all the Canadian Airworthiness Standards and may be subject to inspection upon entry or at any time while operating in Canada.

- (iv) where helicopter operations are concerned, the company requesting the Ministerial Exemption must indicate the maximum load to be listed and confirm that this load cannot be split into smaller loads; and
- (v) letters from Canadian air operators, who have equivalent or higher lifting capability who were contacted. Where helicopter operations are concerned one of the letters must be from a major helicopter air operator such as Canadian Helicopters Limited. The letters must contain the following:
 - (A) confirmation that they do not have either the same aircraft type nor do they have aircraft types that are capable of performing the required work either by reason of installed equipment or aircraft capabilities;

- (B) confirmation that the non-availability of their equipment is for the period of time requested for the Ministerial Exemption; and
- (C) confirmation that they are aware that the letter they are providing is to be used for the purpose of obtaining a Ministerial Exemption which will allow a foreign air operator to operate in Canada and that they have no objection to the issuance of such a Ministerial Exemption.

NOTE: TC will only accept letters from Canadian air operators having aircraft of equal or higher lifting capacity.

4. Regarding paragraph 3.(a)(v), the region will determine if there are more air operators capable of doing the work and whether a letter from each should be required.

- NOTE:
- (a) Regions are to ensure that the desire to provide a quick turn around and non-bureaucratic service does result in all elements of the policy being met before issuing the exemption.
 - (b) The regional M&M division must be involved with the processing of the Ministerial Exemption.

5. The air operators are also to be advised that the Ministerial Exemption will only cover the period requested and that no exemption will be issued for a period longer than thirty days. Any request for an extension to a Ministerial Exemption issued for thirty days would have to be supported by the same documentation required for the initial Ministerial Exemption.
6. When the Ministerial Exemption is issued, it will indicate the area of operation, the work to be performed and on behalf of the client company. The validity will be tied to the above factors. (See sample Ministerial Exemption on pages 17 and 18).
7. The region where the request originated and the region(s) where the operation will take place shall be consulted to see if there are air operators capable or available to do the work prior to granting the exemption and the region involved shall be responsible for the regulatory oversight of the operations.
8. In some cases, an additional authorization may be required from the Regional Manager, Commercial and Business Aviation to execute the proposed operation in the region where the operation may be over built-up areas of cities or towns.

NOTE: The Ministerial Exemption is subject to the observance and performance, by the foreign air operator, of the conditions of the authority. Any part of this authority may be suspended or cancelled at any time by the Minister, in writing, where he is of the opinion that it is no longer in the public interest or it is likely to affect aviation safety or for cause, including failure on the part of the foreign air operator, his servants or agents to comply with the provisions of the *Aeronautics Act*, the *Canadian Aviation Regulations* or any of said conditions.

NOTE: Further to paragraph 3.(a)(ii), the following is required from USA FAA for aircraft weighing more than 12,500 lbs:

- (a) Letters of awareness and approval are required from all states of registry, with the additional stipulation, should a USA registered aircraft be involved, a letter from the FAA indicating that either the lessor is a USA corporation or that the requirements of 14 CFR 47.9 do not apply:
 - (i) as background: Non-USA citizens and non-USA corporations may, unlike Canada, register aircraft in the USA; however, such aircraft are subject to being deregistered if "... the aircraft is not based and primarily used in the United States...", specifically *14 CFR 47.9 (b)* reads as follows:
 - (A) For the purposes of registration, an aircraft is based and primarily used in the United States if the flight hours accumulated within the United States amount to at least 60 percent of the total flight hours of the aircraft during:
 - (B) for aircraft registered on or before January 1, 1980, the 6 calendar month period beginning on January 1, 1980, and each 6 calendar month period thereafter: and
 - (C) for aircraft registered after January 1, 1980, the period consisting in the remainder of the registration month and the succeeding 6 calendar months and each 6 calendar month period thereafter."
 - (b) The purpose of this policy is to prevent a Canadian air operator from leasing and operating a US registered aircraft which may, without his/her or Transport Canada, Civil Aviation's knowledge, become deregistered in the USA.
9. Should a Ministerial Exemption be suspended or revoked, regardless of how the grounds for revocation are framed, any suspension or cancellation of an exemption will not be proper unless it is made in accordance with the rules of natural justice. At the very least, these rules require that the holder of the

exemption be given notice of intention to revoke and the reasons on which that intention is based and subsequently given an opportunity to make representations as to why the revocation should not be finalized. (Please note that in a situation where there is a genuine safety threat, a court would probably allow an immediate suspension but a subsequent opportunity to make representations would have to be given to the holder.)

Ministerial Exemption — Sample Letter

File Number: _____

Name of foreign air operator
Address

FAX

Dear Sir/Madam:

The operation of a foreign aircraft by a foreign air operator in Canada, who is not holder of a Canadian air operator certificate, requires a Ministerial Exemption to subsection 700.02(1) and section 702.02, 703.02, 704.02 or 705.02 of the *Canadian Aviation Regulations* which is issued pursuant to subsection 5.9 (2) of the *Aeronautics Act*.

This Ministerial Exemption is issued to a foreign air operator only when it can be determined that:

- (a) the exemption is in the public interest;
- (b) it can be demonstrated that the foreign air operator will operate the commercial air service in a safe manner; and
- (c) reasonable efforts have been taken by the Canadian contractor to engage a Canadian certified air operator, but none is available or if one is available, the air operator is not able to provide the equipment to perform the work.

An application for a Ministerial Exemption must be made by the foreign air operator or by a person having the air operator's legal authorization to do so.

In response to your inquiry, we enclose a list of instructions detailing the requirements that have to be met to obtain the exemption.

There must be a Canadian type approval for the type of aircraft that the foreign air operator will operate in Canada. This aircraft must meet all Canadian Airworthiness Standards and may be subject to inspection upon entry or while operating in Canada.

You will note that we have added the Schedule of Conditions that apply and which forms part of the exemption which must be respected while operating in Canada.

Should you require any further information regarding your application, please write to the

Yours truly,

Signature Block of Delegated Person

Encl.

Appendix "A"

Application for a Ministerial Exemption to Subsection 700.02(1) and Section 702.02, 703.02, 704.02 or 705.02 of the *Canadian Aviation Regulations* by a Foreign Air Operator

1. The application for a Ministerial Exemption must be made by a foreign air operator or by someone having the foreign air operator's legal authorization to do so on its behalf.
2. Ministerial Exemptions are only granted when it can be established that no Canadian capability exists. To establish the lack of capacity and the capability of another air operator to provide the service, the following requirements must be met:
 - (a) a copy of the air operator certificate or other document of competency: if the carrier is American, pages A1 (Issuance and Applicability), A3 (Aircraft Authorization) and B50 (Authorized Areas) of operations specifications must also be provided;
 - (b) a copy of the aircraft Certificates of Registration and Airworthiness;
NOTE: There must be a Canadian type certificate for this type of aircraft. The aircraft must meet all the Canadian Airworthiness Standards and may be subject to inspection upon entry or at any time while operating in Canada.
 - (c) where helicopter operations are concerned, the company requesting the Ministerial Exemption must indicate the maximum load to be lifted and confirm that this load cannot be split into smaller loads; and
 - (d) a copy of a letter from the civil aviation authorities of his state of registry stating that they are aware of and approve this operation in Canada by this foreign air operator.
3. Letters from Canadian air operators, who have equivalent or higher lifting capability who were contacted. Where helicopter operations are concerned, one of the letters must be from a major helicopter air operator such as Canadian Helicopters Limited. The letter must contain the following statements:
 - (a) confirmation that they do not have either the same aircraft type nor do they have aircraft types that are capable of performing the required work either by reason of installed equipment or aircraft capabilities;
 - (b) confirmation that the non-availability of their equipment is for the period of time requested for the Ministerial Exemption; and
 - (c) confirmation that they are aware that the letter they are providing is to be used for the purpose of obtaining a Ministerial Exemption which will allow a foreign air operator to operate in Canada and that they have no objection to the issuance of such a Ministerial Exemption.

NOTE: TC will only accept letters from Canadian air operators having aircraft of equal or higher lifting capacity.

4. The Ministerial Exemption will only cover the period requested and no Ministerial Exemption will be issued for a period longer than thirty days. Any request for an extension to a Ministerial Exemption issued for thirty days, must be supported by the same documentation required for the initial Ministerial Exemption.
5. When the Ministerial Exemption is issued, it will indicate the area of operation, the work to be done on behalf of which company the work is to be done. The validity will be tied to the above factors.
6. In some cases, an additional authorization may be required from the Regional Manager Commercial and Business Aviation to execute the proposed operation in the region where the operation may be over built-up areas of cities or towns.

NOTE: The Ministerial Exemption is subject to the observance and performance, by the foreign air operator, of the conditions of the authority. Any part of this authority may be suspended or cancelled at any time by the Minister, in writing, where he is of the opinion that it is no longer in the public interest or it is likely to affect aviation safety or for cause, including failure on the part of the foreign air operator, his servants or agents to comply with the provisions of the *Aeronautics Acts*, the *Canadian Aviation Regulations* or any of the attached conditions.

**EXEMPTION TO SUBSECTION 700.02(1) AND SECTION (702.02, 703.02,
704.02 or 705.02) OF THE *CANADIAN AVIATION REGULATIONS***

SCHEDULE OF CONDITIONS

1. THIS AUTHORITY IS SUBJECT TO THE OBSERVANCE AND PERFORMANCE BY THE AIR OPERATOR OF THE CONDITIONS OF THE AUTHORITY. ANY PART OF THIS AUTHORITY MAY BE SUSPENDED OR CANCELLED AT ANY TIME BY THE MINISTER IN WRITING WHERE HE IS OF THE OPINION THAT IT IS NO LONGER IN THE PUBLIC INTEREST OR IT IS LIKELY TO AFFECT AVIATION SAFETY OR FOR CAUSE, INCLUDING FAILURE ON THE PART OF THE AIR OPERATOR, HIS SERVANTS OR AGENTS TO COMPLY WITH THE PROVISIONS OF THE *AERONAUTICS ACT*, THE *CANADIAN AVIATION REGULATIONS* OR ANY OF THE SAID CONDITIONS;
2. NO CHANGE IN THE OPERATION OR TYPE OF AIRCRAFT SHALL BE MADE BY THE AIR OPERATOR, EXCEPT IN THE CASE OF EMERGENCY, WITHOUT FIRST OBTAINING THE AUTHORIZATION FROM THE MINISTER;
3. OPERATIONS COVERED BY THIS AUTHORITY SHALL BE SUBJECT TO THE PERFORMANCE LIMITATIONS CONTAINED IN THE APPROVED AIRCRAFT FLIGHT MANUAL ASSOCIATED WITH THE TYPE CERTIFICATE FOR THE AIRCRAFT TYPE USED;
4. THIS AUTHORITY SHALL BE VALID ONLY WHILE THE AIR OPERATOR IS IN POSSESSION OF A VALID PERMIT, CERTIFICATE, LICENCE OR OTHER SATISFACTORY DOCUMENT FROM THE AIR OPERATOR'S OWN STATE OF REGISTRY AUTHORIZING THE OPERATIONS FOR WHICH THIS TEMPORARY AUTHORITY IS GRANTED;
5. NOTHING IN THIS AUTHORITY SHALL BE HELD TO RELIEVE THE AIR OPERATOR FROM COMPLIANCE WITH THE PROVISIONS OF SUCH CANADIAN AVIATION DOCUMENTS AS MAY HAVE BEEN ISSUED PURSUANT TO THE *AERONAUTICS ACT*;
6. THE AIRCRAFT HAS A CANADIAN TYPE CERTIFICATE AND MEETS CANADIAN AIRWORTHINESS STANDARDS WHILE OPERATING IN CANADA;
7. THE OPERATION OF SAID AIRCRAFT UNDER THIS AUTHORITY SHALL BE SUBJECT TO INSPECTION AT ANY TIME WHILE OPERATING IN CANADA;

8. A COPY OF THIS AUTHORITY SHALL BE CARRIED ON BOARD THE AIRCRAFT WHILE OPERATING IN CANADA.

8.5 USE OF FOREIGN PERSONNEL ON COMMERCIAL AIR OPERATIONS IN CANADA

1. The use of foreign qualified air crew on any Canadian aircraft except when acting as training pilots for the introduction of a new type of aircraft is referred to in subsections 725.88(3), 724.108(3) and 725.106(6) of the CASS.

8.6 MANAGEMENT AGREEMENTS

1. An AOC issued to an air operator may be endorsed to indicate that the service is being operated by a second air operator under a Management Agreement only when the standards of section 720.07 of the CASS have been met. Both air operators must hold an AOC before operations are undertaken under a Management Agreement.
2. Management Agreements should be time limited, between existing AOC holders for the purpose of a merger or a take-over and may be issued at the discretion of the Regional Manager, Commercial and Business Aviation and Regional Manager, Maintenance and manufacturing (M&M), but until the regulation is changed, this is not presently a regulatory requirement.
3. After compliance with all of the standards, an operations specification shall be issued to the **managing air operator** specifying the conditions under which the operations may be conducted and a copy of the operation specification shall be sent to the **managed air operator**. A copy of operations specification no. 91 is listed in the NACIS Operations Specifications Manual.

8.7 CONSIDERATIONS FOR MANAGEMENT AGREEMENT TO EXERCISE OPERATIONAL CONTROL

1. Air operator A will exercise operational control over air operator B under the following conditions:
 - (a) B shall be operated under the terms and conditions of its air AOC no. ___;
2. It is agreed that:
 - (a) the Chief Pilot of air operator A shall act as Chief Pilot of air operators A and B; and
 - (b) the Operations Manager (or appropriate title) of air operator A shall exercise operational control over air operator B;

NOTE: The assigned Principal M&M Inspector(s) will ensure that the Maintenance Control Manuals of the affected air operators are amended to reflect the new responsibilities for maintenance and how the maintenance is to be performed. This activity is to be completed prior to the finding of acceptance of the Management Agreement by the Regional Managers, Maintenance and Manufacturing (M&M).

Sample Exemption

FOREIGN AIR OPERATOR - CONDUCTING AERIAL WORK OPERATIONS IN CANADA

EXEMPTION TO SUBSECTION 700.02(1) AND SECTION (702.02, 703.02, 704.02 OR 705.02) OF THE *CANADIAN AVIATION REGULATIONS*

Pursuant to subsection 5.9(2) Of the *Aeronautics Act*, I hereby exempt (*name and address of the air operator*) from the requirements of subsection 700.02(1) and section (702.02, 703.02, 704.02 or 705.02) of the *Canadian Aviation Regulations*, subject to the following conditions.

PURPOSE

The purpose of this exemption is to permit the air operator to conduct aerial work in Canada without being the holder of a Canadian Air Operator Certificate while carrying out (*give details of the aerial work, place, period of time and on behalf of the name of the company and its full address*).

CONDITIONS

1. This authority is subject to the observance and performance by the air operator of the conditions of the authority. Any part of this authority may be suspended or cancelled at any time by the Minister in writing where he is of the opinion that it is no longer in the public interest or it is likely to affect aviation safety or for cause, including failure on the part of the air operator, his servants or agents to comply with the provisions of the *Aeronautics Act*, the *Canadian Aviation Regulations* or any of the said conditions.
2. No change in the operation or type of aircraft shall be made by the air operator, except in the case of emergency, without first obtaining the authorization from the minister.
3. Operations covered by this authority shall be subject to the performance limitations contained in the approved aircraft flight manual associated with the certificate of airworthiness for the aircraft type used.
4. This authority shall be valid only while the air operator is in possession of a valid permit, certificate, licence or other satisfactory document from the air operator's own state of registry authorizing the operations for which this temporary authority is granted.

5. Nothing in this authority shall be held to relieve the air operator from compliance with the provisions of such Canadian aviation documents as may have been issued pursuant to the *Aeronautics Act*.
6. The aircraft has a Canadian type certificate and meets Canadian airworthiness standards while operating in Canada.
7. The operation of said aircraft under this authority shall be subject to inspection at any time while operating in Canada.
8. A copy of this authority shall be carried on board the aircraft while operating in Canada.

This exemption is in effect until the earliest of the following:

- (a) the date of which any of the conditions set out in this exemption are not complied with;
- (b) the date on which the exemption is cancelled by the Minister in writing where he is of the opinion that it is no longer in the public interest or that it is likely to affect aviation safety; or
- (c) 23:59 hours on *(date)*.

Dated at *(region)*, this _____ day of _____ 2003, on behalf of the Minister of Transport.

Regional, Director General
Civil Aviation

8.8 FOREIGN AIR OPERATOR OPERATING IN CANADA ON BEHALF OF A CANADIAN AIR OPERATOR

Policy Statement

1. The operation of a foreign air operator within Canada, on behalf of a Canadian air operator, under a contract carriage or any similar commercial arrangement, is considered cabotage and requires a Ministerial Exemption under the *Aeronautics Act* and an approval under the *Canada Transportation Act*.
2. When a Canadian air operator wishes to charter an aircraft from a foreign operator to carry domestic traffic in Canada, the foreign operator needs the necessary exemptions and must apply to Transport Canada Civil Aviation (TC) and to the Canadian Transportation Agency (Agency) for the required approvals. Such approvals will only be issued under special circumstances.
3. Under TC's policy, the foreign operator would start his official request via the region who would then provide him with the advice referred to in section 2 and a copy of the Appendix A which contains a covering letter as presented on pages 10 to 14, and tell him to send in his formal request to Foreign Inspection division (AARXH) in Ottawa, who would then prepare the issue of a Ministerial Exemption from the requirements of the appropriate subpart VII of the *Canadian Aviation Regulations*.
4. A Ministerial Exemption issued pursuant to subsection 5.9(2) of the *Aeronautics Act* requires the Minister or his delegate to consider two separate aspects of any request for an exemption; namely, (a) whether the exemption could be prejudicial to aviation safety and (b) whether it is in the public interest. It is therefore not sufficient for the applicant to show that an exemption request will not prejudice aviation safety. Since it is normally considered to be in the public interest for applicable requirements to be met, the onus is on the applicant to demonstrate that it would be in the public interest for it to be granted an exemption from normal requirements.
5. In order for the foreign operator to be permitted to operate domestic air services in Canada on behalf of a Canadian air operator, it is necessary for him to acquire an approval from the Agency pursuant to paragraph 60.(1)(b) of the *Canada Transportation Act* to allow a Canadian air operator to provide its domestic service between specific points using a foreign air operator with his aircraft and crew and for a specific period of time.
6. Consequently, when a regional office receives a request from a Canadian air operator or from a foreign air operator for an exemption to allow such operation, the request is to be referred to Transport Canada, Air Policy and Programs (ACE) in Ottawa. Because of the economic, financial and policy implications of

such a request and the need to ensure that 'ministerial' decisions are consistent under the two *Acts*, ACE will do the evaluation of the public interest aspect for purposes of subsection 5.9(2) of the *Aeronautics Act*.

7. The public interest is not to be determined by the use of letters as indicated in subparagraph 8.4(3)(a)(ii) on page 6 of the Air Operator Certification Manual.

Procedures

8. The documentation is to be submitted to ACE through Headquarters' Foreign Inspection Division (AARXH).
9. In order to justify a positive public interest finding, the foreign air operator, or someone having the foreign operator's legal authorization to do so on its behalf, must provide the following information when requesting exemptions:
 - (a) what are the benefits to the public of granting the requested exemption?
 - (i) economic;
 - (ii) policy;
 - (iii) other;
 - (b) what other public interest considerations are relevant?
 - (c) who else would benefit from the granting of the exemption?
 - (d) how would any negative aspects associated with the exemption be mitigated?
 - (e) what is the policy of the state of registry of the foreign operator with respect to similar requests within its territory?
10. In addition to the foregoing points, any other considerations the operator might consider relevant to a favourable public interest determination should be addressed.
11. The purpose of this policy is to establish a national policy in regard to the areas of responsibility respecting the operation of foreign air operators in Canada.
12. Please refer to pages 21 and 22 for a sample copy of a Ministerial Exemption pertaining to "Contract Carriage".

**EXEMPTION FROM SUBSECTIONS 700.02(1) AND 701.02(1) OF THE
CANADIAN AVIATION REGULATIONS**

Pursuant to subsection 5.9(2) of the *Aeronautics Act*, I hereby exempt (name and address of foreign air operator) from the requirements set out in subsections 700.02(1) of the *Canadian Aviation Regulations*, subject to the **attached Schedule of Conditions**.

Purpose

The purpose of this exemption is to permit (name only of foreign air operator), while not being the holder of a Canadian Air Operator Certificate, to operate a (type of aircraft and from what country) aircraft, registration (marks), Serial No. (0000), on contract carriage commercial air service in Canada, on behalf of (name and address of Canadian air operator), for the transportation of passengers and cargo, serving the following Canadian points: (list the designated points in Canada).

Validity

This exemption is in effect until the earliest of the following:

- (a) 2359 hours (and date), 2003;
- (b) the date on which any condition set out in the attached schedule of conditions is breached; or
- (c) the date on which this exemption is cancelled in writing, by the Minister, where he is of the opinion it is no longer in the public interest, or that it is likely to affect aviation safety, or for cause.

Dated at Ottawa, Canada this day of 2003, on behalf of the Minister of Transport.

Art LaFlamme
Director General
Civil Aviation

Attached: Schedule of Conditions

EXEMPTION FROM THE CONDITIONS OF SUBSECTIONS 700.02(1) AND 701.02(1) OF THE *CANADIAN AVIATION REGULATIONS*

Schedule of Conditions

1. This exemption is subject to the observance and performance by the air operator of the conditions of the exemption. This exemption may be suspended or cancelled at any time by the Minister, in writing, where he is of the opinion that it is no longer in the public interest or it is likely to affect aviation safety or for cause, including failure on the part of the air operator, his servants or agents to comply with the provisions of the *Aeronautics Act*, the *Canadian Aviation Regulations* or any of the exemption conditions.
2. No change in the operation or type of aircraft shall be made by the air operator, except in the case of emergency, without first obtaining the authorization from the Minister.
3. Operations permitted by this exemption shall be subject to the performance limitations contained in the approval aircraft flight manual associated with the aircraft type certificate for the aircraft used.
4. This exemption shall be valid only while the air operator is in possession of a valid permit, certificate, licence or other satisfactory document from the air operator's own state of registry authorizing the operations for which this temporary authority is granted.
5. The air operator shall be responsible for complying with the *Transportation of Dangerous Goods Act*, and *Regulations* and for obtaining any necessary permits while carrying dangerous goods pursuant to this exemption.
6. Nothing in this exemption shall be held to relieve the air operator from compliance with the provisions of any Canadian aviation documents that have been issued pursuant to the *Aeronautics Act*.
7. When directed by Transport Canada, the air operator shall make the aircraft available for inspection by Airworthiness and Flight Operations Inspectors, in accordance with the *Aeronautics Act* and the *Canadian Aviation Regulations*.
8. A copy of this exemption shall be carried on board the aircraft while operating in Canada.

8.9 MINISTERIAL AUTHORIZATION AND EXEMPTION - CHARGES

1. Pursuant to the revised Schedule of section 104.01 of the *CARS* charges shall be applied when issuing a ministerial authorization or an exemption to an air operator.
2. The charges shall be collected prior to the issuance of an authorization or an exemption. Under urgent circumstances an invoice is to be sent to the air operator after the exemption has been issued.

8.10 EXEMPTIONS FROM REGULATORY REQUIREMENTS

1. The *Aeronautics Act* gives the Minister of Transport the power to exempt from the regulatory requirements. Such exemptions are issued to delegated officials in exceptional situations governed by law when a regulation cannot or ought not apply.
2. Civil Aviation Directive No. 1, last amended on August 16, 2002 was issued with the intent of achieving national standards and procedures for the granting or denying of regulatory exemptions.
3. All exemptions issued by Regional Officials must be copied to:

AARXC - Certification Standards;

AARXB - Operational Standards; and

AARBH - Regulatory Affairs.

8.11 EXEMPTION - PARTICULAR LEASE - OPERATIONS UNDER SUBPART 604 AND PART VII OF THE CARS.

Policy Statement

1. An air operator leases an aircraft and operates it under Subpart 704 of the *CARS* for the purpose of providing an air transport service. The operator is the lessee and has legal custody and control of the aircraft for the term of the lease agreement.
2. The lessor is the legal title holder of the aircraft and retains the services of the lessee to provide an air transport service to the family of the lessor, his

employees, or dependent and independent contractors working for the lessor. The lessor does not have a Private Operator Certificate nor an Air Operator Certificate.

3. A Ministerial Exemption from the requirements of paragraph 604.01(b) and subsection 700.02(1) of the CARs may be issued to permit the air operator to operate that aircraft under subpart 604 of the CARs on behalf of the lessor, pending the amendment of the present regulations.

Procedure

4. When an air operator requests such a ministerial exemption the following procedures must be followed before issuing the exemption:
 - (a) the operator must submit, for approval by the Regional Manager, Commercial and Business Aviation, the non-financial sections of the lease agreement between the lessor and the lessee. The agreement must include the list of persons to be transported on behalf of the lessor, such as the family of the lessor, his employees, dependent or independent contractors working for the lessor, the activity and the time period of the lease;
 - (b) the lease agreement must give a description of the aircraft by model designation, serial number and registration marks;
 - (c) a copy of the lease agreement must be provided to the Minister of Transport to be kept on record;
 - (d) the lessee must have legal custody and control of the aircraft for the term of the lease agreement;
 - (e) the lessor must not dispose of any interest in the aircraft for the term of the lease agreement;
 - (f) the lessee must inform the Minister of Transport within 14 days when there is any change to the list of persons to be transported;
 - (g) the lessee must have the aircraft type on its Air Operator Certificate;
 - (h) the aircraft, when operated under the exemption, cannot be operated by a sub-lessee;
 - (i) the aircraft must be maintained at all times pursuant to subpart 704 of the CARs;
 - (j) the exemption will be issued pursuant to the terms of the lease agreement between the lessor and the lessee and will be dated;
 - (k) a copy of the exemption and an up-to-date list of persons to be transported on behalf of the lessor must be carried in the aircraft journey log-book.

EXEMPTION FROM PARAGRAPH 604.01(b) & SUBSECTION 702.02(1) OF THE *CANADIAN AVIATION REGULATIONS*

Background

This exemption is being issued pursuant to a lease agreement with a particular leasing circumstance.

An air operator leases an aircraft and operates it under Subpart 704 of the *Canadian Aviation Regulations* (CARs) for the purpose of providing an air transport service. The air operator is the lessee and has legal custody and control of the aircraft for the term of the lease agreement.

The lessor is the legal titleholder of the aircraft and retains the services of the lessee to provide an air transport service to the family of the lessor, and employees, or dependent and independent contractors working for the lessor. The lessor does not have a Private Operator Certificate or Air Operator Certificate.

The CARs do not permit the lessee as an air operator operating an aircraft pursuant to Subpart 704 to operate the aircraft on behalf of the lessor under Subpart 604 of the CARs to accommodate the above noted circumstance.

Prior to this exemption being granted, the non-financial sections of the lease agreement between the lessor and the lessee (the air operator) must have been reviewed by the Regional Manager, Commercial and Business Aviation to determine that the above described leasing circumstance exists.

Exemption

Pursuant to subsection 5.9(2) of the *Aeronautics Act*, and after having taken into account that the exemption is both in the public interest and is not likely to affect aviation safety, I hereby exempt an air operator as lessee, **[insert legal name of operator, and business address]** from the requirements set out in paragraph 604.01(b) and subsection 700.02(1) of the *Canadian Aviation Regulations* (CARs) only when in the leasing circumstance where an air operator as lessee operates the aircraft under Subpart 704 of the CARs and the lessor retains the lessee to provide an air transport service to the family of the lessor, and employees, or dependent and independent contractors working for the lessor, subject to the following conditions.

Paragraph 604.01(b) requires that Subpart 604 of the CARs applies in respect of the operation of a Canadian aircraft that is used for the transport of passengers, where the aircraft is not required to be operated under Subpart 6 of Part IV or under Part VII of the CARs.

Subsection 700.02(1) of the CARs requires that no person shall operate an air transport service unless the person holds and complies with the provisions of an air operator certificate that authorizes the person to operate that service.

Purpose

The purpose of this exemption is to allow the air operator as lessee when in a leasing arrangement where the lessor is the aircraft title holder with no air operator certificate and the lessee has legal custody and control of the aircraft with an air operator certificate issued pursuant to Subpart 704 of the CARs to transport the family of the lessor, and employees, or dependent and independent contractors working for the lessor, for that activity and time period only, after completion of which the air operator (lessee) reverts back to compliance with Subpart 704 of the CARs.

Application

This exemption applies to a lease agreement between **[lessor]** and **[lessee]**, the air operator, for the term of “X” date to “X” date only when in this defined leasing circumstance, and for the period of the Subpart 604 service.

This exemption applies to an _____ aircraft, Registration No. _____, Serial Number _____. This aircraft is operated at all times by the air operator as lessee to conduct an air transport service pursuant to an air operator certificate issued under Subpart 704 of the CARs.

The air operator as lessee operating the aircraft pursuant to Subpart 704 of the CARs may operate the aircraft pursuant to Subpart 604 of the CARs only when the lessor retains the services of the air operator to provide an air transport service to the family of the lessor, and employees, or dependent and independent contractors working for the lessor.

Conditions

This exemption is granted subject to the following conditions:

1. The lessee must have legal custody and control of the aircraft for the term of the lease agreement.
2. The lessor must not dispose of any interest in the aircraft for the term of the lease agreement.
3. The lease agreement must include the list of persons to be transported on behalf of the lessor.
4. The lessee must inform the Minister of Transport within 14 days when there is any change to the list of persons to be transported.
5. The lessee must have the aircraft type on its Air Operator Certificate.
6. The aircraft when operated under this exemption cannot be operated by a sub-lessee.
7. The lease agreement must give a description of the aircraft by model designation, serial number, registration marks.
8. The aircraft must be maintained at all times pursuant to Subpart 704 of the CARs.
9. This exemption is issued pursuant to the terms of the lease agreement between **[lessor]**, as lessor and **[lessee]** as lessee, dated _____.
10. The lessee must provide a copy of this lease agreement to the Minister of Transport to be kept on record.
11. A copy of this exemption and an up-to-date list of persons to be transported on behalf of the lessor must be carried in the aircraft journey log-book.

Validity

This exemption is in effect until the earliest of the following:

1. December 31, 2003;
2. The date on which the lease agreement is breached, canceled, terminated or expires;
3. The date on which one of the conditions set out in the exemption is breached;

4. The date on which an amendment to the appropriate provisions of the *Canadian Aviation Regulations* comes into effect; or
5. The date on which this exemption is cancelled, in writing by the Minister, where he is of the opinion that it is no longer in the public interest, or that it is likely to affect aviation safety.

Dated at (Region), (Province), this _____ day of _____ 2003, on behalf of the Minister of Transport.

Regional Director,
Civil Aviation

8.12 EXEMPTIONS FOR REGULATORY REQUIREMENTS CIVIL AVIATION DIRECTIVE - NO. 1

1. Civil Aviation is committed to implementing national standards and procedures for the consistent processing of exemption requests and a rationale in the development of criteria to either grant or deny exemptions from regulatory requirements.
2. The *Aeronautics Act* delegates to the Minister of Transport the power to exempt from the application of regulatory requirements made pursuant to the *Act* only in exceptional situations when a regulation cannot or ought not apply, and if certain conditions are met. Such exemptions are issued by delegated officials in accordance with the Delegation of Authority Document.
3. when Parliament enacts a law, or a regulation or an order is made under an *Act* of Parliament, it is a fundamental requirement of the Canadian legal system that legislative enactments will be applied universally and govern all members of the affected public equally. This enables each person to know what is required by the law and to act with the expectation that all persons to whom the law applies will be obeying the known requirements of that law.
4. However, it has long been recognized that, in certain situations governed by law, there may be occasions when the regulation cannot or ought not to apply. In such cases, it may be appropriate to issue an “exemption” which excuses compliance from all or part of the regulatory requirement.
5. The legislation governing aviation safety in Canada is the *Aeronautics Act*, together with the *Canadian Aviation Regulations*. Parliament has vested the authority for administering this legislation in the Minister of Transport. The Minister has in turn delegated responsibility for regulatory policy to the Director General, Civil Aviation (DGCA). In order to ensure the orderly and safe development of aviation in Canada, operational restrictions have been imposed on virtually all aviation activities. The authority to exempt from regulatory requirements has been delegated to the Minister’s departmental officials identified in the Delegation of Authority Document.
6. This directive applies to all parties involved in the civil aviation exemption-granting process in the Regions and Headquarters.
7. The Civil Aviation directive, Exemption Request Form is to be completed by the party making the request and attached to the “Assessment Paper” and then forwarded to AARBH by the OPI. (See)

(http://www.tc.gc.ca/CivilAviation/directives/dir1_att3.htm)

CHAPTER

9

*Environmental
Assessment – Air Transportation*

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Environmental Assessment – Air Transportation

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Chapter 9

9.1 AIR TRANSPORTATION

1. The *Canadian Environmental Assessment Act* requires that federal authorities who exercise certain powers, duties or functions in relation to proposed projects ensure, where required, that they be subject to an environmental assessment. An assessment may be required if a federal department or agency proposes a project; provides money or other financial assistance to a project; grants an interest in or transfers control of land to enable a project to proceed; or exercises a regulatory duty in relation to the project, such as issuing a licence, permit or other approval.
2. Certain proposed projects associated with the operation of a commercial air service from an aerodrome or an airport, or the operation of an aeroplane in supersonic flight on a route or in an area not designated under the authority of the Minister of Transport, may require consideration under the *Act*.
3. The following excerpts from key regulations under the *Act* may assist you in determining on whether or not an assessment may be required at the level or type of assessment necessary:
 - a) *Canadian Environmental Assessment Act* (SCHEDULE A)
 - b) *Law List Regulations* (SCHEDULE B)
 - c) *Inclusion List Regulations* (SCHEDULE C)
 - d) *Comprehensive Study List Regulations* (SCHEDULE D)
 - e) *Exclusion List Regulations* (SCHEDULE E)
4. Transport Canada, Civil Aviation has to remind air operators of their responsibility to determine whether a federal environmental assessment is required with respect to specific physical works or activities which the operator proposes to undertake. Information in this regard can be obtained directly from federal departments and agencies from whom approval or support for the project is required, or by contacting the appropriate regional office of the Canadian Environmental Assessment Agency. A list of Agency offices is attached (see page 15 - SCHEDULE F).
5. It should also be noted that certain activities may also require environmental assessment or approval from the provincial government. Air operators should seek information about such requirements directly from the provincial agencies concerned.

Schedule "A": Canadian Environmental Assessment Act

	CHAPTER C-15.2 [1992, c. 37]	CHAPITRE C-15.2 [1992, ch. 37]	
	An Act to establish a federal environmental assessment process <i>[Assented to 23rd June, 1992]</i>	Loi de mise en œuvre du processus fédéral d'évaluation environnementale <i>[Sanctionnée le 23 juin 1992]</i>	
Preamble	<p>WHEREAS the Government of Canada seeks to achieve sustainable development by conserving and enhancing environmental quality and by encouraging and promoting economic development that conserves and enhances environmental quality;</p> <p>WHEREAS environmental assessment provides an effective means of integrating environmental factors into planning and decision-making processes in a manner that promotes sustainable development;</p> <p>WHEREAS the Government of Canada is committed to exercising leadership within Canada and internationally in anticipating and preventing the degradation of environmental quality and at the same time ensuring that economic development is compatible with the high value Canadians place on environmental quality;</p> <p>AND WHEREAS the Government of Canada is committed to facilitating public participation in the environmental assessment of projects to be carried out by or with the approval or assistance of the Government of Canada and providing access to the information on which those environmental assessments are based;</p> <p>NOW, THEREFORE, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:</p>	<p>Attendu :</p> <p>que le gouvernement fédéral vise au développement durable par des actions de conservation et d'amélioration de la qualité de l'environnement ainsi que de promotion d'une croissance économique de nature à contribuer à la réalisation de ces fins;</p> <p>que l'évaluation environnementale constitue un outil efficace pour la prise en compte des facteurs environnementaux dans les processus de planification et de décision, de façon à promouvoir un développement durable;</p> <p>que le gouvernement fédéral s'engage à jouer un rôle moteur tant au plan national qu'au plan international dans la prévention de la dégradation de l'environnement tout en veillant à ce que les activités de développement économique soient compatibles avec la grande valeur qu'accordent les Canadiens à l'environnement;</p> <p>que le gouvernement fédéral s'engage à favoriser la participation de la population à l'évaluation environnementale des projets à entreprendre par lui ou approuvés ou aidés par lui, ainsi qu'à fournir l'accès à l'information sur laquelle se fonde cette évaluation.</p> <p>Sa Majesté, sur l'avis et avec le consentement du Sénat et de la Chambre des communes du Canada, édicte :</p>	Preamble

1993 04 30

Schedule “B”: Law List Regulations (SOR/94-636)

AIR TRANSPORTATION

1. Provisions of *Acts* and *Regulations* that Confer Powers, Duties or Functions on Federal Authorities.
2. Item 30, Schedule I, Part II, “*Sonic and Supersonic Flight Order*”.

Schedule "B": Law List Regulations (SOR/94-636)

19/10/94 <i>Canada Gazette Part II, Vol. 128, No. 21</i> <i>Gazette du Canada Partie II, Vol. 128, No 21</i> SOR/DORS/94-636	
<p>Registration SOR/94-636 7 October, 1994</p> <p>CANADIAN ENVIRONMENTAL ASSESSMENT ACT</p> <p>Law List Regulations</p> <p>P.C. 1994-1685 7 October, 1994</p> <p>His Excellency the Governor General in Council, on the recommendation of the Minister of the Environment, pursuant to paragraphs 59(f) and (g) of the Canadian Environmental Assessment Act*, is pleased hereby to make the annexed Regulations prescribing provisions of Acts of Parliament and regulations made pursuant to any such Act that confer powers, duties or functions on federal authorities or on the Governor in Council, the exercise of which requires an environmental assessment, effective on the day on which section 59 of the Canadian Environmental Assessment Act comes into force.</p> <p>REGULATIONS PRESCRIBING PROVISIONS OF ACTS OF PARLIAMENT AND REGULATIONS MADE PURSUANT TO ANY SUCH ACT THAT CONFER POWERS, DUTIES OR FUNCTIONS ON FEDERAL AUTHORITIES OR ON THE GOVERNOR IN COUNCIL, THE EXERCISE OF WHICH REQUIRES AN ENVIRONMENTAL ASSESSMENT</p> <p style="text-align: center;"><i>Short Title</i></p> <p>1. These Regulations may be cited as the <i>Law List Regulations</i>.</p> <p style="text-align: center;"><i>General</i></p> <p>2. The provisions of an Act set out in Part I of Schedule I and a regulation set out in Part II of that Schedule are prescribed for the purposes of paragraph 5(1)(d) of the <i>Canadian Environmental Assessment Act</i>.</p> <p>3. The provisions of an Act set out in Schedule II are prescribed for the purposes of subsection 5(2) of the <i>Canadian Environmental Assessment Act</i>.</p> <p style="text-align: center;">* S.C. 1992, c. 37</p>	<p>Enregistrement DORS/94-636 7 octobre 1994</p> <p>LOI CANADIENNE SUR L'ÉVALUATION ENVIRONNEMENTALE</p> <p>Règlement sur les dispositions législatives et réglementaires désignées</p> <p>C.P. 1994-1685 7 octobre 1994</p> <p>Sur recommandation de la ministre de l'Environnement et en vertu des alinéas 59(f) et g) de la Loi canadienne sur l'évaluation environnementale*, il plaît à Son Excellence le Gouverneur général en conseil de prendre le Règlement désignant les dispositions législatives et réglementaires fédérales prévoyant les attributions des autorités fédérales et du gouverneur en conseil dont l'exercice rend nécessaire une évaluation environnementale, ci-après, lequel entre en vigueur à la date d'entrée en vigueur de l'article 59 de la Loi canadienne sur l'évaluation environnementale.</p> <p>RÈGLEMENT DÉSIGNANT LES DISPOSITIONS LÉGISLATIVES ET RÉGLEMENTAIRES FÉDÉRALES PRÉVOYANT LES ATTRIBUTIONS DES AUTORITÉS FÉDÉRALES ET DU GOUVERNEUR EN CONSEIL DONT L'EXERCICE REND NÉCESSAIRE UNE ÉVALUATION ENVIRONNEMENTALE</p> <p style="text-align: center;"><i>Titre abrégé</i></p> <p>1. <i>Règlement sur les dispositions législatives et réglementaires désignées.</i></p> <p style="text-align: center;"><i>Dispositions générales</i></p> <p>2. Pour l'application de l'alinéa 5(1)d) de la <i>Loi canadienne sur l'évaluation environnementale</i>, les dispositions législatives et réglementaires sont celles prévues respectivement aux parties I et II de l'annexe I.</p> <p>3. Pour l'application du paragraphe 5(2) de la <i>Loi canadienne sur l'évaluation environnementale</i>, les dispositions législatives sont celles prévues à l'annexe II.</p> <p style="text-align: center;">* L.C. 1992, ch. 37</p>
[1]	3381

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SCHEDULE I—Concluded

ANNEXE I (suite)

PART II—Concluded

PARTIE II (suite)

Item*	Provisions	Article*	Dispositions
24. (2)	<i>National Parks Building Regulations</i> (a) subsection 5(1)	25. (23)	<i>Règlement général sur les parcs nationaux</i> a) paragraphe 11(1) b) paragraphe 12(1) c) paragraphe 14(1) d) paragraphe 20(1) e) paragraphe 20(2)
25. (3)	<i>National Parks Timber Regulations</i> (a) subsection 4(1)		
26. (3)	<i>National Parks Lease and Licence of Occupation Regulations (1991)</i> (a) subsection 14(1)	26. (29)	<i>Décrets sur les permis relatifs à des terres publiques</i> a) alinéa 3a) b) alinéa 3b) c) alinéa 3c)
27. (16)	<i>National Parks Wildlife Regulations</i> (a) subsection 15(2)	27. (14)	<i>Règlement sur le pétrole et le gaz des terres indiennes</i> a) paragraphe 5(2) b) paragraphe 7(1) c) paragraphe 7(5) d) paragraphe 19(4) e) paragraphe 23(1) f) paragraphe 26(2) g) paragraphe 27(4) h) paragraphe 28(4) i) paragraphe 31(1)
28. (30)	<i>Northwest Territories Reindeer Regulations</i> (a) paragraph 5(1)(b)		
29. (26)	<i>Public Lands Licensing Order</i> (a) paragraph 3(a) (b) paragraph 3(d) (c) paragraph 3(f)	28. (36)	<i>Règlement sur la protection des forêts du Yukon</i> a) paragraphe 10(1)
30. (37)	<i>Sonic and Supersonic Flight Order</i> (a) section 3	29. (21)	<i>Règlement sur les refuges d'oiseaux migrateurs</i> a) paragraphe 9(1)
31. (36)	<i>Territorial Land Use Regulations</i> (a) paragraph 25(1)(a) (b) paragraph 27(a)	30. (28)	<i>Règlement sur les terres des Territoires du Nord-Ouest</i> a) alinéa 5(1)(b)
32. (4)	<i>Timber Regulations, 1993</i> (a) subsection 7(3) (b) section 14	31. (34)	<i>Règlement sur les réserves de faune</i> a) article 4
33. (22)	<i>Uranium and Thorium Mining Regulations</i> (a) subsection 7(1) (b) subsection 8(1) (c) section 9 (d) paragraph 17(1)(b) (e) subsection 17(7) (f) subsection 18(2) (g) section 34	32. (10)	<i>Règlement sur la santé des animaux</i> a) alinéa 10(1)(a)
34. (31)	<i>Wildlife Area Regulations</i> (a) section 4	33. (7)	<i>Règlement sur le stockage de l'ammoniac anhydre</i> a) article 6
35. (18)	<i>Wood Buffalo National Park Game Regulations</i> (a) paragraph 56(1)(b)	34. (12)	<i>Règlement sur les terrains contigus à des canaux relevant du ministre des A.J. et du N.C.</i> a) article 6 b) alinéa 7a) c) alinéa 7d) d) alinéa 7f)
36. (28)	<i>Yukon Forest Protection Regulations</i> (a) subsection 10(1)	35. (7)	<i>Règlement fédéral sur le traitement et la destruction des BPC au moyen d'unités mobiles</i> a) article 11 b) paragraphe 12(1)
37. (7)	<i>Yukon Timber Regulations</i> (a) section 4 (b) subsection 5(1)	36. (31)	<i>Règlement sur l'utilisation des terres territoriales</i> a) alinéa 25(1)(a) b) alinéa 27a)

* The italicized number shown in parentheses under the item number is the corresponding item number in the French version of this Schedule.

Schedule "C": Inclusion List Regulations - (SOR394-637)

AIR TRANSPORTATION

Section 35. Refers to the "Sonic and Supersonic Flight Order".

Schedule "C": Inclusion List Regulations - (SOR394-637)

19/10/94 Canada Gazette Part II, Vol. 128, No. 21	Gazette du Canada Partie II, Vol. 128, N° 21	SOR/DORS/94-637
Registration SOR/94-637 7 October, 1994	Enregistrement DORS/94-637 7 octobre 1994	
CANADIAN ENVIRONMENTAL ASSESSMENT ACT	LOI CANADIENNE SUR L'ÉVALUATION ENVIRONNEMENTALE	
Inclusion List Regulations	Règlement sur la liste d'inclusion	
P.C. 1994-1686 7 October, 1994	C.P. 1994-1686 7 octobre 1994	
His Excellency the Governor General in Council, on the recommendation of the Minister of the Environment, pursuant to paragraph 59(b) of the Canadian Environmental Assessment Act*, is pleased hereby to make the annexed Regulations prescribing physical activities and classes of physical activities not relating to physical works that may require an environmental assessment, effective on the day on which section 59 of the Canadian Environmental Assessment Act comes into force.	Sur recommandation de la ministre de l'Environnement et en vertu de l'alinéa 59b) de la Loi canadienne sur l'évaluation environnementale*, il plaît à Son Excellence le Gouverneur général en conseil de prendre le Règlement désignant les activités concrètes et les catégories d'activités concrètes non liées à des ouvrages et pouvant nécessiter une évaluation environnementale, ci-après, lequel entre en vigueur à la date d'entrée en vigueur de l'article 59 de la Loi canadienne sur l'évaluation environnementale.	
REGULATIONS PRESCRIBING PHYSICAL ACTIVITIES AND CLASSES OF PHYSICAL ACTIVITIES NOT RELATING TO PHYSICAL WORKS THAT MAY REQUIRE AN ENVIRONMENTAL ASSESSMENT	RÈGLEMENT DÉSIGNANT LES ACTIVITÉS CONCRÈTES ET LES CATÉGORIES D'ACTIVITÉS CONCRÈTES NON LIÉES À DES OUVRAGES ET POUVANT NECESSITER UNE ÉVALUATION ENVIRONNEMENTALE	
<i>Short Title</i>	<i>Titre abrégé</i>	
1. These Regulations may be cited as the <i>Inclusion List Regulations</i> .	1. <i>Règlement sur la liste d'inclusion</i> .	
<i>Interpretation</i>	<i>Définitions</i>	
2. In these Regulations, "borrow site" means a site from which earth material is extracted in order to obtain topsoil, sand, gravel, rock, crushed stone, building stone, or other mineral aggregate for use elsewhere; (<i>site d'emprunt</i>) "historic canal" means a historic canal set out in column I of an item of Schedule I to the <i>Historic Canals Regulations</i> ; (<i>canal historique</i>) "Indian reserve" means a reserve as defined in subsection 2(1) of the <i>Indian Act</i> ; (<i>réserve indienne</i>) "military weapons platform" means a vehicle, ship or aircraft that is designed for the operation of a military weapon; (<i>plate-forme d'armes militaires</i>) "national park" means (a) a park described in Schedule I to the <i>National Parks Act</i> , and (b) a park established pursuant to a federal-provincial agreement that is under the responsibility of the Minister of Communications and is not described in Schedule I to the <i>National Parks Act</i> ; (<i>parc national</i>) "national park reserve" means a reserve established under <i>An Act to amend the National Parks Act and to amend An Act to amend the National Parks Act</i> , chapter 48 of the Statutes	2. Les définitions qui suivent s'appliquent au présent règlement. « canal historique » Canal historique mentionné à la colonne I de l'annexe I du <i>Règlement sur les canaux historiques</i> . (<i>historic canal</i>) « parc national » a) Parc décrit à l'annexe I de la <i>Loi sur les parcs nationaux</i> ; b) parc érigé conformément à un accord fédéral-provincial et placé sous l'autorité du ministre des Communications, mais non décrit à cette annexe. (<i>national park</i>) « plan d'eau » Tout plan d'eau, notamment les canaux, réservoirs, terres humides et océans, jusqu'à la laisse des hautes eaux. La présente définition ne vise pas les étangs de traitement des eaux usées et les étangs de résidus miniers. (<i>water body</i>) « plate-forme d'armes militaires » Véhicule, navire ou aéronef conçu pour l'utilisation d'armes militaires. (<i>military weapons platform</i>) « quantité réglementaire » ou « QR » Quantité d'un isotope radioactif d'un élément qui est : a) soit indiquée à la partie I de l'annexe I du <i>Règlement sur le contrôle de l'énergie atomique</i> , b) soit calculée conformément à la partie II de cette annexe. (<i>scheduled quantity or SQ</i>)	
* S.C. 1992, c. 37	* L.C. 1992, ch. 37	

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SCHEDULE—Continued

ANNEXE (suite)

PART V

PARTIE V

TRANSPORTATION

TRANSPORTS

33. Physical activities relating to the abandonment of the operation of freight operations on a railway line that requires an order under section 162, subsection 165(1) or section 166 of the *National Transportation Act, 1987*.

33. Les activités concrètes liées à l'abandon de l'exploitation des opérations de transport de marchandises sur une ligne de chemin de fer, lesquelles activités nécessitent l'arrêt prévu à l'article 162, au paragraphe 165(1) ou à l'article 166 de la *Loi de 1987 sur les transports nationaux*.

34. The construction of drainage or laying of pipes that requires an order or permit under subsection 212(1) or (2) of the *Railway Act*.

34. La construction de voies de drainage ou la pose de conduites d'eau ou autres tuyaux, qui nécessitent l'ordre ou la permission prévus aux paragraphes 212(1) ou (2) de la *Loi sur les chemins de fer*.

35. The operation of an aircraft in supersonic flight on a route or in an area not designated by or under the authority of the Minister of Transport that requires an authorization under section 3 of the *Sonic and Supersonic Flight Order*.

35. Le pilotage d'un aéronef en vol supersonique sur une route ou dans une zone non désignée par le ministre des Transports ou sous son autorité, qui nécessite l'autorisation prévue à l'article 3 de l'*Ordonnance sur le vol sonique et supersonique*.

36. Dredge or fill operations in a navigation channel of a historic canal or other navigable water for the purpose of ensuring the navigability of the historic canal or other navigable water.

36. Les travaux de dragage ou de remblayage dans les chenaux de navigation des canaux historiques ou autres eaux navigables afin qui soit assurée la navigabilité de ces canaux ou de ces eaux.

37. The removal or destruction of a wreck or other thing under section 16 of the *Navigable Waters Protection Act*.

37. L'enlèvement ou la destruction d'épaves ou de tout autre objet en vertu de l'article 16 de la *Loi sur la protection des eaux navigables*.

38. The removal of any vessel or other thing that is wrecked, sunk, partially sunk, lying ashore or grounded in any navigable water in Canada where the removal requires an authorization under section 20 of the *Navigable Waters Protection Act*.

38. L'enlèvement de tout bateau ou autre objet résultant du naufrage du bateau qui a sombré, s'est échoué ou s'est jeté à la côte dans des eaux navigables canadiennes, qui nécessite l'autorisation prévue à l'article 20 de la *Loi sur la protection des eaux navigables*.

39. The destruction or removal of a ship or any cargo or other material on board a ship that is stranded, wrecked, sunk or abandoned, where the destruction or removal is ordered by the Governor in Council under subsection 13(1) of the *Arctic Waters Pollution Prevention Act*.

39. La destruction ou le déplacement d'un navire, de sa cargaison, en tout ou en partie, ou d'autres objets se trouvant à bord d'un navire échoué, naufragé, coulé ou abandonné, aux termes d'un ordre du gouverneur en conseil donné en vertu du paragraphe 13(1) de la *Loi sur la prévention de la pollution des eaux arctiques*.

PART VI

PARTIE VI

WASTE MANAGEMENT

GESTION DES DÉCHETS

40. The dumping of any substance for which a permit is required under Part VI of the *Canadian Environmental Protection Act*.

40. L'immersion de substances qui nécessite un permis aux termes de la partie VI de la *Loi canadienne sur la protection de l'environnement*.

41. The operation or testing of a mobile PCB destruction system or mobile PCB treatment system under section 11 or subsection 12(1) of the *Federal Mobile PCB Treatment and Destruction Regulations*.

41. L'utilisation ou l'essai d'une unité mobile de destruction des BPC ou d'une unité mobile de traitement des BPC en vertu de l'article 11 ou du paragraphe 12(1) du *Règlement fédéral sur le traitement et la destruction des BPC au moyen d'unités mobiles*.

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Schedule "D": Comprehensive Study List Regulations - (SOR/94-638)

AIR TRANSPORTATION

1. Section 30. Refers to the proposed construction or decommissioning of an aerodrome, an airport or an all-season runway.

Section 31. Refers to the extension of an all-season runway by 1500 m or more.

Schedule "D": Comprehensive Study List Regulations - (SOR/94-638)

19/10/94 <i>Canada Gazette Part II, Vol. 128, No. 21</i>	Gazette du Canada <i>Partie II, Vol. 128, N° 21</i>	SOR/DORS/94-638
Registration SOR/94-638 7 October, 1994	Enregistrement DORS/94-638 7 octobre 1994	
CANADIAN ENVIRONMENTAL ASSESSMENT ACT	LOI CANADIENNE SUR L'ÉVALUATION ENVIRONNEMENTALE	
Comprehensive Study List Regulations	Règlement sur la liste d'étude approfondie	
P.C. 1994-1687 7 October, 1994	C.P. 1994-1687 7 octobre 1994	
Whereas the Governor in Council is satisfied that certain projects and classes of projects are likely to have significant adverse environmental effects;	Attendu que le gouverneur en conseil est convaincu que certains projets et certaines catégories de projets sont susceptibles d'entraîner des effets environnementaux négatifs importants.	
Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of the Environment, pursuant to paragraph 59(d) of the Canadian Environmental Assessment Act*, is pleased hereby to make the annexed Regulations prescribing those projects and classes of projects for which a comprehensive study is required, effective on the day on which section 59 of the Canadian Environmental Assessment Act comes into force.	À ces causes, sur recommandation de la ministre de l'Environnement et en vertu de l'alinéa 59d) de la Loi canadienne sur l'évaluation environnementale*, il plaît à Son Excellence le Gouverneur général en conseil de prendre le Règlement désignant les projets et les catégories de projets pour lesquels une étude environnementale approfondie est obligatoire, ci-après, lequel entre en vigueur à la date d'entrée en vigueur de l'article 59 de la Loi canadienne sur l'évaluation environnementale.	
REGULATIONS PRESCRIBING THOSE PROJECTS AND CLASSES OF PROJECTS FOR WHICH A COMPREHENSIVE STUDY IS REQUIRED	RÈGLEMENT DÉSIGNANT LES PROJETS ET LES CATEGORIES DE PROJETS POUR LESQUELS UNE ÉTUDE ENVIRONNEMENTALE APPROFONDIE EST OBLIGATOIRE	
<i>Short Title</i>	<i>Titre abrégé</i>	
1. These Regulations may be cited as the <i>Comprehensive Study List Regulations</i> .	1. <i>Règlement sur la liste d'étude approfondie</i> .	
<i>Interpretation</i>	<i>Définitions</i>	
2. In these Regulations, "abandonment" does not include the temporary cessation of the operation of a physical work; (<i>fermeture</i>) "aerodrome" means aerodrome as defined in subsection 3(1) of the <i>Aeronautics Act</i> ; (<i>aérodrome</i>) "airport" means airport as defined in subsection 3(1) of the <i>Aeronautics Act</i> ; (<i>aéroport</i>) "decommissioning" does not include the cessation of the operation of a physical work; (<i>désaffectation</i>) "hazardous waste" means hazardous waste as defined in subsection 43(4) of the <i>Canadian Environmental Protection Act</i> ; (<i>déchets dangereux</i>) "historic canal" means a historic canal set out in column I of an item of Schedule I to the <i>Historic Canals Regulations</i> ; (<i>canal historique</i>) "management plan" means a management plan in respect of a national park, national park reserve, national historic site or historic canal that has been laid before each House of Parliament; (<i>plan de gestion</i>)	2. Les définitions qui suivent s'appliquent au présent règlement. « aérodrome » S'entend au sens du paragraphe 3(1) de la <i>Loi sur l'aéronautique</i> . (<i>aerodrome</i>) « aéroport » S'entend au sens du paragraphe 3(1) de la <i>Loi sur l'aéronautique</i> . (<i>airport</i>) « canal historique » Canal historique mentionné à la colonne I de l'annexe 1 du <i>Règlement sur les canaux historiques</i> . (<i>historic canal</i>) « déchets dangereux » S'entend au sens du paragraphe 43(4) de la <i>Loi canadienne sur la protection de l'environnement</i> . (<i>hazardous waste</i>) « désaffectation » Ne vise pas le fait de cesser l'exploitation d'un ouvrage. (<i>decommissioning</i>) « emprise » Terrain qui est assujéti à un droit de passage et qui est aménagé pour une ligne de transport d'électricité, un pipeline d'hydrocarbures, une ligne de chemin de fer ou une voie publique permanente. (<i>right of way</i>) « établissement nucléaire » S'entend au sens de l'article 2 du <i>Règlement sur le contrôle de l'énergie atomique</i> . (<i>nuclear facility</i>)	
* S.C. 1992, c. 37	* L.C. 1992, ch. 37	
{1}		3401

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SCHEDULE—*Concluded*

ANNEXE (*fin*)

PART IX

PARTIE IX

TRANSPORTATION

TRANSPORTS

28. The proposed construction, decommissioning or abandonment of

28. Projet de construction, de désaffectation ou de fermeture :

- (a) a canal or any lock or associated structure to control water levels in the canal;
- (b) a lock or associated structure to control water levels in existing navigable waterways; or
- (c) a marine terminal designed to handle vessels larger than 25 000 DWT.

- a) d'un canal, ou de toute écluse ou structure connexe pour contrôler le niveau d'eau du canal;
- b) d'une écluse ou d'une structure connexe pour contrôler le niveau d'eau dans des voies navigables existantes;
- c) d'un terminal maritime conçu pour recevoir des navires de plus de 25 000 TPL.

29. The proposed construction of

29. Projet de construction :

- (a) a railway line more than 32 km in length on a new right of way;
- (b) an all-season public highway more than 50 km in length on a new right of way or leading to a community that lacks all-season public highway access; or
- (c) a railway line designed for trains that have an average speed of more than 200 km/h.

- a) d'une ligne de chemin de fer d'une longueur de plus de 32 km sur une nouvelle emprise;
- b) d'une voie publique permanente qui a une longueur de plus de 50 km sur une nouvelle emprise ou qui mène à une collectivité sans accès à une voie publique permanente;
- c) d'une ligne de chemin de fer conçue pour des trains dont la vitesse moyenne est de plus de 200 km/h.

30. The proposed construction or decommissioning of

30. Projet de construction ou de désaffectation :

- (a) an aerodrome located within the built-up area of a city or town;
- (b) an airport; or
- (c) an all-season runway with a length of 1 500 m or more.

- a) d'un aérodrome situé à l'intérieur de la zone bâtie d'une ville;
- b) d'un aéroport;
- c) d'une piste utilisable en toute saison d'une longueur de 1 500 m ou plus.

31. The proposed extension of an all-season runway by 1 500 m or more.

31. Projet de prolongement de 1 500 m ou plus d'une piste utilisable en toute saison.

PART X

PARTIE X

WASTE MANAGEMENT

GESTION DES DÉCHETS

32. The proposed construction, decommissioning or abandonment of a facility used exclusively for the treatment, incineration, disposal or recycling of hazardous waste, or an expansion of such a facility that would result in an increase in its production capacity of more than 35 per cent.

32. Projet de construction, de désaffectation ou de fermeture d'une installation utilisée exclusivement pour le traitement, l'incinération, l'élimination ou le recyclage de déchets dangereux, ou projet d'agrandissement d'une telle installation qui entraînerait une augmentation de la capacité de production de plus de 35 pour cent.

N.B. The Regulatory Impact Analysis Statement for these Regulations appears at page 3388, following SOR/94-636.

N.B. Le résumé de l'étude d'impact de la réglementation de ce règlement se trouve à la page 3388, suite au DORS/94-636.

Schedule "E": Exclusion List Regulations - (SOR/94-639)

AIR TRANSPORTATION

1. Section 37. Refers to the proposed expansion or modification of an existing pavement or gravel area within the boundary of an airport.
2. Section 38. Refers to the proposed modification of existing aircraft manoeuvring lights or navigation lights.

Schedule "E": Exclusion List Regulations - (SOR/94-639)

19/10/94 *Canada Gazette Part II, Vol. 128, No. 21* *Gazette du Canada Partie II, Vol. 128, N° 21* SOR/DORS/94-639

Registration
SOR/94-639 7 October, 1994

CANADIAN ENVIRONMENTAL ASSESSMENT ACT

Exclusion List Regulations

P.C. 1994-1688 7 October, 1994

Whereas the Governor in Council is satisfied that the environmental effects of certain projects in relation to physical works are insignificant;

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of the Environment, pursuant to subparagraph 59(c)(ii) of the Canadian Environmental Assessment Act*, is pleased hereby to make the annexed Regulations prescribing those projects and classes of projects for which an environmental assessment is not required, effective on the day on which section 59 of the Canadian Environmental Assessment Act comes into force.

REGULATIONS PRESCRIBING THOSE PROJECTS AND CLASSES OF PROJECTS FOR WHICH AN ENVIRONMENTAL ASSESSMENT IS NOT REQUIRED

Short Title

1. These Regulations may be cited as the *Exclusion List Regulations*.

Interpretation

2. In these Regulations,
 "control product" means control product as defined in section 2 of the *Pest Control Products Act*; (*produits antiparasitaires*)
 "dugout" means an excavation to hold water for consumption by livestock; (*étang-réservoir*)
 "expansion" means an increase in the exterior dimensions or the production capacity of a physical work; (*agrandissement*)
 "fixed structure" means the electrical, heating, fire-prevention, plumbing or security structure of an existing building, but does not include a structure that is intended to produce goods or energy; (*structure fixe*)
 "footprint" means the area of land occupied by a building or structure at ground level; (*superficie au sol*)
 "heritage building" means a building that has been designated as a heritage building by a government authority; (*bâtiment du patrimoine*)
 "historic canal" means a historic canal set out in column I of an item of Schedule I to the *Historic Canals Regulations* and includes any federal lands appertaining or incident to a historic canal; (*canal historique*)

* S.C. 1992, c. 37

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Enregistrement
DORS/94-639 7 octobre 1994

LOI CANADIENNE SUR L'ÉVALUATION ENVIRONNEMENTALE

Règlement sur la liste d'exclusion

C.P. 1994-1688 7 octobre 1994

Attendu que le gouvernement en conseil est convaincu que les effets environnementaux de certains projets liés à un ouvrage ne sont pas importants,

À ces causes, sur recommandation de la ministre de l'Environnement et en vertu du sous-alinéa 59c)(ii) de la Loi canadienne sur l'évaluation environnementale*, il plaît à Son Excellence le Gouverneur général en conseil de prendre le Règlement désignant les projets et les catégories de projets pour lesquels une évaluation environnementale n'est pas nécessaire, ci-après, lequel entre en vigueur à la date d'entrée en vigueur de l'article 59 de la Loi canadienne sur l'évaluation environnementale.

RÈGLEMENT DÉSIGNANT LES PROJETS ET LES CATÉGORIES DE PROJETS POUR LESQUELS UNE ÉVALUATION ENVIRONNEMENTALE N'EST PAS NÉCESSAIRE

Titre abrégé

1. *Règlement sur la liste d'exclusion.*

Définitions

2. Les définitions qui suivent s'appliquent au présent règlement.
 « agrandissement » Augmentation des dimensions extérieures ou de la capacité de production d'un ouvrage. (*expansion*)
 « aire de réparation de filets » Aire revêtue ou finie réservée à la réparation des filets de pêche. (*net repair area*)
 « bâtiment du patrimoine » Bâtiment qui a été désigné à ce titre par une autorité gouvernementale. (*heritage building*)
 « canal historique » Canal historique mentionné à la colonne I de l'annexe I du *Règlement sur les canaux historiques*, y compris le territoire domanial qui est contiguë ou connexe au canal. (*historic canal*)
 « emprise » Terrain qui est assujéti à un droit de passage et qui est aménagé pour une ligne de télécommunications, une ligne de transport d'électricité, une station de commutation, un pipeline d'hydrocarbures, un chemin de fer ou une route. (*right of way*)
 « établissement nucléaire » S'entend au sens de l'article 2 du *Règlement sur le contrôle de l'énergie atomique*. (*nuclear facility*)
 « étang-réservoir » Excavation servant à stocker de l'eau pour abreuver le bétail. (*dugout*)

* L.C. 1992, ch. 37

[1]

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SCHEDULE I—Continued

ANNEXE I (suite)

PART V

PARTIE V

WATER PROJECTS

PROJETS HYDRAULIQUES

32. The proposed construction, expansion, modification or demolition that would not involve the likely release of a polluting substance into a water body, of a structure, such as a bait storage depot, net repair area or patrol cabin, that

- (a) would be or is located on land;
- (b) would be or is associated with fishing or the use of small pleasure craft; and
- (c) would have or has a floor area of less than 100 m² and a height of less than 5 m.

33. The proposed construction, installation, expansion or modification of a fish habitat improvement structure that would not involve the use of heavy machinery.

34. The proposed modification of an existing wharf, other than a floating wharf, or of an existing breakwater that is accessible by land, where the modification would not

- (a) be carried out below the high-water mark of the breakwater or wharf;
- (b) involve dredging; and
- (c) involve the likely release of a polluting substance into a water body.

35. The proposed re-installation, expansion or modification of an existing floating wharf that would not increase its area by more than 10 per cent.

36. The proposed demolition of an existing wharf that would not involve

- (a) the use of explosives; and
- (b) the likely release of a polluting substance into a water body.

PART VI

PARTIE VI

TRANSPORTATION

TRANSPORTS

37. The proposed expansion or modification of an existing pavement or gravel area within the boundary of an airport, as defined in subsection 3(1) of the *Aeronautics Act*, that would not

- (a) increase the pavement or gravel area by more than 10 per cent;
- (b) be carried out in or on or within 30 m of a water body; and
- (c) involve the likely release of a polluting substance into a water body.

38. The proposed modification of existing aircraft manoeuvring lights or navigation aids.

32. Projet qui n'entraînerait vraisemblablement pas le rejet d'une substance polluante dans un plan d'eau et qui vise la construction, l'agrandissement, la modification ou la démolition d'une structure, notamment un dépôt d'appâts, une aire de réparation de filets et un poste de patrouille, qui, à la fois :

- a) serait ou est située sur la terre;
- b) serait ou est liée à la pêche ou à la navigation de plaisance;
- c) aurait ou a une superficie au sol de moins de 100 m² et une hauteur de moins de 5 m.

33. Projet de construction, d'installation, d'agrandissement ou de modification d'une structure visant à améliorer l'habitat du poisson, qui n'exigerait l'utilisation d'aucune machinerie lourde.

34. Projet de modification d'un brise-lames existant accessible par voie terrestre, ou d'un quai existant autre qu'un quai flottant, qui, à la fois :

- a) serait réalisé au-dessous de la laisse des hautes eaux du brise-lames ou du quai;
- b) n'entraînerait aucun dragage;
- c) n'entraînerait vraisemblablement pas le rejet d'une substance polluante dans un plan d'eau.

35. Projet de réinstallation, d'agrandissement ou de modification d'un quai flottant existant qui n'augmenterait pas sa superficie de plus de 10 pour cent.

36. Projet de démolition d'un quai existant, qui, à la fois :

- a) n'entraînerait pas l'utilisation d'explosifs;
- b) n'entraînerait vraisemblablement pas le rejet d'une substance polluante dans un plan d'eau.

37. Projet d'agrandissement ou de modification d'une surface existante couverte d'un revêtement ou de gravier dans les limites d'un aéroport, au sens du paragraphe 3(1) de la *Loi sur l'aéronautique*, qui, à la fois :

- a) n'augmenterait pas la surface de plus de 10 pour cent;
- b) ne serait pas réalisé dans ou sur un plan d'eau ou à moins de 30 m de celui-ci;
- c) n'entraînerait vraisemblablement pas le rejet d'une substance polluante dans un plan d'eau.

38. Projet de modification de balises de manoeuvre d'aéronefs existantes ou d'aides à la navigation existantes.

Schedule "F": Canadian Environmental Assessment Agencies

BRITISH COLUMBIA	ONTARIO
<p>Mr. Paul Scott Director, Western and Northern Region 555 West Hastings St., Suite 1150 P.O. Box 12071, Harbour Centre Vancouver, British Columbia V6B 4N5 Tel: (604) 666-6989 Fax: (604) 666-6990</p>	<p>Mr. Keith Grady Manager Fontaine Bldg., 13th Floor 200 Sacré-Coeur Blvd. Hull, Quebec K1A 0H3 Tel: (819) 953-2989 Fax: (819) 994-1469</p>
ALBERTA	QUEBEC
<p>Mr. Ryerson M. Christie Director, Coordination and Provincial Liaison Revillon Bldg., Suite 100 10237-104 Street N.W. Edmonton, Alberta T5J 4A1 Tel: (403) 422-7704 Fax: (403) 422-0055</p>	<p>Mr. J. -Michel Bourgeon Director Fontaine Bldg., 13th Floor 200 Sacré-Coeur Blvd. Hull, Quebec K1A 0H3 Tel: (819) 997-2213 Fax: (819) 994-1469</p>
SASKATCHEWAN & MANITOBA	ATLANTIC
<p>Mr. Dan McNaughton Director, Coordination and Provincial Liaison Federal Building, Suite 500 269 Main Street Winnipeg, Manitoba R3C 1B2 Tel: (204) 984-2457 Fax: (204) 983-4506</p>	<p>Mr. William Coulter Director, Coordination and Provincial Liaison Canada-Nova Scotia Business Centre 1575 Brunswick Street Halifax, Nova Scotia B3J 2G1 Tel: (902) 426-0564 Fax: (902) 426-6530</p>

CHAPTER

10

*Air Operator's
Aircraft Crash Charts*

Table of Contents

Air Operator's Aircraft Crash Charts

10.1	AIR OPERATOR'S AIRCRAFT CRASH CHARTS	1
10.2	AIRCRAFT CRASH CHARTS -- SPECIFICATIONS	1
	SAMPLE – GENERAL CHARACTERISTICS	4
	SAMPLE – DIAGRAM OF AIRCRAFT	5

Chapter 10

10.1 AIR OPERATOR'S AIRCRAFT CRASH CHARTS

1. All Canadian air operators introducing new aircraft types or aircraft that have not previously been operated in Canada, will be required to provide aircraft crash charts. This information will be required 25 working days before the aircraft may be used in a commercial air service in order to ensure that Emergency Response Service (ERS) units at airports, (formerly Crash, Fire, and Rescue (CFR)), have up-to-date crash charts before an aircraft goes into service.
2. When a requirement letter is sent to an air operator, it must include a statement that if the aircraft is a type that has not yet been operated in Canada, crash charts must be provided to the regional office a minimum of 25 working days before the aircraft is intended to go into service. The air operator is to be provided with a copy of the sample aircraft crash charts – specifications referred to in section 10.2.
3. On receipt of the charts, the region is to forward them to the Certification Standards Division (AARXC) in Ottawa. The air operator is then to be advised of the date that the aircraft may be added to the air operator certificate. This date shall not be earlier than 25 working days after receipt of the charts.
4. AARXC will forward these crash charts to the Aerodrome Safety Branch (AARM).

10.2 AIRCRAFT CRASH CHARTS -- SPECIFICATIONS

Requirements

1. To ensure the optimum emergency response in the event of an aircraft accident/incident, it is mandatory that each ERS unit have in its possession Crash Charts for all aircraft that utilize the airport. To facilitate this need, it is proposed that the charts be supplied by the air operators at the time of application for certification. This will be a mandatory requirement.
2. The following schedules outline the specifications for the Crash Charts required.

3. Part I -- General

- (a) With an application for certification, the air operators will supply two (2) copies of a Crash Chart for each aircraft in question;
- (b) Each crash chart shall contain the following pertinent information in the following form:
 - (i) 8.5 x 11.0" white bond paper;
 - (ii) minimum of 12 pitch lettering;
 - (iii) one color only (black);
 - (iv) diagram on the front, specifications and general information on the back;
 - (v) in both official languages;
 - (vi) title at the top of the page (see sample), in bold print, clearly stating the name of the aircraft type, name and series, if applicable; and
 - (vii) 0.5" margin shall be maintained on all sides of the diagram.

4. Part II – Specifications and Information

- (a) Written specifications and information regarding each aircraft shall be included on the back of each chart. Lettering shall be a minimum 12 pitch lettering, black ink, and shall be clearly legible.
- (b) Information shall include, but not be restricted to:
 - (i) General Characteristics**
 - (A) crew complement, maximum passenger seating capacity, arrangement of seating, wing span, overall height, overall length, fuselage width and maximum weight;
 - (B) location of flight data recorder and voice recorder;
 - (ii) Safety**
 - (A) to include the size, type and location of all firefighting equipment contained on aircraft;
 - (B) size and capacity of all fuel, oil, hydraulic, oxygen and other flammable or safety systems (exclude detailed schematics of distribution systems). Included type of fuels, etc., and use;
 - (C) description of emergency exists and numbers and specify any emergency exists that are not to be opened when the aeroplane is on the ground such as "ditching exists on some aeroplane types";

- (D) general information or direction to Emergency Response Service; and
- (E) any additional information that may be required in the event of an accident/incident.

(iii) General Information

- (A) name of manufacturer;
- (B) name of airline;
- (C) name of aircraft, type and series; and
- (D) date of drawing.

5. Part III -- Chart

- (a) A diagram shall be provided on an 8.5" x 11.0" format, horizontally aligned (see sample), allowing a 0.5" clear margin all around. The aircraft will be drawn in black with fuel tanks, exists, etc., shown with the legend as per sample attached.
- (b) The location of flight data and cockpit voice recorders shall be clearly marked. All lettering shall be a minimum of 12 pitch. Every effort shall be made to ensure clarity of information. A border shall be provided (see sample) in bold black, 7.5" x 10.5". All portions of the graphics shall be maintained within this border. Airline coloring and markings are not required.

**SAMPLE – GENERAL CHARACTERISTICS
 (Boeing 737-100, 200)**

BOEING 737 - 100 - 200

BOEING COMPANY, THE/CIE BOEING, LA
 United States/États-Unis

**GENERAL CHARACTERISTICS/
 CARACTÉRISTIQUES GÉNÉRALES**

Crew/Équipage	BOEING 737-100	BOEING 737-200
Passengers/Passagers	- 9 to 11/9 à 11	- 9 to 11/9 à 11
Wing Span/Envergure	- 105	- 119
Overall Length/Longueur	- 28 m	- 28 m
Height/Hauteur	- 28,65 m	- 30,48 m
Fuselage Height/Hauteur du fuselage	- 11m	- 11 m
Maximum Take-Off Mass/Masse Maximale au décollage	- 4 m	- 4 m
	- 44 400 kg	- 49 000 kg

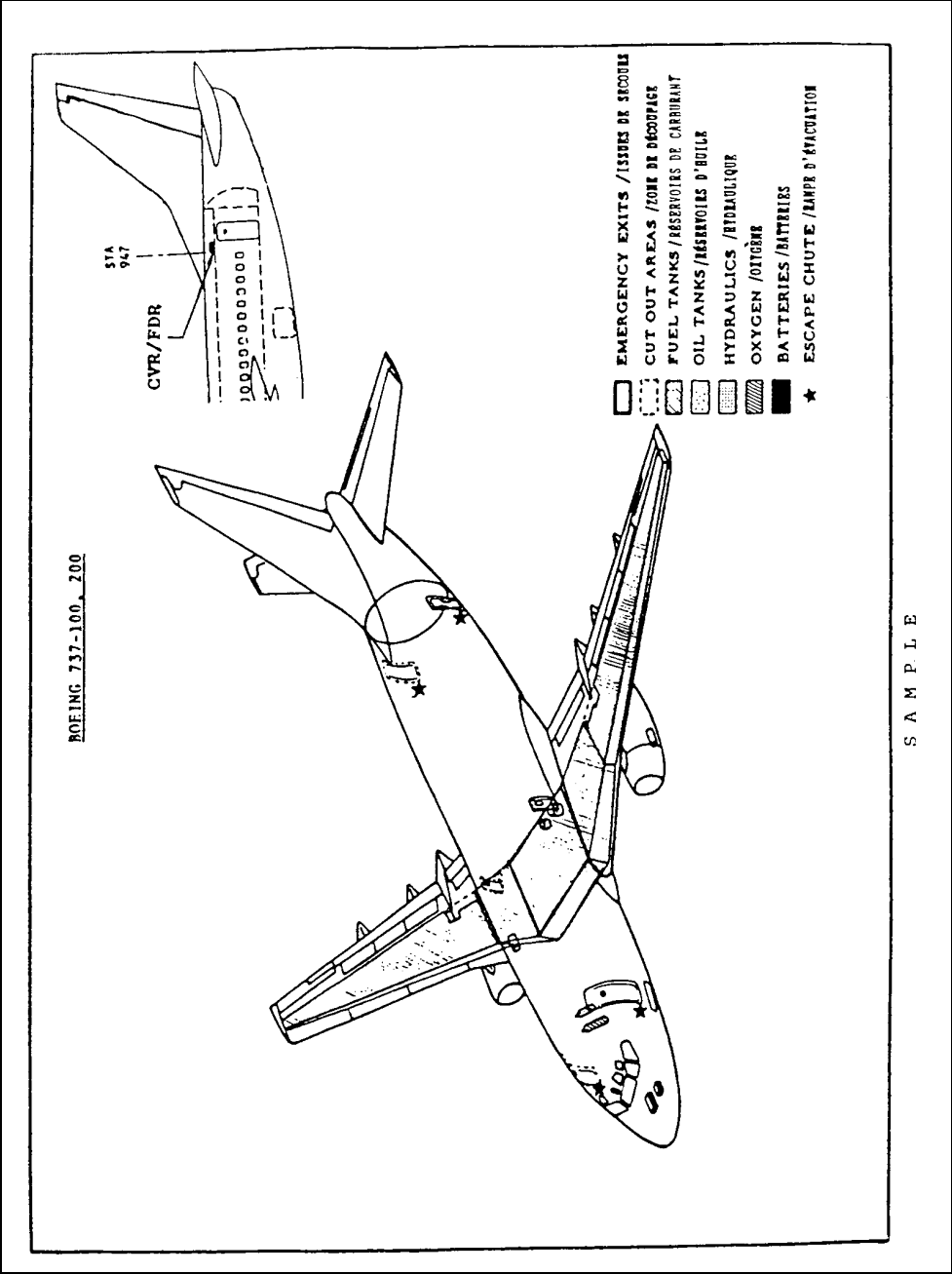
FUEL/CARBURANT - JP4, Kerosene/JP4, Kérosène
 Total Fuel Capacity/Capacité totale de carburant
 Oil Capacity/Capacité d'huile
 Hydraulic Fluids/Huile hydraulique

SPECIAL INFORMATION/RENSEIGNEMENTS SPÉCIAUX
 Take-off Speed/Vitesse de décollage
 Landing Speed/Vitesse d'atterrissage
 Emergency Exits/Issues de secours
 Oxygen/Oxygène

GENERAL INFORMATION/RENSEIGNEMENTS GÉNÉRAUX
 This aircraft is an aluminum alloy skinned low-wing monoplane powered by two engines mounted under the wings. It is equipped with retractable tricycle landing gear.

Cet avion est un monoplan à aile basse, muni d'un revêtement d'alliage d'aluminium, propulsé par deux moteurs fixés sous les ailes. De plus, il est équipé d'un train d'atterrissage tricycle rétractable.

SAMPLE – DIAGRAM OF AIRCRAFT



CHAPTER

11

*Multiple Part Air
Operator Certificate*

Table of Contents

Multiple Part Air Operator Certificate





11.1	MULTIPLE PART AOC	1
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Chapter 11

11.1 MULTIPLE PART AOC

1. The multiple part AOC in use, are now in NACIS covering
 - a) Domestic, Scheduled International, Non-Scheduled International and
 - b) Aerial Work Operations.
2. For a sample of a Domestic AOC and Aerial Work, see pages 2 to 8.

Air Operator Certificate
Application - Airport-Aerodrome
Form 26-0390

DEPARTMENT OF TRANSPORT AIR OPERATOR CERTIFICATE		MINISTERE DES TRANSPORTS CERTIFICAT D'EXPLOITATION AERIENNE																				
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DEPARTMENT OF TRANSPORT



MINISTÈRE DES TRANSPORTS

**AIR OPERATOR
CERTIFICATE**

**CERTIFICAT D'EXPLOITATION
AÉRIENNE**

Legal Name:
Dénomination sociale:

Trade Name(s)
Nom(s) commercial(aux)

Address
Adresse

Certificate No.
N° du Certificat

This air operator certificate is issued by the Minister pursuant to Part VII of the *Canadian Aviation Regulations*, under the authority of the *Aeronautics Act* and authorizes the types of services listed in Part I of this certificate, provided the Canadian air operator complies with the conditions and operations specifications of this air operator certificate.

The Minister may suspend or cancel this air operator certificate at any time where the air operator fails to comply with the provisions of the air operator certificate or to comply with the applicable provisions of the *Aeronautics Act*, the *Canadian Aviation Regulations* or for such other grounds as are set out in the *Aeronautics Act*.

This air operator certificate is not transferable and shall remain in effect until suspended or cancelled.

Certification Date
Date d'agrément

Approved/Approuvée: . . .
Remplace celui approuvée . . .
Supersedes the one approved . . .
26-0390 (06-96)

For Minister of Transport - Pour le ministre des Transports

Le présent certificat d'exploitation aérienne est délivré par le ministre en vertu de la partie VII du *Règlement de l'aviation canadien*, sous l'autorité de la *Loi sur l'aéronautique* et autorise les types de services décrits à la partie I du présent certificat, à conditions que l'exploitant aérien canadien se conforme aux conditions et aux spécifications d'exploitation du présent certificat d'exploitation aérienne.

Le ministre peut, en tout temps, suspendre ou annuler le certificat d'exploitation aérienne si l'exploitant aérien ne se conforme pas aux dispositions du certificat d'exploitation aérienne ou n'observe pas les dispositions applicables de la *Loi sur l'aéronautique*, du *Règlement de l'aviation canadien* ou pour d'autres motifs établis dans la *Loi sur l'aéronautique*.

Le présent certificat d'exploitation aérienne ne peut être transféré et doit rester en vigueur jusqu'à sa suspension ou son annulation.



DEPARTMENT OF TRANSPORT
**AIR OPERATOR
CERTIFICATE
GENERAL CONDITIONS**



MINISTÈRE DES TRANSPORTS
**CERTIFICAT
D'EXPLOITATION AÉRIENNE
CONDITIONS GÉNÉRALES**

Legal Name:
Dénomination sociale:

Certificate No.
N° du Certificat

GENERAL CONDITIONS

An air operator certificate is issued subject to the following conditions, and shall remain valid, subject to subsection 6.71(1) of the *Aeronautics Act*, as long as these conditions are complied with:

- (a) the air operator shall conduct flight operations in accordance with its company operations manual;
- (b) the air operator shall maintain an adequate organizational structure;
- (c) the air operator shall employ managerial personnel who meet the *Commercial Air Service Standards*;
- (d) the air operator shall conduct training in accordance with its training program approved pursuant to this Subpart;
- (e) the air operator shall maintain aircraft that are properly equipped for the area of operation and type of operation;
- (f) the air operator shall employ crew members who are qualified for the area of operation and type of operation;
- (g) the air operator shall maintain its aircraft in accordance with the requirements of Subpart 706, Part VII of the *Canadian Aviation Regulations*;
- (h) the air operator shall maintain operational support services and equipment that meet the *Commercial Air Service Standards*;
- (i) the air operator shall notify the Minister within 10 working days after any change in its legal name, trade name, base of operations or managerial personnel; and
- (j) the air operator shall conduct a safe operation.

CONDITIONS GÉNÉRALES

Un certificat d'exploitation aérienne est délivré sous réserve des conditions suivantes et demeure valide, sous réserve du paragraphe 6.71(1) de la *Loi sur l'aéronautique*, tant et aussi longtemps que les conditions suivantes sont respectées:

- a) l'exploitant aérien effectue les opérations aériennes conformément au manuel d'exploitation de la compagnie;
- b) l'exploitant aérien maintient une structure organisationnelle convenable;
- c) l'exploitant aérien a à son service du personnel de gestion qui satisfait aux *Normes de service aérien commercial*;
- d) l'exploitant aérien dispense la formation conformément au programme de formation approuvé en application de la présente sous-partie;
- e) l'exploitant aérien dispose d'aéronefs qui sont munis d'équipement approprié à la région d'exploitation et au type d'exploitation;
- f) l'exploitant aérien a à son service des membres d'équipage qui sont qualifiés pour la région d'exploitation et le type d'exploitation;
- g) l'exploitant aérien effectue la maintenance des aéronefs conformément aux exigences de la sous-partie 706, Partie VII du *Règlement de l'aviation canadien*;
- h) l'exploitant aérien maintient des services et de l'équipement de soutien opérationnel qui sont conformes aux *Normes de service aérien commercial*;
- i) l'exploitant aérien informe le ministre de tout changement apporté à sa dénomination sociale, à son nom commercial, à sa base d'exploitation ou à son personnel de gestion dans les 10 jours ouvrables suivant le changement;
- j) l'exploitant aérien mène son exploitation d'une manière sécuritaire.

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Canada

DEPARTMENT OF TRANSPORT



MINISTRE DES TRANSPORTS

SPECIFIC
CONDITIONS

DISPOSITIONS PARTICULIERES
D'EXPLOITATION

PART I

PARTIE I

Legal Name:
Dénomination sociale:

Certificate No.
N° du Certificat

These specific conditions, in this Part, are issued concerning areas of operations, types of services and any special conditions.
Ces conditions particulières, dans la présente partie, sont délivrées concernant les régions d'exploitation, les types de services et toutes conditions spéciales.

AREAS OF OPERATIONS.....REGIONS D'EXPLOITATION

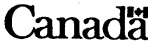
TYPES OF SERVICE.....TYPES DE SERVICES

TYPES OF AERIAL WORK SERVICE.....TYPES DE SERVICE DE TRAVAIL AERIEN

SPECIAL CONDITIONS.....CONDITIONS SPECIALES

Part/Partie I
Approved/Approuvée: . . .
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For Minister of Transport - Pour le ministre des Transports



DEPARTMENT OF TRANSPORT
**SPECIFIC
 CONDITIONS**



MINISTÈRE DES TRANSPORTS
**DISPOSITIONS PARTICULIÈRES
 D'EXPLOITATION**

PART II

PARTIE II

Legal Name:
 Dénomination sociale:

Certificate No.
 N° du Certificat

The air operator is authorized, in this part, to operate the following types of aircraft provided they are operated in accordance to the applicable subparts of Part VII of the *Canadian Aviation Regulations* indicated below.

L'exploitant aérien est autorisé, dans la présente partie, à utiliser les types d'aéronefs suivants pourvu qu'ils soient utilisés conformément aux sous-parties pertinentes de la Partie VII du *Règlement de l'aviation canadien* indiquées ci-dessus.

Ref.#	Type	Type Design.	Registration Immatriculation	Issued Délivrées	CAR RAC	IFR IFR	Night/ Nuit VFR	Day/Jour VFR OTT	Passenger Passagers	Cargo Fret
-------	------	-----------------	---------------------------------	---------------------	------------	------------	--------------------	---------------------	------------------------	---------------

Part/Partie II
 Approved/Approuvée: . . .
 Remplace celui approuvée . . .
 Supersedes the one approved . . .
 26-0390 (06-96)

For Minister of Transport - Pour le ministre des Transports



DEPARTMENT OF TRANSPORT



MINISTÈRE DES TRANSPORTS

**SPECIFIC
CONDITIONS**

**DISPOSITIONS PARTICULIÈRES
D'EXPLOITATION**

PART III

PARTIE III

Legal Name:
Dénomination sociale:

Certificate No.
N° du Certificat

This Part does not authorize aircraft operations.

La présente partie n'autorise pas les opérations d'aéronefs.

BASES AND SCHEDULED POINTS

Issued
Délivrée

**AIRCRAFT BY REFERENCE NUMBER AS LISTED IN PART II
AÉRONEFS AUTORISÉS PAR No. SELON LA PARTIE II**

BASES ET POINTS RÉGULIERS

MAIN BASE / BASE PRINCIPALE

Part/Partie III
Approved/Approuvée:
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Supersedes the one approved
26-0390 (06-96)

For Minister of Transport - Pour le ministre des Transports



DEPARTMENT OF TRANSPORT
OPERATIONS SPECIFICATION



MINISTÈRE DES TRANSPORTS
SPECIFICATION D'EXPLOITATION

PART IV

PARTIE IV

Legal Name:
Dénomination sociale:

Certificate No.
N° du Certificat

Operations authorized in this Part shall be conducted in accordance with the appropriate commercial air service standards.
Les opérations autorisées dans la présente partie doivent être effectuées conformément aux normes appropriées de service aérien commercial.

INCLUDED IN PART IV
INCLUS DANS LA PARTIE IV

Part/Partie IV
Approved/Approuvée: . . .

26-0390 (06-96)

Canada

CHAPTER

12

*Index of NACIS
Operations Specifications*

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Index of NACIS Operations Specifications

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Chapter 12

12.1 INDEX OF NACIS OPERATIONS SPECIFICATIONS

1. The NACIS Operations Specifications Manual is composed of an Index of Specifications, Insert Menus and sample Specifications which may be selected from the pick lists covering *part IV - Operations Specifications*.
2. The index will be amended as additional specifications are added.

12.2 DEVELOPMENT OF NEW OPERATIONS SPECIFICATIONS

1. Requests for development of new operations specifications shall meet the following criteria:
 - (a) the public interest shall be served;
 - (b) safety must not be compromised; and
 - (c) such conditions shall be established so as to ensure that safety and the public interest are served.
2. The Air Carrier Inspector Manual, the Cabin Safety Inspection Manual and the Air Operator Certification Manual, while outlining procedures to be followed for issuance of an AOC or an existing operations specification, do not provide guidance on requests for the development of new operations specifications. The intent of this policy is to provide a clearly defined procedure for the submission of requests for new operations specifications. This includes both “standard” (available through NACIS) and “unique” (not available through NACIS) operations specifications.

Procedures

3. Prior to considering the development of a new operations specification, a search of the NACIS library shall be undertaken to determine if an existing or compatible document exists. To satisfy the criteria for development of a new operations specification, the following information shall be included in the initial requests:
 - (a) detail the specific reason(s) for the deviation, who will it benefit, etc.;

- (b) detail what effect the deviation will have with respect to departmental responsibilities and activities; and
- (c) detail what conditions to the authorization are recommended.

NOTE: Where deviations create, or have the potential to create, a lesser level of safety, conditions to the authorization must balance-out the reduced departmental scrutiny.

- 4. When the above information is provided to the appropriate standards division, the submission will be reviewed and standards developed for the draft operations specification. Following coordination within Headquarters, finalized drafts will be prepared by AARXC and sent out to the Regions by AARXB for consultation (it is recommended that this be conducted by fax and completed in no more than five working days).

- 5. Once comments are reconciled, the operations specification will be entered into NACIS “standard” or provided directly to the appropriate regional office “unique”.

12.3 RVR 1200’ CLASSIFICATION

- 1. Operations specifications Nos. 007, 008, 022, 023, 055, 062 and 084 have the following aeroplane classification added to their Instruction Sheets:

RVR 1200’ CLASSIFICATION

AEROPLANES		
FAR - 25	Transport Category	OK
FAR - 23	Commuter	OK
FAR - 41c	With ICAO Annex 8 performance	OK
FAR - 23	Turbo-jet / turboréacteur (rare - Lear 23 and Cessna 501)	OK
FAR - 23	Turbo-prop depends on the manufacturer’s data, aircraft modifications status and simulator availability	OK
FAR - 23	Piston aeroplanes	NO

2. If you have difficulty in determining under what FAR an aeroplane is operated, you may contact AARXB at (613) 990-1221 and/or your regional Airworthiness Division on this matter.

12.4 OPERATION IN PERFORMANCE AIRSPACE - NAT - MNPS / RVSM

Operations specifications numbers 015, 037, 052 and 077 pertain to operations in performance airspace. Please notify AARXB once you issue the foregoing operations specification so that they can include this information in their national MNPS / RVSM database. If this information is not entered in the database an aircraft may be denied an authorization to be operated in the performance airspace.

12.5 SPECIFIC INSTRUMENT APPROACH PROCEDURE

Operations specification No. 099 pertains to “Specific Instrument Approach Procedure” and is the only operations specification issued to air operators in place of the former operations Specifications Nos. 018, 039, 054 or 079, which are now deleted.

Air operators do not need an operations specification when performing instrument approach procedures listed in the CAP or in the Regional Catalogues of Company Approaches.

CHAPTER

13

*Application for a
Private Operator Certificate (POC)*

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Chapter 13

13.1 GENERAL

1. This section provides guidelines and procedures for processing an application for a private operator certificate (POC).
2. Applicants for a POC should be informed, at an early stage, that the certification process involves a TC program of inspection and be advised against planning to receive a POC in less than 60 days (depending on the scale and scope of such operations) from the time of making formal application.
3. Usually, receipt of an application for a POC will have been preceded by informal contacts with the applicant and the submission of a Private Operator Certificate Application Form. Some information is normally obtained concerning the type of operation intended, location of their main office and identity of key personnel. From the time the certification process is initiated to its completion, TC inspectors assigned to the certification project may be in daily contact with the applicant. The TC inspectors become involved in advising the applicant, inspecting and evaluating, his/her personnel, proposals, facilities and equipment. In the beginning it is important to establish a working relationship with key officials in the applicant's organization. Normally, this is accomplished by a formal meeting of the assigned TC inspectors with management personnel.
4. The applicant is to be advised that processing will not commence until the properly and correctly completed Private Operator Certificate Application form is received along with the advance payment of the charges for certification. If the private operator wishes to provide the required information in another format, other than through the use of the application form, it is to be accepted. Regional TC inspectors are to ensure that an improperly completed application form is never allowed to enter the remainder of the processing system until it is appropriately amended.
5. The organization and facilities of the private operator will be inspected by the regional TC inspectors after the properly completed application form is received, all other requirements have been met and the applicant advises that he/she is ready for inspection. Detailed comments and recommendations are to be included in the appropriate space on the application.
6. The completed copy of the application form is to be retained in the private operator's file at the regional office.

7. When the application form is received, it is recommended that a 5258 file number be obtained from the Central Registry (CR) to hold current correspondence. NACIS computer record should be created when the completed application form is received. Other NACIS entries will be made from the completed application form, resumes, manuals, etc.

NOTE: The POC application form will be single page only, no duplicate.

8. It is the responsibility of the Regional Manager, Commercial and Business Aviation to ensure that coordination and consultation between the various Regional offices occur as necessary.
9. A POC is issued only after all regulatory certification requirements, including the payments of charges, have been met.

13.2 TC INSPECTOR ASSIGNMENT

The Regional Manager, Business and Commercial Aviation may assign a TC inspector of the Regional Business Aviation Division for the certification process of a private operator in coordination with the Regional Certification Division. The Regional Certification Division will handle the certification process until such time as a POC is issued.

13.3 INSPECTOR GUIDELINES - GENERAL

1. Some of the inspector guidelines referred to in section 4.3 of this manual may apply to the TC inspector processing the POC.
2. Only when the applicant meets all statutory requirements may the POC action be completed.
3. The POC is issued by the Minister pursuant to section 604.05 of the *Canadian Aviation Regulations*, under the authority of the *Aeronautics Act* and authorizes the transport of passengers, provided the private operator complies with the requirements of section 624.05 of the *Private Operator Passenger Transportation Standards* and that the private operator complies with the conditions and operations specifications of his POC.

4. The Minister may suspend or cancel the private operator certificate at any time where the private operator fails to comply with:
 - (a) the provisions of the certificate;
 - (b) the applicable provisions of the *Aeronautics Act*;
 - (c) the *Canadian Aviation Regulations*; or
 - (d) for such other grounds as are set out in the *Aeronautics Act*.

13.4 AIRCRAFT REQUIREMENTS

An applicant for a POC must be the registered owner of a Canadian aircraft, registered as Private, which shall be operated in accordance with subpart 604 of the CARs for the “Private Operator Passenger Transportation”.

13.5 MAIN OPERATING BASE AND SUB-BASES

The name of the main operating base and sub-base(s) do not appear on the POC, however, the main operating base will be inspected during the certification process. Identification of sub-bases allows Transport Canada, Safety and Security to coordinate resources where more than one TC Region will be involved.

13.6 POC APPLICATION (FORM 26-0534)

When an applicant inquires about the procedures to follow in order to obtain a POC, the Regional Certification Division will advise him of the regulatory requirements of section 604.05 of the CARs and section 624.05 of the *Private Operator Passenger Transportation Standards*, provide him with the Private Operator Certificate Application Form 26-0534, and advise him to complete, sign and submit the form and also advise him of the payment of the charges prior to the commencement of the certification process. (see page 6)

(Refer to page 17 and 18) for the POC Checklist

13.7 MAINTENANCE AND MANUFACTURING (M&M)

The Regional Certification Division will coordinate with the Regional M&M Division during the certification process of a private operator and acquire the necessary signature on Form 26-0534.

13.8 POC - CHARGES

The appropriate charges pertaining to POCs will be as indicated in Part VII of the Schedule of section 104.01 of the CARs.

The same procedures will be followed as established in section 4.13 of this manual pertaining to advance payments of charges pertaining to the initial issue of a POC.

13.9 INITIAL ISSUE OF A POC

Once the Commercial and Business Division and the Airworthiness Divisions have completed their certification process, the signed copy of Form 26-0534 will be forwarded to the Certification Division for the issuance of the POC.

No POC will be issued until the private operator meets all the statutory requirements.

13.10 SAMPLE PRIVATE OPERATOR CERTIFICATE

Refer to page 8 to 13 for a sample copy of the POC.

13.11 POC OPERATIONS SPECIFICATIONS

The procedures for the development or the amendment of a POC Operations Specifications are the same procedures established in section 12.2 of this manual.

13.12 MINISTERIAL AUTHORIZATION AND EXEMPTION - CHARGES

1. Pursuant to the revised Schedule of section 104.01 of the CARs, charges shall be applied when issuing a ministerial authorization or an exemption to a private operator.
2. The charges shall be collected prior to the issuance of an authorization or an exemption.
3. Under urgent circumstances an invoice is to be sent to the private operator after the exemption or the authorization has been issued.

13.13 SUSPENSION, CANCELLATION AND APPENDIX OF A POC

1. The procedures to follow prior to the suspension or cancellation of a POC are the same as indicated in Chapter 7 of this manual.
2. Refer to pages 14 to 16 for the sample copies of the following forms:
 - (a) Notice of Suspension - POC - (Form 26-0582);
 - (b) Notice of Cancellation - POC - (Form 26-0583); and
 - (c) Appendix to Notice of Suspension or Cancellation - POC - (Form 26-0584).

Private Operator Certificate
Form 26-0534: Application

Transport Canada / Transports Canada		PRIVATE OPERATOR CERTIFICATE APPLICATION DEMANDE DE CERTIFICAT D'EXPLOITATION PRIVÉE		File no. - Dossier n° 5258 - 5260 -	
1.(a) Name of Applicant - Nom du requérant					
1.(b) Mailing address - Adresse postale					
1.(c) Telephone No. - N° de téléphone		2. Airport/Aerodrome Name and Identifier / Nom de l'aéroport/aérodrome et indicateur			
FAX		Main Base Base principale		Sub-Bases Bases secondaires	
3. Aeroplane Type Type d'avion	Registration Immatriculation	Serial Number Numéro de série	Flight Instruments in accordance with - Instruments de vol conformément aux - IFR CAR/RAC 605.17		
					Yes - Oui <input type="checkbox"/> No - Non <input type="checkbox"/>
4. Operations Manager Gestionnaire des opérations		Chief Pilot - Pilote en chef		Person responsible of Maintenance Control System Personne responsable du Système de contrôle de la maintenance	
Name - Nom	Licence No./n°	Name - Nom	Licence No./n°	Name - Nom	Licence No./n°
5. Name, address, Approval No. of Approved Maintenance Organization or copy of an authorization under the terms of a written maintenance agreement (if applicable). Nom, adresse, numéro d'agrément de l'Organisme de maintenance agréé ou une copie d'une autorisation d'un accord de maintenance écrit. (selon le cas)					
6. The Operations Manual has been submitted for approval Le manuel d'exploitation a été présenté pour approbation				Yes - Oui <input type="checkbox"/> No - Non <input type="checkbox"/> Date submitted - Date de présentation	
7. Safety Features Cards Cartes sur les dispositifs de sécurité		Yes - Oui <input type="checkbox"/> No - Non <input type="checkbox"/> Nomination for CCP Nomination d'un PVTA		Yes - Oui <input type="checkbox"/> No - Non <input type="checkbox"/>	
Minimum Equipment List (MEL) Liste d'équipement minimal (MEL)		Yes - Oui <input type="checkbox"/> No - Non <input type="checkbox"/> Aeroplane Crash Chart (if applicable) Tableau de sauvetage d'avion (selon le cas)		Yes - Oui <input type="checkbox"/> No - Non <input type="checkbox"/>	
8. Request for special airspace authorization - Demande d'autorisation d'espace aérien spécial					
RNPC <input type="checkbox"/>		CNMP <input type="checkbox"/>		NAT-MNPS <input type="checkbox"/> NAT-NMPS-(RVSM) <input type="checkbox"/> NIL/NONE <input type="checkbox"/>	
9. I certify that the above data is correct - J'atteste que les renseignements ci-dessus sont exacts.					
_____ Signature		_____ Title - Titre		_____ Date	
(of person duly authorized to execute this application on behalf of the operator) (de la personne dûment autorisée à exécuter cette demande au nom de l'exploitant)					
10. The maintenance control system described in the operations manual is approved as meeting the requirements of section 604.48 of the CAR - Le système de contrôle de la maintenance décrit dans le manuel d'exploitation est approuvé et rencontre les exigences de l'article 604.48 du RAC.					
_____ Aircraft Maintenance and Manufacturing - Maintenance et construction des aéronefs				_____ Date	
Facilities, equipment, personal qualifications and operations manual have been inspected and approved and are adequate for the proposed operations. Les installations, l'équipement, les qualifications du personnel et le manuel d'exploitation, ont été vérifiés, et approuvés et conviennent à l'exploitation proposée.					
_____ Commercial and Business Aviation - Aviation commerciale et d'affaires				_____ Date	
26-0534 (0205-02) INSTRUCTIONS (see back - au verso)					



Private Operator Certificate Application Form 26-0534: Application Instructions

NOTICE

Transport Canada Civil Aviation will not undertake a quality assurance role with regard to any form or document submitted in application for a service. Documentation that contains errors or does not meet regulatory requirements will be returned for correction.

Delays thus incurred are the sole responsibility of the applicant.

AVIS

Transports Canada, Aviation civile ne procédera pas à une assurance de la qualité de tout formulaire ou de tout document soumis avec une demande de service. La documentation erronée ou ne répondant pas aux exigences réglementaires sera retournée pour que les corrections nécessaires soient apportées.

Tout retard occasionné par une telle démarche incombera au demandeur.

DEPARTMENT OF TRANSPORT
**PRIVATE OPERATOR
CERTIFICATE**



MINISTÈRE DES TRANSPORTS
**CERTIFICAT D'EXPLOITATION
PRIVÉE**

Name:
Nom:

TABLE OF CONTENTS

The following dated pages constitute the Private Operator Certificate issued by the Minister pursuant to the *Aeronautics Act*.

TABLE DES MATIÈRES

Les pages datées suivantes constituent le certificat d'exploitation privée délivré par le ministre en vertu de la *Loi sur l'aéronautique*.

Approved/Approuvée	
Table of Contents	Tables des matières
Private Operator Certificate No. P-	Certificat d'exploitation privée no. P-
General Conditions	Conditions générales
Operations Specification Part II	Spécification d'exploitation partie II

Approved/Approuvée: . . .

26-0390 (10-96)

For Minister of Transport - Pour le ministre des Transports



DEPARTMENT OF TRANSPORT



MINISTÈRE DES TRANSPORTS

**PRIVATE OPERATOR
CERTIFICATE**

**CERTIFICAT D'EXPLOITATION
PRIVÉE**

Name:
Nom:

Address
Adresse

Certificate No.
N° du Certificat

P-

This private operator certificate is issued by the Minister pursuant to subpart 604 of the *Canadian Aviation Regulations*, under the authority of the *Aeronautics Act* and authorizes the transport of passengers, provided the private operator complies with the conditions and operations specifications of this private operator certificate.

Le présent certificat d'exploitation privé est délivré par le ministre en vertu de la sous-partie 604 du *Règlement de l'aviation canadien*, sous l'autorité de la *Loi sur l'aéronautique* et autorise le transport de passagers, à conditions que l'exploitant privé se conforme aux conditions et aux spécifications d'exploitation du présent certificat d'exploitation privée.

The Minister may suspend or cancel this private operator certificate at any time where the private operator fails to comply with the provisions of the private operator certificate or to comply with the applicable provisions of the *Aeronautics Act*, the *Canadian Aviation Regulations* or for such other grounds as are set out in the *Aeronautics Act*.

Le ministre peut, en tout temps, suspendre ou annuler le certificat d'exploitation privée si l'exploitant privé ne se conforme pas aux dispositions du certificat d'exploitation privée ou n'observe pas les dispositions applicables de la *Loi sur l'aéronautique*, du *Règlement de l'aviation canadien* ou pour d'autres motifs établis dans la *Loi sur l'aéronautique*.

This private operator certificate is not transferable and shall remain in effect until suspended or cancelled.

Le présent certificat d'exploitation privée ne peut être transféré et doit rester en vigueur jusqu'à sa suspension ou son annulation.

Approved/Approuvée: . . .

For Minister of Transport - Pour le ministre des Transports

26-0390 (10-96)

Canada

DEPARTMENT OF TRANSPORT
**PRIVATE OPERATOR
CERTIFICATE
GENERAL CONDITIONS**



MINISTÈRE DES TRANSPORTS
**CERTIFICAT
D'EXPLOITATION PRIVÉE
CONDITIONS GÉNÉRALES**

Name:
Nom:

Certificate No.
N° du Certificat

P-

GENERAL CONDITIONS

A private operator certificate is issued subject to the following conditions, and shall remain valid, subject to subsection 6.71(1) of the *Aeronautics Act*, as long as these conditions are complied with:

- (a) the private operator shall conduct flight operations in accordance with its operations manual;
- (b) the private operator shall conduct training in accordance with its training program;
- (c) the private operator shall maintain aircraft that are properly equipped for and crew members who are qualified for the type of operation;
- (d) the private operator shall maintain its aircraft in accordance with the requirements of Division VI and Subpart 5.
- (e) the private operator shall conduct a safe operation.

CONDITIONS GÉNÉRALES

Un certificat d'exploitation privée est délivré sous réserve des conditions suivantes et demeure valide, sous réserve du paragraphe 6.71(1) de la *Loi sur l'aéronautique*, tant et aussi longtemps que les conditions suivantes sont respectées:

- a) l'exploitant privé effectue les opérations aériennes conformément à son manuel d'exploitation;
- b) l'exploitant privé dispense la formation conformément à son programme de formation;
- c) l'exploitant privé dispose d'aéronefs qui sont munis d'équipement approprié au type d'exploitation et à son service des membres d'équipage qui sont qualifiés pour ce type d'exploitation;
- d) l'exploitant privé effectue la maintenance de ses aéronefs conformément aux exigences de la section VI et de la sous-partie 5;
- e) l'exploitant privé mène son exploitation d'une manière sécuritaire.

Approved/Approuvée: . . .

26-0390 (10-96)

Canada

DEPARTMENT OF TRANSPORT
SPECIFIC
CONDITIONS



MINISTÈRE DES TRANSPORTS
DISPOSITIONS PARTICULIÈRES
D'EXPLOITATION

PART I

PARTIE I

Name:
Nom:

Certificate No.
N° du Certificat

P-

The private operator is authorized, in this part, to operate the following types of aircraft provided they are operated in accordance to subpart 604 of the *Canadian Aviation Regulations*.

L'exploitant privée est autorisé, dans la présente partie, à utiliser les types d'aéronefs suivants pourvu qu'ils soient utilisés conformément à la sous-partie 604 du *Règlement de l'aviation canadien*.



Ref.#	Type	Type Design.	Registration Immatriculation	Issued Délivrées	IFR IFR
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Part/Partie I
Approved/Approuvée:

For Minister of Transport - Pour le ministre des Transports



26-0390 (10-96)



DEPARTMENT OF TRANSPORT OPERATIONS SPECIFICATION PART II NUMBER : 1	 CANADA	MINISTÈRE DES TRANSPORTS SPECIFICATION D'EXPLOITATION PARTIE II NUMERO : 1
Legal Name: Dénomination sociale:		
Certificate No. N° du Certificat	P-	
Part/Partie II Number/Numéro : 1 Approved/Approuvée: Version/Version : 26-0390 (10-96)		

13.14 FORM [26-0583](#): NOTICE OF CANCELLATION

Private Operator Certificate Application

 <p style="margin-left: 20px;">Transport Canada Transports Canada</p> <p>To A</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="padding: 2px;">Date</td></tr> <tr><td style="padding: 2px;">File No. - N° du dossier</td></tr> <tr><td style="padding: 2px;">Certificate No. - N° du certificat</td></tr> <tr><td style="padding: 2px;">Certificate Date * - Date du certificat *</td></tr> <tr><td style="padding: 2px;">Transport Canada - Transports Canada</td></tr> <tr><td style="padding: 2px; text-align: right;">(address - adresse)</td></tr> </table>	Date	File No. - N° du dossier	Certificate No. - N° du certificat	Certificate Date * - Date du certificat *	Transport Canada - Transports Canada	(address - adresse)
Date							
File No. - N° du dossier							
Certificate No. - N° du certificat							
Certificate Date * - Date du certificat *							
Transport Canada - Transports Canada							
(address - adresse)							
<p>NOTICE OF CANCELLATION PRIVATE OPERATOR CERTIFICATE</p> <p>Pursuant to paragraph 7.1(1) (b) <input type="checkbox"/> (c) <input type="checkbox"/> of the <i>Aeronautics Act</i>, the Minister of Transport has decided to cancel your Private Operator Certificate indicated above for the following reasons:</p> <p>This cancellation comes into effect immediately <input type="checkbox"/> or on the _____ of _____, at 23:59 hours local time.</p> <p>If you wish a review by the Civil Aviation Tribunal of the Minister's decision, you must file a request in writing with the Tribunal on or before the date that is indicated below. Requests for review may be filed with the Registrar, Civil Aviation Tribunal, 333 Laurier Ave. West, Room 1201, Ottawa, Ontario, K1A 0N5. The telephone number is (613) 990-6906. The Tribunal has prepared a <i>Guide for Applicants</i> which you may obtain from the Registrar.</p> <p>Your request for review must be received by the Tribunal no later than 23:59 hours on _____.</p> <p>A request for review by the Civil Aviation Tribunal does not prevent the suspension from coming into effect.</p> <p>On the effective date of this Notice of Cancellation, you must return your Private Operator Certificate by bringing or mailing it to the Transport Canada, Civil Aviation regional office indicated above. Failure to return a cancelled Canadian aviation document is a contravention to section 103.03 of the <i>Canadian Aviation Regulations</i>.</p> <p>The particulars herein are also available in the other official language from the Transport Canada, Regional Office indicated above.</p>	<p>AVIS D'ANNULATION CERTIFICAT D'EXPLOITATION PRIVÉE</p> <p>En vertu du paragraphe 7.1(1) de la <i>Loi sur l'aéronautique</i>, le ministre des Transports a décidé d'annuler votre certificat d'exploitation privée susmentionné pour les raisons suivantes :</p> <p>La présente annulation entre en vigueur immédiatement <input type="checkbox"/> ou le _____, à 23 h 59, heure locale.</p> <p>Si vous souhaitez faire réviser la décision du ministre par le Tribunal de l'aviation civile, vous devez déposer une requête écrite auprès du Tribunal au plus tard à la date indiquée ci-dessous. Les requêtes peuvent être déposées auprès du greffier du Tribunal de l'aviation civile, 333, av. Laurier Ouest, bureau 1201, Ottawa, Ontario K1A 0N5. Le numéro de téléphone est (613) 990-6906. Le Tribunal a préparé un livret intitulé <i>Guide des requérants</i> que vous pouvez obtenir auprès du greffier.</p> <p>Votre requête de révision doit parvenir au Tribunal au plus tard le _____ à 23 h 59.</p> <p>Le dépôt d'une requête en révision auprès du Tribunal de l'aviation civile n'empêche pas la suspension de prendre effet.</p> <p>Vous devez remettre, au plus tard à la date de prise d'effet de cet avis d'annulation, votre certificat d'exploitation privée, en personne ou par la poste, au bureau régional de Transports Canada, Aviation civile à l'adresse indiquée ci-dessus. Le fait de ne pas retourner un document d'aviation canadien annulé au ministre constitue une contravention à l'article 103.03 du <i>Règlement de l'aviation canadien</i>.</p> <p>Les faits mentionnés aux présentes sont également disponibles dans l'autre langue officielle auprès du bureau régional de Transports Canada à l'adresse indiquée ci-dessus.</p>						
<p>For the Minister of Transport - Pour le ministre des Transports</p>							
<p><small>* The date of the latest approved amendment of the certificate.</small></p> <p>26-0583 (0010-03)</p>	<p><small>* La date de la dernière modification approuvée du certificat.</small></p> 						

13.17 PRIVATE OPERATOR CERTIFICATION CHECKLIST

Initial or Amendment (as applicable)

PRIVATE OPERATOR NAME:						
ACTION:			FILE NO. 5258 -		5260 -	
ADDRESS:			CONSULTANT:			
OPERATOR CONTACT		CONSULTANT PHONE:		FAX:		
OPERATOR PHONE:		REGIONAL INSPECTOR:				
OPERATOR FAX:		REGIONAL AIRWORTHINESS INSPECTOR:				
FOR REQUIREMENT DETAILS – REFER TO SUBPART 604 AND 624 OF THE CAR						
"X" = if required	DESCRIPTION	REFERENCE	DATE SENT	DATE REC'D	DATE COMPL	INIT
	Private Operator Certificate Application 26-0534	624.05				
	Operator Qualifications	Section 6.7.1 of the <i>Aeronautics Act</i>				
	POC Fee: \$ _____ Rec't. No: _____	Section 104.01, Item 3, Schedule VII				
	Agent or Consultant Permission Letter	Admin requirement				
	Proof of Insurance	606.02 (4) & (8)				
	Ops Manager / Statement of Qualifications	624.05 (1) (d)				
	Chief Pilot resume / Statement of Qualifications	624.05 (1) (d)				
	Operations Manual / or Amendment	604.81 624.80 624.05 (1) (f)				
	Co-ordination with Dangerous Goods Inspector (if applicable)					
	Req'd Operations Specifications	604.06 (h) 624.06				
	Aircraft Operating Manual (if applicable)	604.83				
	Standard Operating Procedures (if applicable)	604.84				
	Ground icing/Aircraft Inspection Program	604.73 (3) (a) (ii) (C) 624.73 (17) 62.11				
	Aircraft Safety Features Card	624.05 (1) (g)				
	Flight Attendant Manual	Operations Manual				
	Minimum Equipment List (MEL) (if applicable)	605.07 625.07				
	CCP Nom/Monitor Rides/Approval Letter					
	Aeroplane Crash Charts (if applicable)	624.05 (1) (j)				
	Aircraft Inspection (if applicable)	Admin requirement				
	Base Inspection (if applicable)					

TRAINING						
	Training Programs, General	604.73 624.73				
	Dispatcher/Flight Follower Training Program (if Applicable)	604.73 (3) (b) 624.73 (20)				
AIRWORTHINESS						
	Maintenance Facilities	624.51 (2)				
	Resume – Maintenance Manager/Person responsible for maintenance	624.05 (1) (d)				
	(AMO) Maintenance Org Form – 24-0070 (if applicable)	s573.01				
	Maintenance Control System/Inspection Program Approval (MCS/IPA) / Operations Manual	604.49 605.86 (2)				
	Base Inspection (See MRA Checklist)	Admin requirement				
	Aircraft Inspection (if applicable)	Admin requirement				
	Maintenance Agreement (if applicable)	604.56				
MISCELLANEOUS						
	Operational Control Systems	624.73 (19) 724.103 (26)				
	PPC Flight Checks Arranged (if required)					

TO Certification: Please process P.O.C.

Inspector Signature

CHAPTER

14

*NAFTA Operations in
USA or MEXICO*

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NAFTA Operations in USA or MEXICO

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Chapter 14

14.1 GENERAL

A Canadian air operator can operate aerial work (Specialty Air Services (SAS)) operations in the United States of America or Mexico in accordance with Chapter Twelve, Annex 1 - Canada, of the North American Free Trade Agreement. The SAS Operations Implementation Schedule is listed on page 8 of this chapter.

14.2 NAFTA APPLICATION TO OPERATE IN USA OR MEXICO

1. A Canadian air operator applying to operate aerial work (SAS) operations in the USA or Mexico, must obtain from these foreign Civil Aviation Authorities (CAA) a NAFTA authorization.
2. Where a Canadian air operator is not required to hold an air operator certificate (AOC) for aerial work operations in Canada and he intends to conduct aerial work operations under NAFTA in the USA or Mexico, he must obtain an AOC along with a NAFTA - Specialty Air Services - (Aerial Work) Operations Specification. The subpart 700 of the CARs will be amended accordingly.
3. In order to prove that the Canadian air operator is qualified to operate aerial work operations, the air operator must provide proof that he is authorized to do so in a form of a "Certificate of Authorization" which for Canada consists of an AOC which includes a NAFTA operations Specification (No.. 056).

14.3 AUTHORIZATION FOR NAFTA OPERATIONS

1. An air operator must be authorized under his AOC to operate aerial work operations, to operate between points abroad and have a NAFTA - Specialty Air Services - (Aerial Work) Operations specification.
2. The Regional Transport Canada, Civil Aviation (TCCA) office will handle the certification process of a Canadian Air Operator to operate in the foreign countries under NAFTA.
3. Where operations are conducted in the USA or in Mexico, he must apply to the foreign CAA Contact Information Offices listed in section 14.4 and provide a copy of his AOC and the NAFTA Operations specification.

14.4 CONTACT INFORMATION OFFICES

The following is a list of contact information offices pertaining to the three NAFTA PARTNERS:

CONTACT INFORMATION

COUNTRY	CAA CONTACT OFFICE	PHONE/FAX
Canada	Chief, Certification Standards Commercial & Business Aviation Place de Ville 330 Sparks Street Tower "C", 4 th Floor Ottawa, Ontario K1A 0N8	(613) 990-1098 (613) 954-1602(FAX)
Mexico	Direccion Tecnica Direccion General de Aeronautica Civil Providencia 807-4 Piso COL. DEL VALLE C.P. 03100, Mexico, D.F.	(525) 687-76-80 (525) 523-67-40(FAX)
United States	General Aviation & Commercial Division AFS-800 800 Independence Avenue, SW Washington, DC 20591	Don Jones (FAA) (202) 267-3411 (202) 267-5094(FAX)
United States Drug and Alcohol Program Office	Implementation & Special Projects Branch, AAM-810 800 Independence Avenue, SW Washington, DC 20591	(202) 267-8976

14.5 INSPECTOR CHECKLIST - NATIONAL

This checklist shall be used by the Regional Inspector to ascertain that the Canadian air operator meets the certification requirements under the NAFTA Agreement.

NATIONAL INSPECTOR CHECKLIST	YES	NO
Operator is equipped and able to operate in each SAS applied for.		
Aircraft authorized have to hold an original FAA or TCCA civil type certificate.		
There are no ex-military aircraft authorized whose type certificate was based on military experience only.		
Primary category aircraft will not be used for flight training.		
Standard category airworthiness certificates will normally be required except as necessary for special purpose operations.		
There are no foreign (third country) type certificated aircraft authorized who do not hold both an original FAA and TCCA civil type certificate.		
Agricultural aircraft may be operated at 1.25 times certificated MTOW if authorized. This is the maximum allowable for NAFTA SAS operations.		
Maintenance will be performed in accordance with the National CAA's requirements. The type of maintenance to be performed will be determined by the type of aircraft.		
Maintenance in Mexico and Canada must be linked to an appropriately rated repair station or AMO.		
Current and valid Certificate of Airworthiness and Registration is required. The operator must provide proof of the validity of the documents.		
Insurance is required and proof of insurance will be carried on board the aircraft.		

NATIONAL INSPECTOR CHECKLIST	YES	NO
Commercial pilot license and current and valid medical are in force for the pilots authorized.		
Flight instructor ratings are in force for the instructors authorized.		
Pilots and aircraft authorized are to be identified in the National authorization.		
All NAFTA SAS Authorization are valid for one year.		
As required by Annex 2 to the ICAO Convention, operators will obey the general operating and flight rules of each NAFTA country. The Air Operator has been advised that there are significant differences in the Visual Flight Rules in each NAFTA country.		

14.6 INSPECTOR CHECK LISTS - OPERATIONS IN THE USA

This checklist shall be used by the Regional Inspector to ascertain that the Canadian air operator meets the certification requirements under the NAFTA Agreement for operations in the USA.

FOR OPERATIONS IN:	NATIONAL CAA INSPECTOR CHECKLIST SPECIAL REQUIREMENTS	YES	NO
UNITED STATES	Operators would be required to participate in alcohol and drug-testing programs while conducting sightseeing operations from a base in the United States.		
	Maintenance and alteration of emergency parachutes would be required to be certified by a person authorized by the FAA.		
	DOT Order 97-7-3, Specialty Air Service Operators of Canada and Mexico, would be required to be carried on board the aircraft.		

14.7 INSPECTOR CHECKLIST OPERATIONS IN MEXICO

This checklist shall be used by the Regional Inspector to ascertain that the Canadian air operator meets the certification requirements under the NAFTA Agreement for operations in Mexico.

FOR OPERATIONS IN:	NATIONAL CAA INSPECTOR CHECKLIST SPECIAL REQUIREMENTS	YES	NO
MEXICO	Operators would be required to provide DGAC with the name of the appropriately rated repair station(s) where maintenance will be performed.		
	Use of the AIP would be required for all operations and would be required on board the aircraft.		
	Proof of insurance would be required with the application before a permit can be issued. Proof of insurance would be required to be carried on board the aircraft.		
	Operations would be conducted from approved runways/sites, unless otherwise authorized.		
	At other than approved fuelling facilities, a special permit would be required to be obtained for handling fuel		
	Operators would be required to participate in alcohol and drug-testing programs while conducting SAS operations.		
	Operators would be required to comply with the survival-equipment requirements applicable to operations conducted.		

FOR OPERATIONS IN:	NATIONAL CAA INSPECTOR CHECKLIST SPECIAL REQUIREMENTS	YES	NO
	All night flights under visual flight rules would be required to have a special authorization.		
	Flight training schools would be required to obtain a public education certificate, or a letter of authorization from the <u>Secretary of Public Education</u> to teach ground school.		
	In addition to the DGAC authorization, operators of SASs (aerial photography, aerial surveying, and aerial mapping) would be required to obtain permission from the Department of National Defence and National Institute of Statistics, Geographic, and Informatic (INBGI).		

14.8 NAFTA OPERATIONS SPECIFICATION

1. Pursuant to subsection 14.3(1) of this manual, the NAFTA Operations Specification (No. 056) will be issued to the Canadian air operator in which will be listed by registration and types of aircraft, the pilot names and will be valid for a period of 1 year only. Refer to Form 26-0592 concerning the Application for (FTA) Specialty Air Service Operations - Canadian Air Operator on page 11.
2. A file B.F. system should be used to ask the operator if he wishes to renew the operations specification.
3. The renewal process shall be the same as the original certification process.

14.9 REGULATORY CHARGES

The appropriate charges shall be as indicated in Part VII of the Schedule of section 104.01 of the CARs.

14.10 SUSPENSION AND CANCELLATION OF THE OPERATIONS SPECIFICATION

The procedures to follow prior to the suspension or cancellation of the NAFTA Operations Specification shall be the same as indicated in Chapter 7 of this manual.

14.11 FOREIGN AIR OPERATOR APPLYING FOR A CANADIAN NAFTA AIR OPERATOR CERTIFICATE (AOC)

1. A foreign air operator applying for a Canadian NAFTA AOC for specialty operations in Canada should be referred to the Foreign Inspection Division (AARXH), Commercial & Business Aviation in Headquarters.
2. A foreign air operator applying for a Canadian NAFTA Flight Training Air Operator Certificate shall be referred to the Flight Training Division (AARRE), General Aviation in Headquarters.

14.12 GENERAL INFORMATION INQUIRIES - NAFTA

The Chief, Certification Standards (AARXC) shall be the contact person regarding NAFTA general information inquiries.

14.13 IMPLEMENTATION SCHEDULE - SAS OPERATIONS

Service Category	Mexico	Canada and United States
Aerial Advertising	January 1, 1997	January 1, 1997
Aerial Construction	January 1, 1997	January 1, 1996
Aerial Inspection or Surveillance	January 1, 2000	January 1, 1997
Aerial Mapping	January 1, 2000	January 1, 1994
Aerial Photography	January 1, 1997	January 1, 1997
Aerial Sightseeing	January 1, 2000	January 1, 2000
Aerial Spraying	January 1, 2000	January 1, 1994
Aerial Surveying	January 1, 1994	January 1, 1994
Fire-Fighting	January 1, 1994	January 1, 1997
Flight Training	January 1, 1994	January 1, 1994
Forest Fire Management	January 1, 1994	January 1, 1994
Glider Towing	January 1, 1994	January 1, 1994
Heli-Logging and External Load	January 1, 1994	January 1, 1994
Parachute Jumping		

NOTE: Wild Life Management forms part of Aerial Inspection and Surveillance.

14.14 ISSUANCE OF AN AOC FOR NAFTA SERVICES

1. We refer to subsection 14.2(2) of this chapter regarding the requirement that a Canadian air operator must obtain an AOC in order to conduct Aerial Work services under NAFTA into the U.S.A. or into Mexico, **when the CARs do not required it**, the following procedures shall apply:
 - (a) apply the certification process for the initial issuance of an AOC for Aerial work services and in your covering letter advise the applicant to complete Forms 26-0380 and 26-0440 and to submit a list of the names and licence numbers of the pilots employed during the operations under

this AOC along with a list of types and registration marks of the aircraft to be operated during NAFTA operations;

- (b) provide to the applicant a list of the national requirements listed in section 14.5 and 14.6 (U.S.A) or 14.7 (Mexico), as applicable, for the operations in the respective NAFTA country;
- (c) advise the air operator that prior to operating in the NAFTA country, he/she must submit to John Wensel of the FAA in Washington, D.C., or the CAA of Mexico, as applicable, an application for a Certificate of Authorisation to operate in their country and provide the foreign CAA a copy of the Canadian AOC and a long with a NAFTA Operations Specification which is valid for one year only;
- (d) advise the air operator that the Canadian AOC must authorise Aerial Work Services and “Between points abroad” in Part I of the AOC;
- (e) advise the air operator that when the operations move away from the area of operations for which an authorisation was issued, the air operator must advise the foreign CAA of the change or of the return to Canada when operations are terminated;
- (f) advise the air operator to notify the Regional office of interest of his return to Canada. If the air operator intends to operate under another NAFTA contract he/she must ascertain that the operations specification will still be valid for the period of the new contract, if not, to remember to request an amendment of the validity date in due time to prevent the expiry of the NAFTA operations specification.

NOTE: No Cost Recovery action is required because the foreign state will be conducting oversight of the Canadian Air Operator.

14.15 AMENDMENT OF AN AOC FOR NAFTA SERVICES

1. These are scenarios requiring an amendment to an AOC in order to conduct NAFTA operations:
 - (a) a Domestic AOC with no aerial work services authorised and no “Points abroad” authorised in Part I of the AOC; and
 - (b) a Domestic AOC with Scheduled or Non-Scheduled International air services operations, with aerial work services and “Points Abroad” authorised in Part I of the AOC.
2. In the case of scenario 1(a) above,
 - (a) have the air operator complete Form 26-0440 and submit a list of pilot names and their licences and apply items (b) to (f) of section 14.14;
 - (b) amend the AOC to authorise the **Aerial Work Services** and authorise **“Points Abroad”** in Part I of the AOC. Enter in the operations

specification the types of aircraft, their registration marks, pilot names and their licences, the country and the validity date of **Operations Specification No. 056**.

3. In the case of scenario 1(b) above,
 - (a) have the air operator complete Form 26-0440 and submit a list of pilot names and their licences and apply items (b) to (f) of section 14.14;
 - (b) issue to the air operator **Operations Specifications No. 056** as referred in paragraph 2(b) above.

**Application for (FTA) Specialty Air Service
Operations – Canadian Operator**
Form **26-0592**

 Transport Canada / Transports Canada		File number - Numéro de dossier: _____	
APPLICATION FOR (FTA) SPECIALTY AIR SERVICE OPERATIONS - CANADIAN AIR OPERATOR DEMANDE POUR DES OPÉRATIONS DE SERVICES SPÉCIALISÉS (ALÉ) - EXPLOITANT AÉRIEN CANADIEN			
PART I - TO BE COMPLETED BY APPLICANT - PARTIE I - À ÊTRE REMPLIE PAR LE REQUÉRANT			
Name, address & postal code of applicant - Nom, adresse et code postal du requérant		Principal place of business of applicant - Le bureau d'affaire principal du requérant	
Telephone number - Numéro de téléphone	Facsimile number - Numéro de télécopieur	Telex - Téléx	Incorporated - Constituée <input type="checkbox"/> Yes / <input type="checkbox"/> No <input type="checkbox"/> Oui / <input type="checkbox"/> Non
I understand that - Je comprend que		I am a permanent resident or corporation of a country under a Free Trade Agreement (FTA): Je suis résident permanent ou une société par action d'un pays sous un accord de libre-échange (ALÉ): <input type="checkbox"/> Yes / <input type="checkbox"/> No <input type="checkbox"/> Oui / <input type="checkbox"/> Non	
Air operator certificate number - Numéro du certificat d'exploitation aérienne			
Info in which country - Dans quel pays	Base(s) and identification - Base(s) et identification	Between points abroad - Entre points à l'étranger <input type="checkbox"/>	
Request for a FTA Operations Specification - Demande de spécification d'exploitation ALÉ <input type="checkbox"/> Yes / <input type="checkbox"/> Oui		Proposed period of contract (date) - Durée prévue du contrat (date) From: _____ To: _____ De: _____ Au: _____	
Proposed types of specialty services - Types de services spécialisés proposés			
<input type="checkbox"/> Aerial advertising Publicité aérienne	<input type="checkbox"/> Aerial construction Construction à moyen d'aéronefs	<input type="checkbox"/> Aerial inspection and surveillance Inspection et surveillance aérienne	<input type="checkbox"/> Aerial mapping Cartographie aérienne
<input type="checkbox"/> Aerial photography Photographie aérienne	<input type="checkbox"/> Aerial sightseeing Excursion aérienne	<input type="checkbox"/> Aerial spraying Pulvérisation aérienne	<input type="checkbox"/> Aerial surveying Levés topographiques aériennes
<input type="checkbox"/> Fire fighting Lutte contre incendie	<input type="checkbox"/> Flight training Formation au pilotage	<input type="checkbox"/> Forest fire management Gestion des incendies de forêt	<input type="checkbox"/> Glider tow Remorquage de planeurs
<input type="checkbox"/> Helilogging Héli-débardage	<input type="checkbox"/> Parachute jumping Sauts en parachute	<input type="checkbox"/> External load Charge externe	<input type="checkbox"/> _____
Aircraft types - Types d'aéronefs		Registration (see page 2) - Immatriculation (voir page 2)	
Complete (full) names of pilots - Noms entiers (complets) des pilotes		Licences (see page 2) - Licences (voir page 2)	
MANAGERIAL PERSONNEL - PERSONNEL DE GESTION			
Name - Nom			
All the statements contained herein are true and complete to the best of my knowledge - À ma connaissance, tous les renseignements fournis dans la présente sont vrais et complets			
Date (Y-A - M - D-J)	Signature of person duly authorized to execute this application on behalf of the air operator Signature de la personne dûment autorisée à exécuter cette demande au nom de l'exploitant aérien		Title - Titre
PART II - TO BE COMPLETED BY DOT OFFICE - PARTIE II - À ÊTRE REMPLIE PAR LE BUREAU DU M.D.T.			
Commercial and Business Aviation Aviation commerciale et d'affaires	Aircraft Maintenance and Manufacturing Maintenance et construction des aéronefs	Date	

26-0592 (0205-02)

CHAPTER
15

*Procedures in
Approving a Scheduled Service for
the Transport of Passengers in
Uncertified Aerodromes*

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Procedures in Approving a Scheduled Service for the Transport of Passengers in Uncertified Aerodromes

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Chapter 15

15.1 PURPOSE

The purpose is to provide a policy that will outline the procedures to be followed by Aerodrome Safety and Commercial and Business Aviation inspectors when handling requests from air operators who wish to provide a scheduled passenger service using an uncertified aerodrome.

15.2 BACKGROUND

1. The *Canadian Aviation Regulations* (CARs), Part III, Subpart 2, Airports, do not permit aerodrome operators to allow commercial scheduled passenger Air Services to utilise an uncertified aerodrome unless the Minister has issued an Authorization pursuant to paragraph 302.01(2)(b). According to subsection 302.01(3), the Minister shall issue this Authorization where it is possible to specify the conditions that will ensure a level of safety in respect of the use of the aerodrome that is equivalent to the level of safety established by this Subpart and the Minister shall specify those conditions in the Authorization.
2. Also, subsections 703.14(2), 704.14(2) and 705.19(2) of the CARs with their corresponding *Commercial Air Services Standards* indicate that the Minister shall establish conditions which require the air operator and the aerodrome operators to ensure a level of safety in respect to the use of the aerodrome that is equivalent to the level of safety established by CARs, Part III, Subpart 2.
3. In recognition of the need for co-ordination between Air Carrier Operational Standards, Air Carrier Certification Standards, and Air Navigation Policy and Standards branches, on October 3, 1995, a memorandum of agreement was created outlining the requirements and procedures to be followed by air carrier and aerodrome inspectors in handling requests from air operators who wish to operate a scheduled passenger carrying service using an uncertified aerodrome.
4. From the time the memorandum was executed, the process had not been followed with any degree of consistency within the regions. In addition to its inconsistent application, the memorandum provided little direction and/or guidance as to procedures to follow in establishing an equivalent level of safety.

15.3 PROCEDURES

The following procedures have been established to address this particular issue and to assist Aerodrome Safety (AARM) and Commercial and Business Aviation (CBA) inspectors in handling requests from air operators who wish to provide a scheduled passenger service using an aerodrome that cannot meet certification criteria or is not certified because it is impractical to do so. The procedures are broken into two sections; they are “General Procedures” (I) and “On-site Inspection of the uncertified aerodrome” (II).

15.4 GENERAL PROCEDURES (I)

Upon receipt of a request from an air operator to provide a scheduled passenger service using a particular aerodrome, the following procedures shall be followed:

1. Commercial and Business Aviation receives Form 26-0045 as a request from an air operator to use an aerodrome for a scheduled passenger service;
2. Commercial and Business Aviation sends Form 26-0045 to Aerodrome Safety;
3. Aerodrome Safety checks whether the aerodrome is certified or uncertified;
4. if the aerodrome is “certified”, the signed Form 26-0045 would be returned to Commercial and Business Aviation, and no further action would be required by Aerodrome Safety;
5. if the aerodrome is determined to be “uncertified”, Aerodrome Safety will mail an Aerodrome Authorization application (see attachment on page 15-6) to the aerodrome operator and request completion and its return to Aerodrome Safety;
6. when the aerodrome operator has completed and returned the Aerodrome Authorization application to Aerodrome Safety, a joint inspection by Aerodrome Safety and Commercial and Business Aviation will be conducted with the intent of issuing the Aerodrome Authorization and associated air operator Authorization;
7. the procedures for the required inspection of an aerodrome are listed in section 15.5.

15.5 ON-SITE INSPECTION OF THE AERODROME (II)

The following procedures will be followed by Commercial and Business Aviation and Aerodrome Safety inspectors when conducting an on-site inspection of the aerodrome:

1. in order to deal effectively with these requests, it is desirable that the CBA inspector involved by type qualified, or where a type qualification is not required, be thoroughly knowledgeable with the operation and systems associated with the aircraft to be used in the scheduled operation.

NOTE: it is important to note that the CBA inspector and the Aerodrome Safety inspector shall draw upon their own practical experience and knowledge, and if necessary, may consult any specialist (internally and externally) required to establish an equivalent level of safety for the kind of operation being sought.

2. in conjunction with the air operator, the CBA and Aerodrome Safety inspectors shall review the request, and develop an inspection plan. The inspection plan shall include the dates when the on-site inspection, operational evaluation, and technical analysis (aerodrome) will take place. In addition, a study shall be conducted on aviation accidents and incidents relating to the type of aircraft to be used in this type of operation. The objective of this exercise is to determine if any of the accidents/incidents detected were caused by any weaknesses/malfunctions of the aircraft systems, operating procedures, training, and also if it occurred in an operation similar to the one being assessed.
3. an on-site inspection shall be conducted and the aerodrome in question shall be evaluated in accordance with the applicable *Airport Standards* in order to determine its certifiability. This evaluation shall be conducted by the Aerodrome Safety inspector.
4. if it is determined that it is not possible/practical to certify the aerodrome, then an equivalent level of safety shall be determined by both inspectors by:
 - (a) observing and conducting an “on the ground” evaluation of the operator’s aircraft operations including the approach, landing, manoeuvring on the ground, taking-off, and climbing (departure path) from the aerodrome in question;
 - (b) if deemed necessary, conducting (CBA inspector) an in-flight evaluation on board the operator’s aircraft or the company’s current operating procedures, in and out of the aerodrome in question;
 - (c) conducting (CBA inspector) an operational evaluation of the suitability of each runway, taxiway and apron associated with the:

- (i) aircraft dimensions (wings, fuselage, and distance between wheels);
 - (ii) aircraft weight;
 - (iii) aircraft performance (in accordance with the Aircraft Flight Manual (AFT), if applicable);
 - (iv) aircraft equipment/systems available (nose wheel steering, gravel kit, types of tires used, reverse thrust capabilities);
 - (v) short take-off and landing (STOL) characteristics of the aircraft;
 - (vi) other factors such as wind, temperature, atmospheric pressure, air density, and precipitation (i.e. snow and rain);
 - (vii) current operating procedures established by the air operator;
 - (viii) qualification and training of pilots;
 - (d) conducting (Aerodrome Safety inspector) a technical analysis in accordance with the applicable Airport Standards and listing all improvements to be done by the aerodrome operator. These improvements are to be determined by taking into consideration all factors found during the operational evaluation phase;
 - (e) approving (CBA inspector) the air operator's operating procedures and any additional training requirements needed, as determined by the operational evaluation and technical analysis, and if operating into and out of unprepared surfaces, ensure that these procedures and training are in compliance with the standards referred to in section 724.44 of the CASS;
5. the air operator's Standard Operating Procedures (SOPs), Company Operations Manual (COM), and Training Program, as applicable, shall be amended to include all established procedures for this operation;
 6. an assessment of the pilot's competency for this operation shall be evaluated during the annual Pilot Proficiency Check (PPC);
 7. a company representative shall be present at the aerodrome for all departures and arrivals of the operator's flights and shall:
 - (a) provide runway condition and any other necessary information to pilots to ensure a safe operation by the means of two way radio communication and telephone;
 - (b) ensure that the runway is maintained and clear of any obstructions;
 - (c) restrict access to the aerodrome by any unauthorised persons;
 - (d) maintain a journal listing the conditions of the runways at the time of departures and arrivals of the company aircraft;

8. the aerodrome operator shall carry out any improvements required to maintain the equivalent level of safety as determined in the technical analysis;
9. inspections shall be carried out to ensure that the air operator and the aerodrome operator have complied with all conditions listed above;
10. once all terms and conditions have been met, the following authorizations shall be issued:
 - (a) Aerodrome Standards Division shall issue a Civil Aviation Aerodrome Authorization (see page 17) specifying the terms and conditions of the authorization to the aerodrome operator; and
 - (b) Commercial and Business Aviation shall issue an amendment to the air operator certificate (AOC), listing the name of the aerodrome and the type and registration (if deemed necessary) of aircraft authorized for this aerodrome;
11. once the operator has commenced its operation into and out of the aerodrome, several inspections shall be conducted throughout the year in order to ensure compliance with all listed conditions. If the aerodrome is to be used year-round, inspections shall be conducted during the summer (no snow) and winter (snow) months.

15.6 AERODROME AUTHORIZATION FOR PART VII OPERATIONS
APPLICATION AND AERODROME OPERATIONS MANUAL

**Aerodrome
Authorization
for
Part VII Operations**

**Application
and
Aerodrome Operations Manual**

Name of Aerodrome : _____

Name of Air Operator : _____

General Provisions

1. Approval of Aerodrome Authorizations are based on the aerodrome operator meeting the terms and conditions specified herein by Aerodrome Safety, and the air operator meeting the requirements specified in Part III of the air operator certificate under Specific Conditions for this aerodrome.
2. Page 9 of this document describes the minimum requirements necessary to authorize air operations into aerodromes that do not meet the full requirements for certification and identifies the areas where Aerodrome Safety allows less than TP312 standards. All other areas shall meet TP312. *It is not intended that the minimum requirements contained in the chart place more stringent standards on the aerodrome than those contained in TP312.*
3. The aerodrome operator shall complete an Aerodrome Physical Characteristics -Description page for each runway at the aerodrome. (as provided in page 6)
4. The Aerodrome Authorization does not overrule the Airworthiness Aircraft Certification Requirements.
5. The Aerodrome Authorization shall state the type of aeroplane(s) approved for use, by the air operator, at the aerodrome.
6. An Aerodrome Authorization is required by the aerodrome operator for each air operator applying to use the aerodrome.
7. Where application is made for an Aerodrome Authorization to allow an additional air operator, a re-evaluation of the aerodrome shall be made by Aerodrome Safety Certification of the aerodrome and full compliance with TP312 may be required prior to utilization of the aerodrome by more than one air operator.
8. This authorization is valid for a maximum of one year from the date of issue.
9. Issuance or renewal of the Aerodrome Authorization requires a review by Aerodrome Safety.

NOTE: (TP312 will be replaced by the Airport Standards for Aeroplane Facilities 322).

AERODROME PHYSICAL CHARACTERISTICS - Minimum Requirements		Aeroplane Category and Class	
Characteristics	Type of operation (operating limits)	Over 12,500 lbs	
		Turbo-jet	Piston
Runway width		Outer gear span + 20 m	Multi-engine 12,500 lbs and under Single engine wing span
Strip width (each side of center line)	Non-instrument Non-precision Instrument runway	1.5 x Wing span (extending each side of center line) 2 x Wing span or 45 m whichever is greater (extending each side of center line)	
Strip width (where TP 312 transition cannot be met)	Non-instrument runways only		Code A&B: 50m on either side of center line then vertical Code C: 68m on either side of center line then vertical Code D&E: 98m on either side of center line then vertical
Strip length		60 m prior to threshold and 60 m beyond departure end	30 m prior to threshold and 30 m beyond departure end
Approach Slopes		1. All approach slopes shall meet TP312 standards; or 2. where TP312 cannot be met, all approach surfaces shall be based on the performance with a critical engine failure, in the Aircraft Flight Manual, in order to achieve a minimum climb gradient to clear all obstacles by at least 10.7m (35 feet). Commercial and Business Aviation shall confirm the approach slopes from the flight manual and record the information in this application. 3.	
Transition Surfaces		1. Transition surfaces shall meet TP312 standards; or 2. Where transition surfaces cannot be met the strip width shall be increased as indicated in above strip widths.	
Outer Surface Taxi holding position, Holding bay, and road holding position		In accordance with TP312 standards.	
Width of taxiway		As per TP 312 for runway length (Table 3-2)	
Taxi center line to runway or taxiway center line.		1.66 x Outer gear span	
Taxi center line to object		$\frac{1}{2}$ wing span + $\frac{1}{2}$ total strip width	
		$\frac{1}{2}$ taxiway width + ($\frac{1}{2}$ wing span - $\frac{1}{2}$ outer gear span) + 1 m	

AERODROME PHYSICAL CHARACTERISTICS - Description				
Characteristics	Type of operation (operating limits)	Aeroplane Category and Class		
		Over 12,500 lbs	12,500 lbs and under	
Runway width		Turbo-jet	Turboprop	Piston
Strip width (each side of center line)	Non-instrument Non-precision Instrument runway		Multi-engine	Single engine
Strip width (where TP312 transition cannot be met)				
Strip length				
Approach Slope				
Transition Surfaces				
Outer Surface				
Taxi holding position, Holding bay, and road holding position				
Width of taxiway				
Taxi center line to runway or taxiway center line.				
Taxi center line to object				

The Aerodrome Operator shall complete this form to determine if the aerodrome meets the equivalent level of safety provided by the Aerodrome Physical Characteristics - Minimum Requirements chart.

The following outline is provided to assist the aerodrome operator in completing the requirements on pages 7 through 10.

PART I - ADMINISTRATION

The administration section shall include a description of the operational organization and operating procedures that contains assigned responsibilities, operational lines of succession, and delegated authorities. The format shall include where appropriate:

1. a foreword by the aerodrome operator/manager;
2. a chart of the operational organization;
3. operational procedures including:
 - day-to-day operation;
 - responsibility assignments;
 - reference to inter-unit agreements;
 - airside services available; and
4. aerodrome drawings.

PART II - AIRPORT SPECIFICATIONS

This section shall contain information regarding the specifications applicable to the aerodrome including:

1. location;
 - latitude;
 - longitude; and
 - nearest town;
2. physical characteristics;
3. obstacle limitations surfaces;
4. declared distances;
5. lighting;
6. markers or markings; and
7. signs.

Aerodrome Safety

PHYSICAL CHARACTERISTICS

OBSTACLE LIMITATIONS SURFACES

- (a) Declared distances
- (b) Lighting
- (c) Markers or markings
- (d) Signs

Aerodrome Safety

PART III - AIRSIDE SERVICES

Information regarding the specifications applicable to the following aerodrome airside services:

1. EMERGENCY RESPONSE SERVICES

- (a) Action that shall be taken in the event of an emergency
- (b) Description of the emergency equipment available
- (c) Location of the emergency equipment
- (d) Agreements with outside providers of an emergency response service
(Attach as Appendix B)

2. COMMUNICATIONS SERVICES

- (a) Description of how the aerodrome/runway conditions are made available to the air operator
- (b) Description of onsite air to ground communications.

Aerodrome Safety

3. **MOVEMENT AREA ACCESS AND CONTROL PROCEDURES**

Description of the procedure for controlling access to the movement areas.

4. **AERODROME SAFETY PLAN**

Description of how the aerodrome will be inspected by the aerodrome operator to ensure that the facility is meeting the conditions agreed to.

5. **APRON MANAGEMENT AND APRON SAFETY**

Where identified as necessary, established procedures shall be described to ensure safety and efficiency on the apron.

Aerodrome Safety

Terms and Conditions

The terms and conditions under which this Aerodrome Authorization is issued are as follows:

1. The aerodrome operator agrees to maintain the physical characteristics of the aerodrome to the same or in an improved condition as it was on the date of issuance of the authorization.
2. (additional terms and conditions as specified by Aerodrome Safety)



certify that this information for _____
name of aerodrome

is correct and accept the conditions under which this Aerodrome
Authorization is approved.

Signature of aerodrome operator

Date

Aerodrome Safety

<p>CIVIL AVIATION AERODROME AUTHORIZATION</p>	 <p>AVIATION CIVILE AUTORISATION D'AÉRODROME</p>
<p>AUTHORIZATION NO. / N° DU AUTORISATION</p>	
<p>NAME OF AERODROME / NOM DE L'AÉRODROME</p> <p>This aerodrome authorization is issued by the Minister pursuant to Part III of the <i>Canadian Aviation Regulations</i> under authority of the <i>Aeronautics Act</i>.</p> <p>The Minister may suspend or cancel this aerodrome authorization at any time where the aerodrome operator fails to comply with the conditions set forth in this authorization, the <i>Act</i>, the <i>Regulations</i> or for other grounds as set out in the <i>Act</i>.</p> <p>This authorization is subject to the conditions established by the Minister and set out in the approved Aerodrome Authorization Application.</p> <p>This aerodrome authorization permits the aerodrome operator to:</p> <p>(name of aerodrome)</p> <p>to conduct flights to / from this aerodrome utilizing _____ (type(s) of aeroplane)</p> <p>This aerodrome authorization is not transferable and shall remain in effect for one year from date of issuance.</p>	<p>NAME OF AERODROME OPERATOR / NOM DU L'EXPLOITANT DE L'AÉRODROME</p> <p>Cette autorisation d'aérodrome est délivrée par le ministre en vertu de la Partie III du <i>Règlement de l'aviation canadien</i> sous l'autorité de la <i>Loi de l'aéronautique</i>.</p> <p>Le ministre peut suspendre ou annuler cette autorisation d'aérodrome en tout temps si l'exploitant de l'aérodrome ne se conforme pas aux dispositions établies dans cette autorisation, dans la <i>Loi</i>, le <i>Règlement</i> ou pour toutes autres raisons tel que l'énonce la <i>Loi</i>.</p> <p>Cette autorisation est sujet à toutes les conditions fixées par le ministre et tel que l'établit la demande d'autorisation d'aérodrome approuvée.</p> <p>Cette autorisation d'aérodrome permet à l'exploitant de l'aérodrome d'autoriser:</p> <p>(nom de l'exploitant aérien)</p> <p>à effectuer des vols à destination et en provenance de cette aérodrome en utilisant _____ (type d'avion)</p> <p>Cette autorisation d'aérodrome est non transférable et reste en vigueur pour une période d'un ans à partir de la date d'émission.</p>
<p>MINISTER OF TRANSPORT - MINISTRE DES TRANSPORTS</p>	
<p>AUTHORIZATION DATE OF ISSUE / DATE DE DELIVRANCE DU AUTORISATION</p>	
	

CHAPTER

16

Aviation

*Occupational Safety and Health
Regulations (A-OSH)*

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http://info.load-otea.hrdc-drhc.gc.ca/federal_legislation/part2/legislation/code.htm

Safety and Health Committees and Representatives Regulations

http://info.load-otea.hrdc-drhc.gc.ca/federal_legislation/part2/cohsregs/r20201.htm

Aviation Occupational Safety and Health Regulations

http://info.load-otea.hrdc-drhc.gc.ca/federal_legislation/part2/otherregs/r203toc.htm

Forms

<http://info/forms/search.htm>

Commercial and Business Aviation Advisory Circulars pertaining to Aviation Occupational Health and Safety

<http://info/CivilAviation/commerce/ohs/circulars.htm>

List of Civil Aviation Safety Inspectors - Occupational Health and Safety

Regions: http://info/CivilAviation/commerce/ohs/reach_us/regions.htm

HQ: http://info/CivilAviation/commerce/ohs/reach_us/headquarters.htm

Aviation Occupational Health and Safety Webpage

<http://info/CivilAviation/commerce/ohs/menu.htm>

Chapter 16

16.1 AVIATION - OSH PROGRAM

Background

The Transport Canada Aviation OSH (Occupational Safety and Health) Program began in 1987. The program is designed for the Aviation industry and is administered and enforced by Transport Canada Aviation through a Memorandum of Understanding (MOU) with Human Resources Development Canada (HRDC). The program was delegated to Transport Canada, Civil Aviation because of its technical expertise in the area.

Authority

The Program's authority is found in the *Canada Labour Code Part II* (Code). Aviation OSH Regulations prescribe standards to ensure the safety and health of employees.

Mandate

The corner-stone of the Aviation - OSH Program is to ensure compliance with the purpose of the *Canada Labour Code Part II* which is: "to prevent accidents and injury to health, arising out of, linked with or occurring in the course of employment". The Aviation OSH Program ascertains compliance of this legislation for employees working on board an aircraft while in operation.

The philosophy behind the program is that safety at work is everyone's responsibility. To meet its objectives, the Program is based on on-going monitoring of the work place and various activities such as: inspections, investigations and promotional/educational campaigns. Safety officers across the country are responsible for Program delivery.

Should you require further information regarding this program, contact your nearest Civil Aviation Safety Inspector - Occupational Health and Safety (CASI-OSH). (see Table on page 15)

The Web Address for the Code and the Regulations is:

<http://info/CivilAviation/commerce/osh/menu.htm>

16.2 CANADA LABOUR CODE - PART II

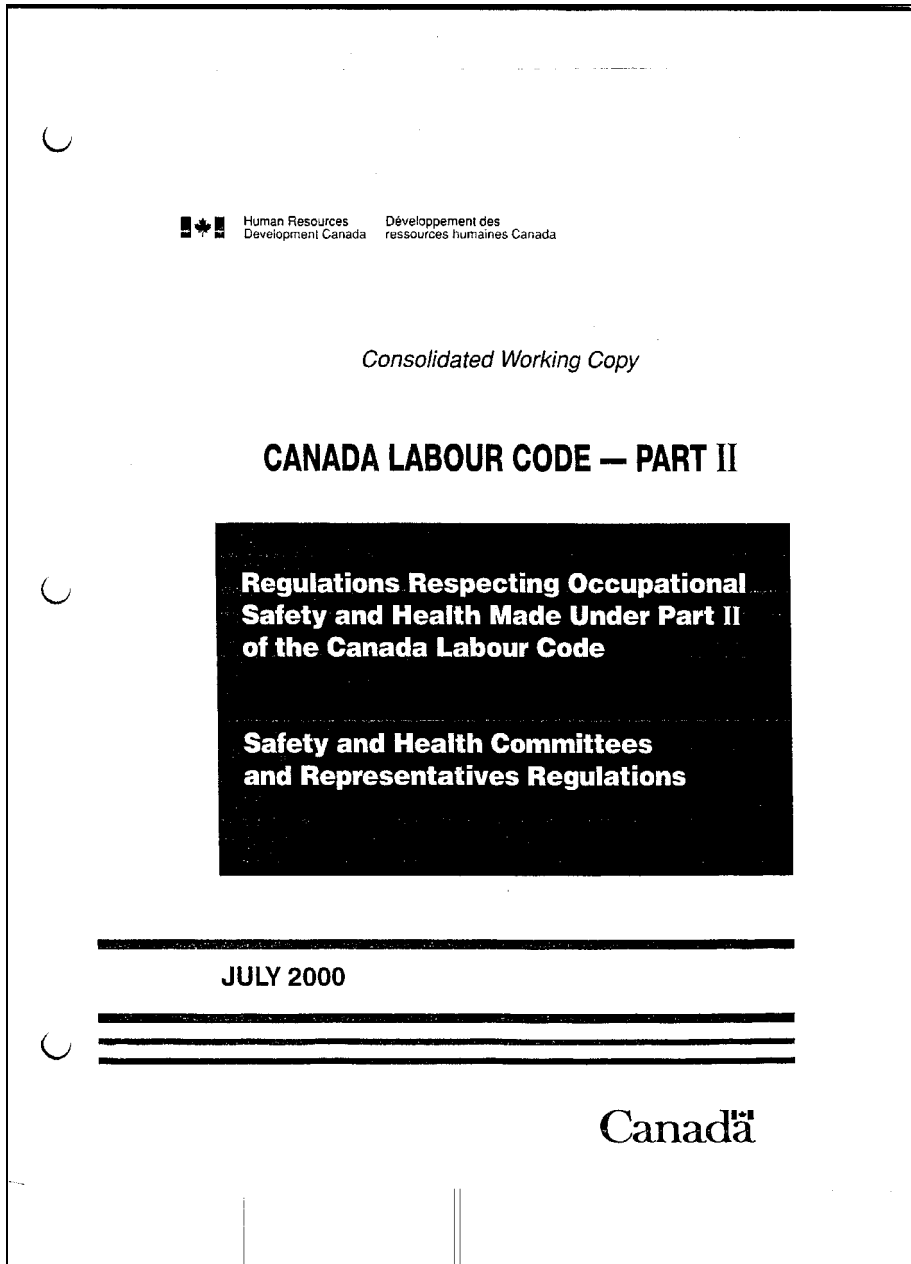


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The employer shall select the member or members of a safety and health committee to represent him from among persons who exercise managerial functions.

Where any employees at a work place are not represented by a trade union, those employees shall select, by majority vote, the member or members of the safety and health committee to represent them.

. **Safety and Health Representatives**

Where none of the employees at a work place are represented by a trade union, those employees shall select, by majority vote, the safety and health representative for that work place.



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AVIATION OCCUPATIONAL SAFETY AND HEALTH REGULATIONS

SOR/87-182 26 March 1987
SOR/88-201 24 March 1988
SOR/94-34 13 January 1994

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16.5 FORMS

Please note that in order to get the proper form you must type in the form number as indicated below:

Preliminary Report of a Hazardous Occurrence 26-0613

Assurance of Voluntary Compliance 26-0614

Assurance of Voluntary Compliance 26-0615

Safety and Health Committee Report 26-0616

Minutes – Safety and Health Committee 26-0617

Complaint Registration 26-0618

Danger – Do not use 26-0619

Refusal to Work registration 26-0620

Hazardous Occurrence Investigation Report 26-0621

16.6 CBAACS – AOSH

Refer to the Web address listed on the index page of this chapter.

16.7 LIST OF CIVIL AVIATION INSPECTORS – AOSH

Refer to the Web address listed on the index page of this chapter (see page 15).

16.8 CONTACTS

Headquarters Contacts

Place de Ville, Tower C
330 Sparks St., 4th Floor
Ottawa ON K1A 0N8

INSPECTOR NAME	TELEPHONE NUMBERS	FACSIMILE	E-MAIL
Jacques D. Servant	(613) 991-1271 08:30 to 16:30 (613) 996-6666 After working hours emergency number	(613) 954-1602	servanj@tc.gc.ca
Christine Jerome	(613) 998-5084 08:30 to 16:30		jeromec@tc.gc.ca
Elizabeth Marston	(613) 990-1072 08:30 to 16:30 (613) 996-6666 After working hours emergency number		marstol@tc.gc.ca
Murray St. Louis	(613) 998-4705 08:30 to 16:30 (613) 996-6666 After working hours emergency number		stloumj@tc.gc.ca

http://info/CivilAviation/commerce/ohs/reach_us/headquarters.htm

Regional Contacts

Atlantic Region – MAXG
 P.O. Box 42, 95 Foundry St.
 Moncton NB E1C 8K6

INSPECTOR NAME	TELEPHONE NUMBERS	FACSIMILE	E-MAIL
Barb Goguen	(506) 851-6561 08:30 to 16:30 (506) 851-7221 After working hours emergency number	(506) 851-7190	goguenb@tc.gc.ca

Quebec Region – NAXG
 700 Leigh Capreol
 Dorval QC H4Y 1G7

INSPECTOR NAME	TELEPHONE NUMBERS	FACSIMILE	E-MAIL
Marie-Anyk Côté	(514) 633-3722 08:30 to 16:30 (514) 633-3534 After working hours emergency number	(514) 633-3697	cotema@tc.gc.ca

Ontario Region – PAXG
 4900 Yonge St., Suite 300
 North York ON M2N 6A5

INSPECTOR NAME	TELEPHONE NUMBERS	FACSIMILE	E-MAIL
Becky Robertson	(416) 954-5320 08:30 to 16:30 (416) 954-5901 After working hours emergency number	(416) 952-0050	roberrj@tc.gc.ca

Prarie & Northern Region (Edmonton) – RAEG

1100 – 9700 Jasper Ave.
Edmonton AB T5J 4E6

INSPECTOR NAME	TELEPHONE NUMBERS	FACSIMILE	E-MAIL
Norm Tunke	(780) 495-5271 08:30 to 16:30	(780) 495-4622	tunken@tc.gc.ca
	(204) 932-2751 After working hours emergency number		
John Vincent	(780) 495-7079 08:30 to 16:30	(780) 495-4622	vincejo@tc.gc.ca
	(204) 932-2751 After working hours emergency number		

Prarie & Northern Region (Winnipeg) – RAWX

P.O. Box 8550, 344 Edmonton St.
Winnipeg MB R3C 0P6

INSPECTOR NAME	TELEPHONE NUMBERS	FACSIMILE	E-MAIL
Diane Stefanson	(204) 983-1428 08:30 to 16:30	(204) 983-1734	stefand@tc.gc.ca
	(204) 932-2751 After working hours emergency number		

Pacific Region - TAXO

900 – 800 Burrard St.
Vancouver BC V6Z 2J8

INSPECTOR NAME	TELEPHONE NUMBERS	FACSIMILE	E-MAIL
David Lee	(604) 666-0155 08:30 to 16:30	(604) 666-0682	leedr@tc.gc.ca
	(604) 612-4944 After working hours emergency number		

CHAPTER

17

*Transportation of
Dangerous Goods by Aircraft*

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Chapter 17

17.1 GENERAL

1. Each day, products defined as dangerous goods are transported within Canada. These shipments are too numerous to accurately record, but number in the million each year. There is a potential for endangering public safety through dangerous occurrences in the course of transportation with this amount of movement. It is essential for manufacturers, shippers, carriers, users and governments to continually work towards minimizing the risk of dangerous occurrences in the transportation of dangerous goods and the harm done by dangerous occurrences that do occur.
2. To this end, the Canadian federal government has enacted legislation that regulates the transportation of dangerous goods. The *Transportation of Dangerous Goods Act, 1992* and the *Transportation of Dangerous Goods Regulations* applies to the handling, offering for transport and transportation of dangerous goods by all modes of transport (road, rail, air and marine). The Regulations incorporate by reference the *ICAO Technical Instructions for the Safe Transport of Dangerous Goods By Air* for the transportation of dangerous goods by air in Canada.
3. The Dangerous Goods Standards Division (AARXE) provides technical advice to the development of the *Transportation of Dangerous Goods Regulations* and the Division develops and maintains standards, policies, guidelines, and public awareness programs to ensure the safe transport of dangerous goods by air. The division also provides functional guidance and support to dangerous goods inspectors in the Regional Offices.
4. The *ICAO Technical Instructions* requires that all air operators, that transport dangerous goods, have an approved training program for their employees. To obtain approval for the training program, the air operators must contact the Regional Dangerous Goods Office.
5. Regional Dangerous Goods Inspectors conduct audits and inspections of air operators, shippers and forwarders involved in the handling, offering and transportation of dangerous goods by air. In addition, inspectors evaluate air operators training programs, dangerous goods manuals and promote the safe transportation of dangerous goods through Regional awareness programs.

NOTE: Commercial and Business Aviation Advisory Circular (CBAAC) No. 0175 dated 2000.07.06 provides a revised list of address and telephone

numbers pertaining to Transport Canada, Regional Dangerous Goods, Civil Aviation Offices only and not with the names of the Resource Persons - TDG indicated in section 17.2 of this manual.

17.2 RESOURCE PERSONS – TDG

REGION	TITLE	NAME	PHONE NO.
Headquarters	Chief Administrative Assistant	Judith Code Vacant	613-990-1060 613-990-1059
Inspector	Inspector	Ron Laviolette Roger Lessard	613-990-1130 613-991-3988 Fax 613-954-1602
Airline Inspection	Superintendent	Daniel Sylvestre	613-990-1068 Pager: 613-782-9311
Atlantic	Superintendent Inspector	Paul Saulnier Garry Branscombe	506-851-7247 506-851-7557 Fax: 506-851-7190
Quebec	Superintendent Inspector Inspector Inspector	Mona Desrosiers Karen Sandra Smith Vacant Robert Duquette	514-633-2838 514-633-3795 Fax: 514-633-3697 418-640-2796 Fax: 418-640-2680 418-961-2006 Fax : 418-961-2009
Ontario	Superintendent Inspector Inspector Inspector Inspector	Glen Varley Fred Campbell Bob Hachey Don Ferrier Walter Palamar	905-405-3779 905-405-3796 905-405-3300 905-405-3299 905-405-5150

REGION	TITLE	NAME	PHONE NO.
Prairie & Northern Region	Superintendent	Harold Brookman	780-495-5278
	Inspector	Vacant	780-495-5279
	Inspector	Vacant	780-495-4022
	Inspector	Dirk Donker	403-292-4344
	Inspector	Keith McDonald	403-292-5221
	Inspector	Wayne Corney	204-984-5903
	Inspector	Christina Burzynski	204-983-1424 204-983-1734
Pacific	Superintendent	Lynne Meinert	604-666-5655
	Inspector	Wayne Woolridge	604-666-7558
	Inspector	Bill Chung	604-666-2547
	Inspector	Georges St. Pierre	604-666-3079 Fax 604-666-0682