



Transport  
Canada

Transports  
Canada

**TP 13001E**  
**(01/2000)**

Foreign (FTA) Air  
Operator Certification  
Procedures Manual  
***TP 13001E***

January 2000

### **Foreword**

This manual outlines Transport Canada, Civil Aviation (TC) policies and procedures pursuant to the Free Trade Agreement (FTA). It provides guidance to personnel whose duties involve certification, surveillance, monitoring and inspection of FTA air operators.

The functional head for the certification and safety oversight of foreign air operators conducting specialty air services in Canada is the Director General, Civil Aviation (AAR). The operational specialist is the Chief, Foreign Inspection Division (AARXH), who is responsible for the organization and administration of the program, as well as for the risk management processes upon which certification approval and safety oversight activities are based.

M. R. Preuss  
Director  
Commercial and Business Aviation

(ii)  
**Record of Amendments**

<b>Amendment Number</b>	<b>Date of Amendment</b>	<b>Pages Affected</b>	<b>Date Entered</b>	<b>Initials</b>
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# Chapter 1

## General Information

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### 1.1 Purpose

This manual outlines Transport Canada, Civil Aviation (TC) policies and procedures regarding FTA aircraft operations in Canada and in Canadian controlled airspace. Adherence to these procedures and guidelines will enable TC inspectors to perform their duties in a uniform manner.

### 1.2 Background

1.2.1 The “agreement on free trade,” allows services to be provided by one FTA partner to clients in the territory of another. The following table outlines the Specialty Air Services (SAS) operations which are included in FTA.

## Implementation Schedule

<b>Service Category</b>	<b>Mexico</b>	<b>Canada and United States</b>
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, 2000	January 1, 1994
Aerial Sightseeing	January 1, 1997	January 1, 1997
Aerial Spraying	January 1, 2000	January 1, 2000
Aerial Surveying	January 1, 2000	January 1, 1994
Fire-Fighting	January 1, 1994	January 1, 1994
Flight Training	January 1, 1994	January 1, 1997
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	January 1, 1994	January 1, 1994

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

- 1.2.2 The following is a list of Specialty Air Services (SAS) operations identified under the Free Trade Agreement for Specialty Air Services (SAS) operations that share characteristics with those listed and specified by the appropriate Civil Aviation Authority (CAA):
- (a) **Aerial Advertising:** The operation of an aircraft for the purpose of skywriting, banner towing, displaying airborne signs, dispensing leaflets, or making public address announcements.
  - (b) **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 for erection of special purpose towers.
  - (c) **Aerial Inspection and Surveillance:** The operation of an aircraft for the purpose of conducting aerial observation and patrols for surface events, objects and animals and wild life management. (see note 1 on Wild Life Management).
  - (d) **Aerial Mapping:** The operation of an aircraft for the purpose of mapping by use of a camera or other measuring and recording devices.
  - (e) **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.
  - (f) **Aerial Sightseeing:** The operation of an aircraft for the purpose of providing recreation to passengers which originates and terminates at the same airport.
  - (g) **Aerial Spraying:** The operation of an aircraft for the purpose of dispensing any chemicals, materials or substances for the benefit of agriculture, horticulture or forestry. The specific type of aerial spraying would include those applications intended for plant nourishment, soil treatment, propagation of plant life, aerial seeding, or pest control, but not including the dispensing of live insects.
  - (h) **Aerial Surveying:** The operation of an aircraft for the purpose of surveying by use of a camera or other measuring and recording devices.
  - (i) **Fire Fighting:** The operation of an aircraft for the purpose of dispensing water, chemicals, and fire retardants intended for suppressing a fire. This includes carrying of fire fighters. (see note 2 on Fire Fighting).
  - (j) **Flight Training:** Training which follows an approved ground and flight syllabus which permits students to meet all certification requirements for obtaining a flight crew licence or rating.
  - (k) **Forest Fire Management:** The operation of an aircraft for the purpose of fire detection and control or dispensing any substance intended for forest fire suppression and prevention. This includes carrying fire fighters, fire bosses and/or managers into the fire area or to the actual fire site, provided the flight is within the declared fire zone.

- (l) **Glider Towing:** The towing of a glider by a powered aircraft equipped with a tow hitch.
- (m) **Helicopter Operations**
  - (i) **Heli-logging:** The operation of a helicopter for the purpose of transporting timber as external load.
  - (ii) **External Load:** The carriage of a load externally by a helicopter.
- (n) **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.

**NOTE 1 :** **Wild Life Management** is 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 or the placing of telemetry equipment on animals; and the utilization of an aeroplane for the capturing of animals, the collecting of samples from animals or the placing of telemetry equipment on animals.

**NOTE 2 :** **Fire Fighting.** Movement of essential personnel and fire fighters from a base camp to the declared fire zone is not deemed to be air transportation; nor is movement of essential personnel from one base camp to another, to continue fire fighting, deemed to be air transportation. These are operational necessities included under SAS for fire fighting purposes.

### **1.3 Application of the Manual**

- 1.3.1 This manual will apply to all FTA Specialty Air Service (Aerial Work) aircraft operations to be conducted in Canada.
- 1.3.2 Considering the broad scope of operations covered in this manual and the many variables involved, it is impossible to provide detailed procedures and guidance for all exigencies. Therefore TC Inspectors must exercise sound judgement in applying the policy and procedures formed in this manual.

### **1.4 Preparation and Distribution**

- 1.4.1 Preparation, distribution, changes and cancellation of material in this manual will be the responsibility of Certification Standards Division (AARXC) on behalf of the Foreign Inspection Division (AARXH). A copy of this manual and amendments thereto will be issued to inspectors and other designated personnel involved in related duties.

### **1.5 Revision to the Manual**

- 1.5.1 The effective procedures and directives require continuous review and updating of this manual.
- 1.5.2 Recommendations from inspectors to change any policy, procedure, etc. shall be evaluated from a regulatory perspective at the regional or branch level. If the regional or branch level managers concur with the proposed changes, they are to be forwarded to AARXC. Amendments will be made as required and distributed to manual holders.



1.5.3 The regulatory requirements that cover FTA SAS operations in Canada or in Canadian controlled airspace are in the:

- (a) *Aeronautics Act*; and
- (b) *Canadian Aviation Regulations and Commercial Air Service Standards*

1.5.4 It is an inspector's duty to be familiar with these statutory requirements and to ensure, during the course of an inspection, that they are complied with.

## **1.6 Operation of FTA Foreign Registered Aircraft in Canada**

1.6.1 When a FTA applicant seeks certification to operate a Specialty Air Service in Canada, the applicant will be advised to contact Revenue Canada, Customs and Excise for GST and Immigration Canada for work permit requirements.

- (a) Revenue Canada, Customs, Excise and Taxation
- (b) Citizenship and Immigration Canada

Revenue Canada, Customs, Excise and Taxation  
Travellers Directorate  
Operations - Air and Marine Section  
Sir Richard Scott Building.  
191 Laurier Avenue West  
8<sup>th</sup> floor  
Ottawa, Ontario, K1A 0L5  
Canada

Telephone: (613) 954-7092  
FAX: (613) 998-5584

Citizenship and Immigration Canada  
Immigration Program Delivery  
565 Laurier Avenue West  
21<sup>st</sup> floor  
Ottawa Ontario, K1A 1L1  
Canada

Telephone: (613) 954-1064  
FAX: (613) 952-5533

Questions on national policies should be addressed to the following offices:

### INFORMATION OFFICES

Country	Information offices	Telephone /Facsimile
Canada	Chief, Certification Standards Commercial and Business Aviation Place de Ville 330 Sparks Street Tower C, 4 <sup>th</sup> Floor Ottawa, Ontario K1A 0N8	Telephone: (613) 990-1098 Facsimile: (613) 954-1602
Mexico	Dirección Técnica Dirección General de Aeronáutica Civil Providencia 807-4 Piso COL. DEL VALLE C.P. 03100, Mexico, D.F.	Telephone: (525) 687-76-80 Facsimile: (525) 523-67-40
United States	Federal Aviation Administration General Aviation & Commercial Division AFS-800 800 Independence Avenue, SW Washington, DC 20591	Telephone: (202) 267-7771 Facsimile: (202) 267-5094
United States Drug and Alcohol Program Office	Implementation & Special Projects Branch, AAM-810 800 Independence Avenue, SW Washington, DC 20591	Telephone: (202) 267-8976 Facsimile: (202) 267-5200
Chile	Dirección General de Aeronáutica Civil Classificador 3, Correo 9, Santiago, Chile	Telephone: (011-56-2-410-7656) Facsimile: (011-56-2-3355710)





## Chapter 2

### Applicability of Statutes

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#### 2.1 General

- 2.1.1 The Minister's duty to develop, regulate and supervise aeronautics under section 4.2 of the *Aeronautics Act* is symbolized by the issue of a Canadian AOC (FTA) to foreign air operators conducting SAS operations in Canada.

**NOTE:** For the purpose of this Manual, a Canadian AOC (FTA) shall be referred to as an FTA AOC.

- 2.1.2 In order to issue an FTA AOC there must be confirmation that the flight crew members are competent and the proposed aircraft are airworthy. To achieve this, the foreign air operator must submit documentation issued by its Civil Aviation Authority (CAA), affirming that the foreign air operator will conduct the intended SAS activity to the same safety standard as would a company based in the country of intended operation.

#### 2.2 Status of a Foreign Air Operator

- 2.2.1 Although the processing of an application for an FTA AOC is virtually the same regardless of the country involved, there are differing processing methods depending on the category of the Specialty Air Service (SAS).

#### 2.3 Other Statutes

- 2.3.1 Nothing in this manual removes any requirement for an FTA AOC holder from meeting any additional requirements necessary to carry out an operation, e.g. waivers of section 602.12 of the *Canadian Aviation Regulations*, pertaining to Overflight of Built-up Areas or Open-air Assemblies of Persons during Take-offs, Approaches and Landings, etc..



## Chapter 3

### Certification of a FTA Foreign Air Operator

#### 3.1 General

3.1.1 TC's mandate is the safety of the Canadian public. Therefore, regardless of the registry of an aircraft, if that aircraft is operating in Canadian controlled airspace or carrying Canadian citizens, then the Minister is responsible for ensuring the safety of such operations. ICAO recognises each country's right to regulate aircraft which operate in their airspace and made such recognition explicit in the Convention at Article 1. Thus, the foreign air operator must comply with the *Aeronautics Act* and the *Canadian Aviation Regulations* while operating in Canadian controlled airspace.

#### 3.2 FTA Partners - Regulatory References

3.2.1 These are the regulatory references of the FTA partners:

	MEXICO	USA	CANADA	Chile
	DGAC	FAA	TCCA	DGCA
REGULATORY REFERENCES	Articles 11 and 27, Civil Aviation Law	FARs 91, 105, 133, 141 and 147	CARs 702, 703, 704 and 705	

#### 3.3 Certification Process

3.3.1 The initial contact for an application for an FTA AOC will be with the Foreign Inspection Division (AARXH).

3.3.2 An applicant for an FTA AOC will receive, from the Foreign Inspection Division, an explanatory covering letter and a copy of *Form 26-0509 - Application to Authorize Specialty Air Service Operations - Free Trade Agreement (FTA)*. This Form must be completed using the applicant's address, operation's base, telephone and, if available, facsimile and telex numbers, rather than an agent's or a lawyer's.

3.3.3 The initial submission must be accompanied by a charge of five-hundred (\$500.00) dollars Canadian.

3.3.4 Refer to pages 3-4 for a copy of Form 26-0509.

3.3.5 Applications involving the Specialty Air Service Flight Training are to be directed to the Flight Training Division (AARRE) of the General Aviation Branch.

### **3.4 Acceptance of Documentation**

- 3.4.1 An FTA SAS “Certificate of Authorization” issued by the DGAC of Mexico, the DGAC of Chile, or the FAA of the United States is required to obtain an FTA AOC.
- 3.4.2. These “Certificates of Authorization” issued by the State of the applicant are normally accepted as valid confirmation of technical competency.

NOTE: **Sightseeing Operations** - Both TCCA and the DGACs require an air operating certificate and/or authorization to conduct sightseeing operations. The FAA requires all sightseeing operators to be certificated under FAR Part 135.

Under NAFTA, the FAA, prior to issuing its NAFTA authority, will require its operators to conduct sightseeing operations under FAR Part 135.

### **3.5 Issue of an FTA AOC**

- 3.5.1 When an applicant submits a Form 26-0509 accompanied by an FTA Certificate of Authorizg, and the certification charge of \$500.00 dollars, the Foreign Inspection Division will, upon a positive evaluation of the applicant from a safety perspective, issue a FTA AOC.
- 3.5.2 The FTA AOC, unless suspended or revoked, will be valid for a maximum period of one year. If the applicant wishes to renew the certificate, a formal application for renewal shall be made using Form 26-0509. The renewal process will be the same as for the original certification.
- 3.5.3 The FTA AOC will indicate that the approved specialty air services are valid in all Regions.
- 3.5.4 The FTA air operator must contact the Foreign Inspection Division:
  - (a) prior to commencing initial SAS operations in each geographic area as defined in the work contract;
  - (b) upon changing the type of SAS operation being conducted, and
  - (c) upon subsequent return to the original geographic area.

### **3.6 Aircraft**

- 3.6.1 The aircraft shall be listed on the FTA AOC by Nationality and Registration.
- 3.6.2 The aircraft shall have a valid Certificate of Airworthiness and Certificate of Registration from the State of registry.

### **3.7 Personnel**

- 3.7.1 The names and licence numbers of all crew members shall be listed on the FTA AOC.



### **3.8 Amendment to the FTA AOC**

- 3.8.1 The cost of amending the FTA AOC is \$100 .00 dollars.
- 3.8.2 Regions will be provided with a list of FTA AOC holders and the areas of intended operation.
- 3.8.3 The Foreign Inspection Division will maintain a B.F. system on the expiry date and the renewal of all FTA AOCs.

### **3.9 Exemptions to CARs**

- 3.9.1 The issue of an FTA AOC is predicated upon the applicant providing TC with an FTA Certificate of Authorization. It is issued pursuant to the requirements of subpart 702 of the CARs. Consequently, until the CARs are amended to provide legal details on handling the certification of the FTA partners, the following blanket Ministerial Exemptions apply to FTA air operators conducting Specialty Air Services in Canada:

- (a) section 700.03 of the CARs;

*“exemption from the requirement of procuring an authorization from the Minister”*

- (b) paragraph 700.04 (3)(b) of the CARs;

*“exemption for the person to meet the requirements of subpart 702 of CARs.”*

- 3.9.2 These exemptions will be reproduced in AIP Canada



Front Page of Form 26-0509



## Chapter 4

### Multiple Part Canadian AOC (FTA)

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#### 4.1 Multiple Part Canadian AOC (FTA)

1. The multiple part FTA air operator certificate in use, is now in NACIS covering *Aerial Work Operations* (Specialty Air Services) SAS.
2. For a sample of the air operator certificate for Aerial Work, see pages 4-2 to 4-8.

















## **4.2 FAA Certificate of Authorization (NAFTA)**

- 4.2.1 A sample copy of the FAA “Certificate of Authorization” pertaining to SAS operations by a USA operator is attached at Pages 4-10 to 4-13.

Note: This example is for an SAS conducted in accordance with the North American Free Trade Agreement (NAFTA). The Free Trade Agreement (FTA) replaces NAFTA thus the term NAFTA will be phased out as certificates are renewed.











### **4.3 DGAC Mexico Certificate of Authorization (NAFTA)**

- 4.3.1 This section is reserved for a sample copy of the DGAC Mexico “Certificate of Authorization” (NAFTA) issued to confirm “equivalencies” of the Mexican SAS operator.

### **4.3 DGAC Chile Certificate of Authorization (FTA)**

- 4.4.1 This section is reserved for a sample copy of the DEAC Chile “Certificate of Authorization” (FTA) issued to confirm equivalency for a Chile SAS operator.



# Chapter 5

## Enforcement Action

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### CANADIAN FOREIGN AIR OPERATOR (FTA) - ENFORCEMENT ACTION

#### 5.1 General

This chapter provides guidance on the procedures to be followed by TC inspectors prior to any punitive action being taken in respect of an FTA AOC. From an enforcement perspective, the history of foreign air operators conducting SAS in Canada has been overwhelmingly positive. If a deficiency is observed the guidance contained in this chapter describes the basic approach which should be taken.

##### 5.1.1 Deficiencies

An “observed deficiency” may be found during a ramp check or at any other time by a TC inspector. Such inspections may be the result of a random inspection or a “directed” inspection. Inspectors must ensure that they obtain documentary evidence such as written statements, photographs, transcripts of tapes, airport documents, applicable weather reports, etc., and where possible the evidence must be witnessed or certified. Every effort is to be made to ensure that all documentation is legible and that aircraft types and registrations are exact.

#### 5.2 Enforcement of Steps

##### 5.2.1 Step 1 (Report of Findings)

- (a) A written report is to be directed to the Foreign Inspection Division (AARXH) with a copy to the Inspector’s Branch Supervisor. It is essential that this report be submitted as soon as possible after a deficiency/violation, etc., has been detected or observed. It is also essential that the report be detailed and copies of any documentary evidence attached.
- (b) It must be emphasized here, that the foregoing in no way is intended to preclude an inspector from issuing a *Notice of Detection (Form 26-0471)* or a *Notice of Aircraft Inspection (Form 24-0009)* as the case may be. A copy of the issued form must be filed with the Foreign Inspection Division soon as possible after the event.
- (c) Where there is an immediate threat to safety a *Notice of Detention of Aircraft (Form 26-0365)* must be issued. When an aircraft is to be detained, Regional Enforcement Officers should be involved, as they have the experience, knowledge and contacts to ease a difficult situation. In this case, it is imperative that a copy of any such notice be filed with the Foreign Inspection Division (AARXH) immediately. In fact if time permits, a prior advice to the Foreign Inspection Division would be appropriate. This in order to alert other interested Agencies/Departments as necessary, e.g. Department of Foreign Affairs and International Trade (DFAIT).

#### 5.2.2 Step 2 Action by Foreign Inspection Division - Letter to Operator

- (a) As soon as advice of an enforcement action reaches the Foreign Inspection Division, a letter detailing the event is to be written to the foreign air operator and copied to the relevant Civil Aviation Authority. The foreign air operator is to be given a definite time period in which to respond (this time period must be stipulated: thirty days is a reasonable amount) taking into consideration transmittal times (immediate transmission by facsimile, telex or AFTN, followed by hard-copy by registered mail). The correspondence would invite comments by the foreign air operator and advice on what corrective action, if any is being taken.
- (b) Where an event is of a serious enough nature that some form of compliance action is being contemplated, copies of the letter to the FTA foreign air operator are to be forwarded to Foreign Affairs and International Trade (EXT-EBS), International Air Policy (ACEA) and to the Canadian Delegation to ICAO (ZCE) for information.

#### 5.2.3 Step 3 (Non conformity)

If the FTA foreign air operator does not respond in the time given, or the response is not satisfactory - proceed to step 5.

#### 5.2.4 Step 4 (Conformity)

If the FTA foreign air operator supplies a satisfactory response, no further action is required, other than to advise the operator by letter of the acceptance of his response, with copies to interested parties noted above in 5.2.2., if they had been advised of the initial action in the circumstances cited.

#### 5.2.5 Step 5 (Options)

##### **(a) Diplomatic Means**

If the Director, Commercial and Business Aviation (AARX) considers the matter to be extremely serious, then a letter addressed to the relevant CAA describing the event and required remedial action, will be forwarded to External Affairs so that it may be delivered as a Diplomatic Note to the Embassy or Consular Office of the FTA foreign air operator concerned.

##### **(b) Consultation**

If a consultation meeting with the FTA foreign air operator is considered preferable, this should be arranged at an early date.

**Note:** If it is considered likely that an action taken by the TC may result in the matter being taken to the Civil Aviation Tribunal (CAT), then the services of a court reporter should be used at any consultation for the taking of minutes.

### **5.3 Administrative Procedure**

- (a) Once it has become reasonably certain that some compliance action is to be taken against a FTA foreign air operator, the Foreign Inspection Division must immediately advise the following:
  - (i) Foreign Affairs and International Trade (EXT-EBS): Deputy Director, Aviation (996-0934);
  - (ii) Air Policy and Programs (ACEA): (991-9082); and
  - (iii) Regulatory Services (AARB): (990-1224).
- (b) The advice should include who, what, when, why and the means TC will be using to advise the FTA foreign air operator. Early and complete advice to Foreign Affairs and International Trade enables them to give a heads-up to their personnel in the country affected.
- (c) Originals of enforcement orders are to be addressed to the FTA foreign air operator concerned using the following means of transmission and in the indicated priority: (1) FAX; or (2) AFTN with a hard copy being sent by registered mail. Carbon copies are to be sent to the North American office/contact or agent, and the Civil Aviation Authority of the country affected.
- (d) Information copies of a compliance order must be copied to:
  - (i) Foreign Affairs and International Trade (EXT-EBS), FAX 944-0058;
  - (ii) Canadian Delegation to the International Civil Aviation Organization (ICAO): (ZCE), FAX (514) 954-5809.

### **5.4 Notice of Suspension or Cancellation**

The issuance of a Notice of Suspension or Cancellation shall be in a form of a letter, using the same wording as appears on the Notice of Suspension or Cancellation to Canadian air operators





## **ATTACHEMENT 1 –BACKGROUND INFORMATION ON POLICY AND PROCEDURES, APPLICABLE TO NAFTA AGREEMENT**

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### **6.1 NAFTA ADVISORY**

#### **Background**

Ratified by Canada, the United Mexican States and the United States of America, the *North American Free Trade Agreement* (NAFTA) came into force on January 1, 1994. Among other things, NAFTA opened up cross-border trade in specialty air services (SAS), defined in art. 1213 of NAFTA as aerial mapping, aerial surveying, aerial photography, forest fire management, fire fighting, aerial advertising, glider towing, parachute jumping, aerial construction, heli-logging, aerial sightseeing, flight training, aerial inspection and surveillance, and aerial spraying services. The effective date of NAFTA coverage for some of these services was January 1, 1994, while coverage for other services was to be phased in for each signatory country in accordance with Annex B to NAFTA.

Meetings of government officials led to the issuance of a joint statement establishing Working Groups “to discuss standards and regulations pertaining to specialty air services” and began a process for the “smooth implementation” of SAS operations. Representatives from the three civil aviation authorities (CAAs) formed a Steering Committee to provide leadership during the process, and technical experts from each country constituted Working Groups covering the areas of airworthiness, flight operations and personnel licensing. This document identifies the process resulting from the efforts of the Steering Committee and Working Groups.

#### **Applicability**

This advisory material applies to operators in each NAFTA signatory country that wish to conduct a cross-border SAS, as defined in art. 1213 of NAFTA. This information is exclusive to NAFTA SAS operations and is not to be used for any other purpose.

#### **Glossary**

The following CAAs are referenced in this document:

- the **Dirección General de Aeronáutica Civil** (DGAC) - Mexico;
- the **Federal Aviation Administration** (FAA) - United States of America; and
- **Transport Canada Civil Aviation** (TCAA) - Canada

**National CAA:** The CAA responsible for the regulatory control of an operator when it applies for operating authority in another NAFTA country. The national CAA will normally be the same as the state of registry for the aircraft and will be responsible for the regulatory oversight of aircraft on its register, including, but not limited to, maintenance and inspection requirements.

**Host CAA:** The CAA of a NAFTA country in which cross-border SAS are being conducted.

**Operator:** The organization engaged in a Commercial SAS operation

**Flight Training** is a term that applies to the following:

- **Certified Flight Schools:** Those schools that hold an operating permit or certificate issued by the CAA to conduct approved training for any pilot qualification.
- **Flight Training Operators:** Those operators conducting training for an agricultural rating, a seaplane rating, a multi-engine rating, a type rating, an instrument rating, an airline transport pilot licence, or currency requirements.
- **SAS Operators:** Those operators conducting specific operational training for a particular SAS. Type-rating training may be included if the aircraft is used in that specific operation and is specified on the air operator certificate or the NAFTA operating authority.

## **Definition of SAS**

The following is a list of SAS identified by NAFTA and shall include any other special-purpose operations determined by the three CAAs to have similar characteristics.

NAFTA SAS are specialized commercial aviation operations involving the performance of the following:

**Aerial Mapping:** The operation of an aircraft for the purpose of mapping by use of a camera, or other measuring and recording devices.

**Aerial Surveying:** The operation of an aircraft for the purpose of surveying 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 devices.

**Forest Fire Management:** The operation of an aircraft for the purpose of fire detection and control, dispensing any substance intended for forest fire suppression and prevention. This does not include carrying fire fighters.

**Fire Fighting:** The operation of an aircraft for the purpose of dispensing water, chemicals, and fire retardants intended for suppressing a fire.

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

**Glider Towing:** The towing of a glider by a powered aircraft equipped with a tow hitch.

**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.

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

**Heli-Logging:** The operation of a rotorcraft for the purpose of transporting timber suspended from the fuselage.

**Aerial Sightseeing:** The operation of an aircraft for the purpose of providing recreation to passengers which originates and terminates at the same airport.

**Flight Training:** Training provided by certified flight schools and flight training operators who follow an approved ground and flight syllabus which permits students to meet all certification requirements for obtaining an airman certificate or rating, and operational training provided by SAS operators.

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

**Aerial Spraying:** The operation of an aircraft for the purpose of dispensing any chemicals, materials or substances for the benefit of agriculture, horticulture and forestry. The specific type of aerial spraying would include those applications intended for plant nourishment, soil treatment, propagation of plant life, pest control, but not including the dispensing of live insects.

## **Recommended List of Publications**

- Annex 2 to the International Civil Aviation Organization (ICAO)  
*Convention on International Civil Aviation*
- *Aeronautical Information Publication (A.I.P.) Canada* - Canada
- *Publication de Información Aeronáutica (PIA)* - Mexico

- *Aeronautical Information Manual (AIM)/Aeronautical Information Publication (AIP) - United States*

## **NAFTA Cross-Border SAS Operations**

### **General Requirements**

#### Validity

- A NAFTA authorization, unless amended, suspended or revoked, will normally be valid for a maximum of one year and can be renewed. The renewal process will be the same as the original authorization process.

#### Authorization Process

- The SAS operator must be equipped and able to operate in each of the SAS applied for, apply for and obtain authorization from the national CAA, apply for and obtain authorization from the host CAA(s), and make application in the official language(s) of the host country.

### **Operational Conditions**

#### Aircraft

- The current and valid certificate of airworthiness and certificate of registration are required from the national CAA. The operator must provide the national CAA with proof of the validity of the documents.
- Aircraft must have an original FAA or TCCA civil type certificate for all SAS operations. Ex-military aircraft that have restricted-category certification based on military experience only are not eligible, while those that are operating as civil types may be eligible, provided that they meet civil standards and are in civil type configuration.
- Foreign (third-country) type-certified aircraft must have both an FAA and a TCCA type certificate.
- changes in type designs (that is, supplemental type certificates or repair design certificates) issued by third countries on their own designs and manufactured products will be acceptable, provided that there is a bilateral airworthiness agreement or the equivalent with either the FAA or TCCA that specifically addresses design standards.
- Primary-category aircraft will not be used for flight training. Standard-category airworthiness certificates will normally be required, except as otherwise approved by the host CAA. SAS operators may conduct operational training in aircraft that are approved for the particular SAS.

## SAS Operations

- As required by Annex 2 to the ICAO Convention, operators must comply with the general operating and flight rules of the host country. Operators should be aware that there are significant differences in the visual flight rules for each country.
- Operators must deal with government agencies including customs, trade and commerce, immigration, and environment, and other applicable agencies as necessary.
- The SAS operator must contact the host CAA(s) (See Appendix III) prior to commencing initial SAS operations in each geographic area, upon changing the type of SAS operation being conducted, or upon subsequently returning to the original geographic area.
- Operators based in one host country and operating in another host country require authorization from each host CAA.
- As a minimum, a current and valid commercial pilot licence issued by the national CAA is required for the specific operation.
- Flight instruction towards the issuance of national CAA licences, permits and ratings may be conducted in any host country by a person who holds a valid commercial pilot licence or flight instructor rating, as applicable for the type of instructional activity, and who satisfies the requirements of the national CAA.
- Flight instruction towards the issuance of host CAA licences, permits and ratings may be conducted in any host country by a person who holds a valid commercial pilot licence or flight instructor rating, as applicable for the type of instructional activity, and who satisfies additional requirements specified by the applicable host CAA. (see Appendix IV).
- Flight-training operating authority will be granted to certified flight schools, flight training operators and SAS operators according to the conditions specified by the host CAA.
- Agricultural aircraft may be operated at an increased maximum takeoff weight (MTOW) if an increased MTOW has been authorized by the national CAA and the increase does not exceed 1.25 times the MTOW
- Maintenance shall be performed in accordance with the requirements of the national CAA.
- Sightseeing operations shall be conducted by operators certificated by their national CAA for commercial passenger-carrying operations.
- The movement of essential personnel from base camp to a fire zone is not deemed to be air transportation, nor is the movement of essential personnel from one base camp to another to continue fire fighting. These are operational necessities included under SAS for fire-fighting purposes.

## **Specific Requirements**

### For Operations in Canada

- Operators must provide TCCA with the name of the appropriately approved maintenance organization facility(ies) where maintenance will be performed.
- Proof of insurance must be carried on board the aircraft (see Appendix VI).
- Operators must comply with the Flight and Duty Limitations regulations and standards requirements applicable to the operations to be conducted.  
(see CAR 700.15 and CASS 720.15)
- Operators must comply with the survival-equipment requirements applicable to the operations to be conducted (see Appendix V).

Mexican flight schools must designate a qualified flight instructor responsible for operational control. Operators must identify to TCCA the type of inspection or maintenance program being used for each aircraft type (i.e. progressive, annual) at 100-hour intervals, or according to the manufacturer's recommended program or an approved program.)

### For Operations in Mexico

- Operators must provide the DGAC with the name of the appropriately rated repair station(s) where maintenance will be performed.
- The PIA must be used for all operations and carried on board the aircraft.
- Proof of Insurance must be provided with the application before a permit can be issued and must be carried on board the aircraft (see Appendix VI).
- Operations will be conducted from approved runways or sites, unless otherwise authorized.
- A special permit must be obtained for handling fuel other than at approved fuelling facilities.
- Operators must participate in alcohol- and drug-testing programs when conducting SAS operations.
- Operators must comply with the survival-equipment requirements applicable to the operations conducted (see Appendix V)
- All night flights under visual flight rules must have a special authorization.
- Flight training schools must obtain a public education certificate or a letter of authorization from the Secretaria de Educación Pública to teach ground school.
- In addition to the DGAC authorization, operators of SAS (aerial photography, aerial surveying, and aerial mapping) must obtain permission from the Secretaria de la Defensa Nacional.

For Operations in the United States

- Operators must participate in alcohol- and drug-testing programs when conducting sightseeing operations from a base in the United States (see Appendix III).
- The maintenance and alteration of emergency parachutes must be certified by a person authorized by the FAA.
- Department of Transportation Order 97-7-03 (Specialty Air Service Operators of Canada and Mexico) must be carried aboard the Aircraft.

## **APPENDIX I**

### **Sample Documents**

This appendix contains sample documents that may be used by operators when applying for SAS authority in each NAFTA signatory country.

#### **Operators Applying to a National CAA**

##### In Canada

- Application for Specialty Air Service Operations (NAFTA Form 26-0509)

##### In Mexico

- Letter of Application for Operations under NAFTA

##### In The United States

- Application for Certificate of Waiver or Authorization (FAA Form 7711-2)

#### **Operators Applying to a Host CAA**

##### In Canada

- Application for Specialty Air Service Operations (NAFTA Form 26-0509)

##### In Mexico

- Letter of Request for Operations Under NAFTA
- Proof of Insurance

##### In The United States

- Application for Certificate of Waiver or Authorization (FAA Form 7711-2)

#### **Note:**

- National CAA authorization is requires as part of the Host Application Process.
- The host CAA will provide an information package outlining the application requirements.



**APPENDIX II****Phase-in Schedule of NAFTA SAS**

<b>Service Category</b>	<b>Mexican</b>	<b>Canadian and United States</b>
Aerial Advertising	EIF*	EIF
Aerial Construction	EIF	EIF
Aerial Inspection or Surveillance	January 1, 2000	EIF
Aerial Mapping	January 1, 2000	EIF
Aerial Photography	January 1, 2000	EIF
Aerial Sightseeing	EIF	EIF
Aerial Spraying	January 1, 2000	January 1, 2000
Aerial Surveying	January 1, 2000	EIF
Fire Fighting	EIF	EIF
Flight Training	EIF	EIF
Forest Fire Management	EIF	EIF
Glider Towing	EIF	EIF
Heli-Logging	EIF	EIF
Parachute Jumping	EIF	EIF

**\*EIF = entered into force**

**APPENDIX III****Contact Information**

<b>Country</b>	<b>CAA Contact Office</b>	<b>Phone and Fax Numbers</b>
Canada	Chief, Certification Standards Commercial and Business Aviation Place de Ville 330 Sparks Street Tower C, 4 <sup>th</sup> Floor Ottawa, Ontario K1A 0N8	Phone: (613) 990-1098 Fax: (613) 954-1602
Mexico	Dirección Técnica Dirección General de Aeronáutica Civil Providencia 807-4 <sup>o</sup> Piso Col. Del Valle C.P. 03100, México, D.F.	Phone: (525) 687-76-80 Fax: (525) 523-67-40
United States	General Aviation and Commercial Division AFS-800 800 Independence Avenue Southwest Washington, DC 20591	Phone: (202) 267-3411 Fax: (202) 267-5094
United States Drug and Alcohol Program Office	Implementation and Special Projects Branch AAM-810 800 Independence Avenue Southwest Washington, DC 20591	Phone: (202) 267-8976 Fax: (202) 267-5200

## APPENDIX IV

### Flight Training - General

Certified Flight Schools	Flight Training Operators	SAS Operators
	specialized training facilities (for example, Flight Safety International)	training of pilots included, regardless of whether they are employed by that operator
all training authorized under a certificate; see <i>Canadian Aviation Regulation (CAR) 406.02; Federal Aviation Regulation 141.11 (141.57); and the Ley de Aviación Civil, art. 39, and Reglamento de Escuelas Técnicas de Aeronáutica (11-X-1951)</i>	agricultural licence (DGAC)	type rating
recreational*	seaplane rating	currency requirements
private - aeroplane and helicopter*	multi-engine rating	
commercial - aeroplane and helicopter*	type rating	
flight instructor rating - aeroplane and helicopter*	instrument rating	
night flying privileges - aeroplane and helicopter*	airline transport pilot licence	
	currency requirements	

**Note:**

- The flight training listed in the first column includes specific training activities, identified by an asterisk, that must be conducted under the authority of a certified flight school.
- The flight training listed in the second column may be conducted by certified flight schools or by instructors operating under the authority of a flight training operator.
- The flight training listed in the third column may be conducted by an instructor operating under the authority of an SAS under NAFTA for that type of SAS operation.

## **Additional Pilot-Instructor Qualifications**

### **Night Training in Mexico**

- A Canadian instructor must hold an instrument rating.
- A United States instructor must hold a certified flight instructor - instrument (CFII) rating.

### **Seaplane Training**

- Canada requires instructors from Mexico and the United States to have 50 hours flight time on seaplanes

### **VFR Over-the-Top (VFR OTT) Training in Canada**

- A United States instructor must hold a CFII rating.
- A Mexican instructor must hold an instrument rating.

### **Aerobatics Training in Canada**

- Instructors certified in Mexico and the United States who wish to teach aerobatics must hold a Canadian authorization.

### **Aerobatics Training in Mexico**

- Canadian instructors wishing to teach aerobatics must hold a special permit and/or authorization.

### **Training for a Flight Instructor Rating - Aerobatics in Canada**

- Instructors certified in Mexico and the United States who wish to conduct training for a flight instructor rating - aeroplane - aerobatics must hold a Canadian authorization.

### **Flight Training for an Instructor Rating - Aeroplane or Helicopter**

- In Canada, TCCA requires instructors from Mexico and the United States to have 750 hours' flight instruction in the category (600 hours' dual flight instruction for a civil pilot licence) and have recommended 10 applicants for the private, commercial or recreational pilot permit (RPP) flight test (maximum 3 for the RPP). Instructors from the United States must take an evaluation flight.
- In Mexico, the DGAC requires American instructors to have 3 years' experience as a flight instructor, 350 hours' flight time in the category and class (150 hours in the aircraft), 30 hours as pilot-in-command in the preceding two months, a written examination and a flight test.

## **APPENDIX V**

### **Survival Equipment**

#### **Operations in Canada**

- Survival equipment must be carried to satisfy CAR 602.61. This equipment includes provisions for shelter, water, fire and signalling. This section does not apply where the aircraft is being operated in an area and at a time of year such that survivability is not jeopardized. Specific information on the geographic location requirements is included in *A.I.P. Canada*. A.I.P. information can be obtained by calling 1-800-305-2059 or visiting <http://www.tc.gc.ca/aviation> for the CARs.

#### **Operations in Mexico**

- Survival equipment must be carried to satisfy norms 191, 193, 194, and 195 of the *Reglamento de la Ley de Aviación Civil*. This equipment includes provisions for a first-aid kit, shelter, flotation devices (for over-water operations), a fire extinguisher, an emergency locator transmitter, emergency rations and clothing, and signalling. Emergency rations and clothing are required for remote locations only, appropriate to the area being overflown. This information can be obtained by contacting the DGAC by phone at (525) 687-76-80 or fax at (525) 523-67-40. The information will be sent by fax.

## **APPENDIX VI**

### **Insurance Requirements**

#### **Canada**

- SAS operators must meet the insurance requirements contained in CAR 606.02 and have passenger and third-party liability coverage to the limits specified.

#### **Mexico**

- SAS operators must meet the insurance requirements contained in art. 64 of the *Ley de Aviación Civil* and have passenger and third party liability coverage to the limits specified.

#### **United States**

- Sightseeing operators must meet the insurance requirements contained in Part 402 of the *Department of Transportation Regulations* and have passenger and third-party liability coverage to the limits specified.