Subpart H - Airworthiness Certificates & Subpart I – Provisional Airworthiness Certificates

CASR Part 21, Subpart H is about issuing aircraft certificates of airworthiness (Annex 8) and special flight permits for those that don't meet the Annex 8 referred airworthiness standards.

Subpart I is about provisional aircraft certificates of airworthiness for aircraft under a provisional type certificate.

CASR Part 21, Subpart H was made in 1998. The FAA modernised this Subpart in 2009 to harmonise with ICAO & FAA.

- **Change numbering to match FAR Part 21, Subpart H makes sense including FAR additional requirements**

Subpart I is the use of Provisional Airworthiness Certificates and relate to Provisional Type Certificates.

FAR	CASR	COMMENTS
Subpart 21.H Certificates of airworthiness and special flight permits	**Subpart 21.H Certificates of airworthiness ~~(except provisional certificates of airworthiness)~~ and special flight permits** Note A certificate of airworthiness issued under this Part for an aircraft, aircraft engine or propeller does not certify that it complies with the Air Navigation (Aircraft Noise) Regulations, the Air Navigation (Aircraft Engine Emissions) Regulations or any other applicable Commonwealth legislation. Compliance with those regulations or other applicable Commonwealth legislation may be required before the aircraft, aircraft engine or propeller may be legally operated.	CASA should adopt FAR Part 36, Certification Noise Standards Different from ANRs. Provisional certificates are special certificates
§21.171 Applicability. This subpart prescribes **procedural** requirements for the issue of airworthiness certificates.	**21.171 Applicability** This Subpart prescribes requirements for the issue of certificates of airworthiness (except provisional certificates of airworthiness) and special flight permits. Source FARs section 21.171 modified. Note Under Part 200 (Aircraft to which CASR do not apply), certain Australian aircraft are authorised to fly without a certificate of airworthiness.	Concept changes 'procedural' requirements, not just 'requirements' Airworthiness Certificates include special flight permits, see FAR 21.175
	21.172 Definitions for Subpart In this Subpart: **LSA standards means**: (a) the standards for the design, performance or continuing airworthiness of light sport aircraft issued by the American Society for Testing and Materials, as in force from time to time; or	Delete Refer FAR 21.190 below for LSA standards

FAR	CASR	COMMENTS
	(b) any other standards, for the design, performance or continuing airworthiness of light sport aircraft, the use of which is approved by CASA. Note 1 Advisory Circular 21-42 lists the LSA standards. Note 2 The standards issued by the American Society for Testing and Materials may be found in www. astm.com. **qualified manufacturer of a light sport aircraft means:** (a) a manufacturer who, at the time the light sport aircraft was manufactured, held a current production certificate for an aircraft; or (b) a manufacturer who has made a written declaration that, at the time the light sport aircraft was manufactured, it had: (i) contracted engineering personnel with experience in ultralight or light aircraft design to ensure compliance with LSA standards referred to in paragraph 21.186 (2) (b); and (ii) facilities and tools suitable for the production of the aircraft in accordance with the applicable LSA standards; and (iii) competent personnel, with appropriate training, skills and experience, to perform work that affects product quality.	
§21.173 Eligibility. Any registered owner of a U.S.-registered aircraft (or the agent of the owner) may apply for an airworthiness certificate for that aircraft. An application for an airworthiness certificate must be made in a form and manner acceptable to the FAA, and may be submitted to any FAA office.	**21.173 Eligibility** (1) An aircraft registration holder, or the owner of an aircraft that is registered with a sport aviation body, is eligible to apply to CASA or an authorised person for a certificate of airworthiness for the aircraft. *Note* For the meaning of ***sport aviation body***, see subregulation 2 (1) of CAR. (3) In this regulation: certificate of airworthiness does not include a provisional certificate of airworthiness or an experimental certificate. *Source* FARs section 21.173 modified.	Delete and adopt FAR. Does CASA still consider the C of A as compliant with Annex 8?
§21.175 Airworthiness certificates: classification. (a) Standard airworthiness certificates are airworthiness certificates issued for aircraft type certificated in the normal, utility, acrobatic, commuter, or transport category, and for manned free balloons, and for aircraft designated by the FAA as special classes of aircraft. (b) Special airworthiness certificates are primary, restricted, limited, light-sport, [amateur-built aircraft under an ABAA] and provisional airworthiness certificates, special flight permits, and experimental certificates.	**21.175 Certificates of airworthiness: classification** In these regulations: special certificate of airworthiness means: (a) a certificate of airworthiness issued for: (i) an aircraft type certificated in the primary, intermediate or restricted category; or (ii) an aircraft in the limited category; or (iii) an amateur-built aircraft accepted under an ABAA; or (iv) a light sport aircraft covered by regulation 21.186; or (b) a provisional certificate of airworthiness; or	Adopt FAR and include ABAA provision. The FAR has it in the right order: standard before special

FAR	CASR	COMMENTS
	(c) an experimental certificate. standard certificate of airworthiness means a certificate of airworthiness issued for: (a) an aircraft type certificated in the normal, utility, acrobatic, commuter, or transport category; or (b) a manned free balloon; or (c) an aircraft in a special class of aircraft. *Source* FARs section 21.175 modified.	
	21.176 Issue of certain certificates of airworthiness (1) Subject to regulation 11.055, CASA or an authorised person must issue a certificate of airworthiness to an applicant for the certificate if the applicant: (a) is eligible, under regulation 21.173, to apply for the certificate; and (b) applies for the certificate in accordance with this Subpart; and (c) is entitled, under this Subpart, to the certificate; and (d) otherwise complies with this Part. (3) A condition imposed on a certificate of airworthiness under regulation 11.056 may include operational limitations. (4) Any conditions imposed on a certificate of airworthiness under regulation 11.056, and any conditions imposed under regulation 21.016 or 21.029B that limit the use of the aircraft, must be in writing, and set out in, or attached to, the certificate of airworthiness. (6) In this regulation: *certificate of airworthiness* does not include a provisional certificate of airworthiness or an experimental certificate.	Is this still required? It is incorrect when compared to the FAR
§21.177 Amendment or modification. An airworthiness certificate may be amended or modified only upon application to the FAA.		Adopt FAR Add APs
§21.179 Transferability. An airworthiness certificate is transferred with the aircraft.	**21.179 Transferability** Subject to regulation 21.219, a certificate of airworthiness is transferred with the aircraft. Source FARs section 21.179 modified. Note Regulation 21.219 relates to the transferability of provisional certificates of airworthiness.	Review

FAR	CASR	COMMENTS
§21.181 Duration. (a) Unless sooner surrendered, suspended, revoked, or a termination date is otherwise established by the FAA, airworthiness certificates are effective as follows: (1) Standard airworthiness certificates, special airworthiness certificates—primary category, and airworthiness certificates issued for restricted or limited category aircraft are effective as long as the maintenance, preventive maintenance, and alterations are performed in accordance with Parts 43 and 91 of this chapter and the aircraft are registered in the United States. (2) A special flight permit is effective for the period of time specified in the permit. (3) A special airworthiness certificate in the light-sport category is effective as long as— (i) The aircraft meets the definition of a light-sport aircraft; (ii) The aircraft conforms to its original configuration, except for those alterations performed in accordance with an applicable consensus standard and authorized by the aircraft's manufacturer or a person acceptable to the FAA; (iii) The aircraft has no unsafe condition and is not likely to develop an unsafe condition; and (iv) The aircraft is registered in the United States. (4) An experimental certificate for research and development, showing compliance with regulations, crew training, or market surveys is effective for 1 year after the date of issue or renewal unless the FAA prescribes a shorter period. The duration of an experimental certificate issued for operating amateur-built aircraft, exhibition, air-racing, operating primary kit-built aircraft, or operating light-sport aircraft is unlimited, unless the FAA establishes a specific period for good cause. (b) The owner, operator, or bailee of the aircraft must, upon request, make it available for inspection by the FAA. (c) Upon suspension, revocation, or termination by order of the FAA of an airworthiness certificate, the owner, operator, or bailee of an aircraft must, upon request, surrender the certificate to the FAA.	**21.181 Duration of certain certificates of airworthiness** (1) In this regulation: *certificate of airworthiness* does not include a provisional certificate of airworthiness or an experimental certificate. (2) Subject to subregulation (4), a certificate of airworthiness continues in force: (a) if a period is specified in the certificate — until the end of the period or until it is cancelled, whichever occurs first; or (b) in any other case — until it is cancelled. (3) The holder of a certificate of airworthiness must, on request by CASA or an authorised person, make it available for inspection by CASA or the authorised person. Penalty: 5 penalty units. (4) A certificate of airworthiness for an aircraft stops being in force if: the aircraft ceases to be registered in Australia; or (b) any type certificate or type acceptance certificate for the type of aircraft concerned stops being in force; or (c) in the case of a certificate of airworthiness issued for a light sport aircraft covered by regulation 21.186, a modification is made to the aircraft and the modification: (i) is not authorised by the manufacturer; or (ii) if the manufacturer was no longer existing at the time of the modification or could not have authorised the modification at that time — is not authorised by a person appointed by CASA to perform the functions of the manufacturer in relation to the continuing airworthiness of the light sport aircraft; or (iii) does not comply with the LSA standards. (5) CASA or an authorised person may suspend or cancel a certificate of airworthiness for an aircraft that is being used in regular public transport operations, by written notice given to its holder, if: (a) for an aircraft to which Part 42 applies — any maintenance carried out on the aircraft is not carried out in accordance with Part 42; or (aa) for an aircraft to which Part 42 does not apply — any maintenance carried out on the aircraft is not carried out in accordance with Part 4A of CAR; or (b) the aircraft type ceases to be supported by the type certificate holder, the NAA of the country in which the aircraft‘s original type certificate was issued or the NAA of a Contracting State, with respect to: (i) collecting and investigating information on defects; or	Adopt FAR wording Changes need incorporating Needs FAR Parts 43/91 adoption to enable Part 21 to be applied as intended FAR includes LSA

FAR	CASR	COMMENTS
	(ii) reporting defects to the NAA of the country of original type certification; or (iii) keeping type records; or (iv) producing and maintaining manuals; or (v) issuing instructions for continuing airworthiness; or (c) CASA or the authorised person otherwise considers that it is necessary to do so in the interests of aviation safety. (6) CASA or an authorised person may suspend or cancel a certificate of airworthiness for an Australian aircraft not covered by subregulation (5), by written notice given to its holder, if: (a) for an aircraft to which Part 42 applies — any maintenance carried out on the aircraft is not carried out in accordance with Part 42; or (aa) for an aircraft to which Part 42 does not apply — any maintenance carried out on the aircraft is not carried out in accordance with Part 4A of CAR; or (b) CASA or the authorised person otherwise considers that it is necessary to do so in the interests of aviation safety. (7) A notice under subregulation (5) or (6) must set out: (a) the grounds for the suspension or cancellation; and (b) in the case of a suspension — when the suspension stops having effect. (8) Despite anything else in this regulation, a certificate of airworthiness is not in force during any period of suspension, but, if the certificate was issued for a specified period, the period of suspension counts as part of the period for which the certificate was issued. (9) The holder of a certificate of airworthiness that stops being in force under subregulation (4), expires, or is suspended or cancelled, must, at the written request of CASA or an authorised person, surrender the certificate to CASA or the authorised person. Penalty: 5 penalty units. (10) An offence against subregulation (3) or (9) is an offence of strict liability. *Note* For ***strict liability***, see section 6.1 of the *Criminal Code*. *Source* FARs section 21.181 modified. *Note* See also regulations 21.002C and 21.002E in relation to suspension and cancellation of certificates of airworthiness.	

FAR	CASR	COMMENTS
§21.182 Aircraft identification. (a) Except as provided in paragraph (b) of this section, each applicant for an airworthiness certificate under this subpart must show that his aircraft is identified as prescribed in **§45.11**. (b) Paragraph (a) of this section does not apply to applicants for the following: (1) A special flight permit. (2) An experimental certificate for an aircraft not issued for the purpose of operating amateur-built aircraft, operating primary kit-built aircraft, or operating light-sport aircraft. (3) A change from one airworthiness classification to another, for an aircraft already identified as prescribed in **§45.11.**	**21.182 Aircraft manufacturer's data plate** (1) Except as set out in subregulation (2), an applicant for a certificate of airworthiness for an aircraft must show that the aircraft is identified: (a) as required by Subpart 21.Q; or (b) in the case of an imported aircraft: (i) as required by the NAA of the Contracting State in which it was certificated; or (ii) in another way acceptable to CASA. (2) Subregulation (1) does not apply to an applicant: (a) if the applicant is applying for an experimental certificate for an aircraft that is not an amateur-built aircraft, a kit-built aircraft or a light sport aircraft; or (b) if: (i) a different certificate of airworthiness is in force for the aircraft; and (ii) the applicant for the issue of that certificate complied with subregulation (1). *Source* FARs section 21.182 modified.	Note FAR Subpart Q has been transferred to Part 45 Adopt FAR Amend Part 45
§21.183 Issue of standard airworthiness certificates for normal, utility, acrobatic, commuter, and transport category aircraft; manned free balloons; and special classes of aircraft. (a) **New aircraft manufactured under a production certificate**. An applicant for a standard airworthiness certificate for a new aircraft manufactured under a production certificate is entitled to a standard airworthiness certificate without further showing, except that the FAA may inspect the aircraft to determine conformity to the type design and condition for safe operation. (b) **New aircraft manufactured under type certificate**. An applicant for a standard airworthiness certificate for a new aircraft manufactured under a type certificate is entitled to a standard airworthiness certificate upon presentation, by the holder or licensee of the type certificate, of the statement of conformity prescribed in §21.130 if the FAA finds after inspection that the aircraft conforms to the type design and is in condition for safe operation. (c) **Import aircraft**. An applicant for a standard airworthiness certificate for an import aircraft is entitled to that certificate if—	**21.183 Standard certificates of airworthiness** ***New aircraft manufactured under a production certificate*** (1) An applicant for a standard certificate of airworthiness for a new aircraft manufactured under a production certificate, is entitled to the certificate without further showing unless CASA or an authorised person decides that the aircraft: (a) does not conform to the type design; or (b) has been modified or repaired otherwise than in accordance with a supplemental type certificate or an approved modification/repair design; or (c) is not in a condition for safe operation. (2) An applicant for a standard certificate of airworthiness for a new aircraft manufactured under a type certificate only is entitled to the certificate upon presentation, by the holder or licensee of the type certificate, of the statement of conformity required by regulation 21.130, if CASA finds after inspection that the aircraft: (a) conforms to the type design; and (b) has had any modifications or repairs carried out in accordance with a supplemental type certificate or an approved modification/repair design; and (c) is in a condition for safe operation; and	Include "Issue" in title FAR changed to align with new manufacturing concepts included in 2009. Adopt FAR FAR includes certification noise standards that CASA must also adopt. AR includes provisions for fuel venting

FAR	CASR	COMMENTS
(1) The aircraft is type certificated in accordance with §21.21 or §21.29 and produced under the authority of another State of Manufacture; (2) The State of Manufacture certifies, in accordance with the export provisions of an agreement with the United States for import of that aircraft, that the aircraft conforms to the type design and is in condition for safe operation; and (3) The FAA finds that the aircraft conforms to the type design and is in condition for safe operation. (d) **Used aircraft and surplus aircraft of the U.S. Armed Forces**. An applicant for a standard airworthiness certificate for a used aircraft or surplus aircraft of the U.S. Armed Forces is entitled to a standard airworthiness certificate if— (1) The applicant presents evidence to the FAA that the aircraft conforms to a type design approved under a type certificate or a supplemental type certificate and to applicable Airworthiness Directives; (2) The aircraft (except an experimentally certificated aircraft that previously had been issued a different airworthiness certificate under this section) has been inspected in accordance with the performance rules for 100-hour inspections set forth in §43.15 of this chapter, or an equivalent performance standard acceptable to the FAA, and found airworthy by— (i) The manufacturer; (ii) The holder of a repair station certificate as provided in Part 145 of this chapter; (iii) The holder of a mechanic certificate as authorized in Part 65 of this chapter; or (iv) The holder of a certificate issued under part 121 of this chapter, and having a maintenance and inspection organization appropriate to the aircraft type; and (3) The FAA finds after inspection, that the aircraft conforms to the type design, and is in condition for safe operation. (e) **Noise requirements.** Notwithstanding all other provisions of this section, the following must be complied with for the original issuance of a standard airworthiness certificate: (1) For transport category large airplanes and jet (turbojet powered) airplanes that have not had any flight time before the dates specified in §36.1(d), no standard airworthiness certificate is originally issued under this section unless the FAA finds that the type design complies with the noise requirements in §36.1(d) in addition to the applicable airworthiness requirements in this	(d) was manufactured by the holder of the type certificate for the aircraft or the licensee of that type certificate. ***Imported aircraft*** (3) An applicant for a standard certificate of airworthiness for an aircraft for which a type certificate was issued under regulation 21.029, or a type acceptance certificate was issued under regulation 21.029A, is entitled to the certificate if CASA or an authorised person is satisfied that: (a) the aircraft conforms to the type design; and (b) any modifications or repairs to the aircraft have been carried out in accordance with a supplemental type certificate or an approved modification/repair design; and (c) the aircraft is in a condition for safe operation. ***Other aircraft*** (4) An applicant for a standard certificate of airworthiness for aircraft not covered by subregulation (1), (2) or (3) is entitled to the certificate if: (a) the aircraft: (i) has a type design approved under a type certificate or a supplemental type certificate; or (ii) if there is no type certificate or supplemental type certificate for the aircraft — is of a type or model that has previously been issued a certificate of airworthiness in the category applied for; and (b) the aircraft complies with any applicable airworthiness directives; and (c) the aircraft meets the requirements mentioned in subregulation (4A); and (d) CASA or an authorised person is satisfied that: (i) the aircraft conforms to the type design (if any); and (ii) any modifications or repairs to the aircraft have been carried out in accordance with a supplemental type certificate or an approved modification/repair design; and (iii) the aircraft is in a condition for safe operation. (4A) For paragraph (4) (c), the requirements are that: (a) the aircraft is not an experimental aircraft for which a different certificate of airworthiness has previously been issued under this regulation; and (b) if Part 42 applies to the aircraft — an airworthiness review certificate is in force for the aircraft; and (c) if Part 42 does not apply to the aircraft, and the aircraft is of a particular type and model — a person who holds a certificate of approval that covers maintenance for that type and model of	

FAR	CASR	COMMENTS
section. For import airplanes, compliance with this paragraph is shown if the country in which the airplane was manufactured certifies, and the FAA finds, that §36.1(d) (or the applicable airplane noise requirements of the country in which the airplane was manufactured and any other requirements the FAA may prescribe to provide noise levels no greater than those provided by compliance with §36.1(d)) and paragraph (c) of this section are complied with. (2) For normal, utility, acrobatic, commuter, or transport category propeller driven small airplanes (except for those airplanes that are designed for "agricultural aircraft operations" (as defined in §137.3 of this chapter, as effective on January 1, 1966) or for dispensing fire fighting materials to which §36.1583 of this chapter does not apply) that have not had any flight time before the applicable date specified in part 36 of this chapter, no standard airworthiness certificate is originally issued under this section unless the applicant shows that the type design complies with the applicable noise requirements of part 36 of this chapter in addition to the applicable airworthiness requirements in this section. For import airplanes, compliance with this paragraph is shown if the country in which the airplane was manufactured certifies, and the FAA finds, that the applicable requirements of part of this chapter (or the applicable airplane noise requirements of the country in which the airplane was manufactured and any other requirements the FAA may prescribe to provide noise levels no greater than those provided by compliance with the applicable requirements of part 36 of this chapter) and paragraph (c) of this section are complied with. (f) **Passenger emergency exit requirements**. Notwithstanding all other provisions of this section, each applicant for issuance of a standard airworthiness certificate for a transport category airplane manufactured after October 16, 1987, must show that the airplane meets the requirements of §25.807(c)(7) in effect on July 24, 1989. For the purposes of this paragraph, the date of manufacture of an airplane is the date the inspection acceptance records reflect that the airplane is complete and meets the FAA-approved type design data. (g) **Fuel venting and exhaust emission requirements.** Notwithstanding all other provisions of this section, and irrespective of the date of application, no airworthiness certificate is issued, on and after the dates specified in part 34 for	aircraft has certified, in the aircraft maintenance record for the aircraft, that the aircraft meets the requirements mentioned in subregulation 21.184 (4). ***Inspection*** (5) CASA or an authorised person may inspect an aircraft mentioned in subregulation (1), (3) or (4) to determine whether: (a) it conforms to the type design; and (b) any modifications or repairs to it have been carried out in accordance with a supplemental type certificate or an approved modification/repair design; and (c) it is in a condition for safe operation. *Source* FARs section 21.183 modified.	

FAR	CASR	COMMENTS
the airplanes specified therein, unless the airplane complies with the applicable requirements of that part. (h) **New aircraft manufactured under the provisions of §21.6(b).** An applicant for a standard airworthiness certificate for a new aircraft manufactured under the provisions of §21.6(b) is entitled to a standard airworthiness certificate if— (1) The applicant presents evidence to the FAA that the aircraft conforms to a type design approved under a type certificate or supplemental type certificate and to applicable Airworthiness Directives; (2) The aircraft has been inspected in accordance with the performance rules for a 100-hour inspections set forth in §43.15 of this chapter and found airworthy by a person specified in paragraph (d)(2) of this section; and (3) The FAA finds after inspection, that the aircraft conforms to the type design, and is in condition for safe operation.		
§21.184 Issue of special airworthiness certificates for primary category aircraft. (a) **New primary category aircraft manufactured under a production certificate.** An applicant for an original, special airworthiness certificate-primary category for a new aircraft that meets the criteria of §21.24(a)(1), manufactured under a production certificate, including aircraft assembled by another person from a kit provided by the holder of the production certificate and under the supervision and quality control of that holder, is entitled to a special airworthiness certificate without further showing, except that the FAA may inspect the aircraft to determine conformity to the type design and condition for safe operation. (b) **Imported aircraft.** An applicant for a special airworthiness certificate-primary category for an imported aircraft type certificated under §21.29 is entitled to a special airworthiness certificate if the civil airworthiness authority of the country in which the aircraft was manufactured certifies, and the FAA finds after inspection, that the aircraft conforms to an approved type design that meets the criteria of §21.24(a)(1) and is in a condition for safe operation. (c) **Aircraft having a current standard airworthiness certificate**. An applicant for a special airworthiness certificate-primary category, for an aircraft having a current standard airworthiness certificate that meets the criteria of §21.24(a)(1), may obtain the primary category certificate in exchange for its standard airworthiness certificate	**21.184 Special certificates of airworthiness for primary category aircraft** ***New primary category aircraft manufactured under a production certificate*** (1) An applicant for the original issue of a special certificate of airworthiness for a new aircraft in the primary category that meets the criteria of paragraph 21.024 (1) (a), manufactured under a production certificate, including aircraft assembled by another person from a kit provided by the holder of the production certificate and under the supervision and quality control of that holder, is entitled to the certificate without further showing unless CASA or an authorised person decides that the aircraft: (a) does not conform to the type design; or (b) has been modified or repaired otherwise than in accordance with a supplemental type certificate or an approved modification/repair design; or (c) is not in a condition for safe operation. ***Imported aircraft*** (2) An applicant for a special certificate of airworthiness for an aircraft in the primary category for which a type certificate was issued under regulation 21.029, or a type acceptance certificate was issued under regulation 21.029A, is entitled to the certificate if CASA or an authorised person finds, after inspection, that: (a) the aircraft conforms to the type design; and	Include “Issue” in title Adopt modernised FAR. Add reference to 29A

FAR	CASR	COMMENTS
through the supplemental type certification process. For the purposes of this paragraph, a current standard airworthiness certificate means that the aircraft conforms to its approved normal, utility, or acrobatic type design, complies with all applicable airworthiness directives, has been inspected and found airworthy within the last 12 calendar months in accordance with §91.409(a)(1) of this chapter, and is found to be in a condition for safe operation by the FAA. (d) **Other aircraft**. An applicant for a special airworthiness certificate-primary category for an aircraft that meets the criteria of §21.24(a)(1), and is not covered by paragraph (a), (b), or (c) of this section, is entitled to a special airworthiness certificate if— (1) The applicant presents evidence to the FAA that the aircraft conforms to an approved primary, normal, utility, or acrobatic type design, including compliance with all applicable airworthiness directives; (2) The aircraft has been inspected and found airworthy within the past 12 calendar months in accordance with §91.409(a)(1) of this chapter and; (3) The aircraft is found by the FAA to conform to an approved type design and to be in a condition for safe operation. (e) Multiple-category airworthiness certificates in the primary category and any other category will not be issued; a primary category aircraft may hold only one airworthiness certificate.	(b) any modifications or repairs to the aircraft have been carried out in accordance with a supplemental type certificate or an approved modification/repair design; and (c) the aircraft is in a condition for safe operation. ***Aircraft having a current standard certificate of airworthiness*** (3) An applicant for a special certificate of airworthiness for an aircraft in the primary category is entitled to the certificate if CASA or an authorised person is satisfied that: (a) the aircraft has a standard certificate of airworthiness; and (b) the aircraft meets the criteria mentioned in paragraph 21.024 (1) (a); and (c) the applicant has applied, under regulation 21.113, for a supplemental type certificate for the approval of the design of a major change to the aircraft; and (d) the applicant meets the requirements mentioned in regulation 21.113A; and (e) if Part 42 applies to the aircraft — a certificate of release to service has been issued for the most recent maintenance carried out on the aircraft; and (f) if Part 42 does not apply to the aircraft — a maintenance release is in force for the aircraft. ***Other aircraft*** (4) An applicant for a special certificate of airworthiness for an aircraft in the primary category that meets the criteria of paragraph 21.024 (1) (a), and is not covered by subregulation (1), (2), or (3), is entitled to the certificate if CASA or an authorised person is satisfied that: (a) the aircraft: (i) conforms to an approved primary, normal, utility, acrobatic or manned free balloon type design; or (ii) complies with section 101.55 of the Civil Aviation Orders; and (b) the aircraft complies with all applicable airworthiness directives; and (c) if Part 42 applies to the aircraft — an airworthiness review certificate is in force for the aircraft; and (ca) if Part 42 does not apply to the aircraft — the aircraft maintenance record for the aircraft records the result of a maintenance release inspection (within the meaning given by subregulation 47 (6) of CAR) for the aircraft; and (d) any modifications or repairs to the aircraft have been carried out in accordance with a supplemental type certificate or an approved modification/repair design; and (e) the aircraft is in a condition for safe operation.	

FAR	CASR	COMMENTS
	Inspection (5) CASA or an authorised person may inspect an aircraft mentioned in subregulation (3) or (4) to determine whether: (a) it conforms to the type design; and (b) any modifications or repairs to it have been carried out in accordance with a supplemental type certificate or an approved modification/repair design; and (c) it is in a condition for safe operation. ***Multiple-category certification*** (6) A multiple-category certificate of airworthiness in the primary category and any other category must not be issued; a primary category aircraft may hold only one certificate of airworthiness. *Source* FARs section 21.184 modified.	
	21.184A Special certificates of airworthiness for intermediate category aircraft ***New intermediate category aircraft manufactured under a production certificate*** (1) An applicant for the original issue of a special certificate of airworthiness for a new aircraft in the intermediate category that meets the criteria of paragraph 21.026 (1) (a) and was manufactured under a production certificate, is entitled to the certificate without further showing unless CASA or an authorised person decides that the aircraft: (a) does not conform to the type design; or (b) has been modified or repaired otherwise than in accordance with a supplemental type certificate or an approved modification/repair design; or (c) is not in a condition for safe operation. ***Other aircraft*** (2) An applicant for a special certificate of airworthiness for an aircraft in the intermediate category that meets the criteria of paragraph 21.026 (1) (a) and is not covered by subregulation (1) is entitled to the certificate if CASA or an authorised person is satisfied that: (a) the aircraft: (i) conforms to an approved intermediate, normal, utility, or acrobatic type design; or (ii) complies with section 101.55 of the Civil Aviation Orders; and (b) the aircraft complies with all applicable airworthiness directives; and	Maybe it is time to re-open the debate whether “intermediate” category is now required. Was introduced prior to the introduction of LSA and the move to Part 23 consensus standards.

FAR	CASR	COMMENTS
	(c) if Part 42 applies to the aircraft — an airworthiness review certificate is in force for the aircraft; and (ca) if Part 42 does not apply to the aircraft — the aircraft maintenance record for the aircraft records the result of a maintenance release inspection (within the meaning given by subregulation 47 (6) of CAR) for the aircraft; and (d) any modifications or repairs to the aircraft have been carried out in accordance with a supplemental type certificate or an approved modification/repair design; and (e) the aircraft is in a condition for safe operation. ***Inspection*** (3) CASA or an authorised person may inspect an aircraft mentioned in subregulation (1) or (2) to determine whether: (a) it conforms to the type design; and (b) any modifications or repairs to it have been carried out in accordance with a supplemental type certificate or an approved modification/repair design; and (c) it is in a condition for safe operation. ***Multiple-category certification*** (4) A multiple-category certificate of airworthiness in the intermediate category and any other category must not be issued; an intermediate category aircraft may hold only one certificate of airworthiness. *Source* FARs section 21.184 modified.	
§21.185 Issue of airworthiness certificates for restricted category aircraft. (a) **Aircraft manufactured under a production certificate or type certificate**. An applicant for the original issue of a restricted category airworthiness certificate for an aircraft type certificated in the restricted category, that was not previously type certificated in any other category, must comply with the appropriate provisions of §21.183. (b) **Other aircraft**. An applicant for a restricted category airworthiness certificate for an aircraft type certificated in the restricted category, that was either a surplus aircraft of the Armed Forces or previously type certificated in another category, is entitled to an airworthiness certificate if the aircraft has been inspected by the FAA and found by him to be in a good state of preservation and repair and in a condition for safe operation.	**21.185 Certificates of airworthiness for restricted category aircraft** ***Aircraft manufactured under a production certificate or type certificate only*** (1) An applicant for the original issue of a special certificate of airworthiness for an aircraft type certificated in the restricted category, that was not previously type certificated in any other category, is entitled to the certificate if the applicant complies with the appropriate provisions of regulation 21.183. ***Imported aircraft*** (2) An applicant for the original issue of a restricted category certificate of airworthiness for an imported aircraft type certificated only in the restricted category under regulation 21.029 or 21.029A is entitled to a certificate of airworthiness if CASA or an authorised person is satisfied that: (a) the aircraft conforms to the type design; and	Includes “Issue” in title

FAR	CASR	COMMENTS
(c) **Import aircraft**. An applicant for the original issue of a special airworthiness certificate for a restricted category import aircraft is entitled to that certificate if— (1) The aircraft is type-certificated in accordance with §21.25 or §21.29 and produced under the authority of another State of Manufacture; (2) The State of Manufacture certifies, in accordance with the export provisions of an agreement with the United States for import of that aircraft that the aircraft conforms to the type design and is in condition for safe operation; and (3) The FAA finds that the aircraft conforms to the type design and is in condition for safe operation. (d) **Noise requirements**. For propeller-driven small airplanes (except airplanes designed for "agricultural aircraft operations," as defined in §137.3 of this chapter, as effective on January 1, 1966, or for dispensing fire-fighting materials) that have not had any flight time before the applicable date specified in Part 36 of this chapter, and notwithstanding the other provisions of this section, no original restricted category airworthiness certificate is issued under this section unless the FAA finds that the type design complies with the applicable noise requirements of Part 36 of this chapter in addition to the applicable airworthiness requirements of this section. For import airplanes, compliance with this paragraph is shown if the country in which the airplane was manufactured certifies, and the FAA finds, that the applicable requirements of Part 36 of this chapter (or the applicable airplane noise requirements of the country in which the airplane was manufactured and any other requirements the FAA may prescribe to provide noise levels no greater than those provided by compliance with the applicable requirements of Part 36 of this chapter) and paragraph (c) of this section are complied with.	(b) any modifications or repairs to the aircraft have been carried out in accordance with a supplemental type certificate or an approved modification/repair design; and (c) the aircraft is in a condition for safe operation. ***Other aircraft*** (3) An applicant for a special certificate of airworthiness for an aircraft type certificated in the restricted category that was a surplus aircraft of the Defence Force, or of an armed force of Canada, the United Kingdom or the United States of America, or was previously certificated in another category, is entitled to the certificate if CASA or an authorised person is satisfied, after inspection, that the aircraft is in a good state of preservation and repair and is in a condition for safe operation. (3A) Subregulation (3B) applies to an aircraft: (a) that is type certificated in the normal, utility, acrobatic, commuter or transport category; and (b) that has been modified for 1 or more of the special purpose operations mentioned in regulation 21.025; and (c) the modifications to which have been carried out in accordance with: (i) an approved modification/repair design; or (ii) a supplemental type certificate. (3B) An applicant for a special certificate of airworthiness for an aircraft to which this subregulation applies is entitled to the certificate as if the aircraft were type certificated in the restricted category if CASA or an authorised person finds, after inspection, that: (a) the aircraft meets the requirements of the normal utility, acrobatic, commuter or transport category except the requirements that CASA or the authorised person considers are inappropriate for the special purpose for which the aircraft is to be used; and (b) the aircraft can reasonably be expected to be safe for its intended use when it is operated under any conditions limiting its intended use. ***Inspection*** (4) CASA or an authorised person may inspect an aircraft mentioned in subregulation (1) or (3) to determine whether: (a) it conforms to the type design; and (b) any modifications or repairs to it have been carried out in accordance with a supplemental type certificate or an approved modification/repair design; and (c) it is in a condition for safe operation.	

FAR	CASR	COMMENTS
	Source FARs section 21.185 modified.	
	21.186 Special certificates of airworthiness for light sport aircraft (1) An applicant is entitled to a special certificate of airworthiness for a light sport aircraft if: (a) the aircraft was manufactured by a qualified manufacturer; and (b) the applicant gives CASA, or the authorised person referred to in regulation 21.176, the following: (i) a statement of compliance by the manufacturer that complies with subregulation (2); (ii) copies of the aircraft operating instructions, aircraft maintenance and inspection procedures, and aircraft flight training supplement, issued for the aircraft by the manufacturer; (iii) in the case of a light sport aircraft manufactured outside Australia — written information showing that: (A) the aircraft was manufactured in a Contracting State; and (B) the aircraft is eligible for a certificate of airworthiness, or another document of similar effect, in the country of manufacture; and (c) CASA or an authorised person finds, after inspection, that the aircraft is in a condition for safe operation. (2) A statement of compliance must be signed by the manufacturer and include at least the following: (a) a statement setting out the aircraft‘s make and model, serial number and date of manufacture; (b) a statement specifying which of the LSA standards apply to the design of the aircraft, including a statement to the effect that the design of the aircraft complies with the specified standards; (c) a statement specifying that: (i) the manufacturer has a quality system that complies with the LSA standards; and (ii) based on that system, the aircraft conforms to the manufacturer‘s design data; (d) a statement to the effect that the manufacturer will make the statements, documents and information referred to in paragraph (1) (b) available to any person who asks the manufacturer for them; (e) a statement to the effect that the manufacturer will monitor the continuing airworthiness of the aircraft and will issue directions	Renumber to align with FAR 21.190. Review and harmonise.

FAR	CASR	COMMENTS
	or requirements that comply with the LSA standards to correct any unsafe condition; (f) a statement to the effect that, in accordance with a production acceptance test procedure that complies with the LSA standards: (i) the manufacturer has ground-tested and flight-tested the aircraft; and (ii) the manufacturer found the aircraft's performance during ground and flight testing acceptable; and (iii) the aircraft is in a condition for safe operation.	
§21.187 Issue of multiple airworthiness certification. (a) An applicant for an airworthiness certificate in the restricted category, and in one or more other categories except primary category, is entitled to the certificate, if— (1) He shows compliance with the requirements for each category, when the aircraft is in the configuration for that category; and (2) He shows that the aircraft can be converted from one category to another by removing or adding equipment by simple mechanical means. (b) The operator of an aircraft certificated under this section must have the aircraft inspected by the FAA, or by a certificated mechanic with an appropriate airframe rating, to determine airworthiness each time the aircraft is converted from the restricted category to another category for the carriage of passengers for compensation or hire, unless the FAA finds this unnecessary for safety in a particular case. (c) The aircraft complies with the applicable requirements of part 34.	**21.187 Multiple-category airworthiness certification** (1) An applicant for a certificate of airworthiness for an aircraft in the restricted category, and in one or more other categories (except the primary or intermediate category), is entitled to the certificate, if the aircraft: (a) complies with the requirements for a particular category, when the aircraft is in the configuration for that category; and (b) can be converted from one category to another by removing or adding equipment by simple mechanical means. (2) The operator of an aircraft certificated in the restricted category and in one or more other categories must have the aircraft inspected to determine airworthiness each time the aircraft is converted from the restricted category to another category for the carriage of passengers. Penalty: 50 penalty units. (2A) An offence against subregulation (2) is an offence of strict liability. Note For strict liability, see section 6.1 of the Criminal Code. (3) The inspection must be carried out by: (a) CASA or an authorised person; or (b) a person who, under regulation 42ZE or 42ZN of CAR, can certify that the maintenance carried out on the aircraft for the purposes of its conversion was completed. (4) CASA or an authorised person may inspect the aircraft, and may require the applicant to make any tests reasonably necessary, to determine whether the aircraft: (a) complies with the requirements for a particular category, when the aircraft is in the configuration for that category; and (b) can be converted from one category to another by removing or adding equipment by simple mechanical means. *Source* FARs section 21.187 modified.	Change heading to "Issue.." FAR difference places responsibility on applicant to show compliance, not the aircraft. LAMEs certify compliance each time the aircraft is converted. Adopt FAR

FAR	CASR	COMMENTS
§21.189 Issue of airworthiness certificate for limited category aircraft. (a) An applicant for an airworthiness certificate for an aircraft in the limited category is entitled to the certificate when— (1) He shows that the aircraft has been previously issued a limited category type certificate and that the aircraft conforms to that type certificate; and (2) The FAA finds, after inspection (including a flight check by the applicant), that the aircraft is in a good state of preservation and repair and is in a condition for safe operation. (b) The FAA prescribes limitations and conditions necessary for safe operation.	**21.189 Special certificate of airworthiness for limited category aircraft** (1) An applicant is entitled to a special certificate of airworthiness for an aircraft in the limited category for one or more special purpose operations mentioned in subregulation (3) if: (a) either: (i) CASA or an authorised person is satisfied that the aircraft meets the airworthiness requirements for the issue of a standard certificate of airworthiness (except any requirements that are inappropriate for the special purpose for which the aircraft is to be used); or (ii) the aircraft is of a type that has been manufactured in accordance with the requirements of, and accepted for use by, an armed force, and for which the applicant can demonstrate to CASA or an authorised person a satisfactory history of operation; and (b) as far as can be reasonably determined, CASA or an authorised person is satisfied that the aircraft is in a good state of preservation and repair and is in a condition for safe operation; and (c) as far as can be reasonably determined, CASA or an authorised person is satisfied that the aircraft can reasonably be expected to be safe when it is operated under the conditions limiting its intended use; and (d) the applicant meets the requirements of subregulation (2). (2) The applicant must give CASA or an authorised person the following: (a) a statement, in a form and manner acceptable to CASA or the authorised person, setting out the purpose or purposes for which the aircraft is to be used; (b) data (for example photographs) to identify the aircraft; (c) any other information reasonably needed by CASA or the authorised person to enable it to impose any conditions necessary in the interests of the safety of other airspace users and persons on the ground or water. (3) The special purpose operations are the following: (a) operating historic or ex-military aircraft in adventure style operations; (b) aerobatic flights; (c) aerobatic training; (d) exhibition flights;	FAR includes “Issue” in title Changed concept Adopt FAR Removes current restrictions. However, care has to be taken as Limited has been used for ex-military aircraft. Some provisions that relate to ex-military aircraft may need to be retained.

FAR	CASR	COMMENTS
	(e) mock combat; (f) operating replica aircraft; (g) operating aircraft to carry people for parachute jumping; (h) any other operation in which the only use of the aircraft is to carry people taking part in a recreational activity that is intrinsically hazardous. (4) CASA or an authorised person may: (a) inspect the aircraft to determine whether it is in a good state of preservation and repair and is in a condition for safe operation; and (b) require the applicant to carry out a flight check to enable CASA or the authorised person to make the determination. *Source* FARs section 21.189 modified.	
§21.190 Issue of a special airworthiness certificate for a light-sport category aircraft. (a) Purpose. The FAA issues a special airworthiness certificate in the light-sport category to operate a light-sport aircraft, other than a gyroplane. (b) Eligibility. To be eligible for a special airworthiness certificate in the light-sport category: (1) An applicant must provide the FAA with— (i) The aircraft's operating instructions; (ii) The aircraft's maintenance and inspection procedures; (iii) The manufacturer's statement of compliance as described in paragraph (c) of this section; and (iv) The aircraft's flight training supplement. (2) The aircraft must not have been previously issued a standard, primary, restricted, limited, or provisional airworthiness certificate, or an equivalent airworthiness certificate issued by a foreign civil aviation authority. (3) The aircraft must be inspected by the FAA and found to be in a condition for safe operation. (c) Manufacturer's statement of compliance for light-sport category aircraft. The manufacturer's statement of compliance required in paragraph (b)(1)(iii) of this section must— (1) Identify the aircraft by make and model, serial number, class, date of manufacture, and consensus standard used; (2) State that the aircraft meets the provisions of the identified consensus standard;	**21.190 Special certificates of airworthiness — amateur-built category aircraft accepted under an ABAA** (1) An applicant is entitled to a special certificate of airworthiness for an aircraft in the amateur-built aircraft category if: (a) CASA or an authorised person has given an ABAA for the aircraft; and (b) the aircraft complies with subsections 3 and 4 of section 101.28 of the Civil Aviation Orders; and (c) approval for the manufacture of the aircraft was given by CASA or an authorised person and the aircraft was manufactured in accordance with the approval; and (d) CASA or an authorised person finds, after inspection, that: (i) the aircraft conforms with the data on the basis of which the ABAA was given; and (ii) any modifications or repairs to the aircraft have been carried out in accordance with an approved modification/repair design; and (iii) the aircraft is in a condition for safe operation. (1A) In the case of an aircraft that is a rotorcraft, for the application of section 101.28 of the Civil Aviation Orders: (a) a reference in that section to an aeroplane is taken to be a reference to an aircraft; and (b) CASA may direct that a requirement of that section does not apply in a particular case. (2) CASA or an authorised person must not give an ABAA for an aircraft, except an aircraft with: (a) a maximum take-off weight not greater than 1500 kilograms; and	Include “Issue” in ttle Renumber ABAA CASR 21.190 to 21.190A Renumber CASR 21.186 to 21.190 to harmonise with FAR system

FAR	CASR	COMMENTS
(3) State that the aircraft conforms to the manufacturer's design data, using the manufacturer's quality assurance system that meets the identified consensus standard; (4) State that the manufacturer will make available to any interested person the following documents that meet the identified consensus standard: (i) The aircraft's operating instructions. (ii) The aircraft's maintenance and inspection procedures. (iii) The aircraft's flight training supplement. (5) State that the manufacturer will monitor and correct safety-of-flight issues through the issuance of safety directives and a continued airworthiness system that meets the identified consensus standard; (6) State that at the request of the FAA, the manufacturer will provide unrestricted access to its facilities; and (7) State that the manufacturer, in accordance with a production acceptance test procedure that meets an applicable consensus standard has— (i) Ground and flight tested the aircraft; (ii) Found the aircraft performance acceptable; and (iii) Determined that the aircraft is in a condition for safe operation. (d) Light-sport aircraft manufactured outside the United States. For aircraft manufactured outside of the United States to be eligible for a special airworthiness certificate in the light-sport category, an applicant must meet the requirements of paragraph (b) of this section and provide to the FAA evidence that— (1) The aircraft was manufactured in a country with which the United States has a Bilateral Airworthiness Agreement concerning airplanes or Bilateral Aviation Safety Agreement with associated Implementation Procedures for Airworthiness concerning airplanes, or an equivalent airworthiness agreement; and (2) The aircraft is eligible for an airworthiness certificate, flight authorization, or other similar certification in its country of manufacture.	(b) not more than 4 seats; and (c) if the aircraft is an aeroplane that is fitted with one or more type certificated engines: (i) a stalling speed VS0 at maximum weight not exceeding 61 knots; or (ii) if accurate data about the stalling speed is not available — a maximum wing loading not exceeding: (A) 65 kg/m2 with a flap area of less than 6 percent gross wing area; or (B) 80 kg/m2 with a flap area of at least 6 percent gross wing area; and (d) if the aircraft is an aeroplane that is fitted with one or more non-type certificated engines: (i) a stalling speed VS0 at maximum weight not exceeding 55 knots; or (ii) if accurate data about the stalling speed is not available — a maximum wing loading not exceeding: (A) 55 kg/m2 with a flap area of less than 6 percent gross wing area; or (B) 65 kg/m2 with a flap area of at least 6 percent gross wing area. (3) CASA or an authorised person must not give an ABAA for an aircraft if the ABAA is applied for after 30 September 2000.	
§21.191 Experimental certificates. Experimental certificates are issued for the following purposes: (a) Research and development. Testing new aircraft design concepts, new aircraft equipment, new aircraft installations, new aircraft operating techniques, or new uses for aircraft.	**21.191 Experimental certificates** An experimental certificate may be issued for one or more of the following purposes: (a) research and development: for example testing new aircraft design concepts, new aircraft equipment, new aircraft installations, new aircraft operating techniques, or new uses for aircraft;	Adopt FAR Harmonise.

FAR	CASR	COMMENTS
(b) Showing compliance with regulations. Conducting flight tests and other operations to show compliance with the airworthiness regulations including flights to show compliance for issuance of type and supplemental type certificates, flights to substantiate major design changes, and flights to show compliance with the function and reliability requirements of the regulations.	(b) showing compliance with regulations: for example conducting flight tests and other operations to show compliance with the airworthiness regulations including flights to show compliance for issue of type and supplemental type certificates, flights to substantiate major design changes, and flights to show compliance with the function and reliability requirements of the regulations;	
(c) Crew training. Training of the applicant's flight crews.	(c) training the applicant‘s flight crew;	
(d) Exhibition. Exhibiting the aircraft's flight capabilities, performance, or unusual characteristics at air shows, motion picture, television, and similar productions, and the maintenance of exhibition flight proficiency, including (for persons exhibiting aircraft) flying to and from such air shows and productions.	(d) exhibition: for example exhibiting the aircraft‘s flight capabilities, performance, or unusual characteristics at air shows, motion picture, television, and similar productions, and the maintenance of exhibition flight proficiency, including (for persons exhibiting aircraft) flying to and from such air shows and productions;	
(e) Air racing. Participating in air races, including (for such participants) practicing for such air races and flying to and from racing events.	(e) air racing: for example participating in air races, including (for participants) practising for air races and flying to and from racing events;	
(f) Market surveys. Use of aircraft for purposes of conducting market surveys, sales demonstrations, and customer crew training only as provided in §21.195.	(f) market surveys: for example use of aircraft for purposes of conducting market surveys, sales demonstrations, and customer crew training only as provided in regulation 21.195;	
(g) Operating amateur-built aircraft. Operating an aircraft the major portion of which has been fabricated and assembled by persons who undertook the construction project solely for their own education or recreation.	(g) operating an amateur-built aircraft: that is an aircraft the major portion of which has been fabricated and assembled by a person who undertook the construction project solely for the person‘s own education or recreation;	
(h) Operating primary kit-built aircraft. Operating a primary category aircraft that meets the criteria of §21.24(a)(1) that was assembled by a person from a kit manufactured by the holder of a production certificate for that kit, without the supervision and quality control of the production certificate holder under §21.184(a).	(h) operating a kit-built aircraft: that is an aircraft in the primary category that meets the criteria of paragraph 21.024 (1) (a) and that was assembled by a person from a kit manufactured by the holder of a production certificate for that kit, without the supervision and quality control of the production certificate holder under subregulation 21.184 (1);	(h) mixes primary category with ABAA aircraft – needs clarity.
(i) Operating light-sport aircraft. Operating a light-sport aircraft that—	(i) private operations of prototype aircraft previously certificated under paragraph 21.191 (a), (b) or (d);	
(1) Has not been issued a U.S. or foreign airworthiness certificate and does not meet the provisions of §103.1 of this chapter. An experimental certificate will not be issued under this paragraph for these aircraft after January 31, 2008;	(j) operating a light sport aircraft that:	(i) “Operating” regulation is not a certification regulation
(2) Has been assembled—	(i) has been assembled from a kit in relation to which the applicant can give the information, statement and documents required by paragraph 21.193 (e); and	
(i) From an aircraft kit for which the applicant can provide the information required by §21.193(e); and	(ii) has been assembled in accordance with the kit manufacturer‘s instructions for assembling the aircraft; and	Change to copy FAR LSA
(ii) In accordance with manufacturer's assembly instructions that meet an applicable consensus standard; or	(iii) is of the same make and model as a production aircraft covered by regulation 21.186 that has been issued with a special certificate of airworthiness;	
(3) Has been previously issued a special airworthiness certificate in the light-sport category under §21.190.	(k) operating any other light sport aircraft covered by regulation 21.186 for which a special certificate of airworthiness for light sport aircraft,	

FAR	CASR	COMMENTS
	or another document of similar effect under a law of a Contracting State, has been issued. *Source* FARs section 21.191 modified.	
	21.192 Experimental certificates: eligibility An aircraft registration holder, or the owner of an aircraft that is registered with a sport aviation body, is eligible to apply for an experimental certificate for one or more of the purposes mentioned in regulation 21.191. Note For the meaning of sport aviation body, see subregulation 2 (1) of CAR.	Uniquely Australian
§21.193 Experimental certificates: general. An applicant for an experimental certificate must submit the following information: (a) A statement, in a form and manner prescribed by the FAA setting forth the purpose for which the aircraft is to be used. (b) Enough data (such as photographs) to identify the aircraft. (c) Upon inspection of the aircraft, any pertinent information found necessary by the FAA to safeguard the general public. (d) In the case of an aircraft to be used for experimental purposes— (1) The purpose of the experiment; (2) The estimated time or number of flights required for the experiment; (3) The areas over which the experiment will be conducted; and (4) Except for aircraft converted from a previously certificated type without appreciable change in the external configuration, three-view drawings or three-view dimensioned photographs of the aircraft. (e) In the case of a light-sport aircraft assembled from a kit to be certificated in accordance with §21.191(i)(2), an applicant must provide the following: (1) Evidence that an aircraft of the same make and model was manufactured and assembled by the aircraft kit manufacturer and issued a special airworthiness certificate in the light-sport category. (2) The aircraft's operating instructions. (3) The aircraft's maintenance and inspection procedures. (4) The manufacturer's statement of compliance for the aircraft kit used in the aircraft assembly that meets §21.190(c), except that instead of meeting §21.190(c)(7), the statement must identify	**21.193 Experimental certificates: general** An applicant for an experimental certificate is entitled to the certificate if the applicant gives CASA or an authorised person the following: (a) a statement, in a form and manner acceptable to CASA or the authorised person, setting forth the purpose for which the aircraft is to be used; (b) enough data (such as photographs) to identify the aircraft; (c) upon inspection of the aircraft, any information reasonably needed by CASA or the authorised person to enable it to impose any conditions or operational limitations necessary in the interests of the safety of other airspace users and persons on the ground or water; (d) if the experimental certificate is to be issued for a purpose mentioned in paragraph 21.191 (a) (research and development) or paragraph 21.191 (b) (showing compliance with the regulations): (i) a description of the experimental purposes for which the certificate is sought; and (ii) a statement setting out the estimated time or number of flights required for the purpose; and (iii) a description of the areas over which the experiment will be conducted; and (iv) except for aircraft converted from a previously certificated type without appreciable change in the external configuration — three-view drawings or three-view dimensioned photographs of the aircraft; (e) if the experimental certificate is to be issued for a purpose mentioned in paragraph 21.191 (j) (operating certain light sport aircraft): (i) written information that shows that a special certificate of airworthiness for light sport aircraft covered by regulation	Review & Harmonise FAR includes LSA kits THE FAR has been modernised.

FAR	CASR	COMMENTS
assembly instructions for the aircraft that meet an applicable consensus standard. (5) The aircraft's flight training supplement. (6) In addition to paragraphs (e)(1) through (e)(5) of this section, for an aircraft kit manufactured outside of the United States, evidence that the aircraft kit was manufactured in a country with which the United States has a Bilateral Airworthiness Agreement concerning airplanes or a Bilateral Aviation Safety Agreement with associated Implementation Procedures for Airworthiness concerning airplanes, or an equivalent airworthiness agreement.	21.186, or another document of similar effect under a law of a Contracting State, has been issued for a production aircraft of the same make and model; and (ii) a statement of compliance, issued by the manufacturer of the kit from which the aircraft was assembled, that includes the statements and information required by subregulation 21.186 (2), in so far as the statements and information relate to the manufacture of such kits; and (iii) copies of the aircraft assembly and operating instructions, aircraft maintenance and inspection procedures, and aircraft flight training supplement, issued for the aircraft by the manufacturer. *Source* FARs section 21.193 modified.	
§21.195 Experimental certificates: Aircraft to be used for market surveys, sales demonstrations, and customer crew training. (a) A manufacturer of aircraft manufactured within the United States may apply for an experimental certificate for an aircraft that is to be used for market surveys, sales demonstrations, or customer crew training. (b) A manufacturer of aircraft engines who has altered a type certificated aircraft by installing different engines, manufactured by him within the United States, may apply for an experimental certificate for that aircraft to be used for market surveys, sales demonstrations, or customer crew training, if the basic aircraft, before alteration, was type certificated in the normal, acrobatic, commuter, or transport category. (c) A person who has altered the design of a type certificated aircraft may apply for an experimental certificate for the altered aircraft to be used for market surveys, sales demonstrations, or customer crew training if the basic aircraft, before alteration, was type certificated in the normal, utility, acrobatic, or transport category. (d) An applicant for an experimental certificate under this section is entitled to that certificate if, in addition to meeting the requirements of §21.193— (1) He has established an inspection and maintenance program for the continued airworthiness of the aircraft; and (2) The applicant shows that the aircraft has been flown for at least 50 hours, or for at least 5 hours if it is a type certificated aircraft which has been modified. The FAA may reduce these	**21.195 Experimental certificates: aircraft to be used for market surveys, sales demonstrations, and customer crew training** (1) A manufacturer of aircraft manufactured within Australian territory is eligible to apply for an experimental certificate for an aircraft that is to be used for a purpose mentioned in paragraph 21.191 (f). (2) A manufacturer of aircraft engines who has altered a type certificated aircraft by installing different engines, manufactured by the manufacturer within Australian territory, is eligible to apply for an experimental certificate for a purpose mentioned in paragraph 21.191 (f) if the basic aircraft, before alteration, was type certificated in the normal, acrobatic, commuter, primary, intermediate or transport category. (3) A person who has altered the design of a type certificated aircraft is eligible to apply for an experimental certificate for the altered aircraft to be used for a purpose mentioned in paragraph 21.191 (f) if the basic aircraft, before alteration, was type certificated in the normal, utility, acrobatic, primary, intermediate or transport category. (4) An applicant for an experimental certificate for a purpose mentioned in paragraph 21.191 (f) is entitled to the certificate if, in addition to meeting the requirements of regulation 21.193: (a) the applicant has established an inspection and maintenance program for the continued airworthiness of the aircraft; and (b) the aircraft has been flown for at least 50 hours, or for at least 5 hours if it is a type certificated aircraft which has been modified. *Source* FARs section 21.195 modified.	Similar

FAR	CASR	COMMENTS
operational requirements if the applicant provides adequate justification.		
	21.195A Issue of experimental certificates (1) Subject to regulation 11.055, CASA or an authorised person must issue an experimental certificate to an applicant for the certificate if the applicant: (a) is eligible, under regulation 21.192, to apply for the certificate; and (b) applies for the certificate in accordance with this Subpart; and (c) is entitled, under this Subpart, to the certificate; and (d) otherwise complies with this Part. (3) A condition imposed on an experimental certificate under regulation 11.056 may include operational limitations. (4) Any conditions imposed on an experimental certificate under regulation 11.056, must be in writing and set out in, or attached to, the experimental certificate.	
	21.195B Duration of experimental certificates (1) Subject to subregulation (4), an experimental certificate issued for the purpose of research and development, showing compliance with regulations, crew training or market surveys, continues in force: (a) if a period of less than one year is specified in the certificate — until the end of the period, or until it is cancelled, whichever occurs first; or (b) in any other case — until the end of the period of one year after the date on which it was issued, or until it is cancelled, whichever occurs first. (2) Subject to subregulation (4), an experimental certificate issued for the purpose of exhibition, air racing, operating amateur-built, kit-built or light sport aircraft or private operations of prototype aircraft previously certificated under paragraph 21.191 (a), (b) or (d), continues in force: (a) if a period is specified in the certificate — until the end of the period, or until it is cancelled, whichever occurs first; or (b) in any other case — until it is cancelled. (3) The holder of an experimental certificate must, on the request of CASA or an authorised person, make it available for inspection by CASA. Penalty: 5 penalty units. (4) An experimental certificate for an aircraft stops being in force if the aircraft ceases to be registered in Australia.	FAR Part 21.181 Duration has been reworded. This provision is no longer harmonised. Delete as covered in FAR 21.181

FAR	CASR	COMMENTS
	(5) CASA or an authorised person may suspend or cancel an experimental certificate for an aircraft, by written notice given to its holder, if: (a) any maintenance is not carried out in accordance with regulation 42CB of CAR; or (b) CASA or the authorised person otherwise considers that it is necessary to do so in the interests of the safety of other airspace users and persons on the ground or water. (6) A notice under subregulation (5) must set out: (a) the grounds for the suspension or cancellation; and (b) in the case of a suspension — when the suspension stops having effect. (7) Despite anything else in this regulation, an experimental certificate is not in force during any period of suspension, but, if the certificate was issued for a specified period, the period of suspension counts as part of the period for which the certificate was issued. (8) The holder of an experimental certificate that stops being in force under subregulation (4), expires, or is suspended or cancelled, must, at the written request of CASA or an authorised person, surrender the certificate to CASA or the authorised person. Penalty: 5 penalty units. (9) An offence against subregulation (3) or (8) is an offence of strict liability. *Note* For ***strict liability***, see section 6.1 of the *Criminal Code*. *Source* FARs section 21.181 modified. *Note* See also regulations 21.002C and 21.002E in relation to suspension and cancellation of experimental certificates.	
	21.196 Special flight permits: eligibility Any person is eligible to apply for a special flight permit.	
§21.197 Special flight permits. (a) A special flight permit may be issued for an aircraft that may not currently meet applicable airworthiness requirements but is capable of safe flight, for the following purposes: (1) Flying the aircraft to a base where repairs, alterations, or maintenance are to be performed, or to a point of storage. (2) Delivering or exporting the aircraft. (3) Production flight testing new production aircraft. (4) Evacuating aircraft from areas of impending danger.	**21.197 Special flight permits** (1) A special flight permit may be issued for one or more of the following purposes for an aircraft that may not currently meet the applicable airworthiness requirements, but can reasonably be expected to be capable of safe flight for the intended purpose: (a) flying the aircraft to a base where repairs, alterations, or maintenance are to be performed, or to a point of storage; (b) delivering or exporting the aircraft; (c) production flight testing new production aircraft;	Review and harmonise with FAR

FAR	CASR	COMMENTS
(5) Conducting customer demonstration flights in new production aircraft that have satisfactorily completed production flight tests. (b) A special flight permit may also be issued to authorize the operation of an aircraft at a weight in excess of its maximum certificated takeoff weight for flight beyond the normal range over water, or over land areas where adequate landing facilities or appropriate fuel is not available. The excess weight that may be authorized under this paragraph is limited to the additional fuel, fuel-carrying facilities, and navigation equipment necessary for the flight. (c) Upon application, as prescribed in §§91.1017 or 119.51 of this chapter, a special flight permit with a continuing authorization may be issued for aircraft that may not meet applicable airworthiness requirements, but are capable of safe flight for the purpose of flying aircraft to a base where maintenance or alterations are to be performed. The permit issued under this paragraph is an authorization, including conditions and limitations for flight, which is set forth in the certificate holder's operations specifications. The permit issued under this paragraph may be issued to— (1) Certificate holders authorized to conduct operations under part 119 of this chapter, that have an approved program for continuing flight authorization; or (2) Management specification holders authorized to conduct operations under part 91, subpart K of this chapter for those aircraft they operate and maintain under a continuous airworthiness maintenance program prescribed by §91.1411 of this chapter.	(d) evacuating the aircraft from areas of impending danger; (e) conducting customer demonstration flights in new production aircraft that have satisfactorily completed production flight tests; (f) assisting in searching for, bringing aid to or rescuing persons in danger on a particular occasion; (g) assisting in dealing with a state of emergency. (2) A special flight permit may authorise the operation of an aircraft at a weight in excess of its maximum certificated take-off weight for flight beyond the normal range over water, or over land areas where adequate landing facilities or appropriate fuel is not available. The excess weight that may be authorised under this paragraph is limited to the additional fuel, fuel-carrying facilities, and navigation equipment necessary for the flight. (3) For subsection 20AA (1) of the Act, an aircraft with a special flight permit, except a special flight permit issued for a purpose mentioned in paragraph (1) (b), is not required to be registered. (4) For paragraph 20AA (3) (a) of the Act, an aircraft with a special flight permit is not required to have a certificate of airworthiness. (6) When CASA or an authorised person issues a special flight permit, it may direct that, while the permit is in force, all or any of paragraphs 133 (1) (a), (c) and (d), and regulation 139, of CAR do not apply to the aircraft. *Source* FARs section 21.197 modified.	
§21.199 Issue of special flight permits. (a) Except as provided in §21.197(c), an applicant for a special flight permit must submit a statement in a form and manner prescribed by the FAA, indicating— (1) The purpose of the flight. (2) The proposed itinerary. (3) The crew required to operate the aircraft and its equipment, e.g., pilot, co-pilot, navigator, etc. (4) The ways, if any, in which the aircraft does not comply with the applicable airworthiness requirements. (5) Any restriction the applicant considers necessary for safe operation of the aircraft. (6) Any other information considered necessary by the FAA for the purpose of prescribing operating limitations.	**21.199 Applications for special flight permits** (1) An applicant for a special flight permit must submit a statement to CASA or an authorised person, indicating the following: (a) the purpose or purposes of the flight; (b) the proposed itinerary; (c) the crew required to operate the aircraft and its equipment, for example, pilot, co-pilot, navigator; (d) the ways, if any, in which the aircraft does not comply with the applicable airworthiness requirements; (e) any restriction the applicant considers necessary for safe operation of the aircraft; (f) any other information that CASA or the authorised person reasonably needs to be able to prescribe operating limitations or other conditions in the interests of aviation safety.	Include “Issue” in title. Similar

FAR	CASR	COMMENTS
(b) The FAA may make, or require the applicant to make appropriate inspections or tests necessary for safety.	(2) CASA or an authorised person may make, or require the applicant to make, appropriate inspections or tests necessary to determine whether the aircraft can reasonably be expected to be capable of safe flight for the intended purpose or purposes. *Source* FARs section 21.199 modified.	
	21.200 Issue of special flight permits (1) Subject to subregulation (1A) and regulation 11.055, CASA or an authorised person must issue a special flight permit to an applicant for the permit if the applicant: (a) is eligible, under regulation 21.196, to apply for the permit; and (b) applies for the permit in accordance with this Subpart; and (c) otherwise complies with this Part. (1A) CASA or an authorised person must not issue a special flight permit for an aircraft if: (a) the aircraft is covered by an airworthiness directive (within the meaning of regulation 39.002); and (b) the airworthiness directive includes a statement to the effect that a special flight permit must not be issued for an aircraft covered by the airworthiness directive. (3) A condition imposed on a special flight permit under regulation 11.056 may include operational limitations. (4) Any conditions imposed on a special flight permit under regulation 11.056, and any conditions imposed under regulation 21.016 or 21.029B that limit the use of the aircraft, must be in writing and set out in, or attached to, the special flight permit.	Delete as above provisions will include "Issue" in titles to harmonise with FARs 1A may need to be retained.
	21.201 Inspection, suspension and cancellation of special flight permits (2) The holder of a special flight permit must, on the request of CASA or an authorised person, make it available for inspection by CASA or an authorised person. Penalty: 5 penalty units. (2A) An offence against subregulation (2) is an offence of strict liability. *Note* For ***strict liability***, see section 6.1 of the *Criminal Code*. (3) CASA or an authorised person may suspend or cancel a special flight permit, by written notice given to its holder, if CASA or the authorised person considers that it is necessary to do so in the interests of aviation safety. (4) A notice under subregulation (3) must set out: (a) the grounds for the suspension or cancellation; and	‘ Retain

FAR	CASR	COMMENTS
	(b) in the case of a suspension — when the suspension stops having effect. *Source* FARs section 21.181 modified. *Note* See also regulations 21.002C and 21.002E in relation to suspension and cancellation of special flight permits.	

FAR	CASR	COMMENTS
Subpart I—Provisional Airworthiness Certificate	**Subpart I—Provisional Airworthiness Certificates** Note: A provisional certificate of airworthiness issued under this Part for an aircraft, aircraft engine or propeller does not certify that it complies with the *Air Navigation (Aircraft Noise) Regulations 1984*, the Air Navigation (Aircraft Engine Emissions) Regulations or any other applicable Commonwealth legislation. Compliance with those Regulations or other applicable Commonwealth legislation may be required before the aircraft, aircraft engine or propeller may be legally operated.	
§21.211 Applicability. This subpart prescribes **procedural** requirements for the issue of provisional airworthiness certificates.	**21.211 Applicability** This Subpart prescribes requirements for the issue of provisional certificates of airworthiness. *Source* FARs section 21.211 modified.	**Procedural requirements** **Adopt FAR**
§21.213 Eligibility. (a) A manufacturer who is a United States citizen may apply for a Class I or Class II provisional airworthiness certificate for aircraft manufactured by him within the U.S. (b) Any holder of an air carrier operating certificate under Part 121 of this chapter who is a United States citizen may apply for a Class II provisional airworthiness certificate for transport category aircraft that meet either of the following: (1) The aircraft has a current Class II provisional type certificate or an amendment thereto. (2) The aircraft has a current provisional amendment to a type certificate that was preceded by a corresponding Class II provisional type certificate. (c) An aircraft engine manufacturer who is a United States citizen and who has altered a type certificated aircraft by installing different type certificated engines, manufactured by him within the United States,	**21.213 Eligibility** (1) A manufacturer is eligible to apply for a Class I or Class II provisional certificate of airworthiness for aircraft manufactured by the manufacturer in Australian territory. (2) The holder of an AOC issued for regular public transport operations is eligible to apply for a Class II provisional certificate of airworthiness for transport category aircraft if: (a) the aircraft has a current Class II provisional type certificate or a current amendment of a Class II provisional type certificate; or (b) the aircraft has a current provisional amendment to a type certificate that was preceded by a corresponding Class II provisional type certificate. (3) An aircraft engine manufacturer who has altered a type certificated aircraft by installing different type certificated engines, manufactured by the aircraft engine manufacturer in Australian territory, is eligible to apply for a Class I provisional certificate of	Similar

FAR	CASR	COMMENTS
may apply for a Class I provisional airworthiness certificate for that aircraft, if the basic aircraft, before alteration, was type certificated in the normal, utility, acrobatic, commuter, or transport category.	airworthiness for that aircraft, if the basic aircraft, before alteration, was type certificated in the normal, utility, acrobatic, commuter, primary, intermediate or transport category. *Source* FARs section 21.213 modified.	
§21.215 Application. Applications for provisional airworthiness certificates must be submitted to the Manufacturing Inspection District Office in the geographic area in which the manufacturer or air carrier is located. The application must be accompanied by the pertinent information specified in this subpart.	**21.215 Application** Application for a provisional certificate of airworthiness may be submitted to CASA. The application must be accompanied by the pertinent information specified in these Regulations. *Source* FARs section 21.215 modified.	Same
	21.216 Issue of provisional certificates of airworthiness Subject to regulation 11.055, CASA must issue a provisional certificate of airworthiness to an applicant for the certificate if the applicant: (a) is eligible, under regulation 21.213, to apply for the certificate; and (b) applies for the certificate in accordance with this Subpart; and (c) is entitled, under this Subpart, to the certificate; and (d) otherwise complies with this Part.	Needed
§21.217 Duration. Unless sooner surrendered, superseded, revoked, or otherwise terminated, provisional airworthiness certificates are effective for the duration of the corresponding provisional type certificate, amendment to a provisional type certificate, or provisional amendment to the type certificate.	**21.217 Duration** (1) Unless sooner cancelled, provisional certificates of airworthiness are effective for the duration of the corresponding provisional type certificate, amendment to a provisional type certificate, or provisional amendment to the type certificate. (2) Despite subregulation (1), a provisional certificate of airworthiness is not in force during any period of suspension. (3) CASA may suspend or cancel a provisional certificate of airworthiness, by written notice given to its holder, if CASA considers that it is necessary to do so in the interests of aviation safety. (4) A notice must set out: (a) the grounds for the suspension or cancellation; and (b) in the case of a suspension—when the suspension stops having effect. *Source* FARs section 21.217 modified. Note: See also regulations 21.002C and 21.002E in relation to suspension and cancellation of provisional certificates of airworthiness.	Seen necessary by CASA FAR 217 is simpler

FAR	CASR	COMMENTS
§21.219 Transferability. Class I provisional airworthiness certificates are not transferable. Class II provisional airworthiness certificates may be transferred to an air carrier eligible to apply for a certificate under §21.213(b).	**21.219 Transferability** A Class II provisional certificate of airworthiness may be transferred to an AOC holder eligible to apply for a certificate under subregulation 21.213(2). *Source*: FARs section 21.219 modified.	No different
§21.221 Class I provisional airworthiness certificates. (a) Except as provided in §21.225, an applicant is entitled to a Class I provisional airworthiness certificate for an aircraft for which a Class I provisional type certificate has been issued if— (1) He meets the eligibility requirements of §21.213 and he complies with this section; and (2) The FAA finds that there is no feature, characteristic or condition of the aircraft that would make the aircraft unsafe when operated in accordance with the limitations established in §§21.81(e) and 91.317 of this subchapter. (b) The manufacturer must hold a provisional type certificate for the aircraft. (c) The manufacturer must submit a statement that the aircraft conforms to the type design corresponding to the provisional type certificate and has been found by him to be in safe operating condition under all applicable limitations. (d) The aircraft must be flown at least five hours by the manufacturer. (e) The aircraft must be supplied with a provisional aircraft flight manual or other document and appropriate placards containing the limitations established by §§21.81(e) and 91.317.	**21.221 Class I provisional certificates of airworthiness** (1) Except as provided in regulation 21.225, an applicant who holds a Class I provisional type certificate for an aircraft is entitled to a Class I provisional certificate of airworthiness for the aircraft if: (a) the applicant meets the eligibility requirements of regulation 21.213; and (b) CASA is satisfied that the requirements of this regulation are satisfied and that there is no feature, characteristic or condition of the aircraft that would make the aircraft unsafe when operated in accordance with the limitations mentioned in subregulation 21.081(4) and regulation 262AO of CAR. (2) The manufacturer must hold a provisional type certificate for the aircraft. (3) The manufacturer must submit a statement that the aircraft conforms to the type design corresponding to the provisional type certificate and has been found by the manufacturer to be in safe operating condition under all applicable limitations. (4) The aircraft must be flown at least five hours by the manufacturer. (5) The aircraft must be supplied with a provisional aircraft flight manual or other document and appropriate placards containing the limitations mentioned in subregulation 21.081(4) and regulation 262AO of CAR. *Source* FARs section 21.221 modified.	Same
§21.223 Class II provisional airworthiness certificates. (a) Except as provided in §21.225, an applicant is entitled to a Class II provisional airworthiness certificate for an aircraft for which a Class II provisional type certificate has been issued if— (1) He meets the eligibility requirements of §21.213 and he complies with this section; and (2) The FAA finds that there is no feature, characteristic, or condition of the aircraft that would make the aircraft unsafe when operated in accordance with the limitations established in §§21.83(h), 91.317, and 121.207 of this chapter. (b) The applicant must show that a Class II provisional type certificate for the aircraft has been issued to the manufacturer.	**21.223 Class II provisional certificates of airworthiness** (1) Except as provided in regulation 21.225, an applicant who holds a Class II provisional type certificate for an aircraft is entitled to a Class II provisional certificate of airworthiness for the aircraft if: (a) the applicant meets the eligibility requirements of regulation 21.213; and (b) CASA is satisfied that the requirements of this regulation are satisfied and that there is no feature, characteristic, or condition of the aircraft that would make the aircraft unsafe when operated in accordance with the limitations mentioned in subregulation 21.083(7) and regulation 262AO of CAR. (2) The applicant must show that a Class II provisional type certificate for the aircraft has been issued to the manufacturer.	Similar

FAR	CASR	COMMENTS
(c) The applicant must submit a statement by the manufacturer that the aircraft has been manufactured under a quality system adequate to ensure that the aircraft conforms to the type design corresponding with the provisional type certificate. (d) The applicant must submit a statement that the aircraft has been found by him to be in a safe operating condition under the applicable limitations. (e) The aircraft must be flown at least five hours by the manufacturer. (f) The aircraft must be supplied with a provisional aircraft flight manual containing the limitations established by §§21.83(h), 91.317, and 121.207 of this chapter.	(3) The applicant must submit a statement by the manufacturer that the aircraft has been manufactured under a quality system adequate to ensure that the aircraft conforms to the type design corresponding with the provisional type certificate. (4) The applicant must submit a statement that the applicant has found the aircraft to be in a safe operating condition under the applicable limitations. (5) The aircraft must be flown at least five hours by the manufacturer. (6) The aircraft must be supplied with a provisional aircraft flight manual containing the limitations mentioned in subregulation 21.083(7) and regulation 262AO of CAR. *Source* FARs section 21.223 modified.	
§21.225 Provisional airworthiness certificates corresponding with provisional amendments to type certificates. (a) An applicant is entitled to a Class I or a Class II provisional airworthiness certificate, for an aircraft, for which a provisional amendment to the type certificate has been issued, if— (1) He meets the eligibility requirements of §21.213 and he complies with this section; and (2) The FAA finds that there is no feature, characteristic, or condition of the aircraft, as modified in accordance with the provisionally amended type certificate, that would make the aircraft unsafe when operated in accordance with the applicable limitations established in §§21.85(g), 91.317, and 121.207 of this chapter. (b) The applicant must show that the modification was made under a quality system adequate to ensure that the modification conforms to the provisionally amended type certificate. (c) The applicant must submit a statement that the aircraft has been found by him to be in a safe operating condition under the applicable limitations. (d) The aircraft must be flown at least five hours by the manufacturer. (e) The aircraft must be supplied with a provisional aircraft flight manual or other document and appropriate placards containing the limitations required by §§21.85(g), 91.317, and 121.207 of this chapter.	**21.225 Provisional certificates of airworthiness corresponding with provisional amendments to type certificates** (1) An applicant is entitled to a Class I or a Class II provisional certificate of airworthiness for an aircraft for which a provisional amendment to the type certificate has been issued, if: (a) the applicant meets the eligibility requirements of regulation 21.213; and (b) CASA is satisfied that the requirements of this regulation are satisfied and that there is no feature, characteristic, or condition of the aircraft, as modified in accordance with the provisionally amended type certificate, that would make the aircraft unsafe when operated in accordance with the applicable limitations mentioned in subregulation 21.085(6) and regulation 262AO of CAR. (2) The applicant must show that the modification was made under a quality system adequate to ensure that the modification conforms to the provisionally amended type certificate. (3) The applicant must submit a statement that the applicant has found the aircraft to be in a safe operating condition under the applicable limitations. (4) The aircraft must be flown at least five hours by the manufacturer. (5) The aircraft must be supplied with a provisional aircraft flight manual or other document and appropriate placards containing the limitations mentioned in subregulation 21.085(6) and regulation 262AO of CAR. *Source* FARs section 21.225 modified.	Similar