

NEPALESE CIVIL AIRWORTHINESS REQUIREMENTS

SECTION B

AIRWORTHINESS CERTIFICATION

CHAPTER B.2

ISSUE 4
JANUARY 2009

CERTIFICATE OF AIRWORTHINESS

1. INTRODUCTION

- 1.1 The Regulation requires that no person shall fly or assist in flying any aircraft in Nepalese airspace unless the aircraft is in possession of a valid Certificate of Airworthiness kept in force. The Regulation also empowers the Director General to issue, validate, renew, cancel or suspend a Certificate of Airworthiness.
- 1.2 This Chapter prescribes the requirements for the issue, validation, keeping in force and the renewal of a Certificate of Airworthiness. It also deals with the circumstances when the Certificate of Airworthiness is suspended or cancelled.
- 1.3 For an aircraft which has been issued with a Nepalese Type Certificate in accordance with NCAR Chapter B.1, the Director General may issue a Certificate of Airworthiness in any category specified in Chapter A.4 of these Requirements. Before the expiry of a Certificate of Airworthiness, the Director General may renew it if he is satisfied that the aircraft is airworthy and confirms to the approved type design or to approved modifications of that design.
- 1.4 A Certificate of Airworthiness shall be issued on the basis of satisfactory evidence that the aircraft

complies with the design aspects as defined in the validated type certificate.

- 1.5 Director General shall not issue or render valid a Certificate of Airworthiness for which it intends to claim recognition pursuant to Article 33 of the Convention on International Civil Aviation unless it has satisfactory evidence that the aircraft complies with the applicable standards of airworthiness codes which are assessed during the validation of type certificate.
- 1.6 Where a Certificate of Airworthiness is issued it shall be in Form B.2.2 as shown in Appendix-2 to this Chapter B.2. and all applicable fields shall be filled up in English.

2. ISSUE OR VALIDATION OF A CERTIFICATE OF AIRWORTHINESS FOR A NEW IMPORTED AIRCRAFT

- 2.1 Subject to paragraph 4 the Director General may issue a Nepalese Certificate of Airworthiness or validate a foreign Certificate of Airworthiness for a new imported aircraft in Nepal if:
 - a) it is registered in Nepal in accordance with Chapter B.5 of these Requirements,
 - b) a Nepalese Type Certificate for the type concerned has been issued in accordance with Chapter B.1 of these Requirements,
 - c) an Export Certificate of Airworthiness issued by the previous State of Registry not more than 30 days before the date of export is submitted to the Director General, or, if the State from which the aircraft is imported does not issue Export Certificate of Airworthiness, it is confirmed that a Certificate of Airworthiness issued by that State was in force immediately prior to the export,

- d) the owner or operator has deposited the data specified in paragraph 2.2 with the Airworthiness Inspection Division,
- e) logbooks and other records showing the complete maintenance and modification history of the aircraft and aircraft components prior to importation are submitted, and,
- f) a confirmation inspection including ground and flight tests as deemed necessary has confirmed that the aircraft conforms to the approved type design or to approved modifications of that design.
- g) a Survey Inspection made by the Airworthiness Inspection Division confirms that the aircraft is airworthy and that all applicable Airworthiness Directives of the State of Manufacture have been implemented.

2.2 The owner or operator of a new aircraft for which a Certificate of Airworthiness is required must apply in writing to the Director General. The application which should be made in Form B.2.1 as shown Appendix-1 of this Chapter B.2 must be accompanied by the following data:

- a) A list of documents which identifies all technical publications of the State of Manufacture and manufacturers of aircraft, engine and vendor component (where ever possible) as well as one copy of such publications in English to support the continuing airworthiness of aircraft.
- b) Written confirmation from the State of Manufacture and from the manufacturers of the aircraft, engine and vendor component (where ever possible) that they will continue to supply any amendments for reissues of the above technical publications as long as the

aircraft type remains on the Nepalese Register.

- c) Two copies of the proposed Flight Manual compiled in accordance with Chapter E.4 of these Requirements,
- d) Two copies of the proposed Maintenance Schedule compiled in accordance with Chapter C.4 of these Requirements.
- e) Two copies of the proposed Standard Flight Test Schedule compiled in accordance with Chapter C.8 of these Requirements.
- f) Two copies of Operator's Minimum Equipment List compiled in accordance with Chapter E.8 of these Requirements.
- g) Aircraft Component Status Report giving all controlling intervals whether recorded as flight time, landings, flight cycles, time since new, time since overhaul or by other intervals,
- h) Seating configuration approved document where appropriate (for Transport Category - Passenger),
- i) In case of twin engine aircraft - certification for ETOPs operation, if any.
- j) The applicant's request for the issuance of Mobile Radio Station Licence with a list of radio communication, navigation and radar equipments installed, including make, model, and their operating frequencies,
- k) The particulars and result of a airworthiness acceptance flight test,
- l) A copy of voucher against the payment of required fee for the issuance of Certificate of Airworthiness for a new imported aircraft.

- 2.3 Before issuing or validating a Certificate of Airworthiness the Director General may also require that:
- a) a certificate be issued by the Chief of Quality Assurance stating that no modification / Airworthiness Directive / inspection is due,
 - b) a Certificate of Compliance be issued by an appropriately licensed / approved person for the assembly work in case the aircraft was imported in a dismantled condition,
 - c) the aircraft be weighed and a copy of the Weight and Balance Report be submitted to the Airworthiness Division,

Note: The Director General may exempt a particular aircraft if he is satisfied that the Empty Weight and Empty Weight C.G. are given accurately by a recent Weight and Balance Report issued by the Manufacturer or by the Airworthiness Authority of the State from which the aircraft was exported.

- d) the aircraft be flight tested in accordance with an approved flight test schedule.

3. ISSUE OR VALIDATION OF A CERTIFICATE OF AIRWORTHINESS FOR AN USED IMPORTED AIRCRAFT

- 3.1 Subject to paragraph 4 the Director General may issue a Nepalese Certificate of Airworthiness or validate a foreign Certificate of Airworthiness for an used imported aircraft if:
- a) it is registered in Nepal in accordance with Chapter B.5 of these Requirements,
 - b) a Nepalese Type Certificate for the type concerned has been issued in accordance with Chapter B.1 of these Requirements,

- c) an Export Certificate of Airworthiness issued by the previous State of Registry not more than 30 days before the date of export is submitted to the Airworthiness Division, or, if the State from which the aircraft is imported does not issue Export Certificate of Airworthiness, it is confirmed that a Certificate of Airworthiness issued by that State was in force immediately prior to the export,
- d) the owner or operator has deposited the data specified in paragraph 3.2 with the Airworthiness Inspection Division,
- e) logbooks and other records showing the complete maintenance and modification history of the aircraft and aircraft components prior to importation are submitted, and,
- f) a Confirmation Inspection including ground and flight tests as deemed necessary has confirmed that the aircraft conforms to the approved type design or to approved modifications of that design.
- g) a Survey Inspection made by the Airworthiness Inspection Division confirms that the aircraft is airworthy and that all applicable Airworthiness Directives of the State of Manufacture have been implemented.

- 3.2 The owner or operator of an used aircraft for which a Certificate of Airworthiness is required must apply in writing to the Director General. The application which should be made in the Form B.2.1 shown in Appendix-1 of this Chapter B.2 must be accompanied by the following data:

- a) A list of documents which identifies all technical publications of the State of Manufacture and manufacturers of aircraft, engine and vendor component (as far as

possible) as well as one copy of such publications in English to support the continuing airworthiness of aircraft.

- b) Written confirmation from the State of Manufacture and from the manufacturers of the aircraft, engine and vendor component (as far as possible) that they will continue to supply any amendments for reissues of the technical publications as long as the aircraft type remains on the Nepalese Register.
- c) Two copies of the proposed Flight Manual compiled in accordance with Chapter E.4 of these Requirements,
- d) Two copies of proposed Maintenance Schedule compiled in accordance with Chapter C.4 of these Requirements.
- e) Two copies of the proposed Standard Flight Test Schedule compiled in accordance with Chapter C.8 of these Requirements
- f) Two copies of Operator's Minimum Equipment List compiled in accordance with Chapter E.8 of these Requirements.
- g) Component Status Report giving complete history of the aircraft and aircraft components and equipments including all controlling intervals whether recorded as flight time, landings, flight cycles, time since new, time since overhaul or by other intervals,
- h) Seating configuration approved document where appropriate (for Transport Category - Passenger),
- i) In case of twin engine aircraft - certification for ETOPs operation, if any.
- j) The applicant's request for the issuance of Mobile Radio Station Licence with a list of

radio communication, navigation and radar equipments installed, including make, model and their operating frequencies,

- k) The particulars and result of a recent delivery flight test,
- l) A complete history of past operational uses of the aircraft,
- m) Details of changes of major structural components such as wings, tailplanes, helicopter rotor or transmission components and history of the replacing components,
- n) Details of major structural repair including the nature of damage in each case, including the approval procedure and document for each repair,
- o) Where applicable, the documentation showing that the aircraft is compliant with the Structural Integrity Requirements and Corrosion Prevention and Control Program of Chapters C.14 and C.15 of these Requirements.
- p) A copy of voucher against the payment of required fee for the issuance of Certificate of Airworthiness for an used imported aircraft.

3.3 Before issuing or validating a Certificate of Airworthiness the Director General may also require that:

- a) a certificate be issued by the Chief of Quality Assurance stating that no modification / Airworthiness Directive / inspection is due,
- b) a Certificate of Compliance be issued by an appropriately licenced / approved person for the assembly work in case the aircraft was imported in a dismantled condition,

- c) the aircraft be weighed and a copy of the Weight and Balance Report be submitted to the Airworthiness Division,

Note: The Director General may exempt a particular aircraft if he is satisfied that the Empty Weight and Empty Weight C.G. are given accurately by a recent Weight and Balance Report issued by the Manufacturer or by the Airworthiness Authority of the State from which the aircraft was exported.

- d) the aircraft be flight tested in accordance with an approved flight test schedule.

4. CONDITIONS APPLICABLE TO AIRCRAFT IMPORTATION

4.1 The issue or validation of a Certificate of Airworthiness for an imported aircraft may be delayed or refused by the Director General until such time, as he is satisfied that:

- a) the aircraft is suitable for existing operating condition in Nepal and will receive any required product support from the manufacturer,
- b) the operator has the necessary facilities and licensed/approved personnel or has made an agreement with an approved Maintenance Organization to maintain the aircraft,
- c) the documents required by paragraph 2.2 or 3.2 as applicable are supplied,
- d) where the aircraft is first of its type imported in Nepal, training in areas of airframe, engine and avionics is provided to the Airworthiness Inspection Division by the operator,

- e) any deficiencies found during the Survey Inspection of the aircraft are rectified or made the subject of operational limitations or are listed as Special Conditions, and

- f) any investigation required to be made prior to the importation of the aircraft into Nepal which involves costs against the Civil Aviation Authority of Nepal will be paid in full by the operator importing the aircraft.

5. VALIDITY

5.1 The Director General may make the Certificate of Airworthiness valid for any period, although ordinarily this shall be for one year.

5.2 Where the Certificate of Airworthiness issued by the previous state of registry is rendered valid by the Director General, the validity of this authorization shall not extend beyond the period of validity of the Certificate of Airworthiness.

5.3 Where it is found necessary and in the interest of safety, the Director General may further restrict the validity period to such period as is necessary.

6. CIRCUMSTANCES WHEN THE CERTIFICATE OF AIRWORTHINESS IS IN FORCE

6.1 Subject to paragraph 5, a Certificate of Airworthiness shall be in force when the aircraft for which the Certificate of Airworthiness is issued is not subject to the circumstances itemized in paragraph 6.2 and when the aircraft is certified in accordance with Chapter C.2 of these Requirements.

6.2 A Certificate of Airworthiness shall not be in force and automatically becomes invalid if:

- a) he Maintenance Release becomes invalid due to any failure to maintain the aircraft in an airworthy condition as per CAAN approved Maintenance Schedule,
- b) an unapproved modification or repair is made on the aircraft,
- c) an unapproved material, procedure or practice is used on the aircraft during maintenance.

7. RENEWAL OF A CERTIFICATE OF AIRWORTHINESS

7.1 The owner or operator of an aircraft shall make an application for renewal of a Certificate of Airworthiness a minimum of 15 days before the expiry of a Certificate of Airworthiness and the Director General may renew it if he is satisfied that:

- a) the aircraft has been properly maintained whilst the Certificate remained valid and all damage and defects have been rectified by approved procedures,
- b) there has been compliance with all relevant airworthiness directives originating from Nepal or the State of Manufacture,
- c) a Confirmation Inspection made by the Airworthiness Inspection Division confirms that the aircraft conforms to the approved type design or to approved modifications of that design.
- d) a Survey Inspection made by the Airworthiness Inspection Division confirms that the aircraft is airworthy, and
- e) the aircraft performs satisfactorily during a flight test.

7.2 The owner or operator applying for the renewal of a Certificate of Airworthiness must submit to the Airworthiness Inspection Division with the following:

- a) Logbooks and other records showing the complete maintenance and modification history of the aircraft and aircraft components as well as Aircraft Component Status Report, Service Bulletin, Modification and Inspection Compliance List etc
- b) A certification from the Chief of Quality Assurance or an equivalent person, confirming; that the Certificate of Airworthiness is currently in force with respect to paragraph 6 of this Chapter and that all other requirements of the NCAR applicable to the Airworthiness of the aircraft are met.
- c) An approved flight test report duly completed and certified by the Pilot-in-command in the flight test, indicating the aircraft actual performance, as compared to the required performance,
- d) A copy of the voucher against the payment of required fee for the renewal of Certificate of Airworthiness.
- e) A certification that the operational check of radio communication, navigation and radar equipment on board the aircraft have been carried-out in presence of an authorized person from the Airworthiness Inspection Division during the flight test and that a valid Mobile Radio Station Licence is also submitted for renewal.
- f) A certification from the Chief of Quality Assurance or Operations Department that all documents held to support the continued

Airworthiness of aircraft and the Flight Manual are current and up-to-date.

8. TEMPORARY CERTIFICATE OF AIRWORTHINESS

- 8.1 An aircraft which is temporarily ineligible for a Certificate of Airworthiness in its usual category but which, subject to special conditions, is safe to fly, may be granted a temporary Certificate of Airworthiness in the Special Category. A Certificate issued in such a case will be valid only for sufficient time to complete the mission for which it is granted and will be endorsed as being valid for ferry flight or test flight, as the case may be.

Note: *In special circumstances, an aircraft which is ineligible for a Certificate of Airworthiness in any category may be granted a Permit to Fly under conditions prescribed by the Director General.*

- 8.2 An aircraft with a temporary Certificate of Airworthiness or Permit to Fly may only fly if a Certificate of Fitness for Flight, for it is issued by an appropriately licensed or approved person.

9. SUSPENSION AND CANCELLATION

- 9.1 The Director General may suspend summarily or cancel a Certificate of Airworthiness if such action is necessary to ensure compliance with the Regulation or if it is necessary to do so in the interest of safety.
- 9.2 If the Certificate of Registration of an aircraft is cancelled, the Certificate of Airworthiness is automatically cancelled.
- 9.3 If an aircraft develops a defect beyond the limits permitted by the Minimum Equipment List and requiring rectification by other than the flight crew,

or if it has no valid Maintenance Release, the Certificate of Airworthiness is considered automatically suspended until rectification of the defect or the Maintenance Release, as the case may be, is certified.

9.4 Damage to aircraft:

i) When an aircraft has sustained damage the Civil Aviation Authority of Nepal shall judge whether the damage is of a nature such that the aircraft is no longer airworthy as defined by the appropriate airworthiness requirements.

ii) If the damage is sustained or ascertained when the aircraft is in the territory of another contracting state, the authorities of the other contracting state shall be entitled to prevent the aircraft from resuming its flight on the condition that they shall advise CAA Nepal immediately, communicating to it all the details necessary to formulate the judgement referred to in 9.4 i).

iii) When CAA Nepal considers that the damage sustained is of a nature such that the aircraft is no longer airworthy, it shall prohibit the aircraft from resuming flight until it is restored to an airworthy condition; CAA Nepal may, however, in exceptional circumstances, prescribe particular limiting conditions to permit the aircraft to fly without fare – paying passengers to an aerodrome at which it will be restored to an airworthy condition, and the contracting state that had originally, in accordance with 9.4 ii), prevented the aircraft from resuming flight shall permit such flight.

iv) When CAA Nepal considers that the damage sustained is of a nature such that the aircraft is still airworthy, the aircraft shall be allowed to resume its flight.

- 9.5 Any failure to maintain an aircraft in an airworthy condition as defined in NCAR shall render the

aircraft ineligible for operation until the aircraft is restored to an airworthy condition. No aircraft may be flown whilst its Certificate of Airworthiness is expired, not in force, cancelled or suspended except to complete a flight during which damage or a defect has occurred or if it is issued with a Permit to Fly by the Director General.

10. SURVEY INSPECTION

- 10.1 An Aircraft for which application is made for the issue, validation or renewal of a Certificate of Airworthiness is subject to a Survey Inspection by an authorized person from the Airworthiness Inspection Division.
- 10.2 The owner or operator of the aircraft shall agree in advance with the authorized person when the Survey Inspection shall be made and shall prepare the aircraft by removing all cowlings and panels, ensuring that it is thoroughly clean and positioning ladders and work platforms for access. All logbooks and maintenance records shall be made available for inspection to the authorized person from the Airworthiness Inspection Division.
- 10.3 The authorized person from the Airworthiness Inspection Division may require to witness or inspect the following:
- a) the structure for corrosion, cracks and distortion,
 - b) the systems for condition and functioning,
 - c) the flying controls for condition, rigging and functioning,
 - d) the landing gear for retraction functioning and the shock struts for condition and correct inflation,

- e) the wheels and tyres for creep, wear, correct inflation, condition of brakes, etc.,
- f) pressure cabin proof test,
- g) tests of safety equipment,
- h) swing of compass,
- i) condition and functioning of avionic systems and equipment,
- j) installation of required instruments and equipment necessary for the safe operation of the aeroplane in the anticipated operating conditions, including those instruments and equipment necessary to enable the crew to operate the aeroplane within its operating limitations,
- k) installation of required instruments and equipment comply to the standards of Flight Operations Requirements (FOR) of CAA Nepal ,
- l) markings and placards on instruments, equipment, controls, etc., have such limitations, or information as necessary for the direct attention of the flight crew during flight,
- m) markings and placards or instructions provided give essential information to the ground crew in order to preclude the possibility of mistakes in ground servicing (e.g. towing, refueling) which could jeopardize the safety of the aeroplane in subsequent flight,
- n) implementation of all applicable Airworthiness Directives and embodiment of other modifications to confirm that the aircraft confirms to the approved type design or to the approved modifications of that design.

10.4 On completion of the Survey Inspection, the Director General may require that aircraft to be test flown.
Civil Aviation Authority of Nepal.

Form B.2.1

Appendix - 1

CIVIL AVIATION AUTHORITY OF NEPAL

**APPLICATION FOR ISSUE/VALIDATION OF
A CERTIFICATE OF AIRWORTHINESS**

1. Name of the Owner :
2. Address of the Owner :
3. Nationality :
4. Name of the Operator :
5. Address of the Operator :
6. Nationality :
7. Manufacturer of the Aircraft :
8. Country and Year of Manufacture :
9. Aircraft Nationality and
Registration Mark :
10. Description of Aircraft :
 - (a) Aircraft Type/Model :
 - (b) Aircraft Serial Number :
 - (c) Land or Marine :

- (d) Type and Number of Engines :
- (e) Maximum Number of Persons
to be Carried Including Crew:

11. Empty Weight of Aircraft :
12. Maximum Take Off Weight :
13. Has a Certificate of Airworthiness in respect of the aircraft
been issued by the Airworthiness Authority of the country of
Manufacture ? : Yes No
If yes, the documents should be submitted with the
application.
14. Category of Aircraft :
Transport Category (Passenger) Aerial Work
Category
Transport Category (Cargo) Private
Category
I hereby declare that the above particulars are true in every
respect.

.....
Signature of the Applicant :
Date :

Place:

File No.		Serial No.
CIVIL AVIATION AUTHORITY OF NEPAL CERTIFICATE OF AIRWORTHINESS		
1. Nationality and Registration Marks	2. Manufacture and Manufacturer's Designation of aircraft	3. Aircraft Serial Number
4. Categories		
5. This Certificate of Airworthiness has been issued pursuant to the Convention on International Civil Aviation dated 7 December 1944, Nepalese Civil Airworthiness Requirements Chapter B.2 and the Rules made under the Civil Aviation Act 1999. This Certificate shall remain valid so long as the aircraft is maintained and operated in accordance with the relevant Rules and the pertinent operating limitations.		
..... Date of issue	 For Director General
RENEWAL & EXTENSIONS		
From	To	Signature

