



香港特別行政區政府

民航處

Civil Aviation Department

The Government of the Hong Kong Special Administrative Region

Application for Exemption under Article 7(1) of the Air Navigation (Hong Kong) Order (“AN(HK)O”) 1995 for Flying an Aircraft not Registered in Hong Kong and Without a Valid Certificate of Airworthiness (“C of A”)

IMPORTANT NOTES

1. Read in conjunction with the Aeronautical Information Circular (AIC) (<https://www.ais.gov.hk/>) related to flying an aircraft not registered in Hong Kong and without a valid Certificate of Airworthiness.
2. Ensure the requirements in section 8 “Notes for Attention” have been cleared or submitted to parties concerned.
3. Read the “Completion Instructions” in section 9 while filling this form.
4. An exemption will not normally be issued except in unforeseen or unavoidable circumstances. The CAD will review and process each application on its merit. Subject to CAD’s safety risk assessment, the grant of an exemption cannot be assumed. The aircraft operator should thus not commit to any intended flight by the aircraft without a valid certificate of airworthiness before attaining the required exemption.

1. Information of Applicant			
1.1. Operator			
1.2. Registered Owner			
1.3. Applicant	<input type="checkbox"/> Operator		<input type="checkbox"/> Registered Owner
1.4. Contact Person	Name	Phone	
	Job Title	E-mail	
1.5. First-time Applicant	<input type="checkbox"/> Yes		Date: (DD/MMM/YYYY)
	<input type="checkbox"/> No Previous Exemption Reference:		
2. Applicability / Description			
2.1. Aircraft Manufacturer / Type			
2.2. Aircraft Serial Number			
2.3. Aircraft Registration Mark			
2.4. State of Registry			
2.5. Certificate of Airworthiness	Ref. No.		Expiry date (if any) (DD/MMM/YYYY)
2.6. Noise Certificate Standard			
2.7. Insurance Coverage (Combined Single Limit) Please refer DCA 41 for detail	US\$		
	Aircraft Weight (kg)		
2.8. Tentative flying date	(DD/MMM/YYYY)		

3. Purpose of Exemption Application

Tick one applicable box under this section, provide reason or information at section 3.E.

<input type="checkbox"/> A.	<p>Flying into Hong Kong at which maintenance is to take place in supporting a C of A to be issued in Hong Kong.</p> <ul style="list-style-type: none"> state in Section <u>3.E.</u> the reason on why such maintenance cannot practically be completed outside of Hong Kong; and confirm the declaration in sections <u>4.A.</u> and <u>4.B.</u>
<input type="checkbox"/> B.	<p>Flying out of Hong Kong to a place at which a C of A can be issue after completing all the repair, modification, inspection or maintenance in Hong Kong.</p> <ul style="list-style-type: none"> state in Section <u>3.E.</u> the reason on why the C of A cannot be issued or revalidated while the aircraft is in Hong Kong; and confirm the declaration in sections <u>4.B.</u> and <u>4.C.</u>
<input type="checkbox"/> C.	<p>Flying out of Hong Kong to a place to carry out any repair, modification, inspection, maintenance, functional check, test or in-flight adjustment.</p> <ul style="list-style-type: none"> state in Section <u>3.E.</u> the reason on why such activities could not practically be performed or completed in Hong Kong; and confirm the declaration in sections <u>4.B.</u> and <u>4.D.</u>
<input type="checkbox"/> D.	<p>Flying into Hong Kong for an air show / demonstration to be conducted in Hong Kong, and subsequently flying out of Hong Kong after the event.</p> <ul style="list-style-type: none"> state in Section <u>3.E.</u> the information for organiser and authority support for the event; and confirm the declaration in Section <u>4.E.</u>
E.	<p>Reason/ Information:</p> <p>_____</p> <ul style="list-style-type: none"> All declared reason / information must be substantiated with evidence, e.g. support letter from responsible civil aviation authority and/or state of registry, etc.

4. Declarations for Exemption Application

Tick the applicable box(es) under this section, refer to the requirements as applicable in section 3.

<input type="checkbox"/> A.	The aircraft have had a valid C of A before such maintenance was overdue. The validity of C of A will be re-established after the maintenance has taken place in Hong Kong.
<input type="checkbox"/> B.	The aircraft, including any modifications, is of a design which has been approved or accepted by the Authority of the State of Registry as appropriate for the purpose of the flight. A Special Airworthiness Certificate ("SAC") or a Permit to Fly ("PtF") or equivalent certificate issued by the Authority is valid for the intended flight, while all the conditions / limitations of SAC or PtF or equivalent certificate have been fulfilled.
<input type="checkbox"/> C.	After completing all the repair, modification, inspection or maintenance in Hong Kong, a C of A is to be issued or revalidated at a place out of Hong Kong.
<input type="checkbox"/> D.	After carrying out a repair, modification, inspection, maintenance, functional check, test or in-flight adjustment that has to be performed outside Hong Kong, a C of A is to be issued or revalidated.
<input type="checkbox"/> E.	The aircraft is proceeding to and from Hong Kong under flight certificate issued by its Authority of the State of Registry with "experimental" category for an air show / demonstration to be conducted in Hong Kong.

5. Submission of Supporting Documents

Submit this application form together with the applicable attachments, annotate each attachment file with unique reference number. Application with incomplete submission of documents and/or attachments may be rejected.

No.	Documentation	Reference No. and revision status or issue date / Remark	Field No. Reference
<input type="checkbox"/> A.	Copy of valid Certificate of Registration		2.3 & 2.4
<input type="checkbox"/> B.	Copy of last valid Certificate of Airworthiness, meeting ICAO Annex 8 requirements		2.5
<input type="checkbox"/> C.	Copy of valid Special Airworthiness Certificate (SAC) or a Permit to Fly (PtF) or equivalent flight authorisation instrument issued by the Authority of State of Registry		N/A

<input type="checkbox"/> D.	Declaration of Post Maintenance Certification		N/A
<input type="checkbox"/> E.	Copy of valid Noise Certificate		2.6
<input type="checkbox"/> F.	Copy of valid Certificate of Insurance		2.7
<input type="checkbox"/> G.	Copy of CAD Form DCA 41 for Declaration of Compliance with Civil Aviation (Insurance) Order (Cap. 448F)		2.7
<input type="checkbox"/> H.	Demonstration of Compliance with all SAC or PtF conditions and limitations		N/A
<input type="checkbox"/> I.	Copy of the Flight Plan		N/A
<input type="checkbox"/> J.	Demonstration of Compliance with GEN 1.5 of Aeronautical Information Publication (AIP) HONG KONG		N/A
<input type="checkbox"/> K.	Covering Letter for the Application		N/A

6. Applicant's Declaration and Signature

- I declare that I am authorised by the company to sign this form and all information provided in this application form is correct and complete.
- I hereby certify that the particulars given in this form are true in every respect. I further declare that all documents submitted in support of this application are true in every respect.

Name		Signature:
Job Title		
Company		Date signed: <i>(DD/MMM/YYYY)</i>

7. Submission Method

- Duly completed application shall be submitted at least 14 days prior to the intended flight. Incomplete application and documentation would only prolong the processing time. The application and associated reference documents shall be submitted to the Flight Standards and Airworthiness Division (FSAD) of the CAD via email at awo@cad.gov.hk.
- Subject to case-by-case consideration, submission of additional substantiating information may be required. Incomplete or insufficient submission may delay the application process.

8. Notes for Attention

- The applicant should ensure consistent information to be submitted throughout all applications, including the related flight application submitted through the E-filing system (https://www.cad.gov.hk/english/efiling_home.html) to the Air Services and Safety Management Division (ASMD) of the CAD.
- The applicant may refer to GEN 1.2 of AIP HONG KONG (<https://www.ais.gov.hk/>) or CAD website (<https://www.cad.gov.hk/english/charter.html>) for details regarding procedures and documents required for a flight application.
- For the application of slots at Hong Kong International Airport (HKIA), the applicant may refer to the information available on the website of Hong Kong Schedule Coordination Office at http://www.hkgslot.gov.hk/Useful_Info.html or contact them at hkgslot@cad.gov.hk.
- A covering letter on the applicant's company letterhead with unique reference number shall always accompany the application form.
- Do not enter ambiguous information such as "to be determined" or "TBD" in any field. Application form with ambiguous information will be rejected.
- Complete all fields in a clear legible way. Enter 'N/A' for those fields that are not applicable to this application and justify with reason.
- The use of this form is required to enable CAD to process the application for exemption without undue delay. The individual fields of the approval form may be varied in size to allow entry of all required information.
- Conditions/ limitations may be imposed depending on the particular circumstances of the proposed operations.

9. Completion Instructions	
Field #	Remarks
1.1.	Provide the name of the operator, the name should be identical to all other related applications to the CAD (e.g. flight application as well as the name of insured on the certificate of insurance).
1.2.	Provide the name of the registered owner, this item should correspond with the information on the Certificate of Registration of the aircraft.
1.3.	The applicant shall designate a 'Contact Person' responsible for support of the application. CAD will only liaise with the designated 'Contact Person' throughout the project. If the applicant wishes to change their 'Contact Person' during the course of investigation, this form should be amended accordingly.
1.4.	Indicate if any previous exemption related to this application from the same operator was issued.
2.1. – 2.2.	Self-explanatory.
2.3.	Enter the aircraft registration number as shown on the Certificate of Registration.
2.4.	Self-explanatory.
2.5.	The copy of last valid Certification of Airworthiness, which shall meet the requirements of Annex 8 to the ICAO
2.6.	Self-explanatory.
2.7.	The applicant shall comply with the requirement stipulated in Civil Aviation (Insurance) Order (Cap. 448F) (https://www.elegislation.gov.hk/hk/cap448F). It is reminded to observe the insurance coverage requirement which varies according to the weight as stipulated in the Schedule of Cap. 448F. Provide aircraft maximum ramp or taxi weight, whichever is greater (if not applicable, maximum take-off weight or maximum weight, whichever is greater), as stipulated in its manufacturer's flight manual or operations manual.
2.8.	Enter the tentative date when the flying is intended to be conducted.
3.A – 4.E.	Self-explanatory.
5.	Tick the appropriate boxes, enter the reference number and revision status or issue date of the document, as applicable. All applicable document must be submitted to the CAD together with this application form. The file name of each file shall include the document number and abstract description of each file. For example: Document A – Certificate of Registration.pdf Document B – Certificate of Airworthiness.pdf
5.A. – 5.B.	Self-explanatory.
5.C.	Demonstrate compliance that the aircraft, including any modifications, is of a design which has been approved or accepted by the Authority of the State of Registry as appropriate for the purpose of the flight. A valid SAC or a PtF or equivalent certificate issued by the Authority and valid for the flight is readily acceptable.
5.D.	Demonstrate compliance that the aircraft is fit to fly. In the case of an aircraft flying for the purpose of carrying out a functional check, test or in-flight adjustment in connection with the carrying out of any repair, modification or maintenance, the contracted maintenance organisation approved by the Authority of the State of Registry to carry out the corresponding repair, modification or maintenance is able to issue certificates/authentications proving the aircraft is fit to fly.
5.E.	Demonstrate compliance that the aircraft noise standard complies with ICAO Annex 16 requirements. In case of a subsonic jet aircraft, the noise standard should meet ICAO Annex 16 Chapter 3 requirements or above. Provide the valid noise certificate or equivalent, e.g. the appropriate pages of the Aircraft Flight Manual (AFM) that contain the noise information required.
5.F.	Ensure proper insurance arrangement has been made (a copy of Certificate of Insurance for the aircraft should be included). Read in conjunction with instructions for 2.7.
5.G.	The applicant shall comply with the requirements stipulated in Civil Aviation (Insurance) Order (Cap. 448F) (https://www.elegislation.gov.hk/hk/cap448F). The applicant is reminded to observe the insurance coverage requirement which varies according to the weight as stipulated in the Schedule of Cap. 448F. Important: Form DCA 41 shall also be submitted to ASMD of the CAD via e-filing flight application system (https://www.cad.gov.hk/english/efiling_home.htm).
5.H.	Provide demonstration of compliance that all the conditions and limitations of SAC or PtF or equivalent certificate issued by the Authority of the State of Registry have been fulfilled.
5.I.	Provide a copy of the flight plan and/or test plan that has been established.
5.J.	All aircraft operating within Hong Kong RVSM airspace shall comply with the requirements as stipulated in Part 1 GEN 1.5 of AIP HONG KONG (https://www.ais.gov.hk/). The applicant shall also demonstrate compliance with the TCAS II Change 7.1 standard.
6.	This field shall be completed by the eligible applicant. In case of the application is made by a delegate of the eligible applicant, proper delegation document such as power of attorney or delegation letter by the eligible applicant shall be enclosed with the application.

Personal Data Collection Statement

1. Purposes of Collection

The personal data provided by means of this form, including all the supporting documents included in the application, will be used by Civil Aviation Department for the following purposes:

- a. Processing of your application in this form;
- b. Carrying out relevant provisions of the Civil Aviation Ordinance (Chapter 448) and its subsidiary Orders / Regulations;
- c. Assisting in the enforcement of any other Ordinances and Regulations by other Government Bureaux and Departments;
- d. For communication purposes between Civil Aviation Department and yourself;
- e. For validation and verification of authenticity of your supporting documents in association with the application;
- f. For statistics and research purposes on the condition that the resulting statistics or results will not be made available in a form which will identify the data subjects.

It is obligatory for you to supply the personal data as required in this form. If you fail to supply the required data, we may not be able to process your application.

2. Classes of Transferees

The personal data you provided by means of this form may be disclosed to:

- a. Other Government Bureaux and Departments for the purposes mentioned in paragraph 1 above;
- b. Other Contracting States of the International Civil Aviation Organisation and Civil Aviation Authorities for the purpose mentioned in paragraph 1 above;
- c. Other organisations or agencies for execution of their duties as required by Civil Aviation Department.

3. Access to Personal Data

You have a right of access and correction with respect to personal data as provided for in Sections 18 and 22 and Principle 6 of Schedule 1 of the Personal Data (Privacy) Ordinance. Your right of access includes the right to obtain a copy of your personal data provided by this form.

4. Enquiries

Enquiries concerning the personal data collected by means of this form, including the making of access and correction, should be addressed to:

Airworthiness Office
Flight Standards and Airworthiness Division
Civil Aviation Department Headquarters
1 Tung Fai Road
Hong Kong International Airport
Lantau, Hong Kong

(Attn.: Senior Airworthiness Officer (Standards))

Anti-bribery Reminder

Anyone, while having dealings of any kind with the Civil Aviation Department (CAD), should not offer advantage to the CAD officers, or else he may commit an offence under section 4(1) and/or section 8 of the Prevention of Bribery Ordinance (Chapter 201 of Laws of Hong Kong), and be liable to a maximum penalty of a fine of \$500,000 and imprisonment for 7 years.