

HONG KONG SPECIAL ADMINISTRATIVE REGION
PEOPLE'S REPUBLIC OF CHINA
AERONAUTICAL INFORMATION SERVICE

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AFS VHHHYOYX	CIVIL AVIATION DEPARTMENT	14 January 2021
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**FLYING AN AIRCRAFT NOT REGISTERED IN HONG KONG
WITHOUT A VALID CERTIFICATE OF AIRWORTHINESS**

1. AN(HK)O Article 7(1) stipulates that an aircraft shall not fly unless there is in force a certificate of airworthiness issued or rendered valid under the law of the country in which the aircraft is registered.
2. There are occasions in which an aircraft not registered in Hong Kong needs to fly into/out of Hong Kong or overfly Hong Kong territorial airspace for a purpose set out in paragraph (3) when either –
 - (a) it does not have a certificate of airworthiness issued or rendered valid under the law of the country in which the aircraft is registered;
 - (b) the certificate of airworthiness issued or rendered valid in respect of the aircraft has ceased to be in force; or
 - (c) the certificate of airworthiness does not meet ICAO Annex 8 requirements.
3. The purposes referred to in paragraph (2) may include:
 - (a) proceeding to a place at which a certificate of airworthiness is to be issued;
 - (b) proceeding to a place at which any maintenance is to take place;
 - (c) carrying out a functional check, test or in-flight adjustment in connection with the carrying out of any repair, modification or maintenance; or
 - (d) proceeding to a place at which the aircraft is to be stored or tested, or for demonstration.
4. The Operator needs to apply to CAD in writing for an Exemption to AN(HK)O Article 7(1). The application shall be sent, **fourteen** (14) days prior to the intended flight, to the attention of Chief, Airworthiness Standards:

By Post: Civil Aviation Department
Flight Standards and Airworthiness Division
4/F, Office Building
Civil Aviation Department Headquarters
1 Tung Fai Road
Hong Kong International Airport
Lantau, Hong Kong

or By Email: awo@cad.gov.hk

5. The Operator shall inform CAD the aircraft particulars, when the flying is to be conducted and submit appropriate documentations to demonstrate that:
 - (a) 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 or a Permit to Fly or equivalent certificate issued by the Authority and valid for the flight is readily acceptable;
 - (b) the aircraft is fit to fly. In the case of an aircraft flying for the purpose per paragraph (3)(c), the maintenance organisation contracted to carry out the corresponding repair, modification or maintenance is able to issue certificates/authentications as stated in paragraph (7)(c);
 - (c) 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;
 - (d) proper insurance arrangement has been made (a copy of Certificate of Insurance for the aircraft should be included);
 - (e) document(s) which demonstrates that the conditions of Special Airworthiness Certificate (SAC) or Permit to Fly (Ptf) or equivalent certificate issued by the Authority of the State of Registry have been fulfilled; and
 - (f) a copy of the flight plan and/or test plan that has been established.

6. When any supplemental information is required by CAD, the Operator should submit the information in a timely manner.

7. CAD will review the application and may grant an Exemption from AN(HK)O Article 7(1) for the flight with appropriate conditions which may include:
 - (a) The SAC or PtF or equivalent certificate issued by the Authority of the State of Registry remains valid and the associated Operating Limitations shall be strictly adhered to.
 - (b) The aircraft shall not be flown for the purpose of public transport.
 - (c) A certificate or an authentication proving the aircraft fit to fly shall be issued by the contracted maintenance organisation approved by the Authority of the State of Registry.
 - (d) The aircraft shall not be flown over any assembly of persons or over any congested area of a city, town or settlement except while it is landing or taking off in accordance with normal aviation practice.
 - (e) The operator shall comply with all the appropriate regulations and procedures contained in the Aeronautical Information Publication Hong Kong.

8. **AIC 26/20 is hereby superseded.**