

A stylized paper airplane icon in shades of blue and grey is positioned above a dashed grey line that forms a curved flight path across the upper middle of the page.

CIVIL AVIATION DIRECTIVE – 8304

CERTIFICATE OF AIRWORTHINESS FOR EXPORT

CIVIL AVIATION AUTHORITY OF MALAYSIA

ISSUE 01
REVISION 00 – 1ST AUGUST 2021

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Introduction

In exercise of the powers conferred by Section 24O of the Civil Aviation Act 1969 [Act 3], the Chief Executive Officer makes this Civil Aviation Directive (CAD) 8304 – Certificate of Airworthiness for Export, pursuant to Regulation 28, 189 and 193 of the Malaysia Civil Aviation Regulation (MCAR) 2016.

This CAD provides the requirement pertaining to the Certificate of Airworthiness for Export for an aircraft.

This Civil Aviation Directive 8304 – Certificate of Airworthiness for Export is published by the Chief Executive Officer under Section 24O of the Civil Aviation Act 1969 [Act 3] and comes into operation on 1st August 2021.

Non-compliance with this CAD

Any person who contravenes any provision in this CAD commits an offence and shall on conviction be liable to the punishments under Section 24O of the Civil Aviation Act 1969 [Act 3] and/or under Malaysia Civil Aviation Regulation 2016.



(Captain Chester Voo Chee Soon)
Chief Executive Officer
Civil Aviation Authority of Malaysia

Civil Aviation Directive components and Editorial practices

This Civil Aviation Directive is made up of the following components and are defined as follows:

Standards: Usually preceded by words such as “*shall*” or “*must*”, are any specification for physical characteristics, configuration, performance, personnel or procedure, where uniform application is necessary for the safety or regularity of air navigation and to which Operators must conform. In the event of impossibility of compliance, notification to the CAAM is compulsory.

Recommended Practices: Usually preceded by the words such as “*should*” or “*may*”, are any specification for physical characteristics, configuration, performance, personnel or procedure, where the uniform application is desirable in the interest of safety, regularity or efficiency of air navigation, and to which Operators will endeavour to conform.

Appendices: Material grouped separately for convenience but forms part of the Standards and Recommended Practices stipulated by the CAAM.

Definitions: Terms used in the Standards and Recommended Practices which are not self-explanatory in that they do not have accepted dictionary meanings. A definition does not have an independent status but is an essential part of each Standard and Recommended Practice in which the term is used, since a change in the meaning of the term would affect the specification.

Tables and Figures: These add to or illustrate a Standard or Recommended Practice and which are referred to therein, form part of the associated Standard or Recommended Practice and have the same status.

Notes: Included in the text, where appropriate, Notes give factual information or references bearing on the Standards or Recommended Practices in question but not constituting part of the Standards or Recommended Practices;

Attachments: Material supplementary to the Standards and Recommended Practices or included as a guide to their application.

It is to be noted that some Standards in this Civil Aviation Directive incorporates, by reference, other specifications having the status of Recommended Practices. In such cases, the text of the Recommended Practice becomes part of the Standard.

The units of measurement used in this document are in accordance with the International System of Units (SI) as specified in CAD 5. Where CAD 5 permits the use of non-SI alternative units, these are shown in parentheses following the basic units. Where two sets of units are quoted it must not be assumed that the pairs of values are equal and interchangeable. It may, however, be inferred that an equivalent level of safety is achieved when either set of units is used exclusively.

Any reference to a portion of this document, which is identified by a number and/or title, includes all subdivisions of that portion.

Throughout this Civil Aviation Directive, the use of the male gender should be understood to include male and female persons.



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1 General

1.1 Citation

1.1.1 These Directives are the Civil Aviation Directive 8304 – Certificate of Airworthiness for Export, Issue 01/Revision 00, and comes into operation on 1st August 2021.

1.1.2 This CAD 8304 – Certificate of Airworthiness for Export, Issue 01/Revision 00 will remain current until withdrawn or superseded.

1.2 Applicability

1.2.1 This CAD 8304 is applicable to an aircraft having a valid certificate of airworthiness or new aircraft as defined in Chapter 2 para 2.2.3 of this CAD.

1.2.2 This CAD 8304 shall be applicable to:

a) registered owner of an aircraft; or

1.2.3 an operator of an aircraft; or

b) an organisation approved to manage continuing airworthiness; or

c) an aircraft manufacturer.

1.2.4 A certificate of airworthiness for export is an optional certificate to facilitate the transfer of aircraft onto the register of another State.

1.2.5 While not valid for the purpose of flight, a certificate of airworthiness for export provides confirmation of a recent satisfactory review of the airworthiness status of the aircraft.

1.3 Revocation

1.3.1 This CAD 8304 revokes Airworthiness Notice 8304 Issue 1, dated 22nd October 2018.

1.4 Definitions

1.4.1 In this CAD, unless the context otherwise requires—

aircraft means any machine that can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the earth's surface;

CAMO means approved continuing airworthiness management organisation which holds a valid certificate of approval granted under regulation 31(1)(a) of the MCAR;

certificate of airworthiness means a certificate issued under regulation 26 of the MCAR;

certificate of airworthiness for export means a certificate issued under regulation 28 of the MCAR;

Contracting State means any State which is a party to the Chicago Convention;

MCAR means Civil Aviation Regulations 2016;

operator means a person, organisation or enterprise engaged in or offering to engage in an aircraft operation;

State of Manufacture means any Contracting State having jurisdiction over the organisation responsible for the final assembly of the aircraft; and

State of Registry means the State on whose register an aircraft is entered.

2 Application for Certificate of Export

2.1 Malaysia as the State of Manufacture

2.1.1 This paragraph applies to an aircraft manufactured in Malaysia and is going to be exported onto the register of another State.

2.1.2 CAAM may issue a certificate of airworthiness for export if CAAM is satisfied that the applicant has fulfilled the following requirements:

- a) submission of an acceptable application form CAAM/AW/8304-01 to CAAM and accompanied by the prescribed fee; and
- b) submission of a Statement of Conformity issued by the holder of Certificate of Approval issued under regulation 21 of MCAR for that specific aircraft.

2.1.3 For the purpose of this category, CAAM has the right to inspect the aircraft and aircraft records for the purpose of surveillance at any material times.

2.2 Malaysia as the State of Registry

2.2.1 This paragraph applies to an aircraft registered in Malaysia and is going to be exported onto the register of another State.

2.2.2 For purposes of issuance of the certificate of airworthiness for export, an aircraft may be classified as either a new aircraft or a used aircraft.

2.2.3 An aircraft may be classified as a **NEW** aircraft if:

- a) the State of Manufacture has issued a certificate of airworthiness for export or equivalent document for the aircraft;
- b) the aircraft has flown only for any or a combination of the following purposes:
 - 1) testing the aircraft;
 - 2) demonstrating the aircraft with a view to the sale of that aircraft;

- 3) proceeding to or from a place at which the aircraft is to be demonstrated;
or
 - 4) delivering the aircraft to a person who has agreed to buy or lease the aircraft.
- c) from its date of manufacture to the date of application for certificate of airworthiness for export, the aircraft has been under the sole ownership of the manufacturer;
- d) unless otherwise agreed by CAAM, the aircraft has not accumulated flight cycle or flying hours that requires its first maintenance inspection as required in a manufacturer maintenance programme. For the avoidance of doubt, daily inspection and servicing shall not be considered as the first maintenance inspection;
- e) the aircraft is maintained in accordance with the manufacturer maintenance manual; and
- f) the aircraft is managed by a CAMO. When the applicant is not a CAMO itself, the applicant shall establish a written contract with such CAMO.

2.2.4 An aircraft may be classified as a **USED** aircraft if the aircraft has a valid certificate of airworthiness.

2.2.5 For the purpose of application of Certificate of Airworthiness for Export, the applicant has to fulfil the following requirements:

- a) submission of an acceptable application form CAAM/AW/8304-01 to CAAM and accompanied by the prescribed fee;
- b) application is submitted at least 14 days prior to the date of the intended export of the aircraft;
- c) submission of a satisfactory Airworthiness Review Report in accordance with Chapter 9 of CAD 6802; and
- d) make available the aircraft and aircraft records for inspection at the agreed date, time and place which must be before the date of intended export of the aircraft.

2.2.6 The applicant shall provide the necessary personnel and equipment to facilitate the inspection by CAAM.

2.2.7 For the purpose of this category, CAAM may issue a Certificate of Airworthiness for Export provided the applicant has fulfilled the requirements stated in this CAD.

2.2.8 The Certificate of Airworthiness for Export only attest to the airworthiness of an aircraft and does not authorised operation of the aircraft.



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