CARS for Commercial Pilot License

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Introduction

All relevant sections from the CARS identified in TP 12881E as being relevant for the CPAER exam are included. Sections flagged in the document as important are preceded by the notation '✈'.

Sections are separated by the notation '---'.

This document is not fancy but it is complete as of 2006.03.31.

101.01 (1) In these Regulations:

"Act" - means the Aeronautics Act; (Loi)

"advanced ultra-light aeroplane" - means an aeroplane that has a type design that is in compliance with the standards specified in the manual entitled Design Standards for Advanced Ultra-light Aeroplanes; (avion ultra-léger de type évolué)

"aerial work" - means a commercial air service other than an air transport service or a flight training service; (travail aérien)

"aerial work zone" - means an area, delineated in an aerial work zone plan, in which aerial work is being conducted and that is over a built-up area of a city or town or over or adjacent to an area where persons may assemble; (zone de travail aérien)

"aerial work zone plan" - means a risk management plan for proposed aerial work; (plan de zone de travail aérien)

"aerobatic manoeuvre" - means a manoeuvre where a change in the attitude of an aircraft results in a bank angle greater than 60 degrees, an abnormal attitude or an abnormal acceleration not incidental to normal flying; (acrobatie aérienne)

"aerodrome traffic" - means all traffic on the movement area of an aerodrome and all aircraft operating at or in the vicinity of the aerodrome; (circulation d'aérodrome)

"aeroplane" - means a power-driven heavier-than-air aircraft that derives its lift in flight from aerodynamic reactions on surfaces that remain fixed during flight; (avion)

"AGL" - means above ground level; (AGL)

"air operator" - means the holder of an air operator certificate; (exploitant aérien)

"air operator certificate" - means a certificate issued under Part VII that authorizes the holder of the certificate to operate a commercial air service; (certificat d'exploitation aérienne)

"air route" - means the airspace within the boundaries or along the tracks specified in the Designated Airspace Handbook; (route aérienne)

"air show" - means an aerial display or demonstration before an invited assembly of persons by one or more aircraft; (spectacle aérien)

"air time" - means, with respect to keeping technical records, the time from the moment an aircraft leaves the surface until it comes into contact with the surface at the next point of landing; (temps dans les airs)

"air traffic advisory services" - means the provision by an air traffic control unit or flight service station of aeronautical safety information, including

aviation weather information and serviceability reports in respect of aerodromes and radio navigation aids, but does not include the provision of IFR air traffic control messages; (services consultatifs de la circulation aérienne)

"air traffic control clearance" - means an authorization issued by an air traffic control unit that authorizes an aircraft to proceed within controlled airspace in accordance with the conditions specified by that unit; (autorisation du contrôle de la circulation aérienne)

"air traffic control instruction" - means a directive issued by an air traffic control unit for air traffic control purposes; (instructions du contrôle de la circulation aérienne)

"air transport service" - means a commercial air service that is operated for the purpose of transporting persons, personal belongings, baggage, goods or cargo in an aircraft between two points; (service de transport aérien)

"aircraft flight manual" - means a manual, requirements for which may be established by the Minister in Part V, that contains information in respect of an aircraft; (manuel de vol de l'aéronef)

"airport" - means an aerodrome in respect of which an airport certificate issued under Subpart 2 of Part III is in force; (aéroport)

"airship" - means a power-driven, lighter-than-air aircraft; (dirigeable)

"airway" - means the airspace within the boundaries or along the tracks specified in the Designated Airspace Handbook and within which air traffic control service is provided;
(voie aérienne)

"airworthiness directive" - means an instruction issued by the Minister or by a civil aviation authority responsible for an aeronautical product type design that mandates a maintenance or operation action to ensure that an aeronautical product conforms to its type design and is in a condition for safe operation; (consigne de navigabilité)

"airworthiness limitation" - means a limitation applicable to an aeronautical product, in the form of a life limit or a maintenance task that is mandatory as a condition of the type certificate; (limite de navigabilité)

"airworthy" - in respect of an aeronautical product, means in a fit and safe state for flight and in conformity with its type design; (en état de navigabilité)

"all-engines-operating take-off distance" - means the distance from the start of the take-off roll to the point at which the aeroplane reaches the height above the runway elevation specified in the certification basis of the aeroplane; (distance de décollage avec tous les moteurs opérants)

"all-engines-operating take-off run" - means the distance from the start of the take-off roll to the point midway between the lift-off point and the point at which the aeroplane reaches the height above the runway elevation specified in the certification basis of the aeroplane; (roulement au décollage avec tous les moteurs opérants)

"alternate aerodrome" - means an aerodrome to which a flight may proceed when landing at the intended aerodrome of destination becomes inadvisable; (aérodrome de dégagement)

"altimeter setting region" - means the low level airspace so specified, and delineated, in the Designated Airspace Handbook; (région de calage altimétrique)

"appliance" - means any instrument, mechanism, equipment, apparatus or accessory that is

(a) used, or intended to be used, in operating or controlling an aircraft in flight,

(b) installed in or attached to, or intended to be installed in or attached to, the aircraft, and

(c) not part of the airframe, engine or propeller of that aircraft; (appareillage)

"appropriate frequency" - means

(a) the radio frequency specified by an air traffic control unit or flight service station for use by the pilot-in-command of an aircraft,

(b) the mandatory frequency for use at or in the vicinity of an aerodrome for which a mandatory frequency has been specified, or

(c) in any case not described in paragraph (a) or (b), the frequency specified for an aerodrome or an airspace in the Canada Air Pilot or the Canada Flight Supplement; (fréquence appropriée)

"apron" - means a part of an aerodrome, other than the manoeuvring area, that is intended to be used for the loading and unloading of passengers and cargo, the refuelling, servicing, maintenance and parking of aircraft and the movement of aircraft, vehicles and persons engaged in services necessary for those purposes; (aire de trafic)

"APU" or "auxiliary power unit" - means any power unit that delivers rotating shaft power or compressed air, or both, and that is not intended for direct propulsion of an aircraft; (APU ou groupe auxiliaire de bord)

"Arctic Control Area" - means the controlled airspace within the Northern Domestic Airspace, so specified, and delineated in the Designated Airspace Handbook; (région de contrôle de l'Arctique)

"ASDA" or "accelerate-stop distance available" - means, in respect of a runway, the length of the take-off run available plus the length of the stopway, where a stopway is provided; (ASDA ou distance accélération-arrêt utilisable)

"ASL" - means above sea level; (ASL)

"ATC unit" or "air traffic control unit" - means

(a) an area control centre established to provide air traffic control service to IFR aircraft,

(b) a terminal control unit established to provide air traffic control service to IFR aircraft while they are being operated within a terminal control area, or

(c) an air traffic control tower established to provide air traffic control service at an aerodrome; (unité ATC ou unité de contrôle de la circulation aérienne)

"ATS" or "air traffic services" - includes air traffic control services and advisory services; (ATS ou services de la circulation aérienne)

"AWOS" or "automated weather observation system" - means a set of meteorological sensors, and associated systems designed to electronically collect and disseminate meteorological data; (AWOS ou système automatisé d'observations météorologiques)

"balloon" - means a non-power-driven lighter-than-air aircraft; (ballon)

"balloon operator" - means the holder of a special flight operations certificate - balloons issued under section 603.18; (exploitant de ballons)

"basic ultra-light aeroplane" means an aeroplane having no more than two seats, designed and manufactured to have
(amended 2003/06/01; no previous version)

(a) a maximum take-off weight not exceeding 544 kg, and

(b) a stall speed in the landing configuration (Vso) of 39 knots (45 mph) indicated airspeed, or less, at the maximum take-off weight; (avion ultra-léger de base)

"Canada Air Pilot" - means an aeronautical information publication that contains information on instrument procedures and that is published under the authority of the Minister; (Canada Air Pilot)

"Canada Flight Supplement" - means an aeronautical information publication published under the authority of the Minister of Transport and the Minister of National Defence that is intended to be used to supplement enroute charts and the Canada Air Pilot; (Supplément de vol-Canada)

"Canadian" - has the same meaning as in Section 55 of the Canada Transportation Act; (Canadien)

"Canadian Domestic Airspace" means the airspace specified, and delineated as such, in the Designated Airspace Handbook (espace aérien intérieur canadien)

"CAT II minima" - , in respect of an aerodrome, means the minima specified in the Canada Air Pilot for a CAT II precision approach to a runway at that aerodrome; (minimums CAT II)

"CAT III minima" - in respect of an aerodrome, means the minima specified in the Canada Air Pilot for a CAT III precision approach to a runway at that aerodrome; (minimums CAT III)

"category" - means

(a) when used in reference to flight crew licensing, the classification of aircraft as an aeroplane, a balloon, a glider, a gyroplane, a helicopter or an ultra-light aeroplane, and

(b) when used in reference to the certification of aircraft, a grouping of aircraft based upon intended use or operating limitations such as normal, utility, aerobatic, commuter and transport; (catégorie)

"child restraint system" - means any device, other than a safety-belt, that is designed to restrain, seat or position a person and that complies with the applicable standards of airworthiness set out in Chapter 537 of the Airworthiness Manual; (ensemble de retenue d'enfant)

"class" - in relation to the classification of aeroplanes, means aeroplanes having similar operating characteristics to single-engined aeroplanes, multi-engined aeroplanes, centre-line thrust aeroplanes, land aeroplanes or sea aeroplanes; (classe)

"Commercial Air Service Standards" - means the standards published under the authority of the Minister that apply in respect of commercial air services operated by air operators; (Normes de service aérien commercial)

"commercial part", in respect of an aircraft, means a part
(amended 2002/03/01; no previous version)

(a) that is not specifically designed or produced for use as an aeroanutical product,

(b) that is made to a specification or catalogue description and marked under an identification scheme of the maker, and

(c) whose failure does not adversely affect the continued safe flight and take-off and landing of the aircraft; (pièce commerciale)

"company operations manual" - means a manual established by an air operator pursuant to Part VII; (manuel d'exploitation de la compagnie)

"contracting state" - means a state that is a party to the Convention; (État contractant)

"control area" - means the controlled airspace that is specified as the Northern Control Area or the Southern Control Area in the Designated Airspace Handbook and that extends upwards vertically from a specified altitude or a specified pressure-altitude; (région de contrôle)

"control zone" - means the controlled airspace that is so specified in the Designated Airspace Handbook and that extends upwards vertically from the surface of the earth up to and including 3,000 feet AGL, unless otherwise specified in that Handbook; (zone de contrôle)

"controlled aerodrome" - means an aerodrome at which an air traffic control unit is in operation; (aérodrome contrôlé)

"controlled airspace" - means an airspace of fixed dimensions that is so specified in the Designated Airspace Handbook and within which air traffic control service is provided; (espace aérien contrôlé)

"Convention" - means the Convention on International Civil Aviation signed on behalf of Canada at Chicago on December 7, 1944, as amended from time to time; (Convention)

"crew member" - means a person assigned to duty in an aircraft during flight time; (membre d'équipage)

"critical engine" - means the engine the failure of which would most adversely affect the performance or handling qualities of an aircraft; (moteur le plus défavorable)

"danger area" - means an airspace of fixed dimensions that is so specified in the Designated Airspace Handbook, within which activities dangerous to the flight of aircraft could take place at the times specified in the Handbook; (zone dangereuse)

"dangerous goods" - means dangerous goods as defined in Section 2 of the Transportation of Dangerous Goods Act, 1992; (marchandises dangereuses)

"day" or "daylight" - means the time between the beginning of morning civil twilight and the end of evening civil twilight; (jour)
(amended 2003/06/01; previous version)

"decision height" - means a height specified in the Canada Air Pilot or the route and approach inventory at which a missed approach procedure shall be initiated during a precision approach if the required visual reference necessary to continue the approach to land has not been established; (hauteur de décision)

"Designated Airspace Handbook" - means the manual that contains information in respect of the designation of airspace and that is published under the authority of the Minister; (Manuel des espaces aériens désignés)

"elementary work" - means those tasks that are listed as elementary work in the Aircraft Equipment and Maintenance Standards; (travaux élémentaires)

"ELT" means an emergency locator transmitter; (ELT)
(amended 2002/09/24; no previous version)

"empty weight" - in respect of an aircraft, means the total weight of the following parts or contents that are part of, or carried on board, the aircraft, namely,

(a) the airframe, including the rotor in the case of a helicopter or gyroplane,

(b) the power plant,

(c) the fixed ballast,

(d) the unusable fuel,

(e) the maximum amount of normal operating fluids, including oil, power plant coolant, hydraulic fluid, de-icing fluid and anti-icing fluid but not including potable water, lavatory pre-charge fluid or fluid intended for injection into the engines, and

(f) all of the installed equipment; (masse à vide)

"ESCAT plan" or "Emergency Security control of Air Traffic Plan" means the measures to be implemented by Her Majesty in right of Canada in accordance with the North American Aerospace Defence Command (NORAD) Agreement in the case of an air defence emergency; (plan ESCAT ou Plan relatif au contrôle d'urgence de la circulation aérienne aux fins de la sécurité nationale)
(amended 2002/09/24; no previous version)

"Federal Aviation Regulations" - means the Federal Aviation Regulations published by the Government of the United States, as amended from time to time; (Federal Aviation Regulations)

"FL" or "flight level" - means the altitude expressed in hundreds of feet, indicated on an altimeter set to 29.92 inches of mercury or 1 013.2 millibars; (FL ou niveau de vol)

"flight attendant" - means a crew member, other than a flight crew member, who has been assigned duties to be performed in the interest of the passengers in a passenger-carrying aircraft; (agent de bord)

"flight authority" - means a certificate of airworthiness, special certificate of airworthiness, flight permit or validation of a foreign document attesting to an aircraft's fitness for flight, issued under Subpart 7 of Part V, or a foreign certificate of airworthiness that meets the requirements of Article 31 of the Convention; (autorité de vol)

"flight crew member" - means a crew member assigned to act as pilot or flight engineer of an aircraft during flight time; (membre d'équipage de conduite)

"flight crew member on call" - means a flight crew member who has been designated by an air operator to be available to report for flight duty on notice of one hour or less; (membre d'équipage de conduite en disponibilité)

"flight crew member on standby" - means a flight crew member who has been designated by an air operator or private operator to remain at a specified location in order to be available to report for flight duty on notice of one hour or less; (membre d'équipage de conduite en attente)

"flight deck duty time" - means the period spent by a flight crew member at a flight crew member position in an aeroplane during flight time; (temps de service au poste de pilotage)

"flight duty time" - means the period that starts when a flight crew member reports for a flight, or reports as a flight crew member on standby, and finishes at "engines off" or "rotors stopped" at the end of the final flight, except in the case of a flight conducted under Subpart 4 or 5 of Part VII, in which case the period finishes 15 minutes after "engines off" or "rotors stopped" at the end of the final flight, and includes the time required to complete any duties assigned by the air operator or private operator or delegated by the Minister prior to the reporting time and includes the time required to complete aircraft maintenance engineer duties prior to or following a flight; (temps de service de vol)

"flight information services" means

(a) the dissemination of aviation weather information and aeronautical information for departure, destination and alternate aerodromes along a proposed route of flight,

(b) the dissemination of aviation weather information and aeronautical information to aircraft in flight,

(c) the acceptance, processing and activation of flight plans and flight itineraries and amendments to and cancellations of flight plans and flight itineraries,

(d) the exchange of flight plan information with domestic or foreign governments or agencies or foreign air traffic services units, and

(e) the dissemination of information concerning known ground and air traffic; (services d'information de vol)
(amended 2002/09/24; no previous version)

"flight inspection" - means the operation of an aircraft for the purpose of

(a) calibrating air navigation aids,

(b) monitoring or evaluating the performance of air navigation aids, or

(c) obstacle assessment; (inspection en vol)

"flight itinerary" - means the information required to be filed in the form of a flight itinerary pursuant to Division III of Subpart 2 of Part VI; (itinéraire de vol)

"flight plan" - means the information that is required to be filed in the form of a flight plan pursuant to Division III of Subpart 2 of Part VI; (plan de vol)

"flight service station" - means a ground station established to provide air traffic advisory services, flight information services and emergency assistance services for the safe movement of aircraft; (station d'information de vol)

"flight time" - means the time from the moment an aircraft first moves under its own power for the purpose of taking off until the moment it comes to rest at the end of the flight; (temps de vol)

"flight training" - means a training program of ground instruction and airborne training that is conducted in accordance with the flight instructor guide and flight training manual applicable to the aircraft used; (entraînement en vol)

"flight training service" - means a commercial air service that is operated for the purpose of conducting flight training; (service d'entraînement en vol)

"flight training unit" - means

(a) in the case of an aeroplane or helicopter, the holder of a flight training unit operator certificate, or

(b) in the case of a glider, balloon, gyroplane or ultra-light aeroplane, a club, school or other organization that conducts flight training; (unité de formation au pilotage)

"flight training unit operator certificate" - means a certificate issued under Subpart 6 of Part IV that authorizes the holder of the certificate to operate a

flight training service; (certificat d'exploitation d'unité de formation au pilotage)

"flight visibility" - means the visibility forward from the cockpit of an aircraft in flight; (visibilité en vol)

"glider" - means a non-power-driven heavier-than-air aircraft that derives its lift in flight from aerodynamic reactions on surfaces that remain fixed during flight; (planeur)

"ground station" - means a location on the ground equipped with radio transmitting and receiving equipment capable of two-way voice communications with an aircraft; (station au sol)

"ground visibility" - in respect of an aerodrome, means the visibility at that aerodrome as contained in a weather observation reported by

(a) an air traffic control unit,

(b) a flight service station,

(c) a community aerodrome radio station,

(d) n AWOS used by the Department of Transport, the Department of National Defence or the Atmospheric Environment Service for the purpose of making aviation weather observations, or

(e) a radio station that is ground-based and operated by an air operator; (visibilité au sol)

"gyroplane" - means a heavier-than-air aircraft that derives its lift in flight from aerodynamic reactions on one or more non-power-driven rotors on substantially vertical axes; (autogire)

"hang glider" - means a glider that is designed to carry not more than two persons and has a launch weight of 45 kg (99.2 pounds) or less; (aile libre)

"heading" - means the direction in which the longitudinal axis of an aircraft is pointed, usually expressed in true, magnetic or grid degrees from North; (cap)

"heavier-than-air aircraft" - means an aircraft supported in the atmosphere by lift derived from aerodynamic forces; (aérodyne)

"helicopter" - means a power-driven heavier-than-air aircraft that derives its lift in flight from aerodynamic reactions on one or more power-driven rotors on substantially vertical axes; (hélicoptère)

"helicopter Class A external load" - means an external load that cannot move freely, cannot be jettisoned and does not extend below the landing gear; (charge externe de classe A pour hélicoptère)

"helicopter Class B external load" - means an external load that can be jettisoned and that is not in contact with land, water or any other surface; (charge externe de classe B pour hélicoptère)

"helicopter Class C external load" - means an external load that can be jettisoned and that remains in contact with land, water or any other surface; (charge externe de classe C pour hélicoptère)

"helicopter Class D external load" - means an external load with a person carried externally or any external load, other than a Class A, B or C external load; (charge externe de classe D pour hélicoptère)

"heliport" - means an aerodrome used or intended to be used for the arrival, landing, take-off or departure of aircraft capable of vertical take-off and landing; (héliport)

"high level airspace" - means airspace at or above 18,000 feet ASL that is within Canadian Domestic Airspace; (espace aérien supérieur)

"high seas" - means any body of water, or frozen surface thereof, that is not within the territorial waters of any state; (haute mer)

"IFR" - means instrument flight rules; (IFR)

"IFR air traffic control message" - means a message that contains an air traffic control clearance or instruction, a position report or procedure related to the conduct of an IFR flight; (message IFR du contrôle de la circulation aérienne)

"IFR aircraft" - means an aircraft operating in IFR flight; (aéronef IFR)

"IFR flight" - means a flight conducted in accordance with the instrument flight rules; (vol IFR)

"IMC" or "instrument meteorological conditions" - means meteorological conditions less than the minima specified in Division VI of Subpart 2 of Part VI for visual meteorological conditions, expressed in terms of visibility and distance from cloud; (IMC ou conditions météorologiques de vol aux instruments)

"infant" - means a person under two years of age; (enfant en bas âge)

"instrument approach" - means the orderly positioning of an IFR aircraft from the enroute phase to a position and altitude from which a landing may be completed or a missed approach procedure may be initiated; (approche aux instruments)

"instrument approach procedure" - means, in respect of an aircraft on an instrument approach to a runway or aerodrome, a procedure for an instrument approach determined by the pilot-in-command of the aircraft on the basis of the information specified in the Canada Air Pilot for an IFR approach to that runway or aerodrome or, where no such information is specified in the Canada Air Pilot, the information specified in

(a) the air operator certificate or the private operator certificate, or

(b) the route and approach inventory, where the aircraft is operated pursuant to Part VII or Subpart IV of Part VI; (procédure d'approche aux instruments)

"land aircraft" - means an aircraft that is not capable of normal operations on water; (aéronef terrestre)

"landing" - means

(a) in respect of an aircraft other than an airship, the act of coming into contact with a supporting surface, and includes the acts immediately preceding and following the coming into contact with that surface, and

(b) in respect of an airship, the act of bringing the airship under restraint, and includes the acts immediately preceding and following the bringing of the airship under restraint; (atterrissage)

"large aeroplane" - means an aeroplane with an MCTOW of more than 5 700 kg (12,566 pounds); (gros avion)

"launch weight" - means the total weight of a hang glider or an ultra-light aeroplane when it is ready for flight, including any equipment, instruments, fuel or oil, but not including

(a) the weight of the occupants,

(b) the weight of any float equipment to a maximum of 34 kg (74.93 pounds), or

(c) the weight of any ballistic parachute installation; (poids au départ)

"LDA" or "landing distance available" - means the length of a runway at an aerodrome that the aerodrome operator declares available and suitable for the ground run of an aeroplane that is landing; (LDA ou distance d'atterrissage utilisable)

"life-limited part" - means a part that, as a condition of the type certificate, may not exceed a specified time, or number of operating cycles, in service; (pièce à vie limitée)

"light turbulence" - means turbulence that momentarily causes slight, erratic changes in altitude or attitude or turbulence that causes slight, rapid and somewhat rhythmic bumpiness without appreciable changes in altitude or attitude; (turbulence légère)

"lighter-than-air aircraft" - means an aircraft supported in the atmosphere by its buoyancy; (aérostat)

"limited supplemental type certificate" means a supplemental type certificate that is applicable only to the aeronautical products that are specified in the certificate by serial number or by some other identification unique to those products and includes a limited supplemental type approval issued before October 10, 1996 under section 214 of the Air Regulations; (certificat de type supplémentaire restreint)
(amended 1998/12/01; previous version)

"low level airspace" - means airspace below 18,000 feet ASL that is within Canadian Domestic Airspace; (espace aérien inférieur)

"maintenance" means the overhaul, repair, required inspection or modification of an aeronautical product, or the removal of a component from or its installation on an aeronautical product, but does not include
(amended 2003/06/01; previous version)

(a) elementary work,

(b) servicing; or

(c) any work performed on an aircraft by the manufacturer prior to the issuance of the first certificate of airworthiness or the export airworthiness certificate; (maintenance)

"maintenance release" - means a certification made following the maintenance of an aeronautical product, indicating that the maintenance was performed in accordance with the applicable provisions of these Regulations and the standards of airworthiness; (certification après maintenance)

"maintenance schedule" - means a schedule required pursuant to Section 605.86 for the performance of the inspections and other maintenance required by these Regulations; (calendrier de maintenance)

"major modification" - means an alteration to the type design of an aeronautical product in respect of which a type certificate has been issued that has other than a negligible effect on the weight and centre-of-gravity limits, structural strength, performance, power plant operation, flight characteristics or other qualities affecting its airworthiness or environmental characteristics; (modification majeure)

"major repair" - means a repair to an aeronautical product in respect of which a type certificate has been issued, that causes the aeronautical product to deviate from the type design defined by the type certificate, where the deviation from the type design has other than a negligible effect on the weight and centre-of-gravity limits, structural strength, performance, power plant operation, flight characteristics or other qualities affecting the aeronautical product's airworthiness or environmental characteristics; (réparation majeure)

"mandatory frequency" - means a VHF frequency specified in the Canada Air Pilot or the Canada Flight Supplement for the use of radio-equipped aircraft operating within an MF area; (fréquence obligatoire)

"manoeuvring area" - means that part of an aerodrome, other than an apron, that is intended to be used for the take-off and landing of aircraft and for the movement of aircraft associated with take-off and landing; (aire de manoeuvre)

"Manual of All Weather Operations (Categories II and III)" - means the manual that contains information in respect of the operation of aircraft in various weather conditions and that is published under the authority of the Minister; (Manuel d'exploitation tous temps (catégories II et III))

"manufacture" - means the making, assembly and fabrication, other than the fabrication of parts as part of a repair, of aeronautical products, and includes, in the case of newly manufactured aircraft, any work performed on an aircraft prior to the issuance of the first certificate of airworthiness or export certificate of airworthiness by the manufacturer; (construction)

"manufacturer" - means the holder of a type certificate for an aeronautical product or, where no type certificate has been issued by the Minister, the maker of the aeronautical product; (constructeur)

"manufacturer certificate" - means a certificate issued under Part V that authorizes the holder of the certificate to manufacture an approved aeronautical product; (certificat de constructeur)

"maximum permissible take-off weight" - means the maximum take-off weight for an aircraft as authorized by the state of registry of the aircraft or as provided for in the aircraft type certificate; (masse maximale admissible au décollage)

"MCTOW" or "maximum certificated take-off weight" - means the weight identified as such in the type certificate of an aircraft; (MMHD ou masse maximale homologuée au décollage)

"MEL" or "minimum equipment list" - means a document approved by the Minister pursuant to subsection 605.07(3) that authorizes an operator to operate an aircraft with aircraft equipment that is inoperative under the conditions specified therein, and may specify certain equipment that must be operative; (MEL ou liste d'équipement minimal)

"MF area" - means an area of specific dimensions that consists of the surface area and airspace in the vicinity of an uncontrolled aerodrome and

(a) to which a mandatory frequency has been assigned,

(b) in respect of which the reporting procedures specified in Division V of Subpart 2 of Part VI are applicable, and

(c) that is identified as an MF area in the Canada Air Pilot or the Canada Flight Supplement; (zone MF)

"minimum descent altitude" - means the altitude ASL specified in the Canada Air Pilot or the route and approach inventory for a non-precision approach, below which descent shall not be made until the required visual reference to continue the approach to land has been established; (altitude minimale de descente)

"minimum enroute altitude" - means the lowest altitude ASL that is specified in the Designated Airspace Handbook for a designated area or between fixes on airways or air routes, that assures acceptable navigational signal coverage and that meets the obstruction clearance criteria; (altitude minimale en route)

"minimum rest period" - means a period during which a flight crew member is free from all duties, is not interrupted by the air operator or private operator, and is provided with an opportunity to obtain not less than eight consecutive hours of sleep in suitable accommodation, time to travel to and from that accommodation and time for personal hygiene and meals; (période de repos minimale)

"Minister" - means the Minister of Transport; (ministre)

"missed approach procedure" - means the procedure to be followed if, for any reason after conducting an instrument approach, a landing is not effected; (procédure d'approche interrompue)

"MMEL" or "master minimum equipment list" - means a document established by the Minister pursuant to 605.07(1) that lists the aircraft equipment that is allowed to be inoperative for a particular type of aircraft under the conditions specified therein; (MMEL ou liste principale d'équipement minimal)

"MOCA" or "minimum obstruction clearance altitude" - means the altitude ASL that will ensure that an IFR aircraft will be clear of the highest obstacle within an airway or air route; (MOCA ou altitude minimale de franchissement d'obstacles)

"model aircraft" - means an aircraft, the total weight of which does not exceed 35 kg (77.2 pounds), that is mechanically driven or launched into flight for recreational purposes and that is not designed to carry persons or other living creatures; (modèle réduit d'aéronef)

"model rocket" - means a rocket

(a) equipped with model rocket engines that will not generate a total impulse exceeding 80 newton-seconds,

(b) of a gross weight, including engines, not exceeding 500 g (1.1 pounds), and

(c) equipped with a parachute or other device capable of retarding its descent; (modèle réduit de fusée)

"movement area" - means a part of an aerodrome that is intended to be used for the surface movement of aircraft, and includes the manoeuvring area and aprons; (aire de mouvement)

"night" - means the time between the end of evening civil twilight and the beginning of morning civil twilight; (nuit)
(amended 2003/06/01; previous version)

"non-piloted aircraft"
[Repealed 2003/12/01; previous version]

"non-precision approach" - means an instrument approach by an aircraft using azimuth information; (approche de non-précision)

"Northern Domestic Airspace" - means the airspace so specified, and delineated, in the Designated Airspace Handbook; (espace aérien intérieur du Nord)

"NOTAM" - means a notice to airmen concerning the establishment or condition of, or change in, any aeronautical facility, service or procedure, or any hazard affecting aviation safety, the knowledge of which is essential to personnel engaged in flight operations; (NOTAM)

"one-engine-inoperative take-off distance" - means the distance from the start of the take-off roll to the point at which the aeroplane reaches 35 feet above the runway elevation, where failure of the critical engine is recognized at V1; (distance de décollage avec un moteur inopérant)

"one-engine-inoperative take-off run" - means the distance from the start of the take-off roll to the point midway between the lift-off point and the point at which the aeroplane reaches 35 feet above the runway elevation, where failure of the critical engine is recognized at V1; (roulement au décollage avec un moteur inopérant)

"operator" - in respect of an aircraft, means the person that has possession of the aircraft as owner, lessee or otherwise; (utilisateur)

"operator" - in respect of an airport, means the holder of an airport certificate issued under Subpart 2 of Part III, or the person in charge of the airport, whether as employee, agent or representative of the holder of the certificate; (exploitant)

"ornithopter" means a heavier-than-air aircraft supported in flight chiefly by the reactions of the air on planes to which a flapping motion is imparted; (ornithoptère)
(amended 2000/12/01; no previous version)

"overhaul" - means a restoration process that includes the disassembly, inspection, repair or replacement of parts, reassembly, adjustment, refinishing and testing of an aeronautical product, and ensures that the aeronautical product is in complete conformity with the service tolerances specified in the applicable instructions for continued airworthiness; (révision majeure)

"owner" - in respect of an aircraft, means the person who has legal custody and control of the aircraft; (propriétaire)

"passenger" - means a person, other than a crew member, who is carried on board an aircraft; (passager)

"permanent resident" - means a permanent resident as defined in subsection 2(1) of the Immigration Act; (résident permanent)

"personal flotation device" - means a personal flotation device that meets the standards set out in the Canadian General Standards Board Standard 65-GP-11, entitled Standard for Personal Flotation Devices, published in October 1972; (vêtement de flottaison individuel)

"powered glider" - means an aeroplane that, with engines inoperative, has the flight characteristics of a glider; (planeur propulsé)

"powered parachute aircraft" means a power-driven heavier-than-air aircraft that derives its lift in flight from aerodynamic reactions on surfaces of a flexible parachute-type aerofoil; (aéronef pour parachute entraîné par moteur)
(amended 2003/12/01; no previous version)

"precision approach" - means an instrument approach by an aircraft using azimuth and glide path information; (approche de précision)

"primary structure" - means a structure that carries flight, ground or pressure loads; (structure primaire)

"private aircraft" - means an aircraft that is registered as a private aircraft pursuant to sections 202.16 and 202.17; (aéronef privé)

"private operator" - means the holder of a private operator certificate; (exploitant privé)

"private operator certificate" - means a certificate issued under Subpart IV of Part VI that authorizes the holder of the certificate to operate a Canadian aircraft for the purpose of transporting passengers; (certificat d'exploitation privée)

"protective breathing equipment" - means equipment designed to cover the eyes, nose and mouth of the wearer, or the nose and mouth where accessory equipment is provided to protect the eyes, and to protect the wearer from the effects of smoke, carbon dioxide or other harmful gases; (inhalateur protecteur)

"quick-donning mask" - means an oxygen mask that can be secured by a person using one hand on the person's face within five seconds, and that provides an immediate supply of oxygen; (masque à mise rapide)

"registered aerodrome" - means an aerodrome registered by the Minister pursuant to Subpart 1 of Part III; (aérodrome enregistré)

"repair" - means the rectification of deficiencies in an aeronautical product or the restoration of an aeronautical product to an airworthy condition; (réparation)

"repair design certificate" - means a document issued by the Minister to record the approval of a repair design for an aeronautical product, identified in the document by a serial number or by some other identification unique to the aeronautical product, and that references the documents and data defining the repair design and the limitations and conditions applicable to the aeronautical product as a result of the design change, and includes a repair design approval issued, before the coming into force of these Regulations, pursuant to Section 214 of the Air Regulations; (certificat de conception de réparation)

"required inspection" - means an inspection of an aeronautical product that is required by a maintenance schedule, an airworthiness limitation or an airworthiness directive, except where the airworthiness directive specifies that the inspection may be performed by a flight crew member; (inspection obligatoire)

"required take-off distance" - means the one-engine-inoperative take-off distance or 115 per cent of the all-engines-operating take-off distance, whichever is greater; (distance de décollage exigée)

"required take-off run" - means the one-engine-inoperative take-off run or 115 per cent of the all-engines-operating take-off run, whichever is greater; (roulement au décollage exigé)

"required visual reference" - in respect of an aircraft on an approach to a runway, means that portion of the approach area of the runway or those visual aids that, when viewed by the pilot of the aircraft, enable the pilot to make an assessment of the aircraft position and rate of change of position, in order to continue the approach and complete a landing; (référence visuelle requise)

"restricted airspace" - means airspace of fixed dimensions that is so specified in the Designated Airspace Handbook and within which the flight of aircraft is restricted in accordance with certain conditions specified in that Handbook; (espace aérien réglementé)

"rocket" - means a projectile that contains its own propellant and that depends for its flight on a reaction set up by the release of a continuous jet of rapidly expanding gases; (fusée)

"RVR" or "runway visual range" - means the range over which the pilot of an aircraft on the centre line of a runway can expect to see the runway surface markings or the lights delineating the runway or identifying that centre line; (RVR ou portée visuelle de piste)

"RVR A" - in respect of a runway, means RVR detection equipment that is located adjacent to the runway threshold; (RVR « A »)

"RVR B" - in respect of a runway, means RVR detection equipment that is located adjacent to the runway mid-point; (RVR « B »)

"safety belt" - means a personal restraint system consisting of either a lap strap or a lap strap combined with a shoulder harness; (ceinture de sécurité)

"safety management system" means a documented process for managing risks that integrates operations and technical systems with the management of financial and human resources to ensure aviation safety or the safety of the public; (système de gestion de la sécurité)
(amended 2005/05/31; no previous version)

"safety pilot" - means a pilot who acts as a lookout for another pilot operating an aircraft in simulated instrument flight; (pilote de sécurité)
(amended 2002/09/24; previous version)

"scheduled maintenance" - means any maintenance performed at predetermined intervals pursuant to these Regulations, a maintenance schedule or an airworthiness directive; (maintenance planifiée)

"serviceable" - in respect of an aircraft or aircraft part, means fit and safe for flight; (en état de service)

"servicing" - in respect of an aeronautical product, means cleaning, lubricating and the replenishment of fluids not requiring the disassembly of the product; (entretien courant)

"shoulder harness" - means any device that is used to restrain the upper torso of a person and that consists of a single diagonal upper torso strap or dual upper torso straps; (ceinture-baudrier)

"sightseeing operation" - means aerial work in the course of which passengers are disembarked at the point of departure; (excursion aérienne)

"small aircraft" - means an aeroplane having a maximum permissible take-off weight of 5 700 kg (12,566 pounds) or less, or a helicopter having a maximum permissible take-off weight of 2 730 kg (6,018 pounds) or less; (petit aéronef)

"Southern Domestic Airspace" - means that airspace so specified, and delineated, in the Designated Airspace Handbook; (espace aérien intérieur du Sud)

"special aviation event" - means an air show, a low level air race, an aerobatic competition, a fly-in or a balloon festival; (manifestation aéronautique spéciale)

"special VFR flight" - means a VFR flight authorized by an air traffic control unit that is conducted within a control zone under VMC in accordance with Division VI of Subpart 2 of Part VI; (vol VFR spécial)

"specialty air services" - means aerial mapping, aerial surveying, aerial photography, forest fire management, fire fighting, aerial advertising, glider towing, parachute jumping, aerial construction, heli-logging, aerial sightseeing, flight training, aerial inspection and surveillance and aerial spraying services; (services aériens spécialisés)

"standard of airworthiness" - in respect of the design, manufacture or maintenance of an aeronautical product, means the description, in terms of a

minimum standard, of the properties and attributes of the configuration, material and performance or physical characteristics of that aeronautical product, and includes the procedures to ascertain compliance with or to maintain that minimum standard, as specified in Part V; (norme de navigabilité)

"standard part", in respect of an aircraft, means a part manufactured in conformity with a specification that
(amended 2002/03/01; no previous version)

(a) is established, published and maintained by an organization setting consensus standards or by a government agency, and

(b) includes design, manufacturing, test and acceptance criteria and identification requirements; (pièce standard)

"standard pressure region" - means all of the Canadian Domestic Airspace not within the altimeter setting region; (région d'utilisation de la pression standard)

"station" - means a facility used for providing aeronautical information or services; (station)

"stopway" - means a rectangular area on the ground at the end of a runway in the direction of take-off and having the same width as the runway, prepared as a suitable area for stopping an aeroplane in the case of a rejected take-off; (prolongement d'arrêt)

"suitable accommodation" - means a single-occupancy bedroom that is subject to a minimal level of noise, is well ventilated and has facilities to control the levels of temperature and light or, where such a bedroom is not available, an accommodation that is suitable for the site and season, is subject to a minimal level of noise and provides adequate comfort and protection from the elements; (local approprié)

"supplemental type certificate" means a document that is issued by the Minister to record the approval of a change to the type design of an aeronautical product and that references the documents and data defining the change and the limitations and conditions applicable as a result of the change and includes a supplemental type approval issued before October 10, 1996 under section 214 of the Air Regulations; (certificat de type supplémentaire)
(amended 1998/12/01; previous version)

"surface" - means any ground or water, including the frozen surface thereof; (surface)

"take-off" - means

(a) in respect of an aircraft other than an airship, the act of leaving a supporting surface, and includes the take-off run and the acts immediately preceding and following the leaving of that surface, and

(b) in respect of an airship, the act of freeing the airship from restraint, and includes the acts immediately preceding and following the freeing of that airship from restraint; (décollage)

"terminal control area" - means an airspace of fixed dimensions that is so specified in the Designated Airspace Handbook and within which an air traffic control service for IFR flights is provided; (région de contrôle terminal)

"TODA" or "take-off distance available" - means the total of the take-off run available and, where a clearway is provided, the length of clearway declared available by the operator of the aerodrome; (TODA ou distance de décollage utilisable)

"TORA" or "take-off run available" - means the length of a runway declared available and suitable by the operator of the aerodrome for the ground run of an aeroplane during take-off; (TORA ou distance de roulement utilisable au décollage)

"track" - means the projection on the earth's surface of the path of an aircraft, the direction of which path at any point is usually expressed in true, magnetic or grid degrees from North; (route)

"transport category aircraft" - means an aeroplane certified pursuant to Chapter 525 of the Airworthiness Manual or an equivalent foreign airworthiness standard, or a helicopter certified pursuant to Chapter 529 of the Airworthiness Manual or an equivalent foreign airworthiness standard; (aéronef de catégorie transport)

"true Mach number" - means the ratio of the true air speed of an aircraft to the local speed of sound at the flight altitude; (nombre de Mach vrai)

"type" - means

(a) when used in reference to personnel licensing, a specific make and model of aircraft, including modifications thereto that do not change its handling or flight charateristics, and

(b) when used in reference to the certification of aircraft, a classification of aircraft having similar design characteristics; (type)

"type certificate" means a document issued by

(a) the Minister certifying that the type design of an aircraft, aircraft engine, aircraft propeller or aircraft appliance meets the applicable standards for that aeronautical product, as recorded in the type certificate data sheets, and includes a type approval issued before October 10, 1996 under section 214 of the Air Regulations, or

(b) the foreign airworthiness authority having jurisdiction over the type design of an aeronautical product that is equivalent to a document referred to in paragraph (a) and has been accepted by the Minister for the purpose of issuing a certificate of airworthiness; (certificat de type)
(amended 1998/12/01; previous version)

"type design" - means

(a) the drawings and specifications, and a listing of those drawings and specifications that are necessary to define the design features of an aeronautical product in compliance with the standards applicable to the aeronautical product,

(b) the information on dimensions, materials and manufacturing processes that is necessary to define the structural strength of an aeronautical product,

(c) the approved Sections of the aircraft flight manual, where required by the applicable standards of airworthiness,

(d) the airworthiness limitations Section of the instructions for continued airworthiness specified in the applicable chapters of the Airworthiness Manual; and

(e) any other data necessary to allow, by comparison, the determination of the airworthiness and, where applicable, the environmental characteristics of later aeronautical products of the same type or model; (définition de type)

"UHF" - means ultra-high frequency; (UHF)

"ultra-light aeroplane" - means an advanced ultra-light aeroplane or a basic ultra-light aeroplane; (avion ultra-léger)
(amended 2003/06/01; previous version)

"unforeseen operational circumstance" means an event, such as unforecast adverse weather, or an equipment malfunction or air traffic control delay, that is beyond the control of an air operator or private operator; (circonstance opérationnelle imprévue)

"unmanned air vehicle" means a power-driven aircraft, other than a model aircraft, that is designed to fly without a human operator on board; (véhicule aérien non habité)
(amended 2003/12/01; no previous version)

"UTC" - means Coordinated Universal Time; (UTC)

"vessel" - means any ship, boat or other floating structure, other than an aircraft, used for navigation on water; (navire)

"VFR" - means visual flight rules; (VFR)

"VFR aircraft" - means an aircraft operating in VFR flight; (aéronef VFR)

"VFR flight" - means a flight conducted in accordance with the visual flight rules; (vol VFR)

"VFR OTT" - means VFR over-the-top; (VFR OTT)

"VHF" - means very high frequency; (VHF)

"VMC" or "visual meteorological conditions" - means meteorological conditions equal to or greater than the minima specified in Division VI of Subpart 2 of Part VI, expressed in terms of visibility and distance from cloud. (VMC ou conditions météorologiques de vol à vue)

(2) Unless otherwise indicated in these Regulations, any reference to a classification, standard, procedure or other specification that is incorporated by reference is a reference to that classification, standard, procedure or specification as amended from time to time.

DIVISION II - COMPLIANCE

Inspection of Aircraft, Requests for Production of Documents and Prohibitions

103.02 (1) The owner or operator of an aircraft shall, on reasonable notice given by the Minister, make the aircraft available for inspection in accordance with the notice.

(2) Every person who

(a) is the holder of a Canadian aviation document,

(b) is the owner, operator or pilot-in-command of an aircraft in respect of which a Canadian aviation document, technical record or other document is kept, or

(c) has in possession a Canadian aviation document, technical record or other document relating to an aircraft or a commercial air service

shall produce the Canadian aviation document, technical record or other document for inspection in accordance with the terms of a demand made by a peace officer, an immigration officer or the Minister.

(3) No person shall

(a) lend a Canadian aviation document to any person who is not entitled to it by these Regulations, or allow any such person to use a Canadian aviation document; or

(b) mutilate, alter or render illegible a Canadian aviation document.

(4) For the purposes of this Section, "other document" includes all writings, papers and other records made, held or maintained by the owner, operator or pilot-in-command of an aircraft for the purpose of recording any action, activity, performance or use of the aircraft or any activity of the owner, operator or crew members in respect of that aircraft, whether or not the documents are required by law to be made, held or maintained.

Return of Canadian Aviation Documents

103.03 Where a Canadian aviation document has been suspended or cancelled, the person to whom it was issued shall return it to the Minister immediately after the effective date of the suspension or cancellation.

Record Keeping

103.04 Recording systems, including computer records and microfiche, that do not comprise entries on paper may be used to comply with the record-keeping requirements of these Regulations if

(a) measures are taken to ensure that the records contained in the recording systems are protected, by electronic or other means, against inadvertent loss or destruction and against tampering; and

(b) a copy of the records contained in the recording systems can be printed on paper and provided to the Minister on reasonable notice given by the Minister.

Requirements for Marks on Aircraft

202.01 (1) Subject to subsection (2), no person shall operate an aircraft in Canada unless its marks are visible and are displayed

(a) in the case of a Canadian aircraft, in accordance with the requirements of the Aircraft Marking and Registration Standards; and

(b) in the case of an aircraft registered in a foreign state, in accordance with the laws of that foreign state.

(2) On receipt of an application in writing, the Minister shall issue a written authorisation permitting the operation in Canada of an aircraft that does not display its marks if the aircraft is to be operated for the purpose of an exhibition, air show, motion picture production or television production.

(3) The Minister may specify conditions in the authorisation governing the operation of an aircraft referred to in subsection (2) as are necessary for its safe and proper operation.

(4) No person shall operate an aircraft pursuant to an authorisation issued under subsection (2) unless the authorisation is on board and the aircraft is operated in accordance with any conditions specified therein.

Carrying Certificate of Registration on Board the Aircraft

202.26 No person shall operate an aircraft in Canada, other than an aircraft referred to in subsection 202.43(1), or a Canadian aircraft outside Canada unless the certificate of registration issued in respect of the aircraft is carried on board the aircraft.

General

202.35 (1) Subject to Subpart 3, where the registered owner of a Canadian aircraft transfers any part of the legal custody and control of the aircraft, the certificate of registration of the aircraft is cancelled.

(2) Where the registered owner of a Canadian aircraft transfers any part of the legal custody and control of the aircraft, the registered owner shall, by not later than seven days after the transfer, notify the Minister of the transfer in writing.

(3) For the purposes of this Division, an owner has legal custody and control of a Canadian aircraft when the owner has complete responsibility for the operation and maintenance of the aircraft.

Interpretation

300.01 In this Part,

"aerodrome standards and recommended practices publications" - means the following documents, namely,

(a) Procedures for the Certification of Aerodromes as Airports,

(b) Aerodrome Standards and Recommended Practices, and

(c) Heliport and Helideck Standards and Recommended Practices; (publications sur les normes et pratiques recommandées pour les aérodromes)

"aeronautical information publications" - means the following documents, namely,

(a) Canada Air Pilot,

(b) Canada Flight Supplement,

(c) Water Aerodrome Supplement, and

(d) A.I.P. Canada; (publications d'information aéronautique)

"aircraft emergency" means a situation that could result in damage to an aircraft at an airport or aerodrome or injury to the persons on board the aircraft; (aéronef en état d'urgence)
(amended 2002/06/10; no previous version)

"airport certificate" - means a certificate issued pursuant to Section 302.03; (certificat d'aéroport)

"airport operations manual" - means the manual referred to in Section 302.08 and includes any amendments to the manual that are approved pursuant to subsection 302.03(2); (manuel d'exploitation d'aéroport)

[Repealed]
(amended 2003/03/01; previous version)

"closed marking" - means a cross-shaped marking that

(a) has the form and, subject to subsection 301.04(4), the dimensions set out in Schedule I to Subpart 1, and

(b) subject to subsection 301.04(8), is in a single contrasting colour, white on runways and yellow on taxiways, that is visible from an aircraft flying at an altitude of 300 m (1,000 feet) above the marking; (marque de zone fermée)

"fixed" - in respect of a light, means having a constant luminous intensity when the light is observed from a fixed point; (fixe)

"marker" - means an object displayed above ground level for the purpose of indicating an obstacle or obstruction or delineating a boundary; (balise)

"marking" - means a symbol or group of symbols displayed on the surface of a movement area for the purpose of conveying aeronautical information; (marque)

"movement", in respect of an aircraft, means a take-off or landing at an airport or aerodrome; (mouvement)
(amended 2002/06/10; no previous version)

"obstacle limitation surface" - means a surface that establishes the limit to which objects may project into the airspace associated with an aerodrome, in order that aircraft operations for which the aerodrome is intended may be conducted safely, and includes a transitional surface, a take-off surface, an approach surface and an outer surface; (surface de limitation d'obstacles)

"operator" - means the person in charge of an aerodrome, and includes an employee, agent or other authorized representative of that person; (exploitant)

"public way" - means any road, path or sidewalk maintained for the use of members of the public; (voie publique)

"Water Aerodrome Supplement" means a publication concerning water aerodromes that is intended to be used to supplement enroute charts and the Canada Air Pilot. (Supplément hydroaérodromes)

Application

301.01 This Subpart applies in respect of all aerodromes except airports and military aerodromes.

Markers and Markings

301.04 (1) When an aerodrome is closed permanently, the operator of the aerodrome shall remove all of the markers and markings installed at the aerodrome.

(2) The operator of an aerodrome, other than a water aerodrome, shall install red flags or red cones along the boundary of an unserviceable movement area.

(3) Subsections (4) to (8) do not apply in respect of any manoeuvring area or part thereof that is closed for 24 hours or less.

(4) Where a runway or part of a runway is closed, the operator of the aerodrome shall place closed markings, as set out in Schedule I to this Subpart, on the runway as follows:

(a) where the runway is greater than 1 220 m (4,000 feet) in length, a closed marking shall be located at each end of the closed runway or part thereof and additional closed markings shall be located on the closed runway or part thereof at intervals not exceeding 300 m (1,000 feet);

(b) where the runway is greater than 450 m (1,500 feet) but not greater than 1 220 m (4,000 feet) in length, a closed marking of not less than one-half the

dimensions set out in that Schedule shall be located at each end of the closed runway or part thereof and an additional closed marking of the same dimensions shall be located on the closed runway or part thereof at a point equidistant from the two markings; or

(c) where the runway is 450 m (1,500 feet) or less in length, a closed marking of not less than one-half the dimensions set out in that Schedule shall be located at each end of the closed runway or part thereof.

(5) Where a taxiway or part of a taxiway is closed, the operator of the aerodrome shall place on each end of the closed taxiway, or part thereof, a closed marking with the dimensions set out in Schedule I to this Subpart.

(6) Where a helicopter take-off and landing area at an aerodrome is closed, the operator of the aerodrome shall

(a) place a closed marking over the letter "H", where the letter "H" identifies the helicopter take-off and landing area, or, where no letter identifies the helicopter take-off and landing area, over the centre of the area; or

(b) comply with subsection (4), where the helicopter take-off and landing area is a runway.

(7) Where a manoeuvring area or part thereof is closed permanently, the operator of the aerodrome shall

(a) obliterate all of the markings that indicate that the manoeuvring area or part thereof is open; and

(b) subject to subsection (8), paint on the manoeuvring area or part thereof the markings required pursuant to subsections (4) to (6).

(8) Where the surface of a manoeuvring area or part thereof is snow-covered or otherwise unsuitable for painting or where the closure is not permanent, closed markings may be applied by means of a conspicuously coloured dye or may be constructed from a suitable conspicuously coloured material or product.

Lighting

301.07 (1) Subject to subsection (2), where a runway is used at night, the operator of the aerodrome shall indicate each side of the runway along its length with a line of fixed white lights that is visible in all directions from an aircraft in flight at a distance of not less than two nautical miles.

(2) Where it is not practical to provide at an aerodrome the fixed white lights referred to in subsection (1) for reasons such as the lack of an available electrical power source or insufficient air traffic, the operator of the aerodrome may, if a fixed white light is displayed at each end of the runway to indicate runway alignment, use white retro-reflective markers that are capable of reflecting aircraft lights and that are visible at a distance of not less than two nautical miles from an aircraft in flight that is aligned with the centre line of the runway.

(3) The lines of lights or retro-reflective markers required by subsection (1) or (2) shall be arranged so that

(a) the lines of lights or markers are parallel and of equal length and the transverse distance between the lines is equal to the runway width in use during the day;

(b) the distance between adjacent lights or markers in each line is the same and is not more than 60 m (200 feet);

(c) each line of lights or markers is not less than 420 m (1,377 feet) in length and contains no fewer than eight lights or markers; and

(d) each light or marker in a line of lights or markers is situated opposite to a light or marker in the line of lights or markers on the other side of the runway, so that a line connecting them forms a right angle to the centre line of the runway.

(4) Fixed white lights displayed at each end of a runway pursuant to subsection (2) shall be placed so that they are not likely to cause a hazard that could endanger persons or property.

(5) Where a taxiway is used at night, the operator of the aerodrome shall indicate each side of the taxiway with a line of fixed blue lights or blue retro-reflective markers placed so that the two lines of lights or markers are parallel and the distance between adjacent lights or markers in each line is not more than 60 m (200 feet).

(6) Where a manoeuvring area or part thereof or a heliport is closed, the operator of the aerodrome shall not operate the lights or keep the retro-reflective markers thereon, except as required for maintenance of the lights and markers.

(7) Where an aerodrome is used at night, the operator of the aerodrome shall indicate an unserviceable portion of the movement area with fixed red lights, red retro-reflective markers or floodlighting.

(8) Where an aircraft parking area at an aerodrome is used at night, the operator of the aerodrome shall indicate the boundary of the area with fixed blue lights or blue retro-reflective markers, placed at intervals not exceeding 60 m (200 feet), or with floodlighting.

(9) Subject to subsection (10), where a heliport is used at night for the take-off or landing of helicopters, the operator of the heliport shall illuminate the entire take-off and landing area with floodlights or

(a) where the take-off and landing area is rectangular, shall indicate the boundary with no fewer than eight fixed yellow lights, including one light at each corner, placed so that adjacent lights are not more than 13 m (42.5 feet) apart; or

(b) where the take-off and landing area is circular, shall indicate the boundary with no fewer than five fixed yellow lights placed so that adjacent lights are not more than 13 m (42.5 feet) apart.

(10) Where it is not practical to provide at a heliport the fixed yellow lights referred to in subsection (9) for reasons such as lack of an available electrical power source or insufficient air traffic, the operator of the heliport may use yellow retro-reflective markers that are capable of reflecting

aircraft lights and that are visible at a distance of not less than two nautical miles from an aircraft in flight that is aligned with the approach path, if

(a) a light source is provided to show the location of the heliport; or

(b) where there is only one path for approach and departure, two lights are used to show the approach orientation.

(11) Where the lighting required by subsections (1), (2), (5) and (7) to (10) is operated by a radio-controlled system capable of activation from an aircraft, the system shall meet the requirements set out in Schedule II to this Subpart.

(12) The operator of an aerodrome may display flare pots to provide temporary lighting for the landing or take-off of aircraft.

Prohibitions

301.08 No person shall

(a) walk, stand, drive a vehicle, park a vehicle or aircraft or cause an obstruction on the movement area of an aerodrome, except in accordance with permission given

(i) by the operator of the aerodrome, and

(ii) where applicable, by the appropriate air traffic control unit or flight service station;

(b) tow an aircraft on an active movement area at night unless the aircraft displays operating wingtip, tail and anti-collision lights or is illuminated by lights mounted on the towing vehicle and directed at the aircraft;

(c) park or otherwise leave an aircraft on an active manoeuvring area at night unless the aircraft displays operating wingtip, tail and anti-collision lights or is illuminated by lanterns suspended from the wingtips, tail and nose of the aircraft;

(d) operate any vessel, or cause any obstruction, on the surface of any part of a water area of an aerodrome that is to be kept clear of obstructions in the interest of aviation safety, when ordered, by signal or otherwise, to leave or not to approach that area by the appropriate air traffic control unit or flight service station or by the operator of the aerodrome;

(e) knowingly remove, deface, extinguish or interfere with a marker, marking, light or signal that is used at an aerodrome for the purpose of air navigation, except in accordance with permission given

(i) by the operator of the aerodrome, and

(ii) where applicable, by the appropriate air traffic control unit or flight service station;

(f) at a place other than an aerodrome, knowingly display a marker, marking, light or signal that is likely to cause a person to believe that the place is an aerodrome;

(g) knowingly display at or in the vicinity of an aerodrome a marker, marking, sign, light or signal that is likely to be hazardous to aviation safety by causing glare or by causing confusion with or preventing clear visual perception of a marker, marking, sign, light or signal that is required under this Subpart;

(h) allow a bird or other animal that is owned by the person or that is in the person's custody or control to be unrestrained within the boundaries of an aerodrome except for the purpose of controlling other birds or animals at the aerodrome as permitted by the operator; or

(i) discharge a firearm within or into an aerodrome without the permission of the operator of the aerodrome.

Fire Prevention

301.09 (1) Subject to subsection 301.07(12) and subsections (2) and (3), no person shall, while at an aerodrome, smoke or display an open flame

(a) on an apron;

(b) on an aircraft loading bridge or on a gallery or balcony that is contiguous to or that overhangs an apron; or

(c) in an area where smoking or the presence of an open flame is likely to create a fire hazard that could endanger persons or property.

(2) The operator of an aerodrome may, in writing, authorize maintenance or servicing operations on an apron that involve the use, production or potential development of an open flame or that involve the production or potential development of a spark where the operations are conducted in a manner that is not likely to create a fire hazard that could endanger persons or property.

(3) The operator of an aerodrome may permit smoking in an enclosed building or shelter located on an apron where such smoking is not likely to create a fire hazard that could endanger persons or property.
Attachments:

* Schedule I - Closed Markings
* Schedule II - Intensity Settings for Lighting Systems Activated by Radio Control from Aircraft

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Prohibitions

302.10 No person shall

(a) operate an aerodrome referred to in subsection 302.01(1) unless an airport certificate is issued in respect of that aerodrome;

(b) knowingly use an airport in a manner contrary to a condition set out in the airport certificate;

(c) walk, stand, drive a vehicle, park a vehicle or aircraft or cause an obstruction on the movement area of an airport, except in accordance with permission given

(i) by the operator of the airport, and

(ii) where applicable, by the appropriate air traffic control unit or flight service station;

(d) operate any vessel, or cause any obstruction, on the surface of any part of a water area of an airport that is to be kept clear of obstructions in the interest of aviation safety, when ordered, by signal or otherwise, to leave or not to approach that area by the appropriate air traffic control unit or flight service station or by the operator of the airport;

(e) tow an aircraft on an active movement area at night unless the aircraft displays operating wingtip, tail and anti-collision lights or is illuminated by lights mounted on the towing vehicle and directed at the aircraft being towed;

(f) park or otherwise leave an aircraft on an active manoeuvring area at night unless the aircraft displays operating wingtip, tail and anti-collision lights or is illuminated by lanterns suspended from the wingtips, tail and nose of the aircraft;

(g) at an airport, knowingly remove, deface, extinguish or interfere with a marker, marking, light or signal that is used for the purpose of air navigation, except in accordance with permission given

(i) by the operator of the airport, and

(ii) where applicable, by the appropriate air traffic control unit or flight service station;

(h) at or in the vicinity of an airport, knowingly display a marker, marking, sign, light or signal that is likely to be hazardous to aviation safety by causing glare or by causing confusion with or preventing clear visual perception of a marker, marking, sign, light or signal that is required under this Subpart;

(i) allow a bird or other animal that is owned by the person or that is in the person's custody or control to be unrestrained within the boundaries of an airport, except for the purpose of controlling other birds or animals at the airport as permitted by the operator; or

(j) discharge a firearm within or into an airport without the permission of the operator of the airport.

Fire Prevention

302.11 (1) Subject to subsections (2) to (4), no person shall, at an airport, smoke or display an open flame

(a) on an apron;

(b) on an aircraft loading bridge or on a gallery or balcony that is contiguous to or that overhangs an apron; or

(c) in an area where smoking or an open flame is likely to create a fire hazard that could endanger persons or property.

(2) The operator of an airport may display flare pots to provide temporary lighting for the take-off or landing of aircraft.

(3) The operator of an airport may, in writing, authorize maintenance or servicing operations on an apron that involve the use, production or potential development of an open flame or that involve the production or potential development of a spark where the operations are conducted in a manner that is not likely to create a fire hazard that could endanger persons or property.

(4) The operator of an airport may permit smoking in an enclosed building or shelter located on an apron where such smoking is not likely to create a fire hazard that could endanger persons or property.

Interpretation

400.01(1) In this Part,

(amended 2001/03/01; previous version)

"aeroplane" - does not include an ultra-light aeroplane; (avion)

"balloon" - includes any lighter-than-air aircraft; (ballon)

"dual instruction flight time" means the flight time during which a person is receiving flight instruction from a person qualified in accordance with section 425.21 of the Personnel Licensing and Training Standards respecting Flight Training; (temps d'instruction de vol en double commande)
(amended 2003/06/01; no previous version)

"examination" - means any written examination or written practical qualifications examination required by the personnel licensing standards for the issuance of a permit or licence or for the endorsement of a permit or licence with a rating; (examen)

"foreign licence validation certificate" - means a certificate issued by the Minister pursuant to subsection 401.07(1); (certificat de validation de licence étrangère)

"glider" - includes a powered glider; (planeur)

"ground school instruction" - means classroom-type instruction generally given to one or more persons and covering an organized program of lectures, homework or self-paced study that adheres to an approved training program; (instruction théorique au sol)
(amended 2001/03/01; previous version)

"high-performance aeroplane", with respect to a rating, means
(amended 2001/03/01; no previous version)

(a) an aeroplane that is specified in the minimum flight crew document as requiring only one pilot and that has a maximum speed (Vne) of 250 KIAS or greater or a stall speed (Vso) of 80 KIAS or greater, or

(b) an amateur-built aeroplane that has a wing loading greater than that specified in section 549.103 of the Airworthiness Manual; (avion à hautes performances)

"instrument time" means
(amended 2001/03/01; no previous version)

(a) instrument ground time,

(b) actual instrument flight time, or

(c) simulated instrument flight time; (temps aux instruments)

"invigilator" - means a person who is designated by the Minister to supervise a written examination; (surveillant)

"main base" - means a location at which a flight training unit has personnel, aircraft and facilities for the operation of a flight training service and that is established as the principal place of business of the flight training unit; (base principale)

"minimum flight crew document" - means a document, issued by the Minister, the Government of the United States or an aircraft manufacturer, that relates to an aircraft and that specifies the number of pilots required to operate the aircraft, but does not include an air operator certificate; (document relatif à l'équipage de conduite minimal)

"operational control" - in respect of a flight, means the exercise of authority over the initiation, continuation, diversion or termination of the flight; (contrôle d'exploitation)

"operations specifications" - in respect of a flight training unit, means the operations specifications set out in a flight training unit operator certificate, and includes any amendment to the conditions of operation; (spécifications d'exploitation)

"pre-flight briefing" - means a one-to-one practical briefing that is conducted just prior to a training flight for the purpose of ensuring that the trainee understands exactly what will take place during the flight; (exposé avant vol)

"preparatory ground instruction" - means classroom-type instruction, generally on a one-to-one basis but not excluding group instruction, that is based on lesson plans contained in or developed from the applicable flight instructor guide; (instruction au sol avant vol)

"satellite base" - means a location at which a flight training unit has personnel, aircraft and facilities for the operation of a flight training service on a temporary basis; (base satellite)

"solo flight time" means, with respect to the flight time necessary to acquire a permit, licence or rating,
(amended 2003/06/01; no previous version)

(a) in the case of a pilot, the flight time during which the pilot is the sole flight crew member, and

(b) in the case of a student pilot permit holder, the flight time during which the holder is the sole occupant of an aircraft while under the direction and supervision of the holder of an instructor rating for the appropriate category of aircraft; (temps de vol en solo)

"training flight" - means a dual instruction flight or a solo practice flight that is conducted under the direction and supervision of a flight instructor; (vol d'entraînement)

"ultra-light aeroplane" - includes a powered parachute and a powered para-glider. (avion ultra-léger)

(2) Any reference in this Part to a permit, licence, rating or foreign licence validation certificate is a reference to a valid Canadian permit, licence, rating or foreign licence validation certificate.

(3) Any reference in this Part to "military" is a reference to the Canadian Forces.
(amended 2001/03/01; no previous version)

Requirement to Hold a Flight Crew Permit, Licence or Rating or a Foreign Licence Validation Certificate
(amended 2003/06/01; previous version)

401.03(1) No person shall act as a flight crew member or exercise the privileges of a flight crew permit, licence or rating or a foreign licence validation certificate unless
(amended 2003/06/01; previous version)

(a) subject to subsection (2) and sections 401.19 to 401.27, the person is the holder of, and can produce while so acting and while exercising those privileges, the appropriate permit, licence or rating and a valid and appropriate medical certificate; or
(amended 2003/06/01; previous version)

(b) the person is the holder of, and can produce while so acting and while exercising those privileges, an appropriate foreign licence validation certificate.
(amended 2003/06/01; previous version)

(2) A person who holds a military flight crew permit, licence or rating or a flight crew permit, licence or rating issued by a contracting state other than Canada may act as a flight crew member or exercise the privileges of a flight crew permit, licence or rating for the sole purpose of the person's flight test where

(a) the test is conducted in accordance with section 401.15; and

(b) no passenger other than the person referred to in paragraph 401.15(1)(a) is carried on board the aircraft.

Flight Crew Members of Aircraft Registered in Contracting States Other Than Canada

401.04 No person shall act as a flight crew member or exercise the privileges of a flight crew licence in Canada in an aircraft registered in a contracting state other than Canada, unless the person holds, and can produce while so acting or while exercising such privileges,

(a) a flight crew permit or licence issued under this Subpart; or
(amended 2003/06/01; previous version)

(b) a flight crew licence, or a document equivalent to a foreign licence validation certificate, that is issued under the laws of the contracting state.

Recency Requirements

401.05(1) Notwithstanding any other provision of this Subpart, no holder of a flight crew permit, licence or rating, other than the holder of a flight engineer licence, shall exercise the privileges of the permit, licence or rating unless

(a) the holder has acted as pilot-in-command or co-pilot of an aircraft within the five years preceding the flight; or

(b) within the 12 months preceding the flight

(i) the holder has completed a flight review, in accordance with the personnel licensing standards, conducted by the holder of a flight instructor rating for the same category of aircraft,

(ii) the flight instructor who conducted the flight review has certified in the holder's personal log that the holder meets the skill requirements for the issuance of the permit or licence set out in the personnel licensing standards, and

(iii) the holder has successfully completed the appropriate examination specified in the personnel licensing standards.

(2) Notwithstanding any other provision of this Subpart, no holder of a flight crew permit or licence, other than the holder of a flight engineer licence, shall exercise the privileges of the permit or licence in an aircraft unless the holder

(a) has successfully completed a recurrent training program in accordance with the personnel licensing standards within the 24 months preceding the flight; and

(b) where a passenger other than a flight test examiner designated by the Minister is carried on board the aircraft, has completed, within the six months preceding the flight,

(i) in the case of an aircraft other than a glider or a balloon, in the same category and class of aircraft as the aircraft, or in a Level B, C or D simulator of the same category and class as the aircraft, at least

(A) five night or day take-offs and five night or day landings, if the flight is conducted wholly by day, or

(B) five night take-offs and five night landings, if the flight is conducted wholly or partly by night,

(ii) in the case of a glider, at least

(A) five take-offs and five landings in a glider, or

(B) two take-offs and two landings in a glider with the holder of a flight instructor rating - glider and obtained a certification of competence to carry passengers on board a glider from that holder in accordance with the personnel licensing standards, and

(iii) in the case of a balloon, at least
(amended 2001/03/01; previous version)

(A) five landings in a balloon by day and five take-offs in a balloon by day or night, if the flight is conducted by day, or
(amended 2001/03/01; previous version)

(B) five landings in a balloon by day and five take-offs in a balloon by night, if the flight is conducted partly by night.
(amended 2001/03/01; previous version)

(3) No holder of an instrument rating shall exercise the privileges referred to in Section 401.47 unless the holder has

(a) within the 12 months preceding the flight, successfully completed an instrument rating flight test in an aircraft or in a Level B, C or D simulator of the same group as the aircraft;

(b) within the six months preceding the flight, acquired six hours of instrument time and completed six instrument approaches to the minima specified in the Canada Air Pilot in an aircraft, in actual or simulated instrument meteorological conditions, or in a Level B, C or D simulator of the same category as the aircraft or in a flight training device under the supervision of a person who holds the qualifications referred to in subsection 425.21(9) of the personnel licensing standards;
(amended 2001/03/01; previous version)

(c) within the six months preceding the flight, acquired six hours of instrument time and completed six instrument approaches to the minima specified in the Canada Air Pilot in an aircraft, in actual or simulated instrument meteorological conditions, while acting as a flight instructor conducting training in respect of the endorsement of a flight crew licence or permit with an instrument rating; or
(amended 2001/03/01; previous version)

(d) successfully completed, for an aircraft, a pilot proficiency check whose validity period has not expired and which included the instrument procedures portion of
(amended 2001/03/01; no previous version)

(i) Schedule I to Standard 624 - Private Operator Passenger Transportation of the General Operating and Flight Rules Standards, in respect of aircraft operated under Subpart 4 of Part VI, and
(amended 2001/03/01; no previous version)

(ii) the following schedules to the Commercial Air Services Standards in respect of the corresponding aircraft operated under Subparts 2 to 5 of Part VII:
(amended 2001/03/01; no previous version)

(A) Schedule I to Standard 722 - Aerial Work in respect of aeroplanes operated under Subpart 2,
(amended 2001/03/01; no previous version)

(B) Schedule II to Standard 722 - Aerial Work in respect of helicopters operated under Subpart 2,
(amended 2001/03/01; no previous version)

(C) Schedule I to section 723.88 of Standard 723 - Air Taxi - Aeroplanes in respect of aeroplanes operated under Subpart 3,
(amended 2001/03/01; no previous version)

(D) the schedule to section 723.88 of Standard 723 - Air Taxi - Helicopters in respect of helicopters operated under Subpart 3,
(amended 2001/03/01; no previous version)

(E) Schedule I or II to section 724.108 of Standard 724 - Commuter Operations - Aeroplanes in respect of aeroplanes operated under Subpart 4,
(amended 2001/03/01; no previous version)

(F) the Helicopter Schedule to section 724.108 of Standard 724 - Commuter Operations - Helicopters in respect of helicopters operated under Subpart 4, or
(amended 2001/03/01; no previous version)

(G) Schedule I, II or III to section 725.106 of Standard 725 - Airline Operations - Aeroplanes in respect of aeroplanes operated under Subpart 5.
(amended 2001/03/01; no previous version)

(4) No holder of a flight engineer licence shall exercise the privileges set out in Section 401.37 unless

(a) the holder has acted as flight engineer on board an aircraft within the five years preceding the flight or has met the written examination requirements for the licence within the 12 months preceding the flight; and

(b) where a passenger or a trainee is carried on board the aircraft, the holder has, within the six months preceding the flight, acted as flight engineer

(i) in an aircraft of the same type, or

(ii) in a synthetic flight trainer for an aircraft of the same type.

(5) No holder of a second officer rating shall exercise the privileges set out in Section 401.53 unless

(a) the holder has acted as a second officer on board an aircraft within the five years preceding the flight; and

(b) where a passenger or a trainee is carried on board the aircraft, the holder has, within the six months preceding the flight, acted as a second officer in

(i) an aircraft of the same type, or

(ii) a synthetic flight trainer for an aircraft of the same type.

(6) No holder of a flight instructor rating - ultra-light aeroplane shall exercise the privileges set out in Section 401.88 unless

(a) the holder has

(i) acted as pilot-in-command or co-pilot of an aircraft within the five years preceding the flight, or

(ii) met the written examination requirements for the rating within the 12 months preceding the flight;

(b) the holder has successfully completed a recurrent training program in accordance with the personnel licensing standards within the 24 months preceding the flight; and

(c) the holder has, where a student is carried on board the aeroplane, completed at least five take-offs and five landings in an ultra-light aeroplane of the same control configuration within the six months preceding the flight.

Personal Logs

401.08(1) Every applicant for, and every holder of, a flight crew permit, licence or rating shall maintain a personal log in accordance with subsection (2) and with the personnel licensing standards for the documentation of

(a) experience acquired in respect of the issuance of the flight crew permit, licence or rating; and
(amended 2001/03/01; previous version)

(b) recency.

(2) A personal log that is maintained for the purposes referred to in paragraphs (1)(a) and (b) shall contain the holder's name and the following information in respect of each flight:

(a) the date of the flight;

(b) the type of aircraft and its registration mark;

(c) the flight crew position in which the holder acted;

(d) the flight conditions with respect to day, night, VFR and IFR;

(e) in the case of a flight in a aeroplane or helicopter, the place of departure and the place of arrival;

(f) in the case of a flight in an aeroplane, all of the intermediate take-offs and landings;

(g) the flight time;

(h) in the case of a flight in a glider, the method of launch used for the flight; and

(i) in the case of a flight in a balloon, the method of inflation used for the flight.

(3) No person shall make an entry in a personal log unless the person

(a) is the holder of the log; or

(b) has been authorized to make the entry by the holder of the log.

✈ Aeroplanes - Privileges

401.30(1) The holder of a commercial pilot licence - aeroplane may

(a) exercise the privileges of a private pilot licence - aeroplane;

(b) exercise the privileges of a VFR OTT rating;
(amended 2001/03/01; previous version)

(c) while engaged in providing a commercial air service by means of an aeroplane of a class and type in respect of which the licence is endorsed with ratings, act as

(i) pilot-in-command of the aeroplane, if the minimum flight crew document for the aeroplane specifies a minimum flight crew of one pilot, or
(amended 2001/03/01; previous version)

(ii) co-pilot of the aeroplane; and
(amended 2001/03/01; previous version)

(d) if qualified as a flight instructor in accordance with section 425.21 of the personnel licensing standards, conduct flight instruction.
(amended 2001/03/01; no previous version)

(2) Where an applicant meets the requirements specified in the personnel licensing standards in respect of a commercial pilot licence - aeroplane except the night flight time requirements, the Minister shall issue to the applicant a commercial pilot licence - aeroplane endorsed for daylight flying only.

(3) No holder of a commercial pilot licence - aeroplane whose licence is endorsed with a daylight-flying-only restriction shall exercise the privileges set out in paragraphs (1)(a) and (c) by night.
(amended 2003/06/01; previous version)

Requirement to Hold a Medical Certificate

404.03 No person shall exercise or attempt to exercise the privileges of a permit, licence or rating unless the person holds a valid medical certificate of a category that is appropriate for that permit, licence or rating, as specified in Section 404.10.

Issuance, Renewal and Validity Period of Medical Certificate

404.04 (1) Subject to subsection (2) and subsection 404.05(1), the Minister shall issue or renew a medical certificate on receipt of an application therefor if

(a) where the applicant is applying for a medical certificate in connection with an application for a student pilot permit-aeroplane, pilot permit - recreational, pilot or student pilot permit - ultra-light aeroplane, a pilot licence - glider or student pilot permit - glider, the applicant has completed and submitted a medical declaration, in accordance with the personnel licensing standards, that attests to the fact that the applicant is medically fit to exercise the privileges of the permit or licence that is applied for; or

(b) in any case not referred to in paragraph (a), it is established, by means of a medical examination conducted by a physician referred to in Section 404.16, that the applicant meets the medical fitness requirements specified in the personnel licensing standards.

(2) The Minister

(a) may request an applicant for the issuance or renewal of a medical certificate to undergo, before a specified date, any medical tests or examinations that are necessary to determine whether the applicant meets the medical fitness requirements specified in the personnel licensing standards;

(b) shall not issue or renew a medical certificate until the applicant has undergone all of the tests and examinations requested by the Minister pursuant to paragraph (a); and

(c) may suspend, or refuse to issue or renew, the applicant's medical certificate if the applicant fails to comply with the request referred to in paragraph (a) before the specified date.

(3) The Minister may

(a) request the holder of a medical certificate to undergo, before a specified date, any medical tests or examinations or provide any additional medical information, as necessary to determine whether the holder continues to meet the medical fitness requirements specified in the personnel licensing standards; and

(b) suspend, or refuse to renew, the holder's medical certificate if the holder fails to comply with the request referred to in paragraph (a) before the specified date.

(4) A medical certificate is subject to any restrictions or limitations that have been endorsed on the certificate in accordance with subsection 404.05(2).

(5) Subject to subsection (6), a medical certificate is valid until the date specified on the certificate by the Minister in accordance with the personnel licensing standards.

(6) The maximum period of validity of a medical certificate is

(a) 12 months for the holder of an airline transport pilot licence - aeroplane or helicopter;

(b) 12 months for the holder of a commercial pilot licence - aeroplane or helicopter;

(c) 24 months for the holder of a student pilot permit - helicopter or a private pilot licence - aeroplane or helicopter;

(d) 60 months for the holder of a student pilot permit - glider or a pilot licence - glider;

(e) 60 months for the holder of a student pilot permit - aeroplane or a pilot permit - recreational;

(f) 24 months for the holder of a pilot licence - balloon;

(g) 12 months for the holder of a flight engineer licence;

(h) 24 months for the holder of an air traffic controller licence;

(i) 60 months for the holder of a flight instructor rating - glider or ultra-light aeroplane; and

(j) 60 months for the holder of a student pilot permit or pilot permit - ultra-light aeroplane.

Prohibition Regarding Exercise of Privileges

404.06 (1) Subject to subsection (3), no holder of a permit, licence or rating shall exercise the privileges of the permit, licence or rating if

(a) one of the following circumstances exists and could impair the holder's ability to exercise those privileges safely:

(i) the holder suffers from an illness, injury or disability,

(ii) the holder is taking a drug, or

(iii) the holder is receiving medical treatment;

(b) the holder has been involved in an aircraft accident that is wholly or partially the result of any of the circumstances referred to in paragraph (a);

(c) the holder has entered the thirtieth week of pregnancy, unless the medical certificate is issued in connection with an air traffic controller licence, in which case the holder may exercise the privileges of the permit, licence or rating until the onset of labour; or

(d) the holder has given birth in the preceding six weeks.

(2) No holder of a permit, licence or rating who is referred to in paragraph (1)(b), (c) or (d) shall exercise the privileges of the permit, licence or rating unless

(a) the holder has undergone a medical examination referred to in Section 404.18; and

(b) the medical examiner has indicated on the holder's medical certificate that the holder is medically fit to exercise the privileges of the permit, licence or rating.

(3) The Minister may, in writing, authorize the holder of a medical certificate to exercise, under the circumstances described in paragraph (1)(a) or (d), the privileges of the permit, licence or rating to which the medical certificate relates if such authorization is in the public interest and is not likely to affect aviation safety.

Permission to Continue to Exercise the Privileges of a Permit, Licence or Rating

404.18 (1) When the holder of a medical certificate undergoes a medical examination by a physician referred to in paragraph 404.16(a) or (b) for the purpose of obtaining permission to continue to exercise the privileges of the holder's permit, licence or rating, the medical examiner shall
(amended 2003/06/01; previous version)

(a) sign and date the medical certificate and stamp it with the medical examiner's official stamp indicating that the applicant is "fit", subject to any restrictions already endorsed on the medical certificate, including any restriction to a shorter than normal validity period;
(amended 2003/06/01; previous version)

(b) return the medical certificate to the applicant; or
(amended 2003/06/01; previous version)

(c) advise the applicant that he or she is "unfit".
(amended 2003/06/01; no previous version)

(2) When the applicant's medical certificate has been marked with an endorsement referred to in paragraph (1)(a), the certificate validates the permit or licence for the period specified on the medical certificate.
(amended 2003/06/01; previous version)

Application

406.02 This Subpart applies in respect of the operation of an aeroplane, helicopter, glider, balloon, gyroplane or ultra-light aeroplane in a flight training service toward obtaining any of the following:

(a) for aeroplanes,

(i) a private pilot licence,

(ii) a commercial pilot licence,

(iii) a landplane or seaplane rating,

(iv) a flight instructor rating,

(v) a flight instructor rating - aerobatic,

(vi) an instrument rating,

(vii) a multi-engine rating,

(viii) a night rating,

(ix) a VFR over-the-top rating,

(x) a pilot permit - recreational, or

(xi) experience in aerobatic manoeuvres;

(b) for helicopters,

(i) a private pilot licence,

(ii) a commercial pilot licence,

(iii) a flight instructor rating,

(iv) an instrument rating,

(v) a night rating,

(vi) a VFR over-the-top rating, or

(vii) a pilot permit - recreational;

(c) for gliders,

(i) a pilot licence,

(ii) a flight instructor rating,

(iii) a flight instructor rating - aerobatic, or

(iv) experience in aerobatic manoeuvres;

(d) for balloons,

(i) a pilot licence,

(ii) a flight instructor rating, or

(iii) a night rating;

(e) for gyroplanes,

(i) a pilot permit,

(ii) a flight instructor rating, or

(iii) a night rating; and

(f) for ultra-light aeroplanes,

(i) a pilot permit, or

(ii) a flight instructor rating.

Requirement to Hold a Flight Training Unit Operator Certificate

406.03 (1) Subject to subsections (2) and (3), no person shall operate a flight training service in Canada using an aeroplane or helicopter in Canada unless the person holds a flight training unit operator certificate that authorizes the person to operate the service and complies with the conditions and operations specifications set out in the certificate.
(amended 2003/06/01; previous version)

(2) A person who does not hold a flight training unit operator certificate may operate a flight training service if

(a) the person holds a private operator certificate or an air operator certificate, the aircraft used for training is specified in the private operator certificate or air operator certificate, and the training is other than toward obtaining a pilot permit - recreational, a private pilot licence, a commercial pilot licence or a flight instructor rating; or

(b) the trainee is

(i) the owner, or a member of the family of the owner, of the aircraft used for training,

(ii) a director of a corporation that owns the aircraft used for training, and the training is other than toward obtaining a pilot permit - recreational or a private pilot licence, or

(iii) using an aircraft that has been obtained from a person who is at arm's length from the flight instructor, and the training is other than toward obtaining a pilot permit - recreational or a private pilot licence.
(amended 2003/06/01; previous version)

(3) In the case of flight training conducted under subparagraph (2)(b)(iii), the flight instructor shall
(amended 2003/06/01; no previous version)

(a) notify the Minister in writing of
(amended 2003/06/01; no previous version)

(i) the name and address of the person to receive the training,

(ii) the registration of the aircraft to be used,

(iii) the type of training to be conducted,

(iv) the location of the training operations, and

(v) the name and licence number of the flight instructor; and

(b) provide the information to the Minister
(amended 2003/06/01; no previous version)

(i) prior to commencing training operations,

(ii) within 10 working days after any change to the information, and

(iii) when the training is discontinued.

Interpretation

600.01 In this Part,

"ADIZ" or "Air Defence Identification Zone" - means the airspace that extends upward from the surface in those areas of Canada and off the coasts of Canada, the boundaries of which are specified in the Designated Airspace Handbook; (ADIZ ou zone d'identification de défense aérienne)

"aerial application" - means the seeding from an aircraft or the spraying or dusting of chemicals from an aircraft, or any other operation of a similar nature; (traitement aérien)

"aerial inspection" - means the inspection from an aircraft of crops, forests, livestock or wildlife, the patrolling of pipelines or power lines, a flight inspection or any other operation of a similar nature; (inspection aérienne)

"AX class" - means a classification of balloons by category, in accordance with their size, as established by the Fédération aéronautique internationale (FAI); (classe AX)

"large aircraft" - means an aeroplane having a maximum permissible take-off weight in excess of 5 700 kg (12,566 pounds) or a rotorcraft having a maximum permissible take-off weight in excess of 2 730 kg (6,018 pounds); (gros aéronef)

"police authority" - means the Royal Canadian Mounted Police, Ontario Provincial Police, Sûreté du Québec or Canadian Coast Guard, or any municipal or regional police force established pursuant to provincial legislation. (corps policier)

Airspace Structure

601.01 (1) Controlled airspace consists of the following types of airspace:

(a) control area extensions;

(b) control zones;

(c) high level airways;

(d) high level airspace;

(e) low level airways;

(f) Arctic, Northern and Southern Control Areas;

(g) terminal control areas;

(h) transition areas;

(i) restricted airspace;

(j) advisory airspace;

(k) military operations areas; and

(l) danger areas.

(2) Uncontrolled airspace consists of the following types of airspace:

(a) high level air routes;

(b) low level air routes;

(c) restricted airspace;

(d) advisory airspace;

(e) military operations areas; and

(f) danger areas.

(3) The horizontal and vertical limits of any airspace of a type referred to in subsection (1) or (2) shall be as specified in the Designated Airspace Handbook.

(4) The geographical locations of and the horizontal and vertical limits of the following areas, zones, regions and points are as specified in the Designated Airspace Handbook:

(a) air defence identification zones;

(b) altimeter setting regions;

(c) standard pressure regions;

(d) mountainous regions;

(e) holding points;

(f) reporting points;

(g) intersections;

(h) control towers;

(i) military terminal control areas;

(j) flight information regions; and

(k) any other areas, zones, regions and points that are specified in the Designated Airspace Handbook.

✈ Airspace Classification

601.02 (1) The class of any controlled airspace of a type referred to in subsection 601.01(1) is one of the following, as specified in the Designated Airspace Handbook:

(a) Class A;

(b) Class B;

(c) Class C;

(d) Class D;

(e) Class E;

(f) Class F Special Use Restricted; or

(g) Class F Special Use Advisory.

(2) The class of any uncontrolled airspace of a type referred to in subsection 601.01(2) is one of the following, as specified in the Designated Airspace Handbook:

(a) Class G;

(b) Class F Special Use Restricted; or

(c) Class F Special Use Advisory.

Transponder Airspace

601.03 Transponder airspace consists of

(a) all Class A, B and C airspace; and

(b) any Class D or E airspace specified as transponder airspace in the Designated Airspace Handbook.

✈ IFR or VFR Flight in Class F Special Use Restricted Airspace or Class F Special Use Advisory Airspace

601.04 (1) The procedures for the operation of aircraft in Class F Special Use Restricted airspace and Class F Special Use Advisory airspace are those specified in the Designated Airspace Handbook.

(2) No person shall operate an aircraft in Class F Special Use Restricted airspace unless authorized to do so by the person specified for that purpose in the Designated Airspace Handbook.

(3) For the purposes of subsection (2), a person specified in the Designated Airspace Handbook may authorize the operation of an aircraft where activities on the ground or in the airspace are not hazardous to aircraft operating in that airspace and access by aircraft to that airspace does not jeopardize national security interests.

VFR Flight in Class A Airspace

601.06 (1) No person shall operate a VFR aircraft in Class A airspace unless the aircraft is operated in accordance with an authorization issued by the Minister.

(2) The Minister may issue an authorization referred to in subsection (1) where the operation of the aircraft is in the public interest and is not likely to affect aviation safety.

✈ VFR Flight in Class B Airspace

601.07 (1) No person shall operate a VFR aircraft in Class B airspace unless the aircraft is operated in accordance with an air traffic control clearance or an authorization issued by the Minister.

(2) The Minister may issue an authorization referred to in subsection (1) where the operation of the aircraft is in the public interest and is not likely to affect aviation safety.

(3) The pilot-in-command of a VFR aircraft operating in Class B airspace in accordance with an air traffic control clearance shall, when it becomes evident that it will not be possible to operate the aircraft in VMC at the altitude or along the route specified in the air traffic control clearance,

(a) where the airspace is a control zone, request authorization to operate the aircraft in special VFR flight; and

(b) in any other case,

(i) request an amended air traffic control clearance that will enable the aircraft to be operated in VMC to the destination specified in the flight plan or to an alternate aerodrome, or

(ii) request an air traffic control clearance to operate the aircraft in IFR flight.

✈ VFR Flight in Class C Airspace

601.08 (1) Subject to subsection (2), no person operating a VFR aircraft shall enter Class C airspace unless the person receives a clearance to enter from the appropriate air traffic control unit before entering the airspace.

(2) The pilot-in-command of a VFR aircraft that is not equipped with radiocommunication equipment capable of two-way communication with the appropriate air traffic control unit may, during daylight in VMC, enter Class C airspace if the pilot-in-command receives authorization to enter from the appropriate air traffic control unit before entering the airspace.

(3) Class C airspace becomes Class E airspace when the appropriate air traffic control unit is not in operation.

✈ VFR Flight in Class D Airspace

601.09 (1) Subject to subsection (2), no person operating a VFR aircraft shall enter Class D airspace unless the person establishes two-way radio contact with the appropriate air traffic control unit before entering the airspace.

(2) The pilot-in-command of a VFR aircraft that is not equipped with radiocommunication equipment capable of two-way communication with the appropriate air traffic control unit may, during daylight in VMC, enter Class D airspace if the pilot-in-command receives authorization to enter from the appropriate air traffic control unit before entering the airspace.

(3) Class D airspace becomes Class E airspace when the appropriate air traffic control unit is not in operation.

Forest Fire Aircraft Operating Restrictions

601.15 No person shall operate an aircraft

(a) over a forest fire area, or over any area that is located within five nautical miles of a forest fire area, at an altitude of less than 3,000 feet AGL; or

(b) in any airspace that is described in a NOTAM issued pursuant to Section 601.16.

Issuance of NOTAM for Forest Fire Aircraft Operating Restrictions

601.16 The Minister may issue a NOTAM that relates to restrictions on the operation of aircraft in the case of a forest fire and that describes

(a) the location and dimensions of the forest fire area; and

(b) the airspace in which forest fire control operations are being conducted.

Exceptions

601.17 Section 601.15 does not apply to

(a) persons who are operating an aircraft at the request of an appropriate fire control authority; and

(b) Department of Transport personnel who are operating an aircraft in the performance of duties related to surveillance and the enforcement of aviation legislation.

Reckless or Negligent Operation of Aircraft

602.01 No person shall operate an aircraft in such a reckless or negligent manner as to endanger or be likely to endanger the life or property of any person.

✈ Fitness of Flight Crew Members

602.02 No operator of an aircraft shall require any person to act as a flight crew member and no person shall act as a flight crew member, if either the person or the operator has any reason to believe, having regard to the circumstances of the particular flight to be undertaken, that the person

(a) is suffering or is likely to suffer from fatigue; or

(b) is otherwise unfit to perform properly the person's duties as a flight crew member.

Alcohol or Drugs - Crew Members

602.03 No person shall act as a crew member of an aircraft

(a) within eight hours after consuming an alcoholic beverage;

(b) while under the influence of alcohol; or

(c) while using any drug that impairs the person's faculties to the extent that the safety of the aircraft or of persons on board the aircraft is endangered in any way.

Alcohol or Drugs - Passengers

602.04 (1) In this section, "intoxicating liquor" means a beverage that contains more than 2.5 per cent proof spirits.

(2) No person shall consume on board an aircraft an intoxicating liquor unless the intoxicating liquor

(a) has been served to that person by the operator of the aircraft; or

(b) where no flight attendant is on board, has been provided by the operator of the aircraft.

(3) No operator of an aircraft shall provide or serve any intoxicating liquor to a person on board the aircraft, where there are reasonable grounds to believe that the person's faculties are impaired by alcohol or a drug to an extent that may present a hazard to the aircraft or to persons on board the aircraft.

(4) Subject to subsection (5), no operator of an aircraft shall allow a person to board the aircraft, where there are reasonable grounds to believe that the person's faculties are impaired by alcohol or a drug to an extent that may present a hazard to the aircraft or to persons on board the aircraft.

(5) The operator of an aircraft may allow a person whose faculties are impaired by a drug to board an aircraft, where the drug was administered in accordance with a medical authorization and the person is under the supervision of an attendant.

Compliance with Instructions

602.05 (1) Every passenger on board an aircraft shall comply with instructions given by any crew member respecting the safety of the aircraft or of persons on board the aircraft.

(2) Every crew member on board an aircraft shall, during flight time, comply with the instructions of the pilot-in-command or of any person whom the pilot-in-command has authorized to act on behalf of the pilot-in-command.

Smoking

602.06 (1) No person shall smoke on board an aircraft during take-off or landing or when directed not to smoke by the pilot-in-command.

(2) No person shall smoke in an aircraft lavatory.

(3) No person shall tamper with or disable a smoke detector installed in an aircraft lavatory without permission from a crew member or the operator of the aircraft.

Aircraft Operating Limitations

602.07 No person shall operate an aircraft unless it is operated in accordance with the operating limitations

(a) set out in the aircraft flight manual, where an aircraft flight manual is required by the applicable standards of airworthiness;

(b) set out in a document other than the aircraft flight manual, where use of that document is authorized pursuant to Part VII;

(c) indicated by markings or placards required pursuant to section 605.05; or

(d) prescribed by the competent authority of the state of registry of the aircraft.

Portable Electronic Devices

602.08 (1) No operator of an aircraft shall permit the use of a portable electronic device on board an aircraft, where the device may impair the functioning of the aircraft's systems or equipment.

(2) No person shall use a portable electronic device on board an aircraft except with the permission of the operator of the aircraft.

Fuelling with Engines Running

602.09 No person operating an aircraft shall permit the fuelling of the aircraft while an engine used for the propulsion of the aircraft is running and passengers are on board the aircraft or are embarking or disembarking, unless subsection 604.17(3), 704.33(4) or 705.40(3), as applicable, is complied with.

Starting and Ground Running of Aircraft Engines

602.10 (1) No person shall start an engine of an aircraft unless

(a) a pilot's seat is occupied by a person who is competent to control the aircraft;

(b) precautions have been taken to prevent the aircraft from moving; or

(c) in the case of a seaplane, the aircraft is in a location from which any movement of the aircraft will not endanger persons or property.

(2) No person shall leave an engine of an aircraft running unless

(a) a pilot's seat is occupied by a person who is competent to control the aircraft; or

(b) where no persons are on board the aircraft,

(i) precautions have been taken to prevent the aircraft from moving, and

(ii) the aircraft is not left unattended.

✈ Aircraft Icing

602.11 (1) In this section, "critical surfaces" means the wings, control surfaces, rotors, propellers, horizontal stabilizers, vertical stabilizers or any other stabilizing surface of an aircraft and, in the case of an aircraft that has rear-mounted engines, includes the upper surface of its fuselage.

(2) No person shall conduct or attempt to conduct a take-off in an aircraft that has frost, ice or snow adhering to any of its critical surfaces.

(3) Notwithstanding subsection (2), a person may conduct a take-off in an aircraft that has frost adhering to the underside of its wings that is caused by cold-soaked fuel, if the take-off is conducted in accordance with the aircraft manufacturer's instructions for take-off under those conditions.

(4) Where conditions are such that frost, ice or snow may reasonably be expected to adhere to the aircraft, no person shall conduct or attempt to conduct a take-off in an aircraft unless

(a) for aircraft that are not operated under Subpart 5 of Part VII,

(i) the aircraft has been inspected immediately prior to take-off to determine whether any frost, ice or snow is adhering to any of its critical surfaces, or

(ii) the operator has established an aircraft inspection program in accordance with the Operating and Flight Rules Standards, and the dispatch and take-off of the aircraft are in accordance with that program; and

(b) for aircraft that are operated under Subpart 5 of Part VII, the operator has established an aircraft inspection program in accordance with the Operating and Flight Rules Standards, and the dispatch and take-off of the aircraft are in accordance with that program.

(5) The inspection referred to in subparagraph (4)(a)(i) shall be performed by

(a) the pilot-in-command;

(b) a flight crew member of the aircraft who is designated by the pilot-in-command; or

(c) a person, other than a person referred to in paragraph (a) or (b), who

(i) is designated by the operator of the aircraft, and

(ii) has successfully completed an aircraft surface contamination training program pursuant to Subpart 4 or Part VII.

(6) Where, before commencing take-off, a crew member of an aircraft observes that there is frost, ice or snow adhering to the wings of the aircraft, the crew member shall immediately report that observation to the pilot-in-command, and the pilot-in-command or a flight crew member designated by the pilot-in-command shall inspect the wings of the aircraft before take-off.

(7) Before an aircraft is de-iced or anti-iced, the pilot-in-command of the aircraft shall ensure that the crew members and passengers are informed of the decision to do so.

Overflight of Built-up Areas or Open-air Assemblies
of Persons during Take-offs, Approaches and Landings

602.12 (1) For the purposes of this section and sections 602.14 and 602.15, an aircraft shall be deemed to be operated over a built-up area or over an open-air assembly of persons if the built-up area or open-air assembly of persons is within a horizontal distance of
(amended 2003/03/01; previous version)

a) 500 feet from a helicopter or balloon; or
(amended 2003/03/01; previous version)

b) 2,000 feet from an aircraft other than a helicopter or balloon.
(amended 2003/03/01; previous version)

(2) Except at an airport or military aerodrome, no person shall conduct a take-off, approach or landing in an aircraft over a built-up area or over an open-air assembly of persons, in a manner that is likely to create a hazard to persons or property.
(amended 2003/03/01; previous version)

(3) Except at an airport or military aerodrome, no person shall conduct a take-off, approach or landing in an aircraft over a built-up area or over an open-air assembly of persons unless that aircraft will be operated at an altitude from which, in the event of an engine failure or any other emergency necessitating an immediate landing, the aircraft can land without creating a hazard to persons or property.
(amended 2003/03/01; previous version)

Take-offs, Approaches and Landings within Built-up Areas of Cities and Towns

602.13 (1) Except if otherwise permitted under this section, section 603.66 or Part VII, no person shall conduct a take-off, approach or landing in an aircraft within a built-up area of a city or town, unless that take-off, approach or landing is conducted at an airport or a military aerodrome.

(2) A person may conduct a take-off or landing in an aircraft within a built-up area of a city or town at a place that is not located at an airport or a military aerodrome where

(a) the place is not set apart for the operation of aircraft;

(b) the flight is conducted without creating a hazard to persons or property on the surface; and

(c) the aircraft is operated

(i) for the purpose of a police operation that is conducted in the service of a police authority, or

(ii) for the purpose of saving human life.

(3) A person may conduct a take-off in a balloon within a built-up area of a city or town from a place that is not located at an airport or a military aerodrome, where

(a) permission to use the place as a launch site has been obtained from the land owner;

(b) a special aviation event is not being held at that place at the time of take-off;

(c) no written objection in respect of the use of the place as a launch site has been received by the Minister from a competent land use authority;

(d) the diameter of the launch site is no less than the greater of

(i) 100 feet, and

(ii) the greatest dimension of the balloon, be it the length, width or height, plus 25 per cent; and

(e) the take-off point within the launch site is upwind of the highest obstacle in the take-off path by a horizontal distance equal to the height of that obstacle, and the take-off is conducted

(i) using a positive rate of climb to a minimum altitude of 500 feet above the highest obstacle located within a horizontal distance of 500 feet from the balloon, or

(ii) where the flight path of the balloon is directly over residential or commercial buildings or over an open-air assembly of persons, using the maximum rate of climb possible, considering operational and passenger safety.

(4) A person may conduct a landing in a balloon within a built-up area at a place that is not located at an airport or military aerodrome, where

(a) the landing is necessary to avoid endangering the safety of the persons on board; and

(b) the pilot-in-command contacts the appropriate air traffic control unit or flight service station, either prior to landing or as soon as possible after landing, and provides

(i) the balloon's nationality mark and registration mark,

(ii) the estimated or actual, as applicable, time and location of the landing, and

(iii) the reasons why it is believed that the safety of the persons on board is or was endangered.

Minimum Altitudes and Distances

602.14 (1) [Repealed]
(amended 2003/03/01; previous version)

(2) Except where conducting a take-off, approach or landing or where permitted under section 602.15, no person shall operate an aircraft

(a) over a built-up area or over an open-air assembly of persons unless the aircraft is operated at an altitude from which, in the event of an emergency necessitating an immediate landing, it would be possible to land the aircraft without creating a hazard to persons or property on the surface, and, in any case, at an altitude that is not lower than

(i) for aeroplanes, 1,000 feet above the highest obstacle located within a horizontal distance of 2,000 feet from the aeroplane,

(ii) for balloons, 500 feet above the highest obstacle located within a horizontal distance of 500 feet from the balloon, or

(iii) for an aircraft other than an aeroplane or a balloon, 1,000 feet above the highest obstacle located within a horizontal distance of 500 feet from the aircraft; and

(b) in circumstances other than those referred to in paragraph (a), at a distance less than 500 feet from any person, vessel, vehicle or structure.

Permissible Low Altitude Flight

602.15 (1) A person may operate an aircraft at altitudes and distances less than those specified in subsection 602.14(2) where the aircraft is operated at altitudes and distances that are no less than necessary for the purposes of the operation in which the aircraft is engaged, the aircraft is operated without creating a hazard to persons or property on the surface and the aircraft is operated

(a) for the purpose of a police operation that is conducted in the service of a police authority;

(b) for the purpose of saving human life;

(c) for fire-fighting or air ambulance operations;

(d) for the purpose of the administration of the Fisheries Act or the Coastal Fisheries Protection Act;

(e) for the purpose of the administration of the national or provincial parks; or

(f) for the purpose of flight inspection.

(2) A person may operate an aircraft, to the extent necessary for the purpose of the operation in which the aircraft is engaged, at altitudes and distances less than those set out in

(a) paragraph 602.14(2)(a), where operation of the aircraft is authorized under Subpart 3 or section 702.22; or

(b) paragraph 602.14(2)(b), where the aircraft is operated without creating a hazard to persons or property on the surface and the aircraft is operated for the purpose of

(i) aerial application or aerial inspection,

(ii) aerial photography conducted by the holder of an air operator certificate,

(iii) helicopter external load operations, or

(iv) flight training conducted by or under the supervision of a qualified flight instructor.

Right of Way - General

602.19 (1) Notwithstanding any other provision of this section,

(a) the pilot-in-command of an aircraft that has the right of way shall, if there is any risk of collision, take such action as is necessary to avoid collision; and

(b) where the pilot-in-command of an aircraft is aware that another aircraft is in an emergency situation, the pilot-in-command shall give way to that other aircraft.

(2) When two aircraft are converging at approximately the same altitude, the pilot-in-command of the aircraft that has the other on its right shall give way, except as follows:

(a) a power-driven, heavier-than-air aircraft shall give way to airships, gliders and balloons;

(b) an airship shall give way to gliders and balloons;

(c) a glider shall give way to balloons; and

(d) a power-driven aircraft shall give way to aircraft that are seen to be towing gliders or other objects or carrying a slung load.

(3) When two balloons operating at different altitudes are converging, the pilot-in-command of the balloon at the higher altitude shall give way to the balloon at the lower altitude.

(4) Where an aircraft is required to give way to another aircraft, the pilot-in-command of the first-mentioned aircraft shall not pass over or under, or cross ahead of, the other aircraft unless passing or crossing at such a distance as will not create a risk of collision.

(5) Where two aircraft are approaching head-on or approximately so and there is a risk of collision, the pilot-in-command of each aircraft shall alter its heading to the right.

(6) An aircraft that is being overtaken has the right of way and the pilot-in-command of the overtaking aircraft, whether climbing, descending or in level flight, shall give way to the other aircraft by altering the heading of the

overtaking aircraft to the right, and no subsequent change in the relative positions of the two aircraft shall absolve the pilot-in-command of the overtaking aircraft from this obligation until that aircraft has entirely passed and is clear of the other aircraft.

(7) Where an aircraft is in flight or manoeuvring on the surface, the pilot-in-command of the aircraft shall give way to an aircraft that is landing or about to land.

(8) The pilot-in-command of an aircraft that is approaching an aerodrome for the purpose of landing shall give way to any aircraft at a lower altitude that is also approaching the aerodrome for the purpose of landing.

(9) The pilot-in-command of an aircraft at a lower altitude, as described in subsection (8), shall not overtake or cut in front of an aircraft at a higher altitude that is in the final stages of an approach to land.

(10) No person shall conduct or attempt to conduct a take-off or landing in an aircraft until there is no apparent risk of collision with any aircraft, person, vessel, vehicle or structure in the take-off or landing path.

Right of Way - Aircraft Manoeuvring on Water

602.20 (1) Where an aircraft on the water has another aircraft or a vessel on its right, the pilot-in-command of the first-mentioned aircraft shall give way.

(2) Where an aircraft on the water is approaching another aircraft or a vessel head-on, or approximately so, the pilot-in-command of the first-mentioned aircraft shall alter its heading to the right.

(3) The pilot-in-command of an aircraft that is overtaking another aircraft or a vessel on the water shall alter its heading to keep well clear of the other aircraft or the vessel.

Avoidance of Collision

602.21 No person shall operate an aircraft in such proximity to another aircraft as to create a risk of collision.

Towing

602.22 No person shall operate an aeroplane that is towing an object unless the aeroplane is equipped with a tow hook and release control system that meet the applicable standards of airworthiness.

Dropping of Objects

602.23 No person shall create a hazard to persons or property on the surface by dropping an object from an aircraft in flight.

Formation Flight

602.24 No person shall operate an aircraft in formation with other aircraft except by pre-arrangement between

(a) the pilots-in-command of the aircraft; or

(b) where the flight is conducted within a control zone, the pilots-in-command and the appropriate air traffic control unit.

Entering or Leaving an Aircraft in Flight

602.25 (1) No person shall enter or leave an aircraft in flight except with the permission of the pilot-in-command of the aircraft.

(2) No pilot-in-command of an aircraft shall permit a person to enter or leave the aircraft during flight unless

(a) the person leaves for the purpose of making a parachute descent; or

(b) the flight is authorized under Subpart 3 or the entering or leaving is permitted in accordance with section 702.19.

Parachute Descents

602.26 Except where permitted in accordance with section 603.37, no pilot-in-command of an aircraft shall permit, and no person shall conduct, a parachute descent from the aircraft

(a) in or into controlled airspace or an air route; or

(b) over or into a built-up area or an open-air assembly of persons.

Aerobatic Manoeuvres - Prohibited Areas and Flight Conditions

602.27 No person operating an aircraft shall conduct aerobatic manoeuvres

(a) over a built-up area or an open-air assembly of persons;

(b) in controlled airspace, except in accordance with a special flight operations certificate issued pursuant to section 603.67;

(c) when flight visibility is less than three miles; or

(d) below 2,000 feet AGL, except in accordance with a special flight operations certificate issued pursuant to section 603.02 or 603.67.

Aerobatic Manoeuvres with Passengers

602.28 No person operating an aircraft with a passenger on board shall conduct an aerobatic manoeuvre unless the pilot-in-command of the aircraft has engaged in

(a) at least 10 hours dual flight instruction in the conducting of aerobatic manoeuvres or 20 hours conducting aerobatic manoeuvres; and

(b) at least one hour of conducting aerobatic manoeuvres in the preceding six months.

Fuel Dumping

602.30 No person shall jettison fuel from an aircraft in flight unless

(a) it is necessary to do so in order to ensure aviation safety; and

(b) all appropriate measures are taken to minimize danger to human life and damage to the environment, insofar as the circumstances permit.

Compliance with Air Traffic Control Instructions and Clearances

602.31 (1) Subject to subsection (3), the pilot-in command of an aircraft shall

(a) comply with and acknowledge, to the appropriate air traffic control unit, all of the air traffic control instructions directed to and received by the pilot-in-command; and

(b) comply with all of the air traffic control clearances received and accepted by the pilot-in-command and

(i) subject to subsection (2), in the case of an IFR flight, read back to the appropriate air traffic control unit the text of any air traffic control clearance received, and

(ii) in the case of a VFR flight, read back to the appropriate air traffic control unit the text of any air traffic control clearance received, when so requested by the air traffic control unit.

(2) Except if requested to do so by an air traffic control unit, the pilot-in-command of an IFR aircraft is not required to read back the text of an air traffic control clearance pursuant to paragraph (1)(b)(i) where

(a) the air traffic control clearance is received on the ground by the pilot-in-command before departing from a controlled aerodrome in respect of which a standard instrument departure procedure is specified in the Canada Air Pilot; or

(b) the receipt of the air traffic control clearance is acknowledged by the pilot-in-command by electronic means.

(3) The pilot-in-command of an aircraft may deviate from an air traffic control clearance or an air traffic control instruction to the extent necessary to carry out a collision avoidance manoeuvre, where the manoeuvre is carried out

(a) in accordance with a resolution advisory generated by an Airborne Collision Avoidance System (ACAS) or a Traffic Alert and Collision Avoidance System (TCAS); or

(b) in response to a warning from a Ground Proximity Warning System (GPWS) on board the aircraft.

(4) The pilot-in-command of an aircraft shall

(a) as soon as possible after initiating the collision avoidance manoeuvre referred to in subsection (3), inform the appropriate air traffic control unit of the deviation; and

(b) immediately after completing the collision avoidance manoeuvre referred to in subsection (3), comply with the last air traffic control clearance received and accepted by, or the last air traffic control instruction received and acknowledged by, the pilot-in-command.

Airspeed Limitations

602.32 (1) Subject to subsection (2), no person shall operate an aircraft below 10,000 feet ASL at an indicated airspeed of more than 250 knots.

(2) No person shall operate an aircraft below 3,000 feet AGL within 10 nautical miles of a controlled airport at an indicated airspeed of more than 200 knots unless authorized to do so in an air traffic control clearance.

(3) Notwithstanding subsections (1) and (2), a person may operate an aircraft at an indicated airspeed greater than the airspeeds referred to in subsections (1) and (2) where the aircraft is being operated on departure or in accordance with a special flight operations certificate - special aviation event issued pursuant to section 603.02.

(4) Where the minimum safe speed for the flight configuration of an aircraft is greater than the speed referred to in subsection (1) or (2), the aircraft shall be operated at the minimum safe speed.

✈ Cruising Altitudes and Cruising Flight Levels

602.34 (1) The appropriate cruising altitude or cruising flight level for an aircraft in level cruising flight is determined in accordance with

(a) the magnetic track, in the Southern Domestic Airspace; and

(b) the true track, in the Northern Domestic Airspace.

(2) Subject to subsection (3), the pilot-in-command of an aircraft shall ensure that the aircraft is operated at a cruising altitude or cruising flight level

appropriate to the track, as set out in the table to this section, unless the pilot-in-command is assigned another altitude or flight level by an air traffic control unit and the aircraft is operated in level cruising flight

(a) at more than 3,000 feet AGL, in VFR flight; or

(b) in IFR flight.

(3) Subsection (2) does not apply where an aircraft is operated for the purpose of aerial survey or mapping and the following conditions are met:

(a) the pilot-in-command of the aircraft contacts the appropriate air traffic control unit as far in advance as possible of the proposed flight;

(b) the pilot-in-command of the aircraft provides, as far in advance as possible of the proposed take-off time of the aircraft, to any air traffic control unit that so requests, a topographical map at either a 1: 500 000 or a 1: 1 000 000 scale of the area to be surveyed or mapped, with proposed tracks and planned entry and exit points clearly delineated on the map;

(c) the pilot-in-command of the aircraft files a flight plan or flight itinerary with an air traffic control unit as far in advance as possible of the proposed take-off time of the aircraft;

(d) the flight plan or flight itinerary referred to in paragraph (c) specifies the area to be surveyed or mapped

(i) by reference to the relevant maps of the National Topographic System,

(ii) by reference to the geographic co-ordinates of the area, or

(iii) where required by an air traffic control unit, by reference to the air photograph block reference grid map provided by the air traffic control unit; and

(e) where the aircraft is operated in controlled airspace, it is operated in accordance with an air traffic control clearance.

Table - Cruising Altitudes and Cruising Flight Levels Appropriate to Aircraft Track

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✈ Altimeter-setting and Operating Procedures in the Altimeter-setting Region

602.35 When an aircraft is operated in the altimeter-setting region, each flight crew member who occupies a flight crew member position that is equipped with an altimeter shall

(a) immediately before conducting a take-off from an aerodrome, set the altimeter to the altimeter setting of the aerodrome or, if that altimeter setting is not obtainable, to the elevation of the aerodrome;

(b) while in flight, set the altimeter to the altimeter setting of the nearest station along the route of flight or, where the nearest stations along the route

of flight are separated by more than 150 nautical miles, to the altimeter setting of a station near the route of flight; and

(c) immediately before commencing a descent for the purpose of landing at an aerodrome, set the altimeter to the altimeter setting of the aerodrome, if that altimeter setting is obtainable.

✈ Altimeter-setting and Operating Procedures in the Standard Pressure Region

602.36 (1) When an aircraft is operated in the standard pressure region, each flight crew member who occupies a flight crew member position that is equipped with an altimeter shall

(a) immediately before conducting a take-off from an aerodrome, set the altimeter to the altimeter setting of the aerodrome or, if that altimeter setting is not obtainable, to the elevation of the aerodrome;

(b) before reaching the flight level at which the flight is to be conducted, set the altimeter to 29.92 inches of mercury or 1,013.2 millibars; and

(c) immediately before commencing a descent for the purpose of landing at an aerodrome, set the altimeter to the altimeter setting of the aerodrome, if that altimeter setting is obtainable.

(2) Notwithstanding paragraph (1)(c), when a holding procedure is being conducted before landing at an aerodrome located in the standard pressure region, each flight crew member who occupies a flight crew member position that is equipped with an altimeter shall set the altimeter to the altimeter setting of the aerodrome immediately before descending below the lowest flight level at which the holding procedure is conducted.

✈ Altimeter-setting and Operating Procedures in Transition between Regions

602.37 Except where otherwise authorized by an air traffic control unit, each flight crew member who occupies a flight crew member position that is equipped with an altimeter shall

(a) when flying from the altimeter-setting region into the standard pressure region, set the altimeter to 29.92 inches of mercury or 1,013.2 millibars immediately after the aircraft's entry into the standard pressure region; and

(b) when flying from the standard pressure region into the altimeter-setting region, set the altimeter to the altimeter setting of the nearest station along the route of flight or, where the nearest stations along the route of flight are separated by more than 150 nautical miles, the altimeter setting of a station near the route of flight immediately before the aircraft's entry into the altimeter-setting region.

Landing at or Take-off from an Aerodrome at Night

602.40 (1) Subject to subsection (2), no person shall conduct a landing or a take-off in a heavier-than-air aircraft at night at an aerodrome unless the aerodrome is lighted in accordance with the aerodrome lighting requirements specified in Part III.

(2) A person may conduct a landing or a take-off in a heavier-than-air aircraft at night at an aerodrome that is not lighted in accordance with the requirements referred to in subsection (1) where

(a) the flight is conducted without creating a hazard to persons or property on the surface; and

(b) the aircraft is operated

(i) for the purpose of a police operation that is conducted in the service of a police authority, or

(ii) for the purpose of saving human life.

Prohibition

602.58 No person shall operate an aircraft referred to in section 602.57 unless the operational and emergency equipment required by these Regulations is carried on board.

Equipment Standards

602.59 (1) Subject to subsection (2), no person shall operate an aircraft unless the operational and emergency equipment carried on board the aircraft

(a) meets the applicable standards specified in the Airworthiness Manual; and

(b) is functional.

✈ Requirements for Power-driven Aircraft

602.60 (1) No person shall conduct a take-off in a power-driven aircraft, other than an ultra-light aeroplane, unless the following operational and emergency equipment is carried on board:

(a) a checklist or placards that enable the aircraft to be operated in accordance with the limitations specified in the aircraft flight manual, aircraft operating manual, pilot operating handbook or any equivalent document provided by the manufacturer;

(b) where the aircraft is operated in VFR OTT, night VFR flight or IFR flight, all of the necessary current aeronautical charts and publications covering the route of the proposed flight and any probable diversionary route;

(c) a hand-held fire extinguisher in the cockpit that is

(i) of a type suitable for extinguishing the fires that are likely to occur,

(ii) designed to minimize the hazard of toxic gas concentrations, and

(iii) readily available in flight to each flight crew member;

(d) a timepiece that is readily available to each flight crew member;

(e) where the aircraft is operated at night, a flashlight that is readily available to each crew member; and

(f) a first aid kit.

(2) A checklist or placards referred to in paragraph (1)(a) shall enable the aircraft to be operated in normal, abnormal and emergency conditions and shall include

(a) a pre-start check;

(b) a pre-take-off check;

(c) a post-take-off check;

(d) a pre-landing check; and

(e) emergency procedures.

(3) Emergency procedures referred to in paragraph (2)(e) shall include

(a) emergency operation of fuel, hydraulic, electrical and mechanical systems, where applicable;

(b) emergency operation of instruments and controls, where applicable;

(c) engine inoperative procedures; and

(d) any other procedure that is necessary for aviation safety.

(4) Checks and emergency procedures referred to in subsections (2) and (3) shall be performed and followed where they are applicable.

✈ Survival Equipment - Flights over Land

602.61 (1) Subject to subsection (2), no person shall operate an aircraft over land unless there is carried on board survival equipment, sufficient for the survival on the ground of each person on board, given the geographical area, the season of the year and anticipated seasonal climatic variations, that provides the means for

(a) starting a fire;

(b) providing shelter;

(c) providing or purifying water; and

(d) visually signalling distress.

(2) Subsection (1) does not apply in respect of

(a) a balloon, a glider, a hang glider, a gyroplane or an ultra-light aeroplane;

(b) an aircraft that is operated within 25 nautical miles of the aerodrome of departure and that has the capability of radiocommunication with a surface-based radio station for the duration of the flight;

(c) a multi-engined aircraft that is operated south of 66o 30' north latitude

(i) in IFR flight within controlled airspace, or

(ii) along designated air routes;

(d) an aircraft that is operated by an air operator, where the aircraft is equipped with equipment specified in the air operator's company operations manual, but not with the equipment required by subsection (1); or

(e) an aircraft that is operated in a geographical area where and at a time of year when the survival of the persons on board is not jeopardized.

✈ Life Preservers and Flotation Devices

602.62 (1) No person shall conduct a take-off or a landing on water in an aircraft or operate an aircraft over water beyond a point where the aircraft could reach shore in the event of an engine failure, unless a life preserver, individual flotation device or personal flotation device is carried for each person on board.

(2) No person shall operate a land aeroplane, gyroplane, helicopter or airship at more than 50 nautical miles from shore unless a life preserver is carried for each person on board.

(3) No person shall operate a balloon at more than two nautical miles from shore unless a life preserver, individual flotation device or personal flotation device is carried for each person on board.

(4) For aircraft other than balloons, every life preserver, individual flotation device and personal flotation device referred to in this section shall be stowed in a position that is easily accessible to the person for whose use it is provided, when that person is seated.

✈ Life Rafts and Survival Equipment - Flights over Water

602.63 (1) No person shall operate over water a single-engined aeroplane, or a multi-engined aeroplane that is unable to maintain flight with any engine failed, at more than 100 nautical miles, or the distance that can be covered in 30 minutes of flight at the cruising speed filed in the flight plan or flight

itinerary, whichever distance is the lesser, from a suitable emergency landing site unless life rafts are carried on board and are sufficient in total rated capacity to accommodate all of the persons on board.

(2) Subject to subsection (3), no person shall operate over water a multi-engined aeroplane that is able to maintain flight with any engine failed at more than 200 nautical miles, or the distance that can be covered in 60 minutes of flight at the cruising speed filed in the flight plan or flight itinerary, whichever distance is the lesser, from a suitable emergency landing site unless life rafts are carried on board and are sufficient in total rated capacity to accommodate all of the persons on board.

(3) A person may operate over water a transport category aircraft that is an aeroplane, at up to 400 nautical miles, or the distance that can be covered in 120 minutes of flight at the cruising speed filed in the flight plan or flight itinerary, whichever distance is the lesser, from a suitable emergency landing site without the life rafts referred to in subsection (2) being carried on board.

(4) No person shall operate over water a single-engined helicopter, or a multi-engined helicopter that is unable to maintain flight with any engine failed, at more than 25 nautical miles, or the distance that can be covered in 15 minutes of flight at the cruising speed filed in the flight plan or flight itinerary, whichever distance is the lesser, from a suitable emergency landing site unless life rafts are carried on board and are sufficient in total rated capacity to accommodate all of the persons on board.

(5) No person shall operate over water a multi-engined helicopter that is able to maintain flight with any engine failed at more than 50 nautical miles, or the distance that can be covered in 30 minutes of flight at the cruising speed filed in the flight plan or flight itinerary, whichever distance is the lesser, from a suitable emergency landing site unless life rafts are carried on board and are sufficient in total rated capacity to accommodate all of the persons on board.

(6) The life rafts referred to in this section shall be

(a) stowed so that they are easily accessible for use in the event of a ditching;

(b) installed in conspicuously marked locations near an exit; and

(c) equipped with an attached survival kit, sufficient for the survival on water of each person on board the aircraft, given the geographical area, the season of the year and anticipated seasonal climatic variations, that provides a means for

(i) providing shelter,

(ii) providing or purifying water, and

(iii) visually signalling distress.

(7) Where a helicopter is required to carry life rafts pursuant to subsection (4) or (5), no person shall operate the helicopter over water having a temperature of less than 10oC unless

(a) a helicopter passenger transportation suit system is provided for the use of each person on board; and

(b) the pilot-in-command directs each person on board to wear the helicopter passenger transportation suit system.

(8) Every person who has been directed to wear a helicopter passenger transportation suit system pursuant to paragraph (7)(b) shall wear that suit system.

(2) Paragraph (1)(a) does not apply in respect of the following operational and emergency equipment:

(a) survival equipment;

(b) a personal flotation device;

(c) a hand-held fire extinguisher, except if carried on board an aircraft operated under Subpart 4 or Part VII, where the extinguisher meets the applicable standards published by the Canadian Standards Association;

(d) a first aid kit, except if carried on board an aircraft operated under Subpart 4 or Part VII;

(e) aeronautical charts and publications;

(f) a timepiece; and

(g) a flashlight.

DIVISION III - FLIGHT PREPARATION, FLIGHT PLANS AND FLIGHT ITINERARIES

Interpretation

602.70 In this Division,

"overdue" - in respect of an aircraft, means an aircraft for which an arrival report has not been filed

(a) where a flight plan has been filed in respect of the aircraft,

(i) if a search and rescue notification time is specified in the flight plan, immediately after the last reported such time, or

(ii) in all other cases, within one hour after the last reported estimated time of arrival, or

(b) where a flight itinerary has been filed in respect of the aircraft,

(i) if a search and rescue notification time is specified in the flight itinerary, immediately after the last reported such time, or

(ii) in all other cases, within 24 hours after the last reported estimated time of arrival; (en retard)

"responsible person" - means an individual who has agreed with the person who has filed a flight itinerary to ensure that the following are notified in the manner prescribed in this Division, if the aircraft is overdue, namely,

(a) an air traffic control unit, a flight service station or a community aerodrome radio station, or

(b) a Rescue Co-ordination Centre. (personne de confiance)

Pre-flight Information

602.71 The pilot-in-command of an aircraft shall, before commencing a flight, be familiar with the available information that is appropriate to the intended flight.

Weather Information

602.72 The pilot-in-command of an aircraft shall, before commencing a flight, be familiar with the available weather information that is appropriate to the intended flight.

✈ Requirement to File a Flight Plan or a Flight Itinerary

602.73 (1) Subject to subsection (3), no pilot-in-command shall operate an aircraft in IFR flight unless an IFR flight plan has been filed.

(2) No pilot-in-command shall operate an aircraft in VFR flight unless a VFR flight plan or a VFR flight itinerary has been filed, except where the flight is conducted within 25 nautical miles of the departure aerodrome.

(3) A pilot-in-command may file an IFR flight itinerary instead of an IFR flight plan where

(a) the flight is conducted in part or in whole outside controlled airspace; or

(b) facilities are inadequate to permit the communication of flight plan information to an air traffic control unit, a flight service station or a community aerodrome radio station.

(4) Notwithstanding anything in this Division, no pilot-in-command shall, unless a flight plan has been filed, operate an aircraft between Canada and a foreign state.

Contents of a Flight Plan or a Flight Itinerary

602.74 A flight plan or flight itinerary shall contain such information as is specified by the Minister in the Canada Flight Supplement.

Filing of a Flight Plan or a Flight Itinerary

602.75 (1) A flight plan shall be filed with an air traffic control unit, a flight service station or a community aerodrome radio station.

(2) A flight itinerary shall be filed with a responsible person, an air traffic control unit, a flight service station or a community aerodrome radio station.

(3) A flight plan or flight itinerary shall be filed by

(a) sending, delivering or otherwise communicating the flight plan or flight itinerary or the information contained therein; and

(b) receiving acknowledgement that the flight plan or flight itinerary or the information contained therein has been received.

✈ Changes in the Flight Plan

602.76 (1) The pilot-in-command of an aircraft for which an IFR flight plan or an IFR flight itinerary has been filed shall follow the procedure set out in subsection (2) where the pilot-in-command intends to make any change in the plan or itinerary in respect of

(a) the cruising altitude or cruising flight level;

(b) the route of flight;

(c) the destination aerodrome;

(d) in the case of a flight plan, the true airspeed at the cruising altitude or cruising flight level, where the change intended is five per cent or more of the true airspeed specified in the IFR flight plan; or

(e) the Mach number, where the change intended is .01 or more of the Mach number that has been included in the air traffic control clearance.

(2) A pilot-in-command of an aircraft who intends to make any of the changes in the IFR flight plan or the IFR flight itinerary that are referred to in subsection (1) shall

(a) notify as soon as practicable an air traffic control unit or the responsible person, as the case may be, of the intended change; and

(b) where the flight is being conducted in controlled airspace, receive an air traffic control clearance before making the intended change.

(3) The pilot-in-command of an aircraft for which a VFR flight plan or a VFR flight itinerary has been filed shall follow the procedure set out in subsection (4) where the pilot-in-command intends to make a change in the plan or itinerary in respect of

(a) the route of flight;

(b) the duration of the flight; or

(c) the destination aerodrome.

(4) A pilot-in-command of an aircraft who intends to make any of the changes in the VFR flight plan or the VFR flight itinerary that are referred to in subsection (3) shall notify as soon as practicable an air traffic control unit, a flight service station, a community aerodrome radio station or the responsible person, of the intended change.

✈ Requirement to File an Arrival Report

602.77 (1) Subject to subsection (3), a pilot-in-command of an aircraft who terminates a flight in respect of which a flight plan has been filed pursuant to subsection 602.75(1) shall ensure that an arrival report is filed with an air traffic control unit, a flight service station or a community aerodrome radio station as soon as practicable after landing but not later than

(a) the search and rescue action initiation time specified in the flight plan; or

(b) where no search and rescue action initiation time is specified in the flight plan, one hour after the last reported estimated time of arrival.

(2) A pilot-in-command of an aircraft who terminates a flight in respect of which a flight itinerary has been filed pursuant to subsection 602.75(2) shall ensure that an arrival report is filed with an air traffic control unit, a flight service station, a community aerodrome radio station or, where the flight itinerary was filed with a responsible person, the responsible person as soon as practicable after landing but not later than

(a) the search and rescue action initiation time specified in the flight itinerary; or

(b) where no search and rescue action initiation time is specified in the flight itinerary, 24 hours after the last reported estimated time of arrival.

(3) A pilot-in-command who terminates an IFR flight at an aerodrome where there is an operating air traffic control unit or flight service station is not required to file an arrival report unless requested to do so by the appropriate air traffic control unit.

Contents of an Arrival Report

602.78 An arrival report shall contain such information as is specified by the Minister in the Canada Flight Supplement.

Overdue Aircraft Report

602.79 Any person who assumes responsibilities with respect to an aircraft and who has reason to believe that the aircraft is overdue, or any other person who has been directed by that person to do so, shall immediately, by the quickest means available,

(a) notify an air traffic control unit, a flight service station, a community aerodrome radio station or a Rescue Co-ordination Centre; and

(b) provide, to the best of the person's knowledge, all of the available information concerning the overdue aircraft that may be requested by the air traffic control unit, the flight service station, the community aerodrome radio station or the Rescue Co-ordination Centre.

DIVISION IV - PRE-FLIGHT AND FUEL REQUIREMENTS

Carry-on Baggage, Equipment and Cargo

602.86 (1) No person shall operate an aircraft with carry-on baggage, equipment or cargo on board, unless the carry-on baggage, equipment and cargo are

(a) stowed in a bin, compartment, rack or other location that is certified in accordance with the aircraft type certificate in respect of the stowage of carry-on baggage, equipment or cargo; or

(b) restrained so as to prevent them from shifting during movement of the aircraft on the surface and during take-off, landing and in-flight turbulence.

(2) No person shall operate an aircraft with carry-on baggage, equipment or cargo on board unless

(a) the safety equipment, the normal and emergency exits that are accessible to passengers and the aisles between the flight deck and a passenger compartment are not wholly or partially blocked by carry-on baggage, equipment or cargo;

(b) all of the equipment and cargo that are stowed in a passenger compartment are packaged or covered to avoid possible injury to persons on board;

(c) where the aircraft is type-certificated to carry 10 or more passengers and passengers are carried on board,

(i) no passenger's view of any "seat belt" sign, "no smoking" sign or exit sign is obscured by carry-on baggage, equipment or cargo except if an auxiliary sign is visible to the passenger or another means of notification of the passenger is available,

(ii) all of the passenger service carts and trolleys are securely restrained during movement of the aircraft on the surface, take-off and landing, and during in-flight turbulence where the pilot-in-command or in-charge flight attendant has directed that the cabin be secured pursuant to subsection 605.25(3) or (4), and

(iii) all of the video monitors that are suspended from the ceiling of the aircraft and extend into an aisle are stowed and securely restrained during take-off and landing; and

(d) all of the cargo that is stowed in a compartment to which crew members have access is stowed in such a manner as to allow a crew member to effectively reach all parts of the compartment with a hand-held fire extinguisher.

Crew Member Instructions

602.87 The pilot-in-command of an aircraft shall ensure that each crew member, before acting as a crew member on board the aircraft, has been instructed with respect to

(a) the duties that the crew member is to perform; and

(b) the location and use of all of the normal and emergency exits and of all of the emergency equipment that is carried on board the aircraft.

✈ Fuel Requirements

602.88 (1) This section does not apply in respect of any glider, balloon or ultra-light aeroplane.

(2) No pilot-in-command of an aircraft shall commence a flight or, during flight, change the destination aerodrome set out in the flight plan or flight itinerary, unless the aircraft carries sufficient fuel to ensure compliance with subsections (3) to (5).

(3) An aircraft operated in VFR flight shall carry an amount of fuel that is sufficient to allow the aircraft

(a) in the case of an aircraft other than a helicopter,

(i) when operated during the day, to fly to the destination aerodrome and then to fly for a period of 30 minutes at normal cruising speed, or

(ii) when operated at night, to fly to the destination aerodrome and then to fly for a period of 45 minutes at normal cruising speed; or

(b) in the case of a helicopter, to fly to the destination aerodrome and then to fly for a period of 20 minutes at normal cruising speed.

(4) An aircraft operated in IFR flight shall carry an amount of fuel that is sufficient to allow the aircraft

(a) in the case of a propeller-driven aeroplane,

(i) where an alternate aerodrome is specified in the flight plan or flight itinerary, to fly to and execute an approach and a missed approach at the destination aerodrome, to fly to and land at the alternate aerodrome and then to fly for a period of 45 minutes, or

(ii) where an alternate aerodrome is not specified in the flight plan or flight itinerary, to fly to and execute an approach and a missed approach at the destination aerodrome and then to fly for a period of 45 minutes; or

(b) in the case of a turbo-jet-powered aeroplane or a helicopter,

(i) where an alternate aerodrome is specified in the flight plan or flight itinerary, to fly to and execute an approach and a missed approach at the destination aerodrome, to fly to and land at the alternate aerodrome and then to fly for a period of 30 minutes, or

(ii) where an alternate aerodrome is not specified in the flight plan or flight itinerary, to fly to and execute an approach and a missed approach at the destination aerodrome and then to fly for a period of 30 minutes.

(5) Every aircraft shall carry an amount of fuel that is sufficient to provide for

(a) taxiing and foreseeable delays prior to take-off;

(b) meteorological conditions;

(c) foreseeable air traffic routings and traffic delays;

(d) landing at a suitable aerodrome in the event of loss of cabin pressurization or, in the case of a multi-engined aircraft, failure of any engine, at the most critical point during the flight; and

(e) any other foreseeable conditions that could delay the landing of the aircraft.

Passenger Briefings

602.89 (1) The pilot-in-command of an aircraft shall ensure that all of the passengers on board the aircraft are briefed before take-off with respect to the following, where applicable:

(a) the location and means of operation of emergency and normal exits;

(b) the location and means of operation of safety belts, shoulder harnesses and restraint devices;

(c) the positioning of seats and the securing of seat backs and chair tables;

(d) the stowage of carry-on baggage;

(e) where the aircraft is unpressurized and it is possible that the flight will require the use of oxygen by the passengers, the location and means of operation of oxygen equipment; and

(f) any prohibition against smoking.

(2) The pilot-in-command of an aircraft shall ensure that all of the passengers on board the aircraft are briefed

(a) in the case of an over-water flight where the carriage of life preservers, individual flotation devices or personal flotation devices is required pursuant

to section 602.62, before commencement of the over-water portion of the flight, with respect to the location and use of those items; and

(b) in the case of a pressurized aircraft that is to be operated at an altitude above FL 250, before the aircraft reaches FL 250, with respect to the location and means of operation of oxygen equipment.

(3) The pilot-in-command of an aircraft shall, before take-off, ensure that all of the passengers on board the aircraft are provided with information respecting the location and use of

(a) first aid kits and survival equipment;

(b) where the aircraft is a helicopter or a small aircraft that is an aeroplane, any ELT that is required to be carried on board pursuant to section 605.38; and

(c) any life raft that is required to be carried on board pursuant to section 602.63.

DIVISION V - OPERATIONS AT OR IN THE VICINITY OF AN AERODROME

General

602.96 (1) This section applies to persons operating VFR or IFR aircraft at or in the vicinity of an uncontrolled or controlled aerodrome.

(2) Before taking off from, landing at or otherwise operating an aircraft at an aerodrome, the pilot-in-command of the aircraft shall be satisfied that

(a) there is no likelihood of collision with another aircraft or a vehicle; and

(b) the aerodrome is suitable for the intended operation.

(3) The pilot-in-command of an aircraft operating at or in the vicinity of an aerodrome shall

(a) observe aerodrome traffic for the purpose of avoiding a collision;

(b) conform to or avoid the pattern of traffic formed by other aircraft in operation;

(c) make all turns to the left when operating within the aerodrome traffic circuit, except where right turns are specified by the Minister in the Canada Flight Supplement or where otherwise authorized by the appropriate air traffic control unit;

(d) where the aerodrome is an airport, comply with any airport operating restrictions specified by the Minister in the Canada Flight Supplement;

(e) where practicable, land and take off into the wind unless otherwise authorized by the appropriate air traffic control unit;

(f) maintain a continuous listening watch on the appropriate frequency for aerodrome control communications or, if this is not possible and an air traffic control unit is in operation at the aerodrome, keep a watch for such

instructions as may be issued by visual means by the air traffic control unit; and

(g) where the aerodrome is a controlled aerodrome, obtain from the appropriate air traffic control unit, either by radio communication or by visual signal, clearance to taxi, take off from or land at the aerodrome.

(4) Unless otherwise authorized by the appropriate air traffic control unit, no pilot-in-command shall operate an aircraft at an altitude of less than 2,000 feet over an aerodrome except for the purpose of landing or taking off or if the aircraft is operated pursuant to subsection (5).

(5) Where it is necessary for the purposes of the operation in which the aircraft is engaged, a pilot-in-command may operate an aircraft at an altitude of less than 2,000 feet over an aerodrome, where it is being operated

(a) in the service of a police authority;

(b) for the purpose of saving human life;

(c) for fire-fighting or air ambulance operations;

(d) for the purpose of the administration of the Fisheries Act or the Coastal Fisheries Protection Act;

(e) for the purpose of the administration of the national or provincial parks;

(f) for the purpose of flight inspection;

(g) for the purpose of aerial application or aerial inspection;

(h) for the purpose of highway or city traffic patrol;

(i) for the purpose of aerial photography conducted by the holder of an air operator certificate;

(j) for the purpose of helicopter external load operations; or

(k) for the purpose of flight training conducted by the holder of a flight training unit operator certificate.

(6) No person shall conduct a take-off or landing at a designated airport without an aircraft fire-fighting service in an aeroplane in respect of which a type certificate has been issued authorizing the transport of 20 or more passengers if the aeroplane is operated under
(amended 2003/03/01; no previous version)

(a) Part VI, Subpart 4; or

(b) Part VII, Subpart 1 or 5.

(7) Subsection (6) does not apply in respect of
(amended 2003/03/01; no previous version)

(a) a cargo flight without passengers,

(b) a ferry flight,

(c) a positioning flight,

(d) a training flight if no fare-paying passengers are on board;

(e) the arrival of an aeroplane when the airport is being used for a diversion or as an alternate aerodrome; or

(f) the subsequent departure of an aeroplane referred to in paragraph (e) if

(i) the air operator or private operator has notified the operator of the designated airport of the intended time of departure,

(ii) the operator of the designated airport has advised the air operator or private operator that aircraft fire-fighting services cannot be made available within one hour after the later of the time that notification was given under subparagraph (i) and the time of landing, and

(iii) the pilot-in-command and the operations manager of the air operator or private operator have agreed that the aeroplane will depart without aircraft fire-fighting services being available.

✈ VFR and IFR Aircraft Operations at Uncontrolled Aerodromes within an MF Area

602.97 (1) Subject to subsection (3), no pilot-in-command shall operate a VFR or IFR aircraft within an MF area unless the aircraft is equipped with radiocommunication equipment pursuant to Subpart 5.

(2) The pilot-in-command of a VFR or IFR aircraft operating within an MF area shall maintain a listening watch on the mandatory frequency specified for use in the MF area.

(3) The pilot-in-command of a VFR aircraft that is not equipped with the radiocommunication equipment referred to in subsection (1) may operate the aircraft to or from an uncontrolled aerodrome that lies within an MF area if

(a) a ground station is in operation at the aerodrome;

(b) prior notice of the pilot-in-command's intention to operate the aircraft at the aerodrome has been given to the ground station;

(c) when conducting a take-off, the pilot-in-command ascertains by visual observation that there is no likelihood of collision with another aircraft or a vehicle during take-off; and

(d) when approaching for a landing, the aircraft enters the aerodrome traffic circuit from a position that will require it to complete two sides of a rectangular circuit before turning onto the final approach path.

✈ General MF Reporting Requirements

602.98 (1) Every report made pursuant to this Division shall be made on the mandatory frequency that has been specified for use in the applicable MF area.

(2) Every report referred to in subsection (1) shall be

(a) directed to the ground station associated with the MF area, if a ground station exists and is in operation; or

(b) broadcast, if a ground station does not exist or is not in operation.

✈ MF Reporting Procedures before Entering Manoeuvring Area

602.99 The pilot-in-command of a VFR or IFR aircraft that is operated at an uncontrolled aerodrome that lies within an MF area shall report the pilot-in-command's intentions before entering the manoeuvring area of the aerodrome.

✈ MF Reporting Procedures on Departure

602.100 The pilot-in-command of a VFR or IFR aircraft that is departing from an uncontrolled aerodrome that lies within an MF area shall

(a) before moving onto the take-off surface, report the pilot-in-command's departure procedure intentions;

(b) before take-off, ascertain by radiocommunication and by visual observation that there is no likelihood of collision with another aircraft or a vehicle during take-off; and

(c) after take-off, report departing from the aerodrome traffic circuit.

✈ MF Reporting Procedures on Arrival

602.101 The pilot-in-command of a VFR aircraft arriving at an uncontrolled aerodrome that lies within an MF area shall report

(a) before entering the MF area and, where circumstances permit, shall do so at least five minutes before entering the area, giving the aircraft's position, altitude and estimated time of landing and the pilot-in-command's arrival procedure intentions;

(b) when joining the aerodrome traffic circuit, giving the aircraft's position in the circuit;

(c) when on the downwind leg, if applicable;

(d) when on final approach; and

(e) when clear of the surface on which the aircraft has landed.

✈ MF Reporting Procedures When Flying Continuous Circuits

602.102 The pilot-in-command of a VFR aircraft carrying out continuous circuits at an uncontrolled aerodrome that lies within an MF area shall report

(a) when joining the downwind leg of the circuit;

(b) when on final approach, stating the pilot-in-command's intentions; and

(c) when clear of the surface on which the aircraft has landed.

✈ Reporting Procedures When Flying through an MF Area

602.103 The pilot-in-command of an aircraft flying through an MF area shall report

(a) before entering the MF area and, where circumstances permit, shall do so at least five minutes before entering the area, giving the aircraft's position and altitude and the pilot-in-command's intentions; and

(b) when clear of the MF area.

Noise Operating Criteria

602.105 No person shall operate an aircraft at or in the vicinity of an aerodrome except in accordance with the applicable noise abatement procedures and noise control requirements specified by the Minister in the Canada Air Pilot or Canada Flight Supplement, including the procedures and requirements relating to

(a) preferential runways;

(b) minimum noise routes;

(c) hours when aircraft operations are prohibited or restricted;

(d) arrival procedures;

(e) departure procedures;

(f) duration of flights;

(g) the prohibition or restriction of training flights;

(h) VFR or visual approaches;

(i) simulated approach procedures; and

(j) the minimum altitude for the operation of aircraft in the vicinity of the aerodrome.

Noise-restricted Runways

602.106 (1) Subject to subsection (2), no person shall operate a subsonic turbo-jet aeroplane that has a maximum certificated take-off weight of more than 34 000 kg (74,956 pounds) on take-off at a noise-restricted runway set out in column II of an item of the table to this section at an aerodrome set out in column I of that item, unless there is on board

(a) a certificate of airworthiness indicating that the aeroplane meets the applicable noise emission standards;

(b) a certificate of noise compliance issued in respect of the aeroplane; or

(c) where the aeroplane is not a Canadian aircraft, a document issued by the state of registry that specifies that the aeroplane meets the applicable noise emission requirements of that state.

(2) Subsection (1) does not apply

(a) to the extent that it is inconsistent with any obligation assumed by Canada in respect of a foreign state in a treaty, convention or agreement;

(b) where the pilot-in-command of an aircraft has declared an emergency; or

(c) where an aircraft is operated on

(i) an air evacuation operation,

(ii) any other emergency air operation , or

(iii) a departure from an aerodrome at which it was required to land because of an emergency.

Item	COLUMN I Aerodrome*	COLUMN II Noise-restricted Runways for Take-off*
1.	Vancouver International Airport (amended 1999/12/09; previous version)	08L, 08R, 12, 26R
2.	Calgary International Airport	07, 10, 16, 25, 28
3.	Edmonton City Centre (Blatchford Field) Airport	All runways
4.	Edmonton International Airport	12
5.	Winnipeg International Airport	13, 18
6.	Hamilton Airport	06
7.	Toronto/Lester B. Pearson International Airport (amended 2005/05/31; previous version)	05, 06L, 06R, 15L, 15R
8.	Ottawa/Macdonald-Cartier International Airport	32
9.	Montréal/Pierre Elliott Trudeau International Airport (amended 2004/02/24; previous version)	All runways

* Information taken from the aeronautical information publication of the Department of Transport entitled Canada Flight Supplement

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DIVISION VI - VISUAL FLIGHT RULES

✈ Minimum Visual Meteorological Conditions for VFR Flight in Controlled Airspace

602.114 No person shall operate an aircraft in VFR flight within controlled airspace unless

(a) the aircraft is operated with visual reference to the surface;

(b) flight visibility is not less than three miles;

(c) the distance of the aircraft from cloud is not less than 500 feet vertically and one mile horizontally; and

(d) where the aircraft is operated within a control zone,

(i) when reported, ground visibility is not less than three miles, and

(ii) except when taking off or landing, the distance of the aircraft from the surface is not less than 500 feet.

✈ Minimum Visual Meteorological Conditions for VFR Flight in Uncontrolled Airspace

602.115 No person shall operate an aircraft in VFR flight within uncontrolled airspace unless

(a) the aircraft is operated with visual reference to the surface;

(b) where the aircraft is operated at or above 1,000 feet AGL

(i) during the day, flight visibility is not less than one mile,

(ii) during the night, flight visibility is not less than three miles, and

(iii) in either case, the distance of the aircraft from cloud is not less than 500 feet vertically and 2,000 feet horizontally;

(c) where the aircraft is not a helicopter and is operated at less than 1,000 feet AGL

(i) during the day, flight visibility is not less than two miles, except if otherwise authorized in an air operator certificate or a private operator certificate,

(ii) during the night, flight visibility is not less than three miles, and

(iii) in either case, the aircraft is operated clear of cloud; and

(d) where the aircraft is a helicopter and is operated at less than 1,000 feet AGL

(i) during the day, flight visibility is not less than one mile, except if otherwise authorized in an air operator certificate or a flight training unit operator certificate - helicopter,

(ii) during the night, flight visibility is not less than three miles, and

(iii) in either case, the aircraft is operated clear of cloud.

✈ VFR Over-the-Top

602.116 Notwithstanding paragraphs 602.114(a) and 602.115(a), an aircraft may be operated in VFR OTT flight during the cruise portion of the flight during the day if

(a) the aircraft is operated at a vertical distance from cloud of at least 1,000 feet;

(b) where the aircraft is operated between two cloud layers, the vertical distance between the layers is at least 5,000 feet;

(c) flight visibility at the cruising altitude of the aircraft is at least five miles; and

(d) the weather at the aerodrome of destination is forecast to have a sky condition of scattered cloud or clear and a ground visibility of five miles or greater with no forecast of precipitation, fog, thunderstorms or blowing snow, and those conditions are forecast to exist

(i) where the forecast is an aerodrome forecast (TAF), for the period from one hour before to two hours after the estimated time of arrival; and

(ii) where an aerodrome forecast (TAF) is not available and the forecast is an area forecast (FA), for the period from one hour before to three hours after the estimated time of arrival.

✈ Special VFR Flight

602.117 (1) Notwithstanding paragraph 602.114(b), an aircraft may be operated in special VFR flight within a control zone if

(a) weather conditions preclude compliance with paragraph 602.114(b);

(b) flight visibility is not less than

(i) one mile, where the aircraft is not a helicopter, or

(ii) one-half mile, where the aircraft is a helicopter;

(c) the aircraft is operated clear of cloud and with visual reference to the surface at all times; and

(d) authorization to do so has been requested and obtained from the appropriate air traffic control unit.

(2) Where aerodrome traffic permits, an air traffic control unit shall authorize a pilot-in-command to operate an aircraft in special VFR flight within a control zone if

(a) the pilot-in-command requests authorization to operate the aircraft in special VFR flight;

(b) when reported, ground visibility within the control zone is not less than

(i) one mile, where the aircraft is not a helicopter, or

(ii) one-half mile, where the aircraft is a helicopter;

(c) the aircraft is equipped with radiocommunication equipment capable of maintaining communication with the appropriate air traffic control unit; and

(d) when the aircraft is operated during the night, the authorization is for the purpose of allowing the aircraft to land at the destination aerodrome.

Continuous Listening Watch

602.136 Subject to sections 602.137 and 602.138, where an aircraft is equipped with radiocommunication equipment, the pilot-in-command shall ensure that

(a) a listening watch is maintained on the appropriate frequency; and

(b) where communications are required, communication is established with an air traffic control unit, flight service station or community aerodrome radio station, as applicable, on that appropriate frequency.

Two-way Radiocommunication Failure in VFR Flight

602.138 Where there is a two-way radiocommunication failure between the controlling air traffic control unit and a VFR aircraft while operating in Class B, Class C or Class D airspace, the pilot-in-command shall

(a) leave the airspace

(i) where the airspace is a control zone, by landing at the aerodrome for which the control zone is established, and

(ii) in any other case, by the shortest route;

(b) where the aircraft is equipped with a transponder, set the transponder to code 7600; and

(c) inform an air traffic control unit as soon as possible of the actions taken pursuant to paragraph (a).

DIVISION IX - EMERGENCY COMMUNICATIONS AND SECURITY

Emergency Radio Frequency Capability

602.143 No person shall operate an aircraft equipped with two-way VHF radiocommunication equipment unless the equipment is capable of providing communication on VHF frequency 121.5 MHz.

Interception Signals, Interception of Aircraft and Instructions to Land

602.144 (1) No person shall give an interception signal or an instruction to land except

(a) a peace officer, an officer of a police authority or an officer of the Canadian Forces acting within the scope of their duties; or

(b) a person authorized to do so by the Minister pursuant to subsection (2).

(2) The Minister may authorize a person to give an interception signal or an instruction to land if such authorization is in the public interest and is not likely to affect aviation safety.

(3) The pilot-in-command of an aircraft who receives an instruction to land from a person referred to in subsection (1) shall, subject to any direction received from an air traffic control unit, comply with the instruction.

(4) The pilot-in-command of an intercepting aircraft and the pilot-in-command of an intercepted aircraft shall comply with the rules of interception set out in the Canada Flight Supplement.

✈ ADIZ

602.145 (1) This section applies in respect of aircraft before entering into and while operating within the ADIZ, the dimensions of which are specified in the Designated Airspace Handbook.

(2) Every flight plan or flight itinerary required to be filed pursuant to this section shall be filed with an air traffic control unit, a flight service station or a community aerodrome radio station.

(3) The pilot-in-command of an aircraft whose point of departure within the ADIZ or last point of departure before entering the ADIZ has facilities for the transmission of flight plan or flight itinerary information shall

(a) before take-off, file a flight plan or flight itinerary;

(b) in the case of a VFR aircraft where the point of departure is outside the ADIZ,

(i) indicate in the flight plan or flight itinerary the estimated time and point of ADIZ entry, and

(ii) as soon as possible after take-off, communicate by radio to an air traffic control unit, a flight service station or a community aerodrome radio station a position report of the aircraft's location, altitude, aerodrome of departure and estimated time and point of ADIZ entry; and

(c) in the case of a VFR aircraft where the point of departure is within the ADIZ, as soon as possible after take-off, communicate by radio to an air traffic control unit, a flight service station or a community aerodrome radio station a position report of the aircraft's location, altitude and aerodrome of departure.

(4) The pilot-in-command of an aircraft whose point of departure within the ADIZ or last point of departure before entering the ADIZ does not have facilities for the transmission of flight plan or flight itinerary information shall

(a) as soon as possible after take-off, file by radiocommunication a flight plan or flight itinerary; and

(b) in the case of a VFR aircraft, indicate in the flight plan or flight itinerary the estimated time and point of ADIZ entry, if applicable.

(5) The pilot-in-command of a VFR aircraft shall revise the estimated time and point of ADIZ entry and inform an air traffic control unit, a flight service station or a community aerodrome radio station, when the aircraft is not expected to arrive

(a) within plus or minus five minutes of the estimated time at

(i) a reporting point,

(ii) the point of ADIZ entry, or

(iii) the point of destination within the ADIZ; or

(b) within 20 nautical miles of

(i) the estimated point of ADIZ entry, or

(ii) the centre line of the route of flight indicated in the flight plan or flight itinerary.

ESCAT Plan
(amended 2002/09/24; previous version)

602.146 (1) This section applies in respect of aircraft before entering into and while operating within Canadian domestic airspace or the ADIZ.

(2) The pilot-in-command of an aircraft referred to in subsection (1) who is notified by an air traffic control unit of the implementation of the ESCAT Plan shall
(amended 2002/09/24; previous version)

(a) before take-off, obtain approval for the flight from the appropriate air traffic control unit or flight service station;

(b) comply with any instruction to land or to change course or altitude that is received from the appropriate air traffic control unit or flight service station; and

(c) provide the appropriate air traffic control unit or flight service station with position reports

(i) when operating within controlled airspace, as required pursuant to section 602.125, and

(ii) when operating outside controlled airspace, at least every 30 minutes.

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604 - PRIVATE OPERATOR PASSENGER TRANSPORTATION

DIVISION I - GENERAL

Application

604.01 This Subpart applies in respect of the operation of a Canadian aircraft that is used for the transport of passengers, where the aircraft

(a) is a turbine-powered pressurized aeroplane or a large aeroplane; and

(b) is not required to be operated under Subpart 6 of Part IV or under Part VII.

Aircraft Operation

604.02 No person shall operate an aircraft under this Subpart unless the person complies with the conditions and specifications in

(a) a private operator certificate issued to that person by the Minister pursuant to Section 604.05; or

(b) an air operator certificate issued to that person by the Minister pursuant to Part VII.

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605 - AIRCRAFT REQUIREMENTS

DIVISION I - AIRCRAFT REQUIREMENTS - GENERAL

Flight Authority

605.03 (1) No person shall operate an aircraft in flight unless

(a) a flight authority is in effect in respect of the aircraft;

(b) the aircraft is operated in accordance with the conditions set out in the flight authority; and

(c) subject to subsections (2) and (3), the flight authority is carried on board the aircraft.

(2) Where a specific-purpose flight permit has been issued pursuant to Section 507.04, an aircraft may be operated without the flight authority carried on board where

(a) the flight is conducted in Canadian airspace; and

(b) an entry is made into the journey log indicating

(i) that the aircraft is operating under a specific-purpose flight permit, and

(ii) where applicable, any operational conditions that pertain to flight operations under the specific-purpose flight permit.

(3) A balloon may be operated without the flight authority carried on board where the flight authority is immediately available to the pilot-in-command

(a) prior to commencing a flight; and

(b) on completion of the flight.

Availability of Aircraft Flight Manual

605.04 (1) No person shall conduct a take-off in an aircraft for which an aircraft flight manual is required by the applicable standards of airworthiness, unless the aircraft flight manual or, where established pursuant to Section 604.83 or Part VII, the aircraft operating manual is available to the flight crew members at their duty stations.

(2) The aircraft flight manual or, where an aircraft operating manual is established pursuant to Section 604.83 or Part VII, those parts of the aircraft flight manual that are incorporated into the aircraft operating manual shall include all of the amendments and supplementary material that are applicable to the aircraft type.

Markings and Placards

605.05 No person shall conduct a take-off in an aircraft in respect of which markings or placards are required by the applicable standards of airworthiness unless the markings or placards are affixed to the aircraft or attached to a component of the aircraft in accordance with those standards.

605.06 No person shall conduct a take-off in an aircraft, or permit another person to conduct a take-off in an aircraft in their custody and control, unless the aircraft equipment required by these Regulations

(a) meets the applicable standards of airworthiness; and

(b) is serviceable and, where required by operational circumstances, functioning, except if otherwise provided in Section 605.08, 605.09 or 605.10.

Minimum Equipment Lists

605.07 (1) The Minister may, in accordance with the MMEL/MEL Policy and Procedures Manual, establish a master minimum equipment list for each type of aircraft.

(2) The Minister may supplement a master minimum equipment list that has been issued by the competent authority of a foreign state in respect of a type of aircraft where necessary to ensure compliance with the MMEL/MEL Policy and Procedures Manual.

(3) Where a master minimum equipment list has been established for an aircraft type pursuant to subsection (1) or supplemented pursuant to subsection (2), the Minister shall approve a minimum equipment list in respect of each operator of that type of aircraft, if the requirements set out in the MMEL/MEL Policy and Procedures Manual are met.

Unserviceable and Removed Equipment - General

605.08 (1) Notwithstanding subsection (2) and Sections 605.09 and 605.10, no person shall conduct a take-off in an aircraft that has equipment that is not serviceable or from which equipment has been removed if, in the opinion of the pilot-in-command, aviation safety is affected.

(2) Notwithstanding Sections 605.09 and 605.10, a person may conduct a take-off in an aircraft that has equipment that is not serviceable or from which equipment has been removed where the aircraft is operated in accordance with the conditions of a flight permit that has been issued specifically for that purpose.

Unserviceable and Removed Equipment - Aircraft with a Minimum Equipment List

605.09 (1) Subject to subsection (2), where a minimum equipment list has been approved in respect of the operator of an aircraft pursuant to subsection 605.07(3), no person shall conduct a take-off in the aircraft with equipment that is not serviceable or that has been removed unless

(a) the aircraft is operated in accordance with any conditions or limitations specified in the minimum equipment list; and

(b) a copy of the minimum equipment list is carried on board.

(2) Where the conditions or limitations specified in a minimum equipment list are in conflict with the requirements of an airworthiness directive, the airworthiness directive prevails.

Unserviceable and Removed Equipment - Aircraft without a Minimum Equipment List

605.10 (1) Where a minimum equipment list has not been approved in respect of the operator of an aircraft, no person shall conduct a take-off in the aircraft with equipment that is not serviceable or that has been removed, where that equipment is required by

(a) the standards of airworthiness that apply to day or night VFR or IFR flight, as applicable;

(b) any equipment list published by the aircraft manufacturer respecting aircraft equipment that is required for the intended flight;

(c) an air operator certificate, a private operator certificate, a special flight operations certificate or a flight training unit operating certificate;

(d) an airworthiness directive; or

(e) these Regulations.

(2) Where a minimum equipment list has not been approved in respect of the operator of an aircraft and the aircraft has equipment, other than the equipment required by subsection (1), that is not serviceable or that has been removed, no person shall conduct a take-off in the aircraft unless

(a) where the unserviceable equipment is not removed from the aircraft, it is isolated or secured so as not to constitute a hazard to any other aircraft system or to any person on board the aircraft;

(b) the appropriate placards are installed as required by the Aircraft Equipment and Maintenance Standards; and

(c) an entry recording the actions referred to in paragraphs (a) and (b) is made in the journey log, as applicable.

DIVISION II - AIRCRAFT EQUIPMENT REQUIREMENTS

Power-driven Aircraft - Day VFR

605.14 No person shall conduct a take-off in a power-driven aircraft for the purpose of day VFR flight unless it is equipped with

(a) where the aircraft is operated in uncontrolled airspace, an altimeter;

(b) where the aircraft is operated in controlled airspace, a sensitive altimeter adjustable for barometric pressure;

(c) an airspeed indicator;

(d) a magnetic compass or a magnetic direction indicator that operates independently of the aircraft electrical generating system;

(e) a tachometer for each engine and for each propeller or rotor that has limiting speeds established by the manufacturer;

(f) an oil pressure indicator for each engine employing an oil pressure system;

(g) a coolant temperature indicator for each liquid-cooled engine;

(h) an oil temperature indicator for each air-cooled engine having a separate oil system;

(i) a manifold pressure gauge for each

(i) reciprocating engine equipped with a variable-pitch propeller,

(ii) reciprocating engine used to power a helicopter,

(iii) supercharged engine, and

(iv) turbocharged engine;

(j) a means for the flight crew, when seated at the flight controls to determine

(i) the fuel quantity in each main fuel tank, and

(ii) if the aircraft employs retractable landing gear, the position of the landing gear;

(k) subject to subsections 601.08(2) and 601.09(2), a radiocommunication system adequate to permit two-way communication on the appropriate frequency when the aircraft is operated within

(i) Class B, Class C or Class D airspace,

(ii) an MF area, unless the aircraft is operated pursuant to subsection 602.97(3), or

(iii) the ADIZ;

(l) where the aircraft is operated under Subpart 4 of this Part, or under Subpart 3, 4 or 5 of Part VII, radiocommunication equipment adequate to permit two-way communication on the appropriate frequency;

(m) where the aircraft is operated in Class B airspace, radio navigation equipment that will enable it to be operated in accordance with a flight plan; and

(n) where the aircraft is operated under Subpart 4 of this Part or under Subpart 5 of Part VII, radio navigation equipment that is adequate to receive radio signals from a transmitting facility.

Power-driven Aircraft - VFR OTT

605.15 (1) No person shall conduct a take-off in a power-driven aircraft for the purpose of VFR OTT flight unless it is equipped with

(a) the equipment referred to in paragraphs 605.14(c) to (j);

(b) a sensitive altimeter adjustable for barometric pressure;

(c) a means of preventing malfunction caused by icing for each airspeed indicating system;

(d) a gyroscopic direction indicator or a stabilized magnetic direction indicator;

(e) an attitude indicator;

(f) subject to subsection (2), a turn and slip indicator or turn coordinator;

(g) where the aircraft is to be operated within the Northern Domestic Airspace, a means of establishing direction that is not dependent on a magnetic source;

(h) radiocommunication equipment adequate to permit two-way communication on the appropriate frequency; and

(i) radio navigation equipment adequate to permit the aircraft to be navigated safely.

(2) Where the aircraft is equipped with a standby attitude indicator that is usable through flight attitudes of 360 degrees of pitch and roll for an aeroplane, or ± 80 degrees of pitch and ± 120 degrees of roll for a helicopter, the aircraft may be equipped with a slip-skid indicator in lieu of a turn and slip indicator or turn coordinator.

Power-driven Aircraft - Night VFR

605.16 (1) No person shall conduct a take-off in a power-driven aircraft for the purpose of night VFR flight, unless it is equipped with

(a) the equipment referred to in paragraphs 605.14(c) to (n);

(b) a sensitive altimeter adjustable for barometric pressure;

(c) subject to subsection (2), a turn and slip indicator or turn coordinator;

(d) an adequate source of electrical energy for all of the electrical and radio equipment;

(e) in respect of every set of fuses of a particular rating that is installed on the aircraft and accessible to the pilot-in-command during flight, a number of spare fuses that is equal to at least 50 per cent of the total number of installed fuses of that rating;

(f) where the aircraft is operated so that an aerodrome is not visible from the aircraft, a stabilized magnetic direction indicator or a gyroscopic direction indicator;

(g) where the aircraft is to be operated within the Northern Domestic Airspace, a means of establishing direction that is not dependent on a magnetic source;

(h) where the aircraft is an airship operated within controlled airspace, radar reflectors attached in such a manner as to be capable of a 360-degree reflection;

(i) a means of illumination for all of the instruments used to operate the aircraft;

(j) when carrying passengers, a landing light; and

(k) position and anti-collision lights that conform to the Aircraft Equipment and Maintenance Standards.

(2) Where the aircraft is equipped with a standby attitude indicator that is usable through flight attitudes of 360 degrees of pitch and roll for an aeroplane, or ± 80 degrees of pitch and ± 120 degrees of roll for a helicopter, the aircraft may be equipped with a slip-skid indicator in lieu of a turn and slip indicator or turn coordinator.

(3) No person shall operate an aircraft that is equipped with any light that may be mistaken for, or downgrade the conspicuity of, a light in the navigation light system, unless the aircraft is being operated for the purpose of aerial advertising.

(4) In addition to the equipment requirements specified in subsection (1), no person shall operate an aircraft in night VFR flight under Subpart 4 of this Part or Subparts 2 to 5 of Part VII, unless the aircraft is equipped with

(a) an attitude indicator;

(b) a vertical speed indicator;

(c) a means of preventing malfunction caused by icing for each airspeed indicating system; and

(d) an outside air temperature gauge.

Use of Position and Anti-collision Lights

605.17 (1) Subject to subsection (2), no person shall operate an aircraft in the air or on the ground at night, or on water between sunset and sunrise, unless the aircraft position lights and anti-collision lights are turned on.

(2) Anti-collision lights may be turned off where the pilot-in-command determines that, because of operating conditions, doing so would be in the interests of aviation safety.

Seat and Safety Belt Requirements

605.22 (1) Subject to subsection 605.23, no person shall operate an aircraft other than a balloon unless it is equipped with a seat and safety belt for each person on board the aircraft other than an infant.

(2) Subsection (1) does not apply to a person operating an aircraft that was type-certificated with a safety belt designed for two persons.

(3) A safety belt referred to in subsection (1) shall include a latching device of the metal-to-metal type.

Restraint System Requirements

605.23 An aircraft may be operated without being equipped in accordance with Section 605.22 in respect of the following persons if a restraint system that is secured to the primary structure of the aircraft is provided for each person who is

(a) carried on a stretcher or in an incubator or other similar device;

(b) carried for the purpose of parachuting from the aircraft; or

(c) required to work in the vicinity of an opening in the aircraft structure.

Shoulder Harness Requirements

605.24 (1) No person shall operate an aeroplane, other than a small aeroplane manufactured before July 18, 1978, unless each front seat or, if the aeroplane has a flight deck, each seat on the flight deck is equipped with a safety belt that includes a shoulder harness.

(2) Except as provided in Section 705.75, no person shall operate a transport category aeroplane unless each flight attendant seat is equipped with a safety belt that includes a shoulder harness.

(3) No person shall operate a small aeroplane manufactured after December 12, 1986, the initial type certificate of which provides for not more than nine passenger seats, excluding any pilot seats, unless each forward- or aft-facing seat is equipped with a safety belt that includes a shoulder harness.

(4) No person shall operate a helicopter manufactured after September 16, 1992, the initial type certificate of which specifies that the helicopter is certified as belonging to the normal or transport category, unless each seat is equipped with a safety belt that includes a shoulder harness.

(5) No person operating an aircraft shall conduct any of the following flight operations unless the aircraft is equipped with a seat and a safety belt that includes a shoulder harness for each person on board the aircraft:

(a) aerobatic manoeuvres;

(b) class B, C or D external load operations conducted by a helicopter; and

(c) aerial application, or aerial inspection other than flight inspection for the purpose of calibrating electronic navigation aids, conducted at altitudes below 500 feet AGL.

General Use of Safety Belts and Restraint Systems

605.25 (1) The pilot-in-command of an aircraft shall direct all of the persons on board the aircraft to fasten safety belts

(a) during movement of the aircraft on the surface;

(b) during take-off and landing; and

(c) at any time during flight that the pilot-in-command considers it necessary that safety belts be fastened.

(2) The directions referred to in subsection (1) also apply to the use of the following restraint systems:

(a) a child restraint system;

(b) a restraint system used by a person who is engaged in parachute descents; and

(c) a restraint system used by a person when working in the vicinity of an opening in the aircraft structure.

(3) Where an aircraft crew includes flight attendants and the pilot-in-command anticipates that the level of turbulence will exceed light turbulence, the pilot-in-command shall immediately direct each flight attendant to

(a) discontinue duties relating to service;

(b) secure the cabin; and

(c) occupy a seat and fasten the safety belt provided.

(4) Where an aircraft is experiencing turbulence and the in-charge flight attendant considers it necessary, the in-charge flight attendant shall

(a) direct all of the passengers to fasten their safety belts; and

(b) direct all of the other flight attendants to discontinue duties relating to service, to secure the cabin and to occupy their seats and fasten the safety belts provided.

(5) Where the in-charge flight attendant has given directions in accordance with subsection (4), the in-charge flight attendant shall so inform the pilot-in-command.

Use of Passenger Safety Belts and Restraint Systems

605.26 (1) Where the pilot-in-command or the in-charge flight attendant directs that safety belts be fastened, every passenger who is not an infant shall

(a) ensure that the passenger's safety belt or restraint system is properly adjusted and securely fastened;

(b) if responsible for an infant for which no child restraint system is provided, hold the infant securely in the passenger's arms; and

(c) if responsible for a person who is using a child restraint system, ensure that the person is properly secured.

(2) No passenger shall be responsible for more than one infant.

Use of Crew Member Safety Belts

605.27 (1) Subject to subsection (2), the crew members on an aircraft shall be seated at their stations with their safety belts fastened

(a) during take-off and landing;

(b) at any time that the pilot-in-command directs; and

(c) in the case of crew members who are flight attendants, at any time that the in-charge flight attendant so directs pursuant to paragraph 605.25(4)(b).

(2) Where the pilot-in-command directs that safety belts be fastened by illuminating the safety belt sign, a crew member is not required to comply with paragraph (1)(b)

(a) during movement of the aircraft on the surface or during flight, if the crew member is performing duties relating to the safety of the aircraft or of the passengers on board;

(b) where the aircraft is experiencing light turbulence, if the crew member is a flight attendant and is performing duties relating to the passengers on board; or

(c) if the crew member is occupying a crew rest facility during cruise flight and the restraint system for that facility is properly adjusted and securely fastened.

(3) The pilot-in-command shall ensure that at least one pilot is seated at the flight controls with safety belt fastened during flight time.

Child Restraint System

605.28 (1) No operator of an aircraft shall permit the use of a child restraint system on board the aircraft unless

(a) the person using the child restraint system is accompanied by a parent or guardian who will attend to the safety of the person during the flight;

(b) the weight and height of the person using the child restraint system are within the range specified by the manufacturer;

(c) the child restraint system bears a legible label indicating the applicable design standards and date of manufacture;

(d) the child restraint system is properly secured by the safety belt of a forward-facing seat that is not located in an emergency exit row and does not block access to an aisle; and

(e) the tether strap is used according to the manufacturer's instructions or, where subsection (2) applies, secured so as not to pose a hazard to the person using the child restraint system or to any other person.

(2) Where a seat incorporates design features to reduce occupant loads, such as the crushing or separation of certain components, and the seat is in compliance with the applicable design standards, no person shall use the tether strap on the child restraint system to secure the system.

(3) Every passenger who is responsible for a person who is using a child restraint system on board an aircraft shall be

(a) seated in a seat adjacent to the seat to which the child restraint system is secured;

(b) familiar with the manufacturer's installation instructions for the child restraint system; and

(c) familiar with the method of securing the person in the child restraint system and of releasing the person from it.

Flight Control Locks

605.29 No operator of an aircraft shall permit the use of a flight control lock in respect of the aircraft unless

(a) the flight control lock is incapable of becoming engaged when the aircraft is being operated; and

(b) an unmistakable warning is provided to the person operating the aircraft whenever the flight control lock is engaged.

De-icing or Anti-icing Equipment

605.30 No person shall conduct a take-off or continue a flight in an aircraft where icing conditions are reported to exist or are forecast to be encountered along the route of flight unless

(a) the pilot-in-command determines that the aircraft is adequately equipped to operate in icing conditions in accordance with the standards of airworthiness under which the type certificate for that aircraft was issued; or

(b) current weather reports or pilot reports indicate that icing conditions no longer exist.

✈ Oxygen Equipment and Supply

605.31 (1) No person shall operate an unpressurized aircraft unless it is equipped with sufficient oxygen dispensing units and oxygen supply to comply with the requirements set out in the table to this subsection.

Table - Oxygen Requirements for Unpressurized Aircraft

Item	COLUMN I Persons for Whom Oxygen Supply Must Be Available	COLUMN II Period of Flight and Cabin-Pressure-Altitude
1.	All crew members and 10 per cent of passengers and, in any case, no less than one passenger	Entire period of flight exceeding 30 minutes at cabin-pressure-altitudes above 10,000 feet ASL but not exceeding 13,000 feet ASL
2.	All persons on board the aircraft	(a) Entire period of flight at cabin-pressure-altitudes above 13,000 feet ASL (b) For aircraft operated in an air transport service under the conditions referred to in paragraph (a), a period of flight of not less than one hour.

(2) No person shall operate a pressurized aircraft unless it is equipped with sufficient oxygen dispensing units and oxygen supply to provide, in the event of cabin pressurization failure at the most critical point during the flight, sufficient oxygen to continue the flight to an aerodrome suitable for landing while complying with the requirements of the table to this subsection.

Table - Minimum Oxygen Requirements for Pressurized Aircraft Following Emergency Descent (Note 1)

Item	COLUMN I Persons for Whom Oxygen Supply Must Be Available	COLUMN II Period of Flight and Cabin-Pressure-Altitude
1.	All crew members and 10 per cent of passengers and, in any case, no less than one passenger	(a) Entire period of flight exceeding 30 minutes at cabin-pressure-altitudes above 10,000 feet ASL but not exceeding 13,000 feet ASL (b) Entire period of flight at cabin-pressure-altitudes above 13,000 feet ASL (c) For aircraft operated in an air transport service under the conditions referred to in paragraph (a) or (b), a period of flight of not less than (i) 30 minutes (Note 2), and (ii) for flight crew members, two hours for aircraft the type certificate of which authorizes flight at altitudes exceeding FL 250 (Note 3)
2.	All passengers	(a) Entire period of flight at cabin-pressure-altitudes exceeding 13,000 feet ASL (b) For aircraft operated in an air transport service under the conditions referred to in paragraph (a), a period of flight of not less than 10 minutes

Note 1: In determining the available supply, the cabin pressure altitude descent profile for the routes concerned must be taken into account.

Note 2: The minimum supply is that quantity of oxygen necessary for a constant rate of descent from the aircraft's maximum operating altitude authorized in the type certificate to 10,000 feet ASL in 10 minutes, followed by 20 minutes at 10,000 feet ASL.

Note 3: The minimum supply is that quantity of oxygen necessary for a constant rate of descent from the aircraft's maximum operating altitude authorized in the type certificate to 10,000 feet ASL in 10 minutes, followed by 110 minutes at 10,000 feet ASL.

Use of Oxygen

605.32 (1) Where an aircraft is operated at cabin-pressure-altitudes above 10,000 feet ASL but not exceeding 13,000 feet ASL, each crew member shall wear an oxygen mask and use supplemental oxygen for any part of the flight at those altitudes that is more than 30 minutes in duration.

(2) Where an aircraft is operated at cabin-pressure-altitudes above 13,000 feet ASL, each person on board the aircraft shall wear an oxygen mask and use supplemental oxygen for the duration of the flight at those altitudes.

(3) The pilot at the flight controls of an aircraft shall use an oxygen mask if

(a) the aircraft is not equipped with quick-donning oxygen masks and is operated at or above flight level 250; or

(b) the aircraft is equipped with quick-donning oxygen masks and is operated above flight level 410.

Transponder and Automatic Pressure-altitude Reporting Equipment

605.35 (1) Subject to subsections (2) and (3), no person shall operate an aircraft, other than a balloon or a glider, in airspace referred to in Section 601.03, unless the aircraft is equipped with a transponder and automatic pressure-altitude reporting equipment.

(2) The aircraft referred to in subsection (1) may be operated without a serviceable transponder and automatic pressure-altitude reporting equipment if

(a) where a minimum equipment list has been approved by the Minister in respect of the operator of the aircraft pursuant to subsection 605.07(3), the aircraft is operated in accordance with the minimum equipment list; or

(b) where a minimum equipment list has not been approved by the Minister in respect of the operator of the aircraft, the aircraft is operated

(i) to the next aerodrome of intended landing, and

(ii) thereafter, in accordance with an air traffic control clearance, to complete a planned flight schedule or to proceed to a maintenance facility.

(3) An air traffic control unit may authorize a person to operate an aircraft that is not equipped in accordance with subsection (1) within airspace referred to in Section 601.03 where

(a) the air traffic control unit provides an air traffic control service in respect of that airspace;

(b) the air traffic control unit received a request from the person to operate the aircraft within that airspace before the aircraft entered the airspace; and

(c) aviation safety is not likely to be affected.

ELT

605.38 (1) Subject to subsection (3), no person shall operate an aircraft unless it is equipped with one or more ELTs in accordance with subsection (2).

(2) An aircraft set out in column I of an item of the table to this subsection shall, for the area of operation set out in column II of the item, be equipped with the quantity and type of ELTs referred to in column III of that item, which ELTs shall be armed, if so specified in the aircraft flight manual, aircraft operating manual, pilot operating handbook or equivalent document provided by the manufacturer.

Table - ELT Requirements

Item	COLUMN I Aircraft	COLUMN II Area of Operation	COLUMN III Minimum Equipment
1.	All aircraft except those referred to in subsection (3)	Over land	One ELT of Type AD, AF, AP, A or F
2.	Large multi-engined turbo-jet aeroplanes engaged in an air transport service carrying passengers	Over water at a distance from land that requires the carriage of life rafts pursuant to Section 602.63	Two ELTs of Type W or S or one of each
3.	All aircraft that require an ELT other than those set out in item 2	Over water at a distance from land that requires the carriage of life rafts pursuant to Section 602.63	One ELT of Type W or S

(3) An aircraft referred to in subsection (1) may be operated without an ELT on board where the aircraft is

(a) a glider, balloon, airship, ultra-light aeroplane or gyroplane;

(b) Repealed
(amended 2004/09/01; previous version)

(c) registered under the laws of a contracting state or a state that is a party to an agreement entered into with Canada relating to interstate flying, and is equipped with a serviceable radio transmitter that

(i) is approved by the state of registry for search and rescue purposes, and

(ii) has a distinctive audio signal and is capable of communication on the frequency of 121.5 MHz, or simultaneously on the frequencies of 121.5 MHz and 243.0 MHz;

(d) operated by the holder of a flight training unit operating certificate, engaged in flight training and operated within 25 nautical miles of the aerodrome of departure;

(e) engaged in a flight test;

(f) a new aircraft engaged in flight operations incidental to manufacture, preparation or delivery of the aircraft;

(g) operated for the purpose of permitting a person to conduct a parachute descent within 25 nautical miles of the aerodrome of departure; or
(amended 2002/09/24; previous version)

(h) operated in accordance with section 605.39.
(amended 2002/09/24; previous version)

(4) If an aircraft is equipped with one or more ELTs capable of broadcasting on the frequency of 406 MHz, each ELT shall be registered with
(amended 2002/09/24; no previous version)

(a) the Canadian beacon Registry of the National Search and Rescue Secretariat; or
(amended 2002/09/24; no previous version)

(b) the appropriate authority of the country identified in the coded message transmitted by the ELT.
(amended 2002/09/24; no previous version)

Use of ELTs

605.39 (1) An aircraft that is required to be equipped with one or more ELTs under section 605.38 may be operated without a serviceable ELT if the operator
(amended 2002/09/24; previous version)

(a) repairs the ELT or removes it from the aircraft at the first aerodrome at which repairs or removal can be accomplished;
(amended 2002/09/24; previous version)

(b) on removal of the ELT, sends the ELT to a maintenance facility; and
(amended 2002/09/24; previous version)

(c) displays on a readily visible placard within the aircraft cockpit, until the ELT is replaced, a notice stating that the ELT has been removed and setting out the date of removal.
(amended 2002/09/24; no previous version)

(2) If an aircraft is required to have one ELT under section 605.38, the operator shall re-equip the aircraft with a serviceable ELT within
(amended 2002/09/24; no previous version)

(a) 10 days after the date of removal, if the aircraft is operated under Subpart 4 or 5 of Part VII; or
(amended 2002/09/24; no previous version)

(b) 30 days after the date of removal in the case of any other aircraft.

(amended 2002/09/24; no previous version)

(3) If an aircraft is required to have two ELTs under section 605.38, the operator shall
(amended 2002/09/24; no previous version)

(a) if one of the ELTs is unserviceable, repair or replace it within 10 days after the date of removal; and
(amended 2002/09/24; no previous version)

(b) if both ELTs are unserviceable, repair or replace
(amended 2002/09/24; no previous version)

(i) one ELT at the first aerodrome at which a repair or replacement can be accomplished, and
(amended 2002/09/24; no previous version)

(ii) the second ELT within 10 days after the date of removal.
(amended 2002/09/24; no previous version)

✈ ELT Activation

605.40 (1) Subject to subsection (2), no person shall activate an ELT except in an emergency.

(2) A person may activate an ELT during the first five minutes of any hour UTC for a duration of not more than five seconds for the purpose of testing it.
(amended 2002/09/24; previous version)

(3) Where an ELT has been inadvertently activated during flight, the pilot-in-command of the aircraft shall ensure that

(a) the nearest air traffic control unit, flight service station or community aerodrome radio station is so informed as soon as possible; and

(b) the ELT is switched off.

DIVISION III - AIRCRAFT MAINTENANCE REQUIREMENTS

Aircraft Maintenance - General

605.84 (1) Subject to subsections (3) and (4), no person shall conduct a take-off or permit a take-off to be conducted in an aircraft that is in the legal custody and control of the person, other than an aircraft operated under a special certificate of airworthiness in the owner-maintenance or amateur-built classification, unless the aircraft
(amended 2002/03/01; previous version)

(a) is maintained in accordance with any airworthiness limitations applicable to the aircraft type design;
(amended 2002/03/01; previous version)

(b) meets the requirements of any airworthiness directives issued under section 593.02; and
(amended 2000/12/01; previous version)

(c) except as provided in subsection (2), meets the requirements of any notices that are equivalent to airworthiness directives and that are issued by
(amended 2002/03/01; previous version)

(i) the competent authority of the foreign state that, at the time the notice was issued, is responsible for the type certification of the aircraft, engine, propeller or appliance, or

(ii) for an aeronautical product in respect of which no type certificate has been issued, the competent authority of the foreign state that manufactured the aeronautical product.

(2) In the case of a conflict between an airworthiness directive issued pursuant to section 593.02 and an equivalent foreign notice, the airworthiness directive prevails.

(3) The Minister shall exempt the owner of a Canadian aircraft from the requirement to comply with all or part of an airworthiness directive, subject to appropriate conditions relating to aviation safety, as specified in Appendix H of the Aircraft Equipment and Maintenance Standards, where the owner demonstrates to the Minister that

(a) under circumstances specified in the exemption request, compliance is impractical or unnecessary; and

(b) the exemption will provide a level of safety that is equivalent to that required by the airworthiness directive.

(4) The Minister shall approve an alternative means of compliance with an airworthiness directive, for reasons set out in the approval, where the Minister is satisfied that the proposed alternative will maintain the level of safety that is provided for by the compliance time, the modification, the restriction, the replacement, the special inspection or the procedure set out in the airworthiness directive.

Maintenance Release and Elementary Work

605.85 (1) Subject to subsections (2) and (3), no person shall conduct a take-off in an aircraft, or permit a take-off to be conducted in an aircraft that is in the legal custody and control of the person, where that aircraft has undergone maintenance, unless the maintenance has been certified by the signing of a maintenance release pursuant to section 571.10.

(2) Where a maintenance release is conditional on the satisfactory completion of a test flight pursuant to subsection 571.10(4), the aircraft may be operated for the purpose of the test flight if no person is carried on board other than flight crew members and persons necessary for the purpose of making observations that are essential to the test flight.

(3) Following a test flight conducted pursuant to subsection (2), the pilot-in-command shall enter the results of the test flight in the journey log and, where

the entry indicates that the results of the test flight are satisfactory, that entry completes the maintenance release required by subsection (1).

(4) No maintenance release is required in respect of tasks identified as elementary work in the Aircraft Equipment and Maintenance Standards.

Maintenance Schedule

605.86 (1) Subject to subsection (3), no person shall conduct a take-off in an aircraft, or permit a take-off to be conducted in an aircraft that is in the person's legal custody and control, unless the aircraft is maintained in accordance with

(a) a maintenance schedule that conforms to the Aircraft Equipment and Maintenance Standards; and

(b) where the aircraft is operated under Subpart 6 of Part IV or under Part VII, or is a large aircraft, a turbine-powered pressurized aircraft or an airship, a maintenance schedule approved by the Minister in respect of the aircraft operator pursuant to subsection (2).

(2) The Minister shall approve a maintenance schedule in respect of an aircraft if the schedule conforms to the Aircraft Equipment and Maintenance Standards.

(3) The Minister shall authorize an operator to deviate from the requirements of the applicable maintenance schedule where the operator

(a) submits a request in writing to the Minister in accordance with the Aircraft Equipment and Maintenance Standards; and

(b) demonstrates that the deviation will not affect aviation safety.

Inspection after Abnormal Occurrences

605.88 (1) No person shall conduct a take-off in an aircraft that has been subjected to any abnormal occurrence unless the aircraft has been inspected for damage in accordance with Appendix G of the Aircraft Equipment and Maintenance Standards.

(2) Where the inspection referred to in subsection (1) does not involve disassembly, it may be performed by the pilot-in-command.

DIVISION IV - TECHNICAL RECORDS

Requirement to Keep Technical Records

605.92 (1) Every owner of an aircraft shall keep the following technical records in respect of the aircraft:

(a) a journey log;

(b) subject to subsections (2) and (3), a separate technical record for the airframe, each installed engine and each variable-pitch propeller; and

(c) except where otherwise provided under the terms of a fleet empty weight and balance program referred to in subsection 706.06(3), an empty weight and balance report that meets the applicable standards set out in Chapter 571 of the Airworthiness Manual.

(2) The technical records required by paragraph (1)(b) may consist of separate technical records for each component installed in the airframe, engine or propeller.

(3) In the case of a balloon or a glider, or an aircraft operated under a special certificate of airworthiness in the owner-maintenance or amateur-built classification, all entries in respect of the technical records referred to in paragraphs (1)(b) and (c) may be kept in the journey log.
(amended 2002/03/01; previous version)

Technical Records - General

605.93 (1) Every person who makes an entry in a technical record shall

(a) make the entry accurately, legibly and in a permanent manner;

(b) enter the person's name and signature or employee identifier or, where the record is kept as electronic data, enter the person's user code or an equivalent security designation; and

(c) date the entry.

(2) Where the owner of an aircraft keeps the technical records for the aircraft as electronic data, the owner shall ensure that the electronic data system that is used complies with Section 103.04 and the Aircraft Equipment and Maintenance Standards.

(3) The owner of an aircraft shall ensure that all of the necessary measures are taken to protect the technical records for the aircraft from damage and loss.

(4) Every person who brings into use a new volume of an existing technical record shall make the entries relating to the preceding volume that are necessary to ensure that an unbroken chronological record is maintained.

(5) Subject to subsection (6), where a person alters an entry on a technical record for the purpose of correcting the entry, the person shall do so by striking out the incorrect entry in such a manner that the underlying information remains legible, and inserting the correct entry together with

(a) the date of the alteration;

(b) the reason for the alteration, if it is necessary to clarify why the alteration was made; and

(c) the person's name and signature or employee identifier or, where the record is kept as electronic data, the person's user code or equivalent security designation.

(6) Where a correction referred to in subsection (5) is being made to a technical record that is maintained as electronic data, the correction shall be made in a manner that does not render the original data inaccessible.

Journey Log Requirements

605.94 (1) The particulars set out in column I of an item in Schedule I to this Division shall be recorded in the journey log at the time set out in column II of the item and by the person responsible for making entries set out in column III of that item.

(2) No person shall make a single entry in a journey log in respect of a series of flights unless

(a) the aircraft is operated by the same pilot-in-command throughout the series; or

(b) a daily flight record is used pursuant to Section 406.56.

(3) The owner of an aircraft shall retain every entry in a journey log for a period of not less than

(a) one year; or

(b) three years, where the aircraft is registered pursuant to Section 202.16 and the journey log is used for the purpose of recording particulars of aircraft flight time.

(4) Unless recorded in the operational flight plan or operational flight data sheet, the pilot-in-command of an aircraft engaged in a commercial air service and operating in international flight shall record in the journey log the following particulars in respect of each flight:

(a) the names of all of the crew members and their duty assignments;

(b) the places and times of departure and arrival;

(c) the flight time;

(d) the nature of the flight, such as private, aerial work, scheduled or non-scheduled; and

(e) any incidents or observations relating to the flight.

Journey Log - Carrying on Board

605.95 (1) Subject to subsection (2), no person shall conduct a take-off in an aircraft unless the journey log is on board the aircraft.

(2) A person may conduct a take-off in an aircraft without carrying the journey log on board where

(a) it is not planned that the aircraft will land and shut down at any location other than the point of departure; or

(b) the aircraft is a balloon and the journey log is immediately available to the pilot-in-command

(i) prior to commencing a flight, and

(ii) on completion of the flight.

Transfer of Records

605.97 Every owner of an aircraft who transfers title of an aircraft, airframe, engine, propeller or appliance to another person shall, at the time of transfer, also deliver to that person all of the technical records that relate to that aeronautical product.

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606 - MISCELLANEOUS

Munitions of War

606.01 No person shall carry weapons, ammunition or other equipment designed for use in war on board an aircraft unless the aircraft is a Canadian aircraft or the Minister has authorized the carriage of such equipment.

Synthetic Flight Training Equipment

606.03 (1) No person shall use synthetic flight training equipment for pilot training or a pilot proficiency check required pursuant to Part IV, this Part or Part VII unless there is in force in respect of that equipment a flight simulator certificate or flight training device certificate issued pursuant to subsection (2) or an equivalent approval or certificate issued under the laws of a foreign state with which Canada has an agreement respecting such equipment.

(2) The Minister shall, where it is determined that the synthetic flight training equipment meets the standards set out for that equipment in the Aeroplane and Rotorcraft Simulator Manual, issue to the operator of that equipment a flight simulator certificate or flight training device certificate.

(3) A certificate issued pursuant to subsection (2) shall set out the following information:

(a) the name of the operator of the synthetic flight training equipment;

(b) the type, model or series number of aircraft represented;

(c) the qualification level of the synthetic flight training equipment; and

(d) the date of issuance of the certificate.

(4) No certificate issued pursuant to subsection (2) remains in force unless the synthetic flight training equipment in respect of which the certificate has been issued

(a) maintains the performance, function and other characteristics that are required for the issuance of the certificate, except in the cases set out in the Simulator Component Inoperative Guide (SCIG);

(b) is maintained in accordance with the procedures set out in the Aeroplane and Rotorcraft Simulator Manual; and

(c) is changed as required, where the aircraft type, model or series number represented by the synthetic flight training equipment undergoes a change as a result of the issuance of an airworthiness directive or an amendment to this Part or Part VII that affects the training being conducted.

(5) A certificate issued pursuant to subsection (2) remains in force where the synthetic flight training equipment in respect of which the certificate has been issued is re-evaluated

(a) in the case of a flight simulator, at least every six months; or

(b) in the case of a flight training device, at least every 12 months.

(6) Subject to subsection (7), the certificate referred to in subsection (5) remains in force

(a) in the case of a flight simulator, until the first day of the seventh month following the month in which the flight simulator was evaluated; or

(b) in the case of a flight training device, until the first day of the thirteenth month following the month in which the flight training device was evaluated.

(7) The Minister may extend the period in respect of which a flight simulator certificate or a flight training device certificate is in force by up to 60 days where the Minister is of the opinion that aviation safety is not likely to be affected.

PART VII - COMMERCIAL AIR SERVICES

Requirements for Air Operator Certificate

700.02 (1) No person shall operate an air transport service unless the person holds and complies with the provisions of an air operator certificate that authorizes the person to operate that service.

(2) Subject to subsections (3) and (4), no person shall, unless the person holds and complies with the provisions of an air operator certificate that authorizes the person to do so, operate an aeroplane or helicopter to conduct aerial work involving

(a) the carriage on board of persons other than flight crew members;

(b) the carriage of helicopter Class B, C or D external loads;

(c) the towing of objects; or

(d) the dispersal of products.

(3) A person who does not hold an air operator certificate may conduct aerial work involving the dispersal of products if

(a) the person is a farmer;

(b) the person owns the aircraft that is used to disperse the products;

(c) the products are dispersed for agricultural purposes; and

(d) the dispersal of the products takes place within 25 miles of the centre of the person's farm.

(4) A person who does not hold an air operator certificate may conduct aerial work involving the carriage of persons other than flight crew members on board a single-engined aircraft if

(a) the person holds a flight training unit operator certificate;
(amended 2004/02/24; previous version)

(b) the pilot-in-command is the holder of a valid flight instructor rating in the appropriate category of aircraft;
(amended 1999/06/01; previous version)

(c) the aircraft is operated in day VFR flight;
(amended 1999/06/01; no previous version)

(d) there are no more than nine passengers on board; and
(amended 1999/06/01; no previous version)

(e) the flight is conducted for the purpose of sightseeing operations.
(amended 1999/06/01; no previous version)

DIVISION II - FLIGHT TIME AND FLIGHT DUTY TIME LIMITATIONS AND REST PERIODS

Monitoring System

700.14 (1) Every air operator shall establish a system that monitors the flight time, flight duty time and rest periods of each of its flight crew members and shall include in its company operations manual the details of that system.

(2) Where a person becomes aware that an assignment by an air operator to act as a flight crew member on a flight would result in the maximum flight time referred to in Section 700.15 or the maximum flight duty time referred to in Section 700.16 being exceeded, the person shall so notify the air operator.

✈ Flight Time Limitations

700.15 (1) Subject to subsection (2), no air operator shall assign a flight crew member for flight time, and no flight crew member shall accept such an assignment, if the flight crew member's total flight time in all flights conducted by the flight crew member will, as a result, exceed

(a) 1,200 hours in any 365 consecutive days;

(b) 300 hours in any 90 consecutive days;

(c) 120 hours in any 30 consecutive days or, in the case of a flight crew member on call, 100 hours in any 30 consecutive days;

(d) where the flight is conducted under Subpart 4 or 5 using an aircraft other than a helicopter, 40 hours in any 7 consecutive days;

(e) where the flight is conducted under Subpart 2 or 3, or is conducted using a helicopter, 60 hours in any 7 consecutive days; or

(f) where the flight crew member conducts single-pilot IFR flights, 8 hours in any 24 consecutive hours.

(2) An air operator may assign a flight crew member for flight time, and a flight crew member may accept such an assignment, where the flight crew member's flight time will, as a result, exceed the flight time referred to in subsection (1) if

(a) the increase in flight time is authorized in the air operator's air operator certificate; and

(b) the air operator and the flight crew member comply with the Commercial Air Service Standards.

(3) Subject to Section 700.17, a flight crew member who reaches a flight time limitation established by this Section is deemed to be fatigued and shall not continue on flight duty or be reassigned to flight duty until such time as the flight crew member has had the rest period required by Section 700.16 or 700.19.

✈ Flight Duty Time Limitations and Rest Periods

700.16 (1) Subject to subsections (5) and (7), no air operator shall assign a flight crew member for flight duty time, and no flight crew member shall accept such an assignment, if the flight crew member's flight duty time will, as a result, exceed 14 consecutive hours in any 24 consecutive hours. Where the flight is conducted under Subpart 4 or 5 using an aircraft other than a helicopter, flight duty time shall include 15 minutes for post-flight duties.

(2) Where the flight is conducted under Subpart 4 or 5 using an aircraft other than a helicopter or a DeHavilland DHC-6 aircraft pursuant to the Commercial Air Service Standards, a flight crew member shall receive at least 24 consecutive hours free from flight duty following 3 consecutive flight duty time assignments that exceed 12 consecutive hours unless the flight crew member has received at

least 24 consecutive hours free from flight duty between each flight duty time assignment.

(3) Following a flight duty time assignment, an air operator shall provide a flight crew member with the minimum rest period and any additional rest period required by this Part.

(4) A flight crew member shall use a rest period provided pursuant to subsection (3) and Section 700.19 to obtain the necessary rest and shall be adequately rested prior to reporting for flight duty.

(5) Where flight duty time includes a rest period, flight duty time may be extended beyond the maximum flight duty time referred to in subsection (1) by one-half the length of the rest period referred to in paragraph (b), to a maximum of 3 hours, if

(a) the air operator provides the flight crew member with advance notice of the extension of flight duty time;

(b) the air operator provides the flight crew member with a rest period of at least 4 consecutive hours in suitable accommodation; and

(c) the flight crew member's rest is not interrupted by the air operator during the rest period.

(6) The minimum rest period following flight duty time referred to in subsection (5) and prior to the next flight duty time shall be increased by an amount at least equal to the extension to the flight duty time.

(7) An air operator may assign a flight crew member for flight duty time, and a flight crew member may accept such an assignment, where the flight crew member's flight duty time will, as a result, exceed the flight duty time referred to in subsection (1) if

(a) the increase in flight duty time is authorized in the air operator certificate; and

(b) the air operator and the flight crew member comply with the Commercial Air Service Standards.

Unforeseen Operational Circumstances

700.17 The maximum flight time referred to in paragraphs 700.15(1)(a) to (e) and the maximum flight duty time referred to in subsection 700.16(1) may be exceeded if
(amended 1999/06/01; previous version)

(a) the flight is extended as a result of unforeseen operational circumstances;

(b) the pilot-in-command, after consultation with the other flight crew members, considers it safe to exceed the maximum flight time and flight duty time; and
(amended 1999/06/01; previous version)

(c) the air operator and the pilot-in-command comply with the Commercial Air Service Standards.

DIVISION I - GENERAL

Application

702.01 (1) Subject to subsection (2), this Subpart applies in respect of the operation of an aeroplane or helicopter in aerial work involving

(a) the carriage on board of persons other than flight crew members;

(b) the carriage of helicopter Class B, C or D external loads;

(c) the towing of objects; or
(amended 1999/06/01; previous version)

(d) the dispersal of products.

(2) This Subpart does not apply in respect of the operation of an ultra-light aeroplane, or in respect of the operation of an aircraft in aerial work involving sightseeing operations.

DIVISION III - FLIGHT OPERATIONS

Operating Instructions

702.11 (1) An air operator shall ensure that all operations personnel are properly instructed about their duties and about the relationship of their duties to the operation as a whole.

(2) The operations personnel of an air operator shall follow the procedures specified in the air operator's company operations manual in the performance of their duties.

VFR Flight Minimum Flight Visibility - Uncontrolled Airspace

702.17 (1) Where an aeroplane is operated in day VFR flight within uncontrolled airspace at less than 1,000 feet AGL, a person may, for the purposes of subparagraph 602.115(c)(i), operate the aeroplane when flight visibility is less than two miles if the person

(a) is authorized to do so in an air operator certificate; and

(b) complies with the Commercial Air Service Standards.

(2) Where a helicopter is operated in day VFR flight within uncontrolled airspace at less than 1,000 feet AGL, a person may, for the purposes of subparagraph 602.115(d)(i), operate the helicopter when flight visibility is less than one mile if the person

(a) is authorized to do so in an air operator certificate; and

(b) complies with the Commercial Air Service Standards.

Night, VFR OTT and IFR Operations

702.18 (1) Subject to subsection (2), no air operator shall operate an aircraft at night, in VFR OTT flight or in IFR flight

(a) while towing;

(b) while carrying a helicopter Class B, C or D external load;

(c) while dispersing products; or

(d) where the aircraft is a single-engined aircraft.

(2) An air operator may operate an aircraft at night, in VFR OTT flight or in IFR flight in any of the cases referred to in subsection (1), if the air operator

(a) is authorized to do so in its air operator certificate; and

(b) complies with the Commercial Air Service Standards.

(3) No air operator shall operate an aircraft at night with persons other than flight crew members on board unless

(a) the pilot-in-command has an instrument rating; or

(b) the air operator is authorized in its air operator certificate to permit parachute descents and night VFR flight and
(amended 1999/06/01; previous version)

(i) the persons are parachutists,

(ii) the flight takes place within 10 nautical miles of the aerodrome of departure, and

(iii) the flight takes place at night; or

(c) the air operator is authorized in its air operator certificate to carry persons, other than parachutists, and the air operator complies with the Commercial Air Service Standards.
(amended 1999/06/01; no previous version)

Aircraft Operating over Water

702.20 No air operator shall, except when conducting a take-off or landing, operate a land aircraft over water, beyond a point where the land aircraft could reach shore in the event of an engine failure, unless the air operator

(a) is authorized to do so in its air operator certificate; and

(b) complies with the Commercial Air Service Standards.

Briefing of Persons Other Than Flight Crew Members

702.23 The pilot-in-command shall ensure that persons, other than flight crew members, who are on board the aircraft are given a safety briefing that meets the Commercial Air Service Standards.

DIVISION V - AIRCRAFT EQUIPMENT REQUIREMENTS

✈ Night and IMC Flights

702.42 (1) No person shall operate an aircraft at night unless the aircraft is equipped with at least one landing light.

(2) No person shall operate a multi-engined aircraft in IMC unless the aircraft is equipped with

(a) two generators or two alternators, each of which is driven by a separate engine or by a rotor drive train; and

(b) two independent sources of energy, at least one of which is not a battery, and each of which is able to drive all flight instruments requiring a source of energy and is installed so that the failure of one instrument or one source of energy will affect neither the energy supply to the remaining instruments nor the other source of energy.

Shoulder Harnesses

702.44 No air operator shall operate an aircraft unless the pilot seat and any seat beside the pilot seat are equipped with a safety belt that includes a shoulder harness.

✈ External Load Equipment

702.45 No air operator shall operate an aircraft carrying an external load unless the attachment device is authorized in a supplemental type certificate or in an airworthiness approval relating to the operational configuration of the aircraft.

DIVISION VII - PERSONNEL REQUIREMENTS

Designation of Pilot-in-command and Second-in-command

702.64 An air operator shall designate for each flight a pilot-in-command and, where the crew includes two pilots, a pilot-in-command and a second-in-command.

✈ Flight Crew Member Qualifications

702.65 No air operator shall permit a person to act and no person shall act as a flight crew member in an aircraft unless the person

(a) holds the licence and ratings required by Part IV or, where the air operator is the holder of an air operator certificate issued in accordance with the North American Free Trade Agreement, the equivalent foreign licence and ratings;

(b) where the aircraft is operated in IFR flight and persons other than flight crew members are on board, has successfully completed a pilot proficiency check, the validity period of which has not expired, for that type of aircraft, in accordance with the Commercial Air Service Standards;

(c) if the person is not the chief pilot, has successfully completed a competency check or a pilot proficiency check, the validity period of which has not expired, for that type of aircraft in accordance with the Commercial Air Service Standards; and
(amended 1999/06/01; previous version)

(d) has fulfilled the requirements of the air operator's ground and flight training program.

Validity Period

702.67 (1) Subject to subsections (3) and (5), the validity period of a pilot proficiency check expires on the first day of the twenty-fifth month following the month in which the proficiency check was completed.

(2) Subject to subsections (4) and (5), the validity period of a competency check and the annual training referred to in Section 702.76 expires on the first day of the thirteenth month following the month in which the competency check or training was completed.

(3) Where a pilot proficiency check is renewed within the last 90 days of its validity period, its validity period is extended by 24 months.

(4) Where a competency check or annual training is renewed within the last 90 days of its validity period, its validity period is extended by 12 months.

(5) The Minister may extend the validity period of a pilot proficiency check, a competency check or annual training by up to 60 days where the Minister is of the opinion that aviation safety is not likely to be affected.

(6) Where the validity period of a pilot proficiency check, a competency check or annual training has been expired for 24 months or more, the person shall requalify by meeting the training requirements specified in the Commercial Air Service Standards.

DIVISION VIII - TRAINING

Training Program

702.76 (1) Every air operator shall establish and maintain a ground and flight training program that is

(a) designed to ensure that each person who receives training acquires the competence to perform the person's assigned duties; and

(b) approved by the Minister in accordance with the Commercial Air Service Standards.

(2) An air operator's ground and flight training program shall include

(a) company indoctrination training;

(b) upgrading training;

(c) training in the aerial work to be conducted; and

(d) initial and annual training, including

(i) aircraft type training,

(ii) aircraft servicing and ground handling training,

(iii) emergency procedures training,

(iv) aircraft surface contamination training for pilots and other operations personnel,

(v) training for personnel who are assigned to perform duties on board an aircraft or who are carried externally by an aircraft, and

(vi) any other training required to ensure a safe operation under this Subpart.

(3) An air operator shall

(a) include a detailed syllabus of its ground and flight training program in its company operations manual;

(b) ensure that adequate facilities and qualified personnel are provided for its ground and flight training program, in accordance with the Commercial Air Service Standards; and

(c) establish and maintain a safety awareness program concerning the adverse effects of aircraft surface contamination and provide the program to all flight operations personnel who are not required to receive the training described in subparagraph (2)(d)(iv).

Distribution of Company Operations Manual

702.83 (1) Subject to subsection (2), an air operator shall provide a copy of the appropriate parts of its company operations manual, including any amendments

to those parts, to each of its crew members and to its ground operations and maintenance personnel.

(2) An air operator may place a copy of the appropriate parts of its company operations manual in each aircraft that it operates, instead of providing a copy to each crew member, if the air operator has established in its company operations manual procedures for amending that manual.

(3) Every person who has been provided with a copy of the appropriate parts of a company operations manual pursuant to subsection (1) shall keep it up to date with the amendments provided and shall ensure that the appropriate parts are accessible when the person is performing assigned duties.

Standard Operating Procedures

702.84 (1) Every air operator shall, for each of its aircraft that is required to be operated by two or more pilots, establish and maintain standard operating procedures that enable the crew members to operate the aircraft within the limitations specified in the aircraft flight manual and that meet the Commercial Air Service Standards.

(2) An air operator that has established standard operating procedures for an aircraft shall ensure that a copy of the standard operating procedures is carried on board the aircraft.

AIR TAXI OPERATIONS

DIVISION I - GENERAL

Application

703.01 This Subpart applies in respect of the operation by a Canadian air operator, in an air transport service or in aerial work involving sightseeing operations, of any of the following aircraft:

(a) a single-engined aircraft;

(b) a multi-engined aircraft, other than a turbo-jet-powered aeroplane, that has a MCTOW of 8 618 kg (19,000 pounds) or less and a seating configuration, excluding pilot seats, of nine or less;

(b.1) a multi-engined helicopter certified for operation by one pilot and operated under VFR; and
(amended 2005/12/01; no previous version)

(c) any aircraft that is authorized by the Minister to be operated under this Subpart.

DIVISION III - FLIGHT OPERATIONS

Operating Instructions

703.14 (1) An air operator shall ensure that all operations personnel are properly instructed about their duties and about the relationship of their duties to the operation as a whole.

(2) The operations personnel of an air operator shall follow the procedures specified in the air operator's company operations manual in the performance of their duties.

Flight Authorization

703.17 No person shall commence a flight unless the flight has been authorized in accordance with the procedures specified in the air operator's company operations manual.

✈ Transport of Passengers in Single-engined Aircraft

703.22 (1) Subject to subsection (2), no air operator shall operate a single-engined aircraft with passengers on board in IFR flight or in night VFR flight.

(2) An air operator may operate a single-engined aircraft with passengers on board in IFR flight or in night VFR flight if the air operator

(a) is authorized to do so in its air operator certificate; and

(b) complies with the Commercial Air Service Standards.

Aircraft Operating over Water

703.23 No air operator shall, except when conducting a take-off or landing, operate a land aircraft over water, beyond a point where the land aircraft could reach shore in the event of an engine failure, unless the air operator

(a) is authorized to do so in its air operator certificate; and

(b) complies with the Commercial Air Service Standards.

Number of Passengers in Single-Engined Aircraft

703.24 No air operator shall operate a single-engined aircraft with more than nine passengers on board unless

(a) the aircraft is a transport category helicopter;

(b) the air operator is authorized to do so in its air operator certificate; and

(c) the air operator complies with the Commercial Air Service Standards.

Carriage of External Loads

703.25 Except where carriage of an external load has been authorized in a type certificate or supplemental type certificate, no air operator shall operate an aircraft to carry an external load with passengers on board.

Simulation of Emergency Situations

703.26 No person shall, where passengers are on board an aircraft, simulate emergency situations that could affect the flight characteristics of the aircraft.

VFR Flight Obstacle Clearance Requirements

703.27 Except when conducting a take-off or landing, no person shall operate an aircraft in VFR flight

(a) at night, at less than 1,000 feet above the highest obstacle located within a horizontal distance of three miles from the route to be flown; or

(b) where the aircraft is an aeroplane, during the day, at less than 300 feet AGL or at a horizontal distance of less than 300 feet from any obstacle.

VFR Flight Minimum Flight Visibility - Uncontrolled Airspace

703.28 (1) Where an aeroplane is operated in day VFR flight within uncontrolled airspace at less than 1,000 feet AGL, a person may, for the purposes of subparagraph 602.115(c)(i), operate the aeroplane when flight visibility is less than two miles if the person

(a) is authorized to do so in an air operator certificate; and

(b) complies with the Commercial Air Service Standards.

(2) Where a helicopter is operated in day VFR flight within uncontrolled airspace at less than 1,000 feet AGL, a person may, for the purposes of subparagraph 602.115(d)(i), operate the helicopter when flight visibility is less than one mile if the person

(a) is authorized to do so in an air operator certificate; and

(b) complies with the Commercial Air Service Standards.

VFR Flight Weather Conditions

703.29 No person shall commence a VFR flight unless current weather reports and forecasts, if obtainable, indicate that the weather conditions along the route

to be flown and at the destination aerodrome will be such that the flight can be conducted in compliance with VFR.

VFR OTT Flight

703.33 No person shall operate an aircraft in VFR OTT flight unless the person

(a) is authorized to do so in an air operator certificate; and

(b) complies with the Commercial Air Service Standards.

Routes in Uncontrolled Airspace

703.34 No person shall, in uncontrolled airspace, conduct an IFR flight or a night VFR flight on a route other than an air route unless the air operator establishes the route in accordance with the Commercial Air Service Standards.

Weight and Balance Control

703.37 (1) No person shall operate an aircraft unless, during every phase of the flight, the load restrictions, weight and centre of gravity of the aircraft conform to the limitations specified in the aircraft flight manual.

(2) An air operator shall have a weight and balance system that meets the Commercial Air Service Standards.

(3) An air operator shall specify in its company operations manual its weight and balance system and instructions to employees regarding the preparation and accuracy of weight and balance forms.

Briefing of Passengers

703.39 (1) The pilot-in-command shall ensure that passengers are given a safety briefing in accordance with the Commercial Air Service Standards.

(2) Where the safety briefing referred to in subsection (1) is insufficient for a passenger because of that passenger's physical, sensory or comprehension limitations or because that passenger is responsible for another person on board the aircraft, the pilot-in-command shall ensure that the passenger is given, prior to take-off, an individual safety briefing that

(a) is appropriate to the passenger's needs; and

(b) meets the Commercial Air Service Standards.

(3) An air operator shall ensure that each passenger is provided, at the passenger's seat or by means of clearly visible placards, with the safety information required by the Commercial Air Service Standards.

(4) The pilot-in-command shall ensure that, in the event of an emergency and where time and circumstances permit, all passengers are given an emergency briefing in accordance with the Commercial Air Service Standards.

(5) The pilot-in-command shall ensure that each passenger who is seated next to an emergency exit is made aware of how to operate that exit.

DIVISION V - AIRCRAFT EQUIPMENT REQUIREMENTS

General Requirements

703.64 (1) No person shall operate a multi-engined aircraft with passengers on board in IMC unless the aircraft is equipped with

(a) a power failure warning device or vacuum indicator to show the power available for gyroscopic instruments from each power source;

(b) an alternate source of static pressure for the altimeter and the airspeed and vertical speed indicators;

(c) two generators, each of which is driven by a separate engine or by a rotor drive train; and

(d) two independent sources of energy, at least one of which is an engine-driven pump or generator, and each of which is able to drive all gyroscopic instruments and is installed so that the failure of one instrument or one source of energy will affect neither the energy supply to the remaining instruments nor the other source of energy.

(2) No person shall operate an aircraft at night unless the aircraft is equipped with at least one landing light.

Shoulder Harnesses

703.69 No person shall operate an aircraft unless the pilot seat and any seat beside the pilot seat are equipped with a safety belt that includes a shoulder harness.

DIVISION VII - PERSONNEL REQUIREMENTS

Designation of Pilot-in-command and Second-in-command

703.87 An air operator shall designate for each flight a pilot-in-command and, where the crew includes two pilots, a pilot-in-command and a second-in-command.

✈ Flight Crew Member Qualifications

703.88 (1) Subject to subsections (6) and (7), no air operator shall permit a person to act and no person shall act as a flight crew member in an aircraft unless the person
(amended 2000/02/01; previous version)

(a) holds the licence and ratings required by Part IV;

(b) within the previous 90 days, has completed at least three take-offs and three landings

(i) where a type rating for that aircraft is required, in an aircraft of that type, or in a flight simulator representing that type of aircraft that has been approved by the Minister under Subpart 6 of Part VI for take-off and landing qualifications, or

(ii) where a type rating for that aircraft is not required, in an aircraft of that category and class, or in a flight simulator representing that category and class of aircraft that has been approved by the Minister under Subpart 6 of Part VI for take-off and landing qualifications;

(c) has successfully completed a pilot proficiency check or competency check for that type of aircraft, the validity period of which has not expired, in accordance with the Commercial Air Service Standards as follows:
(amended 2000/02/01; previous version)

(i) in the case of the pilot-in-command of a multi-engined aircraft or of a single-engined aeroplane that is operated in accordance with subsection 703.22(2), a pilot proficiency check for that type of aircraft,

(ii) in the case of the pilot-in-command of a single-engined helicopter, a pilot proficiency check on one of the types of single-engined helicopters operated by the air operator,

(iii) in the case of the second-in-command of a multi-engined aircraft, a pilot proficiency check or a competency check for that type of aircraft, and

(iv) in the case of the pilot-in-command of a single-engined aeroplane that is not operated in accordance with subsection 703.22(2), a competency check for that type of aircraft; and
(amended 1999/06/01; previous version)

(d) has fulfilled the requirements of the air operator's ground and flight training program.

(2) An air operator may group similar aeroplanes as a single type for purposes of the pilot proficiency check referred to in paragraph (1)(c) if the air operator

(a) is authorized to do so in its air operator certificate; and

(b) complies with the Commercial Air Service Standards.

(3) No person shall act as the pilot-in-command of an aircraft with a person other than a flight crew member on board in night VFR flight unless the person acting as the pilot-in-command holds an instrument rating for that class of aircraft.

(4) No air operator shall permit a person to act and no person shall act as the pilot-in-command of an aircraft with passengers on board unless the person has acquired, prior to designation as pilot-in-command, the following flight time on that type and basic model of aircraft and in the pilot-in-command position:

(a) in the case of a single-engined aeroplane or a helicopter, five hours; or

(b) in the case of a multi-engined aeroplane, 15 hours.

(5) The flight time required by subsection (4) may be reduced by one hour for each take-off and landing completed, up to a maximum of 50 per cent.

(6) An air operator may permit a person to act and a person may act as a flight crew member in an aircraft if the person does not meet the requirements set out in paragraphs (1)(b) to (d) if the air operator (amended 1999/06/01; previous version)

(a) is authorized to do so in its air operator certificate; and (amended 1999/06/01; previous version)

(b) complies with the Commercial Air Service Standards. (amended 1999/06/01; previous version)

(7) Subparagraph (1)(c)(iv) does not apply in the case of a chief pilot who acts as pilot-in-command of a single-engined aeroplane that is not operated in accordance with subsection 703.22(2). (amended 2000/02/01; no previous version)

Validity Period

703.91 (1) Subject to subsections (2) and (3), the validity period of a pilot proficiency check, a competency check and the annual training referred to in Section 703.98 expires on the first day of the thirteenth month following the month in which the pilot proficiency check, competency check or training was completed.

(2) Where a pilot proficiency check, a competency check or annual training is renewed within the last 90 days of its validity period, its validity period is extended by 12 months.

(3) The Minister may extend the validity period of a pilot proficiency check, a competency check or annual training by up to 60 days where the Minister is of the opinion that aviation safety is not likely to be affected.

(4) Where the validity period of a pilot proficiency check, a competency check or annual training has been expired for 24 months or more, the person shall requalify by meeting the training requirements specified in the Commercial Air Service Standards.

DIVISION VIII - TRAINING

Training Program

703.98 (1) Every air operator shall establish and maintain a ground and flight training program that is

(a) designed to ensure that each person who receives training acquires the competence to perform the person's assigned duties; and

(b) approved by the Minister in accordance with the Commercial Air Service Standards.

(2) An air operator's ground and flight training program shall include

(a) company indoctrination training;

(b) upgrading training;

(c) initial and annual training, including

(i) aircraft type training,

(ii) aircraft servicing and ground handling training,

(iii) emergency procedures training,

(iv) training for operational control personnel, and

(v) aircraft surface contamination training for pilots and other operations personnel; and

(d) any other training required to ensure a safe operation under this Subpart.

(3) An air operator shall

(a) include a detailed syllabus of its ground and flight training program in its company operations manual;

(b) ensure that qualified personnel are provided for its ground and flight training program, in accordance with the Commercial Air Service Standards; and

(c) establish and maintain a safety awareness program concerning the adverse effects of aircraft surface contamination and provide the program to all flight operations personnel who are not required to receive the training described in subparagraph (2)(c)(v).

DIVISION IX - MANUALS

Distribution of Company Operations Manual

703.106 (1) Subject to subsection (2), an air operator shall provide a copy of the appropriate parts of its company operations manual, including any amendments to those parts, to each of its crew members and to its ground operations and maintenance personnel.

(2) An air operator may place a copy of the appropriate parts of its company operations manual in each aircraft that it operates, instead of providing a copy

to each crew member, if the air operator has established in its company operations manual procedures for amending that manual.

(3) Every person who has been provided with a copy of the appropriate parts of a company operations manual pursuant to subsection (1) shall keep it up to date with the amendments provided and shall ensure that the appropriate parts are accessible when the person is performing assigned duties.

Standard Operating Procedures

703.107 (1) Every air operator shall, for each of its aircraft that is required to be operated by two or more pilots, establish and maintain standard operating procedures that enable the crew members to operate the aircraft within the limitations specified in the aircraft flight manual and that meet the Commercial Air Service Standards.

(2) An air operator that has established standard operating procedures for an aircraft shall ensure that a copy of the standard operating procedures is carried on board the aircraft.

Subpart 6 - Aircraft Maintenance Requirements for Air Operators

Maintenance Control System

706.02 No person shall operate an aircraft unless the aircraft is maintained in accordance with a maintenance control system that

(a) meets the requirements of this Subpart; and

(b) is described in the air operator's maintenance control manual (MCM) required by Section 706.08.

Maintenance Arrangements

706.09 (1) No air operator shall permit a person or organization to perform maintenance on the air operator's aircraft unless the person or organization has adequate facilities, equipment, spare parts and personnel available at the site where the maintenance is to be performed and

(a) the person or organization holds an approved maintenance organization (AMO) certificate issued pursuant to Section 573.02 with a rating in a category applicable to the maintenance to be performed;

(b) where the maintenance is to be performed outside Canada by a person or organization that does not hold an AMO certificate issued pursuant to Section 573.02, the person or organization has been approved under the laws of a state that is party to an agreement with Canada that provides for recognition of the work performed; or

(c) in cases other than those described in paragraphs (a) and (b), the performance of the maintenance by the person or organization has been approved by the Minister as being in conformity with these Regulations.

(2) An air operator shall ensure that a maintenance arrangement made with a person or organization pursuant to subsection (1)

(a) specifies the maintenance required and clearly defines the tasks to be performed; and

(b) is made in accordance with the procedures governing maintenance arrangements included in the MCM or is approved by the Minister as being in conformity with these Regulations.

(3) Where an air operator makes a maintenance arrangement to have maintenance performed outside Canada by a person or organization that does not hold an AMO certificate issued pursuant to Section 573.02, the Minister shall, in the following cases, authorize the arrangement by issuing a maintenance specification to indicate that the maintenance control procedures set out in the arrangement conform to the Commercial Air Service Standards:

(a) the maintenance is performed by a person or organization that has been approved in accordance with paragraph (1)(b) and the issuance of a maintenance specification is either required by the agreement or requested by the foreign state; or

(b) the maintenance is performed in a state that is not party to an agreement with Canada that provides for recognition of the work performed.

(4) An air operator shall ensure the completion of all of the tasks defined in a maintenance arrangement in accordance with subsection (2).

Elementary Work

706.10 No air operator shall authorize a person to perform, without supervision, a task that is elementary work set out in the Aircraft Equipment and Maintenance Standards unless the person

(a) has satisfactorily completed training for the task under a training program required by Section 706.12; and

(b) has previously performed that task under the direct supervision of the holder of an aircraft maintenance engineer (AME) licence or a training organization approved pursuant to Subpart 3 of Part IV.

Servicing

706.11 An air operator shall ensure that each person who performs or requests the performance of servicing has satisfactorily completed training, under a training program required by Section 706.12, for the servicing to be performed.

END