Advisory Circular

Subject: Complying with the Requirements of Importing Countries or Jurisdictions When Exporting U.S. Products, Articles, or Parts

Date: 01/29/2010
Initiated by: AIR-400

AC No: 21-2L

1. Purpose. This advisory circular (AC) provides information about Title 14, Code of Federal Regulations (14 CFR) part 21, subpart L. It describes how to comply with the requirements of importing countries or jurisdictions when exporting U.S. products, articles, or parts. This AC does not include the requirements submitted to the Federal Aviation Administration (FAA) by other countries or jurisdictions, but it incorporates the requirements by reference to the FAA's internet website. This AC is not mandatory and does not constitute a regulation. This AC describes an acceptable means, but not the only means, to comply with these requirements. However, if you use the means described in this AC, you must follow it in all important respects.

2. Audience. This AC affects persons and organizations who wish to export a product, article, or part under the provisions of 14 CFR part 21, subpart L.

3. Effective Date. This AC is effective on April 14, 2010.

4. Explanation of Changes. This revision—

a. Changes the title and subject of this AC from "Export Airworthiness Approval Procedures" to "Complying with the Requirements of Importing Countries or Jurisdictions When Exporting U.S. Products, Articles, or Parts."

b. Deletes all general procedures related to the issuance of export airworthiness approvals.

c. Revises the AC only to provide information and guidance regarding the requirements of importing countries or jurisdictions.

d. Reformats the AC to use plain language.

e. Deletes Appendix 1, Sample Forms, from this AC; however, these forms and the instructions for completing them can be found in FAA Order 8130.2, Airworthiness Certification of Aircraft and Related Products.

f. Retains Appendix 2, Special Requirements of Importing Countries as titled, rather than changing the title to "Appendix 1" for sequential accuracy. The collection of Special

Requirements of Importing Countries that form the appendix have a long standing domestic and international application under the current title and have been referenced so widely in domestic and international policy that they are known colloquially or commonly as "AC 21-2, Appendix 2."

g. Relocates Appendix 2, Special Requirements of Importing Countries, to an FAA website. Because the collection of document that comprises Appendix 2 are generated and submitted by Importing Countries they are independent of the FAA document review process. These documents are effective as long as they are posted.

f. Deletes Appendix 3, FAA Aircraft Certification Office and FAA International Flight Standards Field Office Contacts for Other Countries. The information can now be found on the FAA's website at http://www.faa.gov/about/office_org/.

g. Deletes Appendix 4, ICAO Member States. The information can be found on the International Civil Aviation Organization's (ICAO) website at http://www.icao.int/.

5. Cancellation. This AC cancels, as of its effective date, AC 21-2K, Export Airworthiness Approval Procedures, dated September 30, 2003.

6. Related Publications.

a. Title 14 CFR part 21 subpart L, Export Airworthiness Approvals.

b. FAA Internet Website: http://www.faa.gov/aircraft/air_cert/international/

c. Additional information and guidance for obtaining and processing an FAA Form 8130-4, Export Certificate of Airworthiness is contained in FAA Order 8130.2, Airworthiness Certification of Aircraft and Related Products. Additional information and guidance for obtaining and processing an FAA Form 8130-3, Authorized Release Certificate for export purposes is contained in FAA Order 8130.21, Procedures for Completion and Use of the Authorized Release Certificate, FAA Form 8130-3, Airworthiness Approval Tag.

7. Discussion.

a. Any person who is exporting a product, article, or part from the United States under the provisions of 14 CFR part 21, subpart L is required by the rule to meet the requirements of the respective importing country or jurisdiction.

b. Any person wishing to export a product, article, or part should confirm if the country or jurisdiction to which they are exporting has submitted any import requirements to the FAA. An exporter should also verify if the country or jurisdiction of import has concluded a bilateral agreement with the United States. Each bilateral agreement should be reviewed for the specific importing requirements associated with a particular country or jurisdiction.

c. The requirements for a specific country or jurisdiction may be found in one or both of the following:

(1) A bilateral agreement between the United States and the importing country or jurisdiction, or

(2) A document submitted to the FAA by the Civil Aviation Authority (CAA) of the importing country or jurisdiction that contains importing requirements. These documents are contained in Appendix 2 of this AC, however, Appendix 2, Special Requirements of Importing Countries, has been relocated to an FAA website.

d. The FAA website (http://www.faa.gov/aircraft/air_cert/international/) contains a listing of the bilateral agreements as well as the Appendix 2 listing of requirements that have been submitted to the FAA by importing countries or jurisdictions.

e. Many importing countries or jurisdictions require their own domestic design approval for an imported product or article. If an importing country's or jurisdiction's domestic design approval is required, it should take place prior to export from the United States. Details of any necessary design approval activities will be included in the import requirements and/or bilateral agreement. The FAA will assist an exporter as necessary during validation/certification activities carried out by the importing country's or jurisdiction's CAA.

f. Import requirements contain the documentation requirements that have to be satisfied as a condition of shipment at the time of export. For example, an importing country or jurisdiction may require a Form 8130-4, copies of logbooks and maintenance records, a list of applicable Airworthiness Directives or Supplemental Type Certificates that have been incorporated into an aircraft, etc.

g. If an exporter needs additional information with regard to any requirement, the exporter should contact the purchaser/importer and request that the purchaser/importer discuss the requirement with the CAA in the importing country or jurisdiction. If further information or clarification is still needed, an exporter should then contact its local FAA office, which will contact the CAA of the importing country or jurisdiction on behalf of the exporter. A listing of FAA offices can be found on the FAA's website at http://www.faa.gov/about/office_org/. Any questions an FAA designee may have concerning import requirements, when assisting an exporter, should be directed to the designee's advisor or supervising FAA district office.

h. It is the responsibility of the exporter, with the assistance of its local FAA office if needed, to determine whether an importing country's or jurisdiction's requirements have been met prior to export. The exporter indicates whether it has met specified import requirements on FAA Form 8130-1, Application for Export Certificate of Airworthiness.

i. When an exporter notifies its local FAA office that a product, article, or part does not meet a requirement of the importing authority or jurisdiction, the FAA has to obtain a written statement from the importing CAA stating its acceptance. The exporter prepares a request for acceptance of these products, articles, or parts to the CAA of the importing country or

jurisdiction and transmits the request to the CAA with an accompanying cover letter from the FAA. The FAA has to receive a written statement of acceptance from the CAA of the importing country or jurisdiction prior to the issuance of the FAA's export documentation. Some bilateral agreements contain the provision that the CAA letter of acceptance has to be provided with the FAA export documentation. See FAA Order 8130.2 for further detailed procedures for CAA acceptance.

j. An FAA export airworthiness approval is not necessary for products, articles, or parts being exported to countries or jurisdictions for which there is no bilateral agreement or definitive import requirements that have been formally submitted to the FAA. *A business or contractual agreement between the seller and the purchaser does not constitute or qualify as an authority-to-authority request for an export airworthiness approval. Formal notification of import requirements have to come from the importing country's or jurisdiction's CAA to the FAA.* However, the FAA will allow the issuance of an export airworthiness approval to respective countries or jurisdictions for all eligible products, articles, and parts when they are found to conform to their FAA-approved design and are in a condition for safe operation.

8. Where to find this AC: You can find this AC at http://www.faa.gov/regulations_policies/advisory_circulars/.

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Advisory Circular Feedback

If you find an error in this AC, have recommendations for improving it, or have suggestions for new items/subjects to be added, you may let us know by (1) emailing this form to 7-AWA-AVS-AIR-040@faa.gov or (2) faxing it to the attention of the International Policy Branch, AIR-410 at (202) 267-1261.

Subject: AC 21-2L Date:

Please check all appropriate line items:

☐ An error (procedural or typographical) has been noted in paragraph Click here to enter text. on page Click here to enter text..

☐ Recommend paragraph Click here to enter text. on page Click here to enter text. be changed as follows:

Click here to enter text.

☐ In a future change to this AC, please cover the following subject:
(Briefly describe what you want added.)

Click here to enter text.

☐ Other comments:

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☐ I would like to discuss the above. Please contact me.

Submitted by: Date: