

UNITED STATES OF AMERICA
FEDERAL AVIATION AGENCY
WASHINGTON, D. C.

Effective: November 1, 1964
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**Title 14—AERONAUTICS AND
SPACE**

[Reg. Doc. 855: Reg. No. SFAR-10]

**14.45—MAINTENANCE, PREVENTIVE
MAINTENANCE, REBUILDING
AND ALTERATION [NEW]**

**Special Federal Aviation Regulation;
Mechanical Work Performed on
United States Registered Aircraft by
Certain Canadian Mechanics**

Special Civil Air Regulation No. SR-377D, effective from November 1, 1963, to November 1, 1964, extended the provisions of SR-377C, which provided an implementation of a reciprocal arrangement between Canada and the United States. The purpose of this Special Federal Aviation Regulation is to extend the provisions of SR-377D for an additional one-year period.

Section 610(a) of the Federal Aviation Act of 1958 provides, in pertinent part, that, "It shall be unlawful * * * for any person to serve in any capacity as an airman in connection with any civil aircraft, aircraft engine, propeller or appliance used or intended for use, in air commerce without an airman certificate authorizing him to serve in such capacity * * *." The term "airman" as defined in section 101(7) of the Act includes " * * * (except to the extent the Administrator may otherwise provide with respect to individuals employed outside the United States) any individual who is directly in charge of the inspection, maintenance, overhauling, or repair of aircraft, aircraft engines, propellers, or appliances * * *." Under the provisions of this latter section, the Administrator is authorized, in effect, to exempt certain persons employed outside the United States from the requirements of holding a United States airman certificate.

The current provisions of SR-377D permit maintenance, repair, and alteration operations on aircraft of United States registry to be performed in Canada by or under the direct supervision of a mechanic holding a certificate of competence and appropriate ratings issued by the Canadian Government, subject to the condition that such operations performed are listed and certified by him in a manner and on a form prescribed by the Administrator, and subject to the further condition that all such operations are performed in conformance with the requirements of Part 43 [New] of the Federal Aviation Regulations.

SR-377D pertained to Part 18 of the Civil Air Regulations. That Part has

been recodified into Part 43—Maintenance, Preventive Maintenance, Rebuilding, and Alterations [New] of the Federal Aviation Regulations. Therefore, this special regulation will be a Special Federal Aviation Regulation pertaining to Part 43 [New].

The circumstances which prompted the Agency to adopt SR-377D and its predecessor regulations continue to exist. Therefore, the provisions of that regulation are being extended for an additional period of one year.

Since this regulation continues in effect the provisions of the previous regulation and imposes no additional burden upon any person, compliance with the notice and public procedure provisions of the Administrative Procedure Act is unnecessary, and it may be made effective in less than 30 days from publication.

In consideration of the foregoing, the following Special Federal Aviation Regulation is hereby adopted, effective November 1, 1964:

1. An individual holding a valid mechanic certificate of competence and appropriate ratings issued by the Canadian Government shall not be deemed an airman within the meaning of section 101(7) of the Federal Aviation Act of 1958, with respect to inspection, maintenance, overhaul, or repair operations conducted in Canada in connection with aircraft of United States registry, and such individual, notwithstanding any contrary provisions of the Civil Air Regulations or the Federal Aviation Regulations, may perform those operations in connection with United States aircraft in Canada. However, in the case of repair, alteration, and maintenance, that operation must be listed and certified to by him in a manner and on a form prescribed by the Administrator and must be performed in conformance with the requirements of Part 43 [New] of the Federal Aviation Regulations.

2. An aircraft, aircraft engine, or propeller on which any major repair or major alteration has been performed as authorized herein shall not be flown in air commerce until examined, inspected, and approved by a Canadian Department of Transport Inspector of Aircraft. Such approval shall be indicated in a manner and on a form prescribed by the Administrator.

This regulation supersedes Special Civil Air Regulation No. SR-377D, and shall terminate November 1, 1965, unless sooner superseded or rescinded by the Federal Aviation Agency.

(Secs. 101(7), 313(a), 601, 605, and 610 of the Federal Aviation Act of 1958 (49 U.S.C. 1301, 1354, 1421, 1425, 1430))

Issued in Washington, D.C., on October 29, 1964.

N. E. HALABY,
Administrator.

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