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Regulation No. SR-377A

UNITED STATES OF AMERICA
CIVIL AERONAUTICS BOARD
WASHINGTON, D. C.

Effective: November 1, 1956
Adopted: October 26, 1956

SPECIAL CIVIL AIR REGULATION

MECHANICAL WORK PERFORMED ON UNITED STATES REGISTERED AIRCRAFT BY CERTAIN CANADIAN MECHANICS

On November 13, 1951, the Civil Aeronautics Board adopted Special Civil Air Regulation No. SR-377 effective from November 13, 1951, to November 1, 1956, which permits 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 each operation performed is listed and certified by him in a manner and on a form prescribed by the Administrator and further provided that all such operations are performed in accordance with Part 18 of the Civil Air Regulations. The purpose of this Special Civil Air Regulation is to extend the provisions of SR-377 for an additional five-year period.

Under the Civil Aeronautics Act of 1938, as amended, foreign individuals who are directly in charge of inspection, maintenance, overhaul, or repair of aircraft, aircraft engines, propellers, or appliances are prohibited from serving as such in connection with any civil aircraft of United States registry used in air commerce unless properly certificated by the Administrator of Civil Aeronautics. As this prohibition also applies to work performed in foreign countries, Canadian mechanics fully authorized by the Canadian Department of Transport to serve in connection with transport aircraft would be required to possess appropriate United States mechanics certificates to serve in connection with such United States aircraft.

Section 1 (6) of the Civil Aeronautics Act of 1938, as amended, authorizes the Board to exclude a mechanic employed outside the United States from the definition of "airman" and thus from the necessity of holding a United States airman certificate. The Canadian Government presently recognizes the validity of United States airman certificates issued to mechanics in connection with work performed in the United States on Canadian aircraft.

Canadian mechanic certificate requirements as well as standards of maintenance, alteration, and repair are of a high caliber and compare favorably with those in force in the United States. The Canadian Department of Transport has urged that the present reciprocal arrangement with the United States be extended and the Administrator of Civil Aeronautics has advised the Board that such an arrangement would not adversely affect safety and also urges the extension of the present reciprocal arrangement.

COMM-DC-29360

Interested persons have been afforded an opportunity to participate in the making of this regulation (21 F.R. 6888), and due consideration has been given to all relevant matter presented. Since this regulation imposes no additional burden on any person, it may be made effective without prior notice.

In consideration of the foregoing, the Civil Aeronautics Board hereby makes and promulgates the following Special Civil Air Regulation, effective November 1, 1956:

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 1 (6) of the Civil Aeronautics Act of 1938, as amended, 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, may perform such operations in connection with United States aircraft in Canada: Provided, That, in the case of repair, alteration, and maintenance, each operation performed is listed and certified to by him in a manner and on a form prescribed by the Administrator: And provided further, That all such repairs, alterations, and maintenance operations shall be performed in conformance with the requirements of Part 18 of the Civil Air 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.

3. This regulation supersedes Special Civil Air Regulation No. SR-377 and shall terminate November 1, 1961, unless sooner superseded or rescinded by the Board.

(Sec. 205 (a), 52 Stat. 984; 49 U.S.C. 425 (a). Interpret or apply secs. 1 (6), 601, 602, 605, 610, 52 Stat. 977, 1007, 1008, 1010, 1012; 49 U.S.C. 401, 551, 552, 555, 560)

By the Civil Aeronautics Board:

/s/ M. C. Mulligan

M. C. Mulligan
Secretary

(SEAL)