

	SAAA CONTROLLED DOCUMENT	
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Information Paper

I just bought an Experimental Aircraft!

This information paper provides guidance to persons who have just bought an operational Amateur-Built Experimental aircraft. What are you allowed to do with it? What are you not allowed to do with it? What else must you have for it?

1. INTRODUCTION:

Buying a flying Amateur-Built Experimental Aircraft is certainly common these days. So for the average purchaser, who is perhaps a new member of SAAA (or perhaps not even and SAAA member at all!) we wonder what, if anything, they really know about amateur-built experimental aircraft. Let's take a look at a few things.

2. MYTH BUSTING 101:

Myth 1: Experimental is a big free-for-all. *"It's Experimental – you can do whatever you like!"*

Truth 1: In 99% of cases, NO you can't.

Myth 2: *"It's Experimental – the owner can maintain it."*

Truth 2: Some things yes (as a pilot) but most things NO.

CASA's CAR Schedule 8 Pilot Permitted Maintenance tasks are absolutely allowed. Oil changes, spark plugs, tyre changes, lots of basic things. 25 or more items in fact.

Anything beyond that, **no**. You can't do the annual inspection yourself, you can't issue a new maintenance release yourself. You must have the aircraft LAME maintained.

There is however, a small window of opportunity for some people to be able to maintain the aircraft fully and issue a new maintenance release. The CASA Instrument of approval for maintenance does have a clause which allows people who have built an essentially similar aircraft to be able to maintain an essentially similar aircraft that they have purchased. For 99% of people, this **will not** apply to you.

Myth 3: *"You have to be **trained** to be able to perform maintenance tasks."*

Truth 3: Trained no. Competent yes. Who determines competency? CASA? SAAA? Who? How about "none of the above."

CASR 42.315 *"An individual is **competent** to carry out maintenance on an aircraft or aeronautical product if he or she has the skills and knowledge to carry out the maintenance to the standard required by the maintenance data for the maintenance."*

CAAP 42ZC-1: *"Pilots are responsible for ensuring they are familiar with, and are able to satisfactorily comply with, any manufacturer's instructions regarding the maintenance before undertaking any of the tasks identified."*



Myth 4: “You can make any changes you like to an Experimental aircraft and just go fly it. It’s Experimental!”

Truth 4: There’s **major changes**, then everything else is by default, a *minor* change. SAAA has a separate Information Paper on **Modifications to Amateur-Built Experimental Aircraft** (available to SAAA members) so we won’t repeat it here.

For Major changes, there is a procedure to follow before flight can resume.

But can you even do changes yourself – at all – whether MAJOR or MINOR?

That’s the very first thing you must understand! In 99% of cases, **no**, you can’t do either of them. You didn’t build the aircraft, you cannot change it. You can certainly engage a LAME to make minor changes, or major changes – but for major changes, there is a procedure to follow before flight may resume. LAME sign off that the work was done as requested is not enough.

Myth 5: “SAAA administers all Amateur-Built Experimental aircraft activities in Australia.”

Truth 5: No, CASA does. SAAA has a few approvals to do a few things, but do we administer all activities (say, like RAAus or GFA do for their sport?) no, we don’t. We don’t register aircraft, issue pilot qualifications, issue maintenance qualifications – those are all done taken care of by CASA.

Myth 6: “The person that sold it to me told me I can do..... (whatever)..... with it.”

Truth 6: Can you prove it to be true, that you can legally do that thing according to the regulations? You cannot blindly depend on what someone tells you. Not 1%. Check it out. In most cases, the real answer will be NO.

Myth 7: “Airworthiness Directives do not apply to Experimental aircraft.”

Truth 7: You bet they can, and they often do! Experimental aircraft are **not** exempt from Airworthiness Directives - other than one or two specific things. If an AD describes your aircraft by name, you must comply with it. If an AD describes your engine by name, you must comply with it. If an AD describes an item of your equipment by name, you must comply with it. Then there will be a number of generic ADs which might apply to your aircraft, you must comply with it. As aircraft owner and operator now, **you** are responsible to have them seen to, on time.

Myth 8: “My LAME is now responsible for the maintenance of the aircraft.”

Truth 8: No, **you are**, and not because it’s experimental. The owner/operator of **any** aircraft is responsible for the maintenance and to have the aircraft maintained properly. The LAME is just responsible for the work they do. And they cannot issue a new maintenance release after an annual inspection unless all things are covered correctly. They can’t just skip a few things that you didn’t want to do.

3. THE EXPERIMENTAL CERTIFICATE

Amateur-built Experimental aircraft operate on a Special Certificate of Airworthiness - Experimental Certificate. The certificate has an annex of operating conditions and limitations, usually, nothing too much to worry about, but you **must** be aware of them. Anyone that flies your aircraft must also be aware of them. How do you do this? Have the certificate in the aircraft, perhaps with your Pilot Operating Handbook. If you are letting someone fly your aircraft, you need to show them the certificate and make sure they understand and will comply with any conditions or limitations.



4. WHAT ELSE MUST YOU DO AS PILOT?

CAR 262AP Experimental Aircraft Operating Limitations also applies. You **must** be aware of them. Most **will not** be mentioned within the Experimental Certificate. One of them is regarding briefing your passengers about flying in an experimental aircraft. Do you know exactly what you need to tell them? SAAA has an information paper on the topic, or you can readily find them in CAR 262AP(9) itself.

5. NOISE CERTIFICATE.

Airservices is the federally appointed organisation that administers issue of noise certificates for aircraft, and for 99% of our amateur-built aircraft, “permission to operate without a noise certificate.” JETS are not eligible for that, you must apply for a noise certificate.

Little known is a somewhat new requirement from Airservices that current permissions are issued **to the owner**, for the aircraft, and do not transfer with the aircraft. If you buy an amateur-built aircraft, you need to check this out. How?

Take a look at the permission letter from Airservices that came with your aircraft that you bought. You do have that, don't you? The seller gave it to you, didn't they? (If not, why not?)

So you take a look at the permission document, and then it can go either of three ways (thanks to Airservices moving the goal posts.....):

1. The permission document makes **no** mention about the permission expiring when the aircraft changes owner. This will be the case for many aircraft that were built some years ago. In that case, you're okay, do nothing, the permission is still valid.
2. The permission document clearly says something like this:

Time period for permit.....

This permit is valid until there is a change of owner or operator of the aircraft.

In this case, you **must** apply to Airservices for the permission. It's easy enough to get, and at the time of writing this, there was no fee payable. SAAA has an Information Paper on the topic.

3. The final possibility: Your aircraft is in an exempt class and does not have either a noise certificate or permission to operate without a noise certificate – such as an aircraft that is designed for and used exclusively for aerobatics. “Aerobatic capable” aircraft **do not** fit this criteria. What would be exempt? Pitts Special, Edge 540, One Design, etc. What wouldn't be exempt? Every Vans kit plane, any aircraft that is used primarily for touring & occasional aerobatics.

What if the seller did not provide the permission document - you just don't have it?

You must apply to Airservices for permission to operate without a noise certificate.

So does *anyone* ever spot-check you out in the real world to see if you have this permission? What do you think the answer might be? (You'll be correct, and it starts with the letter N.) Can CASA ask to see your permission documents if ramp checked? No they can't – it has absolutely nothing to do with CASA (not CASA regulations.)