

Civil Aeronautics Law

Chapter III Safety of Aircraft

(Airworthiness Certification)

Article 10

- (1) The Minister of Land, Infrastructure, Transport and Tourism shall, upon application, grant airworthiness certification for aircraft (excluding the gliders as specified by Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism; hereinafter the same shall apply in this chapter).
- (2) No aircraft may be granted airworthiness certification under the preceding paragraph, unless it has Japanese nationality; provided, however, that the same shall not apply to any aircraft as specified by Cabinet Order.
- (3) Airworthiness certification shall describe the categories of aircraft use and aircraft operating limitations as prescribed by Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism.
- (4) The Minister of Land, Infrastructure, Transport and Tourism shall, upon application under paragraph (1), inspect the design, manufacturing process and current conditions to certify whether the said aircraft complies with the standards listed below, and shall grant airworthiness certification if he/she finds that the said aircraft meets these standards.
 - (i) Standards as specified by Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism with regard to strength, structure and performance to ensure the safety of aircraft
 - (ii) Noise standards as specified by the Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism in the case of aircraft specified by the Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism with regard to the category of aircraft, engine model, maximum takeoff weight, and other matters
 - (iii) Engine emissions requirements as specified by Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism in the case of aircraft specified by the Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism with regard to the engine model and limits of power, and other matters
- (5) The Minister of Land, Infrastructure, Transport and Tourism may, notwithstanding the provisions of the preceding paragraph, omit a part of the inspection for the design or manufacturing process concerning the aircraft listed below.
 - (i) Aircraft type certificated under Article 12 paragraph (1) (limited only to the aircraft which intends to receive initial airworthiness certification)
 - (ii) Imported aircraft specified by Cabinet Order (limited only to the aircraft which intends to receive initial airworthiness certification)
 - (iii) Aircraft which has obtained airworthiness certification
 - (iv) Aircraft which has been designed and inspected with regard to the relevant certification, in accordance with Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism, by a person who is approved for the capability specified in Article 20 paragraph (1) item (i)
 - (v) Aircraft equipped with components, etc. (which means components and parts for aircraft; hereinafter the same.) which have been inspected before and after designing with regard to the relevant certification, in accordance with Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism by a person who is approved for the capability specified by Article 20 paragraph (1) item (v) (limited only to the part equipped with the relevant components, etc.)
- (6) The Minister of Land, Infrastructure, Transport and Tourism may also, notwithstanding the provisions of the preceding paragraph (4), omit a part of the inspection for current conditions on aircraft prescribed below.
 - (i) Aircraft which falls under item (i) of the preceding paragraph, and has been manufactured and

inspected after the completion with regard to the relevant approval by a person approved for the capability specified in Article 20 paragraph (1) item (ii), and has been certified that aircraft complies with the standards under paragraph (4) as specified in Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism

- (ii) Imported aircraft which falls under item (i) of the preceding paragraph, and is specified by Cabinet Order
 - (iii) Aircraft which falls under item (iii) of the preceding paragraph, and has been maintained and inspected after maintenance by a person approved for the capability specified in Article 20 paragraph (1) item (iii), and have been certified that aircraft complies with the standards under paragraph (4) as specified in Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism
- (7) Airworthiness certification is granted by issuing an airworthiness certificate to the applicant.

Article 10-2

- (1) Any person who is certified by the Minister of Land, Infrastructure, Transport and Tourism as having the competency and experience as prescribed in Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism (hereinafter referred to as "designated airworthiness inspector"), may grant airworthiness certification for gliders which are specified the provisions of paragraph (1) of the preceding article, as may be specified in Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism.
- (2) The provisions of paragraphs (2) through (7) of the preceding article shall apply accordingly to airworthiness certification under the preceding paragraph.

Article 11

- (1) No person may operate an aircraft unless it has a valid airworthiness certificate; provided, however, that the same shall not apply to any person when permitted performing test flights etc. by the Minister of Land, Infrastructure, Transport and Tourism.
- (2) No person may operate an aircraft beyond the categories of its use or operating limitations as designated in the airworthiness certificate.
- (3) The proviso of paragraph (1) shall apply accordingly to the preceding paragraph.

(Type Certification)

Article 12

- (1) The Minister of Land, Infrastructure, Transport and Tourism shall, upon application, grant type certification for type design of aircraft.
- (2) The Minister of Land, Infrastructure, Transport and Tourism shall, upon an application under the preceding paragraph, grant type certification under the preceding paragraph, if he/she deems that the type of aircraft described in the application complies with the standards of Article 10 paragraph (4).
- (3) Type certification is granted by issuing a type certificate to the applicant.
- (4) The Minister of Land, Infrastructure, Transport and Tourism shall, prior to issuing a type certificate under paragraph (1), confer with the Minister of Economy, Trade and Industry.

Article 13

- (1) When the holder of a type certificate intends to change the type design of the relevant aircraft, he/she shall obtain approval of change from the Minister of Land, Infrastructure, Transport and Tourism. The same shall apply when the standards of Article 10 paragraph (4) have been amended and the type-certified aircraft no longer complies with the standards of the said paragraph.
- (2) The Minister of Land, Infrastructure, Transport and Tourism shall, upon application under the preceding paragraph, inspect whether the design of the applied aircraft complies with the standards of Article 10

paragraph (4), and shall approve the design if he/she finds that it meets these standards.

- (3) The provisions of paragraph (4) of the preceding article shall apply mutatis mutandis where the Minister of Land, Infrastructure, Transport and Tourism grants approval under the preceding paragraph.
- (4) When any holder of a type certificate, who is approved for the capability specified in Article 20 paragraph (1) item (i) has designed and inspected after design with regard to approval for change in the type design of the aircraft as may be specified by Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism, and has certified that design complies with the standards under Article 10 paragraph (4) as may be specified in Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism, approval specified in paragraph (1) shall be deemed granted with regard to application of the provisions of the said paragraph.
- (5) Any person who has confirmed compliance specified in the preceding paragraph shall notify accordingly the Minister of Land, Infrastructure, Transport and Tourism without delay.

Article 13-2

- (1) The Minister of Land, Infrastructure, Transport and Tourism shall, upon application, approve the partial change in the type design of the aircraft by any person other than the holder of the type certificate for aircraft of the certified type.
- (2) The type design of the aircraft approved under the provisions of the preceding paragraph (the changed design after the approval, if approved under the provisions of the subsequent paragraph; hereinafter, the same shall apply from this Article to Article 13-5) shall be regarded as type-certified with regard to application of the provisions of Article 10 paragraph (5) and (6).
- (3) Any person who is granted approval under the provisions of the preceding paragraph shall obtain approval from the Minister of Land, Infrastructure, Transport and Tourism when he/she intends to change previously approved design. The same shall apply when the standards under Article 10 paragraph (4) have been amended and the relevant approved design no longer complies with the standards under the said paragraph.
- (4) When any person who is granted approval under paragraph (1) and is approved for the capability specified in Article 20 paragraph (1) item (i) has designed and inspected after design with regard to approval for change of the type design of the aircraft specified by Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism, and has confirmed compliance with the standards under Article 10 paragraph (4) as may be specified in Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism, approval specified in the preceding paragraph shall be deemed granted with regard to application of the provisions of the said paragraph.
- (5) The provisions of paragraph (2) of the preceding article shall apply mutatis mutandis to the approval by the Minister of Land, Infrastructure, Transport and Tourism, which is specified in paragraph (1) and (3), and the provisions of paragraph (5) of the said article shall apply mutatis mutandis to a person who has certified the design compliance under the provisions specified in the preceding paragraph.

Article 13-3

- (1) Any person who was granted a type certificate or who was granted an approval under the provisions of paragraph (1) of the preceding article shall endeavor to provide technical information to an operator of an aircraft whose type is subject to the said type certificate of whose design is subject to the said approval, that is necessary for the said operator to perform maintenance and alteration of the said aircraft under the provisions of Article 16 paragraph (1) and is specified by Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism

Article 13-4

- (1) Any person who was granted a type certificate or who was granted an approval under the provisions of

Article 13-2 paragraph (1) and resides (in case of a corporation has its principal office) in Japan shall collect information and report it to the Minister of Land, Infrastructure, Transport and Tourism, in accordance with Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism, regarding accidents etc. (accidents etc. specified by Article 2 paragraph (2) of the Act for Establishment of Japan Transport Safety Board (Act No. 113 of 1973) and other event that a aircraft whose type is subject to the said type certificate or whose design is subject to the said approval fails or is likely to fail to conform to the standards specified in Article 10 paragraph (4).

Article 13-5

- (1) The Minister of Land, Infrastructure, Transport and Tourism may, when he/she finds that any aircraft of the certified type or design approved under Article 13 paragraph (1) or Article 13-2 paragraph (1) fails or is likely to fail to conform to the standards specified in Article 10 paragraph (4), order a holder of a type certificate or a person who has approval for the relevant aircraft (referred to as "type certification etc." in the next paragraph) in order to modify the design necessary to conform to the standards specified in paragraph (4) of the said article or preclude a possibility of failing to conform to such standards.
- (2) The Minister of Land, Infrastructure, Transport and Tourism may, when a person who is granted type certificate etc. violates the order specified in the previous paragraph, revoke the type certification etc. granted to the holder.

(Period of Validity of Airworthiness Certification)

Article 14

- (1) The period of validity of an airworthiness certificate shall be one year; provided, however, that the period of validity of such airworthiness certificate with regard to aircraft used for air transport services, or aircraft maintained according to the maintenance manual approved under the provisions of paragraph (1) of the subsequent article (the revised maintenance manual after the said approval or report, if approved under the provisions of paragraph (3) or reported under the provisions of paragraph (5) of the same article; the same shall apply to paragraph (3) and paragraph (7) of the same article.) shall be the period specified by the Minister of Land, Infrastructure, Transport and Tourism.

Article 14-2

- (1) Any operator of an aircraft with airworthiness certification (excluding aircraft used for air transport services) may issue a maintenance manual for the matters specified by Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism, and have it approved by the Minister of Land, Infrastructure, Transport and Tourism.
- (2) The Minister of Land, Infrastructure, Transport and Tourism shall, upon receiving an application under the preceding paragraph, and upon finding that the applied maintenance manual complies with the technical standards provided in Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism, give his/her approval under the preceding paragraph.
- (3) Any person who has obtained an approval under paragraph (1) and intends to make amendments to the maintenance manual subject to the said approval, shall receive approval of the Minister of Land, Infrastructure, Transport and Tourism, in accordance with Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism; provided, however, that this shall not apply to insignificant changes specified in Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism.
- (4) The provisions of paragraph (2) shall apply mutatis mutandis to the approval under the preceding paragraph.
- (5) Any person who received the approval under paragraph (1), and has made insignificant changes mentioned in the provisory clause of paragraph (3), shall report to the Minister of Land, Infrastructure, Transport and Tourism accordingly without delay.

- (6) Necessary items for the approval provided in paragraph (1) and (3), and the report provided in the preceding paragraph shall be specified in Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism.
- (7) The Minister of Land, Infrastructure, Transport and Tourism may, when a person approved under the provisions of paragraph (1) violates the provisions of paragraph (3) or (5), or the provisions of the preceding paragraph described by Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism, or if the Minister deems that the maintenance manual approved under paragraph (1) fails to comply with the technical standards specified in paragraph (2), order the operator of the concerned aircraft to make amendments of the maintenance manual, or revoke such approval.

(Order of Maintenance and Alteration, Suspension of Validity of Airworthiness, etc.)

Article 14-3

- (1) The Minister of Land, Infrastructure, Transport and Tourism may, when he/she finds that an aircraft with airworthiness certification fails to conform to the standards under Article 10 paragraph (4) or is likely to fail to conform to the standards under the said paragraph before the expiration of the period of validity specified by Article 14, order the operator of the aircraft to take necessary measures, including maintenance and alteration, in order to conform to the said standards or preclude a possibility of failing to conform to such standards.
- (2) The Minister of Land, Infrastructure, Transport and Tourism may, when he/she finds that, as a result of an investigation under Article 10 paragraph (4), Article 17 paragraph (1), or Article 134 paragraph (2), the relevant aircraft or any other aircraft of the same type fails to conform to the standards under Article 10 paragraph (4) or is likely to fail to comply with the said standards before the expiration of the period of validity specified by Article 14, or that the safety of the aircraft is uncertain for any other reasons, suspend the validity of the airworthiness certificate, shorten the period of validity of the airworthiness certificate or change the matters designated under Article 10 paragraph (3) (including the case where it applies mutatis mutandis to Article 10-2 paragraph (2)), with regard to the said aircraft or the said type of aircraft.

(Invalidation of Airworthiness Certification)

Article 15

- (1) Any airworthiness certificate shall become invalid for aircraft in the following categories.
 - (i) Registered aircraft: In the case the registration of the said aircraft has been canceled.
 - (ii) Aircraft specified under Article 10 paragraph (4) item (ii): In the case the said aircraft has come to fall under the category of aircraft specified by Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism, which may not be operated in consideration of noise level and other circumstances.

(Operator's Obligation for Maintenance and Alteration)

Article 16

- (1) Any operator of an aircraft with airworthiness certification shall maintain the concerned aircraft to comply with the standards provided in paragraph 4 of Article 10 through maintenance and, when necessary, alteration of the said aircraft.
- (2) No operator of an aircraft with airworthiness certification shall equip the said aircraft with components, etc. other than the components, etc. that fall under any of the following items.
 - (i) Components, etc. which have been manufactured and inspected after the completion with regard to the relevant approval, and have been certified that they comply with the standards under Article 10 paragraph (4) item (i) as specified by the Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism, by a person approved for the capability specified by Article 20 paragraph (1) item (vi)

- (ii) Components, etc. which, with regard to the relevant approval, have been certified that they comply with the standards under Article 10 paragraph (4) item (i) as specified by the Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism, by a person approved for the capability specified by Article 20 paragraph (1) item (ii)
- (iii) Components, etc. which have been repaired or altered with regard to the relevant approval, and have been certified that they comply with the standards under Article 10 paragraph (4) item (i) as specified by the Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism, by a person approved for the capability specified by Article 20 paragraph (1) item (vii)
- (iv) Other components, etc. specified by the Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism (Inspection of Repair or Alteration)

(Inspection of Repair or Alteration)

Article 17

- (1) No operator of an aircraft with airworthiness certification shall, when he/she intends to repair or modify the said aircraft to the extent specified by Ordinances of the Minister of Land, Infrastructure, Transport and Tourism, operate the aircraft unless the planning (excluding the planning concerning a design approved under paragraph (1) of the subsequent article (if approved under paragraph (3) of the same article, the revised design after the concerned amendment. The same shall apply to the said article), or a design for repair or alteration of an imported aircraft specified by Ordinances of the Minister of Land, Infrastructure, Transport and Tourism) and performance for such repair or alteration have been inspected by the Minister of Land, Infrastructure, Transport and Tourism and passed the inspection.
- (2) Any operator of a glider with airworthiness certification under Article 10-2 paragraph (2) may, notwithstanding the provision of the preceding paragraph, operate after effecting repairs or alterations to the same extent as specified by the preceding paragraph, if such repair or alteration has been inspected by a designated airworthiness inspector and passed the inspection.
- (3) The proviso of Article 11 paragraph (1) shall apply mutatis mutandis to paragraph 1.
- (4) The Minister of Land, Infrastructure, Transport and Tourism or a designated airworthiness inspector shall, when he/she finds that the relevant aircraft complies with the standards specified in each item of Article 10 paragraph (4) under Ordinances of Ministry of Land, Infrastructure, Transport and Tourism by the inspection under paragraph (1) or (2), deem that it has passed the inspection.

Article 18

- (1) The Minister of Land, Infrastructure, Transport and Tourism shall, upon application, approve the partial change in the design for repair or alteration of the aircraft with airworthiness certification.
- (2) For a partial change in the design under the preceding paragraph that has been designed and inspected after design by a person who is approved for the capability specified in Article 20 paragraph (1) item (i) for the concerned approval, and that has been confirmed by the said person to comply with the standards specified in Article 10 paragraph (4) as specified by Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism, approval specified in paragraph (1) of the preceding article shall be deemed granted with regard to application of the provisions of the preceding paragraph.
- (3) Any person, who has obtained the approval under paragraph (1) and intends to change the approved design concerned, shall obtain approval of change from the Minister of Land, Infrastructure, Transport and Tourism. The same shall apply when the standards of Article 10 paragraph (4) have been amended and the design that has obtained the said approval no longer complies with the standards of the said paragraph.
- (4) When any person, who has obtained the approval under paragraph (1) and who is approved for the capability specified in Article 20 paragraph (1) item (i), has designed and inspected after design with regard to approval for change of the approved design concerned as specified by Ordinances of the

Ministry of Land, Infrastructure, Transport and Tourism, and has confirmed that the design complies with the standards under Article 10 paragraph (4) as specified by Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism, approval specified in the preceding paragraph shall be deemed granted with regard to application of the provisions of the preceding paragraph.

- (5) The provisions of paragraph (2) of Article 13 shall apply mutatis mutandis to the approval given by the Minister of Land, Infrastructure, Transport and Tourism under paragraphs (1) and (3); the provisions of paragraph (5) of the same article shall apply mutatis mutandis to a person who gives confirmation under paragraph (2) and the preceding paragraph; the provisions of Article 13-3 and Article 13-4 shall apply mutatis mutandis to a person who has obtained the approval under paragraph (1); and the provisions of Article 13-5 shall apply mutatis mutandis to an aircraft subject to the design that has obtained the concerned approval, respectively.

(Maintenance or Alteration of Aircraft)

Article 19

- (1) When any operator of an aircraft with airworthiness certification, which is operated for air transport services as specified in Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism, performs maintenance (excluding any minor preventive maintenance as specified in Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism; hereinafter the same shall apply.) or alteration of such aircraft (excluding any repair or alteration of the said aircraft under Article 17 paragraph (1)), the aircraft shall not be operated unless a person approved for the capability specified by Article 20 paragraph (1) with regard to capability under item (iv) of the same paragraph performs maintenance or alteration subject to the said approval, and certifies that the said aircraft conforms to the standards shown under each item of Article 10 paragraph (4), in accordance with Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism.
- (2) When any operator of an aircraft with airworthiness certification other than an aircraft described in the preceding paragraph performs maintenance or alteration of the aircraft (excluding any repair or alteration of aircraft under Article 17 paragraph (1)), the said aircraft shall not be operated, unless the operator certified that such aircraft complies with the standards specified in Article 10 paragraph (4) item (i).
- (3) The proviso of Article 11 paragraph (1) shall apply mutatis mutandis to the preceding two paragraphs.

Article 19-2

- (1) Any operator of an aircraft with airworthiness certification may operate the aircraft notwithstanding the provisions of Article 17 paragraph (1) or paragraph (2) of the preceding article, when a person who has been approved for the capability specified by paragraph (1) item (iv) of the next article effects maintenance or alteration to the said aircraft and certifies that the aircraft complies with the standards shown under items of Article 10 paragraph (4), in accordance with Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism (excluding where the person who is approved for the capability specified in the same item under paragraph (1) of the next article according to the provisions of paragraph (1) of the preceding article must perform maintenance or alteration to the aircraft).

(Approval of Organizations)

Article 20

- (1) The Minister of Land, Infrastructure, Transport and Tourism shall, upon application, approve the organization as having at least one or more of the following capabilities of each facility conform to the technical standards specified by Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism.
 - (i) Capabilities to design aircraft and inspect the completed design

- (ii) Capabilities to manufacture aircraft and inspect the completed aircraft
 - (iii) Capabilities to perform maintenance on aircraft and inspect the performed maintenance
 - (iv) Capabilities to perform maintenance or alteration on aircraft
 - (v) Capabilities to design components, etc. and inspect the completed design
 - (vi) Capabilities to manufacture components, etc. and inspect completed components
 - (vii) Capabilities to perform repair or alteration on components, etc.
- (2) Any person who received approval under the preceding paragraph shall establish exposition for the aspects of business implementation specified by Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism at each organization approved under the preceding paragraph (hereinafter referred to as "Approved Organizations"), and shall obtain an approval for such approved organization exposition from the Minister of Land, Infrastructure, Transport and Tourism. The same shall apply where the person intends to change the said exposition (excluding insignificant changes specified by Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism).
- (3) The Minister of Land, Infrastructure, Transport and Tourism shall, when he/she deems that exposition specified in the preceding paragraph complies with the technical standards specified by Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism, approve it under the provisions of the said paragraph.
- (4) Any person who received the approval under paragraph (1), and has made insignificant changes under paragraph (2) specified by Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism, shall report to the Minister of Land, Infrastructure, Transport and Tourism accordingly without delay.
- (5) The necessary matters concerning the approval under the provisions of paragraph (1), the approval under the provisions of paragraph (2), and the report under the provisions of the preceding paragraph shall be stipulate by Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism.
- (6) The Minister of Land, Infrastructure, Transport and Tourism may, when a person approved under the provisions of paragraph (1), with regard to approved organization, violates the provisions of paragraph (2) or (4), or the provisions of the preceding paragraph described by Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism, or if the Minister deems that the capabilities of the approved organization fail to comply with the technical standards specified by Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism, order the approved person to change the exposition for approved organization specified by paragraph (2), or take the necessary measures for other improvement in operational management and to suspend the whole or part of the activities at the approved organization for a certain period no more than six months, or revoke such approval.

(Delegation to Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism)

Article 21

- (1) The provisions concerning the format, issuance, reissuance, return, and presentation of an airworthiness certificate or a type certification, the provisions concerning designated airworthiness inspectors, or other detailed provisions concerning implementation of airworthiness certification, type certification, inspection under Article 17 paragraph (1), approval under Article 18 paragraph (1) and paragraph (3) shall be stipulated by Ordinances of the Ministry of Land, Infrastructure, Transport and Tourism.