



## **BCAR - Airworthiness of Aircraft**

*Note: - For the purpose of assuring compatibility with international safety standards and to fulfil Bhutan's obligations as an ICAO Member State, this BCAR- Airworthiness of Aircraft is comparable with ICAO Annex 8 Airworthiness of Aircraft.*

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**INTRODUCTION**

Standards and Recommended Practices for the Airworthiness of Aircraft were adopted by the Council on 1 March 1949 pursuant to the provisions of Article 37 of the Convention on International Civil Aviation (Chicago 1944) and designated as Annex 8 to the Convention.

The objective of international airworthiness Standards is to define, for application by the competent national authorities, the minimum level of airworthiness constituting the international basis for the recognition by States, under Article 33 of the Convention, of certificates of airworthiness for the purpose of the flight of aircraft of other States into or over their territories, thereby achieving, among other things, protection of other aircraft, third parties and property.

Bhutan is a Member State of the International Civil Aviation Organization (ICAO) and adopts the international standards contained in ICAO Annex 8: - Airworthiness of Aircraft in its entirety as outlined in this BCAR Part 8: - Airworthiness of Aircraft. The Department of Civil Aviation in Bhutan (DCA) is the deciding authority to what extent the recommendations contained in ICAO Annex 8: - Airworthiness of Aircraft will be applied.

*Introductory Note 1.* - Any reference in this BCAR Part 8 to standards and practices is a reference to the Standards and Recommended Practices (SARPS) in the latest version of Annex 8 to the Convention on International Civil Aviation as amended from time to time.

*Introductory Note 2.* - Throughout this BCAR, the terms "State" and "Appropriate authority" refer to the basic authority which establishes a civil aviation authority in Bhutan, the Department of Civil Aviation (DCA) which has a Director General of Civil Aviation with powers to exercise authority, under the laws of Bhutan, over civil aviation matters.

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## **PART I. - DEFINITIONS**

When the following terms are used in the Standards for the Airworthiness of Aircraft, they have the following meanings:

***Aeroplane.*** A power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight.

***Aircraft.*** Any machine that can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the earth's surface.

***Anticipated operating conditions.*** Those conditions which are known from experience or which can be reasonably envisaged to occur during the operational life of the aircraft taking into account the operations for which the aircraft is made eligible, the conditions so considered being relative to the meteorological state of the atmosphere, to the configuration of terrain, to the functioning of the aircraft, to the efficiency of personnel and to all the factors affecting safety in flight. Anticipated operating conditions do not include:

- a) those extremes which can be effectively avoided by means of operating procedures; and
- b) those extremes which occur so infrequently that to require the Standards to be met in such extremes would give a higher level of airworthiness than experience has shown to be necessary and practical.

***Appropriate airworthiness requirements.*** The comprehensive and detailed airworthiness codes established, adopted or accepted by a Contracting State for the class of aircraft, engine or propeller under consideration (see 3.2.2 in Chapter 3).

***Approved.*** Accepted by a Contracting State as suitable for a particular purpose.

***Category A.*** With respect to helicopters, means a multi-engine helicopter designed with engine and system isolation features specified in Part IVB and capable of operations using take-off and landing data scheduled under a critical engine failure concept which assures adequate designated surface area and adequate performance capability for continued safe flight or safe rejected take-off.

***Category B.*** With respect to helicopters, means a single-engine or multi-engine helicopter which does not meet Category A standards. Category B helicopters have no guaranteed capability to continue safe flight in the event of an engine failure, and a forced landing is assumed.

***Configuration (as applied to the aeroplane).*** A particular combination of the positions of the moveable elements, such as wing flaps and landing gear, etc., that affect the aerodynamic characteristics of the aeroplane.

***Critical power-unit(s).*** The power-unit(s) failure of which gives the most adverse effect on the aircraft characteristics relative to the case under consideration.

*Note.— On some aircraft there may be more than one equally critical power-unit. In this case, the expression “the critical power-unit” means one of those critical power-units.*

***DCA.*** Department of Civil Aviation in Bhutan.

***Design landing mass.*** The maximum mass of the aircraft at which, for structural design purposes, it is assumed that it will be planned to land.

***Design take-off mass.*** The maximum mass at which the aircraft, for structural design purposes, is assumed to be planned to be at the start of the take-off run.

**Design taxiing mass.** The maximum mass of the aircraft at which structural provision is made for load liable to occur during use of the aircraft on the ground prior to the start of take-off.

**Discrete source damage.** Structural damage of the aeroplane that is likely to result from: impact with a bird, uncontained fan blade failure, uncontained engine failure, uncontained high-energy rotating machinery failure or similar causes.

**Engine.** A unit used or intended to be used for aircraft propulsion. It consists of at least those components and equipment necessary for functioning and control, but excludes the propeller (if applicable).

**FAA.** Federal Aviation Administration of the United States of America.

**Factor of safety.** A design factor used to provide for the possibility of loads greater than those assumed, and for uncertainties in design and fabrication.

**Final approach and take-off area (FATO).** A defined area over which the final phase of the approach manoeuvre to hover or landing is completed and from which the take-off manoeuvre is commenced. Where the FATO is to be used by performance Class 1 helicopters, the defined area includes the rejected take-off area available.

**Fireproof.** The capability to withstand the application of heat by a flame for a period of 15 minutes.

*Note.— The characteristics of an acceptable flame can be found in ISO 2685.*

**Fire resistant.** The capability to withstand the application of heat by a flame for a period of 5 minutes.

*Note.— The characteristics of an acceptable flame can be found in ISO 2685.*

**Helicopter.** A heavier-than-air aircraft supported in flight chiefly by the reactions of the air on one or more powerdriven rotors on substantially vertical axes.

**Human Factors principles.** Principles which apply to aeronautical design, certification, training, operations and maintenance and which seek safe interface between the human and other system components by proper consideration to human performance.

**Human performance.** Human capabilities and limitations which have an impact on the safety and efficiency of aeronautical operations.

**ICAO.** International Civil Aviation Organization.

**JAA.** Joint Aviation Authorities of certain European countries.

**Landing surface.** That part of the surface of an aerodrome which the aerodrome authority has declared available for the normal ground or water run of aircraft landing in a particular direction.

**Limit loads.** The maximum loads assumed to occur in the anticipated operating conditions.

**Load factor.** The ratio of a specified load to the weight of the aircraft, the former being expressed in terms of aerodynamic forces, inertia forces, or ground reactions.

**Maintenance.** The performance of tasks required to ensure the continuing airworthiness of an aircraft, including any one or combination of overhaul, inspection, replacement, defect rectification, and the embodiment of a modification or repair.

**Performance Class 1 helicopter.** A helicopter with performance such that, in case of engine failure, it is able to land on the rejected take-off area or safely continue the flight to an appropriate landing area.

**Performance Class 2 helicopter.** A helicopter with performance such that, in case of engine failure, it is able to safely continue the flight, except when the failure occurs prior to a defined point after take-off or after a defined point before landing, in which cases a forced landing may be required.

**Performance Class 3 helicopter.** A helicopter with performance such that, in case of engine failure at any point in the flight profile, a forced landing must be performed.

**Power-unit.** A system of one or more engines and ancillary parts which are together necessary to provide thrust, independently of the continued operation of any other power-unit(s), but not including short period thrust-producing devices.

**Pressure-altitude.** An atmospheric pressure expressed in terms of altitude which corresponds to that pressure in the Standard Atmosphere.

**Rendering (a Certificate of Airworthiness) valid.** The action taken by a Contracting State, as an alternative to issuing its own Certificate of Airworthiness, in accepting a Certificate of Airworthiness issued by any other Contracting State as the equivalent of its own Certificate of Airworthiness.

**Repair.** The restoration of an aeronautical product to an airworthy condition as defined by the appropriate airworthiness requirements.

**Satisfactory evidence.** A set of documents or activities that a Contracting State accepts as sufficient to show compliance with an airworthiness requirement.

**Standard atmosphere.** An atmosphere defined as follows:

- a) the air is a perfect dry gas;
- b) the physical constants are:
  - Sea level mean molar mass:  
 $M_0 = 28.964420 \times 10^{-3} \text{ kg mol}^{-1}$
  - Sea level atmospheric pressure:  
 $P_0 = 1013.250 \text{ hPa}$
  - Sea level temperature:  
 $t_0 = 15^\circ\text{C}$   
 $T_0 = 288.15 \text{ K}$
  - Sea level atmospheric density:  
 $\rho_0 = 1.2250 \text{ kg m}^{-3}$
  - Temperature of the ice point:  
 $T_i = 273.15 \text{ K}$
  - Universal gas constant:  
 $R^* = 8.31432 \text{ JK}^{-1}\text{mol}^{-1}$

c) the temperature gradients are:

| Geopotential altitude (km) |      | Temperature gradient<br>(Kelvin per standard<br>geopotential kilometre) |
|----------------------------|------|---|
| From                       | To   |   |
| - 5.0                      | 11.0 | -6.5  |
| 11.0                       | 20.0 | 0.0   |
| 20.0                       | 32.0 | +1.0  |
| 32.0                       | 47.0 | +2.8  |
| 47.0                       | 51.0 | 0.0   |
| 51.0                       | 71.0 | -2.8  |
| 71.0                       | 80.0 | -2.0  |

*Note 1.— The standard geopotential metre has the value  $9.80665 \text{ m}^2 \text{ s}^{-2}$ .*

*Note 2.— See Doc 7488 for the relationship between the variables and for tables giving the corresponding values of temperature, pressure, density and geopotential.*

*Note 3.— Doc 7488 also gives the specific weight, dynamic viscosity, kinematic viscosity and speed of sound at various altitudes.*

**State of Design.** The State having jurisdiction over the organization responsible for the type design.

**State of Manufacture.** The State having jurisdiction over the organization responsible for the final assembly of the aircraft.

**State of Registry.** The State on whose register the aircraft is entered.

*Note.— In the case of the registration of aircraft of an international operating agency on other than a national basis, the States constituting the agency are jointly and severally bound to assume the obligations which, under the Chicago Convention, attach to a State of Registry. See, in this regard, the Council Resolution of 14 December 1967 on Nationality and Registration of Aircraft Operated by International Operating Agencies which can be found in Policy and Guidance Material on the Economic Regulation of International Air Transport (Doc 9587).*

**Take-off surface.** That part of the surface of an aerodrome which the aerodrome authority has declared available for the normal ground or water run of aircraft taking off in a particular direction.

**Type Certificate.** A document issued by a Contracting State to define the design of an aircraft type and to certify that this design meets the appropriate airworthiness requirements of that State.

**Ultimate load.** The limit load multiplied by the appropriate factor of safety.

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## **PART II. - PROCEDURES FOR CERTIFICATION AND CONTINUING AIRWORTHINESS**

### **CHAPTER 1. - TYPE CERTIFICATION**

Note. - Bhutan accepts Type Certificates for aircraft issued by the JAA and the FAA, but does not issue Type Certificates of its own.

Details of the requirements and recommendations for type certification are given in:

#### ***Annex 8 to the Convention on International Civil Aviation***

#### ***- Airworthiness of Aircraft -***

#### ***Part II - Chapter 1 - Type Certification***

*under the following headings:*

- 1.1 Applicability
- 1.2 Design aspects of the appropriate airworthiness requirements
- 1.3 Proof of compliance with the appropriate airworthiness requirements
- 1.4 Type Certificate

### **CHAPTER 2. - PRODUCTION**

Note. - There is no production of aircraft in Bhutan.

Details of the requirements and recommendations for type certification are given in:

#### ***Annex 8 to the Convention on International Civil Aviation***

#### ***- Airworthiness of Aircraft -***

#### ***Part II - Chapter 2 - Production***

*under the following headings:*

- 2.1 Applicability
- 2.2 Production

Note. - The Department of Civil Aviation in Bhutan (DCA) is the deciding authority to what extent the recommendations contained in ICAO Annex 8: - Airworthiness of Aircraft, will be applied.



## **CHAPTER 3. CERTIFICATE OF AIRWORTHINESS**

*Note.— The Certificate of Airworthiness as used in these Standards is the Certificate of Airworthiness referred to in Article 31 of the Convention.*

### **3.1 Applicability**

The Standards of this chapter are applicable in respect of all aircraft, except 3.3 and 3.4 which are not applicable in respect of all aircraft that are of a type of which the prototype was submitted to appropriate national authorities for certification before 13 June 1960.

### **3.2 Issuance and continued validity of a Certificate of Airworthiness**

- 3.2.1 A Certificate of Airworthiness shall be issued by the DCA on the basis of satisfactory evidence that the aircraft complies with the design aspects of the appropriate airworthiness requirements.
- 3.2.2 The DCA shall not issue or render valid a Certificate of Airworthiness for which it intends to claim recognition pursuant to Article 33 of the Convention on International Civil Aviation unless it has satisfactory evidence that the aircraft complies with the applicable Standards of ICAO Annex 8 - Airworthiness of Aircraft, through compliance with appropriate airworthiness requirements.
- 3.2.3 A Certificate of Airworthiness shall be renewed at intervals decided by the DCA. The DCA requires that the continuing airworthiness of the aircraft are determined by a periodical inspection at appropriate intervals having regard to lapse of time and type of service or, alternatively, by means of a system of inspection, approved by the DCA, that will produce at least an equivalent result.
- 3.2.4 When an aircraft possessing a valid Certificate of Airworthiness issued by a Contracting State is entered on the register of Bhutan, the DCA, when issuing its Certificate of Airworthiness may consider the previous Certificate of Airworthiness as satisfactory evidence, in whole or in part, that the aircraft complies with the applicable Standards of ICAO Annex 8 - Airworthiness of Aircraft, through compliance with the appropriate airworthiness requirements.
- 3.2.5 When the DCA renders valid a Certificate of Airworthiness issued by another Contracting State, as an alternative to issuance of its own Certificate of Airworthiness, it shall establish validity by suitable authorization to be carried with the former Certificate of Airworthiness accepting it as the equivalent of the latter. The validity of the authorization shall not extend beyond the period of validity of the Certificate of Airworthiness being rendered valid. The DCA shall ensure that the continuing airworthiness of the aircraft is determined in accordance with 3.2.3.

### **3.3 Standard form of Certificate of Airworthiness**

- 3.3.1 The Certificate of Airworthiness shall contain the information shown in Figure 1 and shall be generally similar to it.
- 3.3.2 The DCA issues Form DCA 002/07 Certificates of Airworthiness in the English language.

*Note.— Article 29 of the Convention on International Civil Aviation requires that the Certificate of Airworthiness be carried on board every aircraft engaged in international air navigation.*

**3.4 Aircraft limitations and information**

Each aircraft shall be provided with a flight manual, placards or other documents stating the approved limitations within which the aircraft is considered airworthy as defined by the appropriate airworthiness requirements and additional instructions and information necessary for the safe operation of the aircraft.

**3.5 Temporary loss of airworthiness**

Any failure to maintain an aircraft in an airworthy condition as defined by the appropriate airworthiness requirements shall render the aircraft ineligible for operation until the aircraft is restored to an airworthy condition.

Figure 1

|   |  |   |   |
|---|--|---|---|
| *   | <i>State of Registry<br/>Issuing Authority</i>   |   | * |
| <b>CERTIFICATE OF AIRWORTHINESS</b>   |  |   |   |
| 1. Nationality and registration marks<br><br>.....<br><br>.....   | 2. Manufacturer and manufacturer's designation of aircraft**<br><br>.....<br><br>..... | 3. Aircraft serial number<br><br>.....<br><br>..... |   |
| 4. Categories and/or operation*** .....   |  |   |   |
| 5. This Certificate of Airworthiness is issued pursuant to the Convention on International Civil Aviation dated 7 December 1944 and †..... in respect of the above-mentioned aircraft which is considered to be airworthy when maintained and operated in accordance with the foregoing and the pertinent operating limitations.<br><br>Date of issue ..... Signature ..... |  |   |   |
| † Insert reference to appropriate Airworthiness Code.   |  |   |   |
| 6. ****   |  |   |   |

\* For use of the State of Registry.

\*\* Manufacturer's designation of aircraft should contain the aircraft type and model.

\*\*\* This space is normally used to indicate the certification basis, i.e. certification code, with which the particular aircraft complies and/or its permitted operational category, e.g. commercial air transportation, aerial work or private.

\*\*\*\* This space shall be used either for periodic endorsement (giving date of expiry) or for a statement that the aircraft is being maintained under a system of continuous inspection.

**3.6 Damage to aircraft**

3.6.1 When an aircraft has sustained damage, the DCA shall judge whether the damage is of a nature such that the aircraft is no longer airworthy as defined by the appropriate airworthiness requirements.

- 3.6.2 If the damage is sustained or ascertained when the aircraft is in the territory of another Contracting State, the authorities of the other Contracting State are entitled to prevent the aircraft from resuming its flight. In accordance with ICAO Annex 8 the other Contracting State will advise Bhutan immediately, communicating to it all details necessary to formulate the judgement referred to in 3.6.1.
- 3.6.3 When the DCA considers that the damage sustained is of a nature such that the aircraft is no longer airworthy, it shall prohibit the aircraft from resuming flight until it is restored to an airworthy condition. The DCA may, however, in exceptional circumstances, prescribe particular limiting conditions to permit the aircraft to fly a non-commercial air transport operation to an aerodrome at which it will be restored to an airworthy condition. In prescribing particular limiting conditions the DCA shall consider all limitations proposed by the Contracting State that had originally, in accordance with 3.6.2, prevented the aircraft from resuming its flight.
- 3.6.4 When the DCA considers that the damage sustained is of a nature such that the aircraft is still airworthy, the aircraft shall be allowed to resume its flight.

### **3.7 Special Flight Permit**

- 3.7.1 An aircraft that has previously been given a Certificate of Airworthiness may fly, subject to approval by the Director and the issuance of a Permit to Fly, for the purpose of qualifying the aircraft for the re-issue of the certificate, or, if the aircraft has suffered damage, to position the aircraft at an aerodrome at which repairs necessary to restore it to an airworthy condition can be carried out, provided that in each case it has been certified as fit to fly by a qualified aircraft maintenance technician and it does not carry passengers or cargo, or any persons other than those required to perform duties in the aircraft related to qualifying it for the re-issue of the Certificate of Airworthiness or positioning it to another aerodrome or maintenance facilities. The operator shall obtain an authorisation from States whose airspace would be used when conducting a flight under the authority of a Special Flight Permit.

## **CHAPTER 4. CONTINUING AIRWORTHINESS OF AIRCRAFT**

### **4.1 Applicability**

The Standards of this chapter are applicable to all aircraft.

### **4.2 Responsibilities of Contracting States in respect of continuing airworthiness**

*Note.— Guidance on continuing airworthiness requirements is contained in the Airworthiness Manual (Doc 9760).*

#### **4.2.1 State of Design**

4.2.1.1 The State of Design of an aircraft will, in accordance with ICAO Annex 8:

- a) transmit to every Contracting State which has in accordance with 4.2.3 a) advised the State of Design that it has entered the aircraft on its register, and to any other Contracting State upon request, any generally applicable information which it has found necessary for the continuing airworthiness of the aircraft, including its engines and propellers when applicable, and for the safe operation of the aircraft,

(hereinafter called mandatory continuing airworthiness information) and notification of the suspension or revocation of a Type Certificate;

*Note 1.— The term “mandatory continuing airworthiness information” is intended to include mandatory requirements for modification, replacement of parts or inspection of aircraft and amendment of operating limitations and procedures. Among such information is that issued by Contracting States in the form of airworthiness directives.*

*Note 2.— The Continuing Airworthiness of Aircraft in Service (Cir 95) provides the necessary information to assist Contracting States in establishing contact with competent authorities of other Contracting States for the purpose of maintaining continuing airworthiness of aircraft in service.*

- b) ensure that, in respect of aeroplanes over 5,700 kg and helicopters over 3,175 kg maximum certificated take-off mass, there exists a system for:
  - i) receiving information submitted in accordance with 4.2.3 f);
  - ii) deciding if and when airworthiness action is needed;
  - iii) developing the necessary airworthiness actions; and
  - iv) promulgating the information on those actions including that required in 4.2.1.1 a);
- c) ensure that, in respect of aeroplanes over 5,700 kg maximum certificated take-off mass, there exists a continuing structural integrity programme to ensure the airworthiness of the aeroplane. The programme shall include specific information concerning corrosion prevention and control; and
- d) ensure that, where the State of Manufacture of an aircraft is other than the State of Design, there is an agreement acceptable to both States to ensure that the manufacturing organization cooperates with the organization responsible for the type design in assessing information received on experience with operating the aircraft.

4.2.1.2 The State of Design of an engine or a propeller, where it is different from the State of Design of the aircraft, will transmit any continuing airworthiness information to the State of Design of the aircraft and to any other Contracting State upon request.

#### 4.2.2 State of Manufacture

The State of Manufacture of an aircraft will, in accordance with ICAO Annex 8, ensure that where it is not the State of Design there is an agreement acceptable to both States to ensure that the manufacturing organization cooperates with the organization responsible for the type design in assessing information received on experience with operating the aircraft.

#### 4.2.3 Bhutan, the State of Registry

The DCA shall:

- a) ensure that, when it first enters on the register of Bhutan an aircraft of a particular type and issues or validates a Certificate of Airworthiness in accordance with 3.2 of this part, it shall advise the State of Design that it has entered such an aircraft on the register;
- b) determine the continuing airworthiness of an aircraft in relation to the appropriate airworthiness requirements in force for that aircraft;

- c) develop or adopt requirements to ensure the continuing airworthiness of the aircraft during its service life, including requirements to ensure that the aircraft:
  - i) continues to comply with the appropriate airworthiness requirements after a modification, a repair or the installation of a replacement part; and
  - ii) is maintained in an airworthy condition and in compliance with the maintenance requirements of ICAO Annex 6, and where applicable, Parts III, IV and V of ICAO Annex 8;
- d) upon receipt of mandatory continuing airworthiness information from the State of Design, adopt the mandatory information directly or assess the information received and take appropriate action;
- e) ensure the transmission to the State of Design of all mandatory continuing airworthiness information which Bhutan, as the State of Registry, originated in respect of that aircraft; and
- f) ensure that, in respect of aeroplanes over 5,700 kg and helicopters over 3,175 kg maximum certificated take-off mass, there exists a system whereby information on faults, malfunctions, defects and other occurrences that cause or might cause adverse effects on the continuing airworthiness of the aircraft is transmitted to the organization responsible for the type design of that aircraft.

*Note.— Guidance on interpretation of “the organization responsible for the type design” is contained in the Airworthiness Manual (Doc 9760).*

#### 4.2.4 Obligations of Bhutan

The DCA shall establish, in respect of aeroplanes over 5,700 kg and helicopters over 3,175 kg maximum certificated take-off mass, the type of service information that is to be reported to the DCA by operators, organizations responsible for type design and maintenance organizations. Procedures for reporting this information shall also be established.

#### **PART III. - Large Aeroplanes**

Part III. of ICAO Annex 8: - Airworthiness of Aircraft, including PARTS IIIA and B, is adopted as a whole in this BCAR - Airworthiness of Aircraft

Note. - There is no production of large aeroplanes in Bhutan.

#### **PART IV. - Helicopters**

Part IV. of ICAO Annex 8: - Airworthiness of Aircraft, including PARTS IVA and B, is adopted as a whole in this BCAR Part - Airworthiness of Aircraft

Note. - There is no production of helicopters in Bhutan.

#### **PART V. - Small Aeroplanes**

Part V. of ICAO Annex 8: - Airworthiness of Aircraft is adopted as a whole in this BCAR Part 8: - Airworthiness of Aircraft.

Note. - There is no production of small aeroplanes in Bhutan.

#### **PART VI. - Engines**

Part VI. of ICAO Annex 8: - Airworthiness of Aircraft is adopted as a whole in this BCAR Part - Airworthiness of Aircraft

Note. - There is no production of engines in Bhutan.

**PART VII. - Propellers**

Part VII. of ICAO Annex 8: - Airworthiness of Aircraft is adopted as a whole in this BCAR -Airworthiness of Aircraft

Note. - There is no production of propellers in Bhutan.

**For the Department of Civil Aviation, Bhutan**

A handwritten signature in black ink, appearing to read 'Phala Dorji', is written over a light blue grid background.

Phala Dorji  
DIRECTOR GENERAL