

Test Pilot Approvals

17 October 2018

General

Civil Aviation Authority advisory circulars contain guidance and information about standards, practices, and procedures that the Director has found to be an **acceptable means of compliance** with the associated rules and legislation.

However the information in the advisory circular does not replace the requirement for participants to comply with their own obligations under the Civil Aviation rules, the Civil Aviation Act 1990 and other legislation.

An advisory circular reflects the Director's view on the rules and legislation. It expresses CAA policy on the relevant matter. It is not intended to be definitive. Consideration will be given to other methods of compliance that may be presented to the Director. When new standards, practices, or procedures are found to be acceptable they will be added to the appropriate advisory circular.

An advisory circular may also include **guidance material** generally, including guidance on best practice as well as guidance to facilitate compliance with the rule requirements. However, guidance material should not be regarded as an acceptable means of compliance.

An advisory circular may also include **technical information** that is relevant to the standards or requirements.

Purpose

This advisory circular provides material intended to assist in understanding the requirements for approval as a test pilot for experimental flying or testing of a prototype aircraft.

Related Rules

This advisory circular relates specifically to Civil Aviation Rule Part 19-*Transition Rules* Subpart I, and Part 21-*Certification of Products and Parts* Subpart B.

Cancellation

This advisory circular cancels AC19-1 Revision 0 dated 03 July 2009.

Version History

History Log

Revision No.	Effective Date	Summary of Changes
0	03 July 2009	This is the initial issue of this advisory circular.
1	17 October 2018	Change Notice is removed. Cancellation Notice is inserted Version History is inserted AC19-1 Revision 0 is revoked and replaced.

Table of Contents

1. Introduction	4
2. Description of Change.....	4
3. The Role and Responsibility of an Approved Test Pilot.....	4
4. Terminology	5
5. Test Pilot Qualifications and Experience Requirements	8
5.1 Category 1 Test Pilot	8
5.2 Category 2 Test Pilot	9
5.3 Category 3 Test Pilot	9
5.4 Category 4 Test Pilot	10
5.5 General Notes.....	11
6. Test Pilot Approval Process	12
7. CAA Audit of Experimental Flight Testing	14
8. Flight Testing Not Requiring a Test Pilot Approval	14
9. Correspondence and Forms	15
10. Charges.....	16
A1. Annex A: Examples of Categories 1, 2, 3 and 4 Flight Testing	17

1. Introduction

1.1 This advisory circular describes the acceptable means of compliance by which pilots may demonstrate their competency to be approved as a test pilot in accordance with rule 19.405(1) to carry out flight testing or evaluation flying of aircraft¹ that are operating under a *special category-experimental* airworthiness certificate. It defines the various categories of experimental flying and specifies the qualifications and experience that pilots are expected to have in order to be approved as a test pilot for each category.

2. Description of Change

2.1 The following issues are the significant changes introduced by Revision 1 of this advisory circular.

- (a) Reinforcing test pilot competence requirements that are based on knowledge, skills and attitude.
- (b) Highlighting the importance of managing flight safety risks.
- (c) Identifying the difference between developmental flight testing and certification flight testing.
- (d) Addition of “category 4” test pilot approvals which cover all evaluation flying undertaken in order to obtain another sub-category of special airworthiness certificate (amateur-built, limited and exhibition).
- (e) Identifying those flight testing activities that do not require a test pilot approval.
- (f) Providing examples of activities across the range of test pilot categories.

3. The Role and Responsibility of an Approved Test Pilot

3.1 Prior to the Director approving an individual as a test pilot it is essential for the applicant to recognise the importance of the role and responsibility that accompanies this approval.

3.2 The primary role of a test pilot is to provide the vital link between the engineers who design and manufacture aircraft and the pilots who will operationally use the aircraft once it is certified. The test flying activities undertaken, the quantitative data captured and the qualitative assessments made by test pilots combine to form the basis on which engineering, operational and safety decisions are made. This requires test pilots to blend the art of flying an aircraft with the

¹ For the purpose of this advisory circular ‘aircraft’ includes ‘large unmanned aircraft’ as described in AC102-1 (i.e. MTOW of 150kg or above). While the activities and requirements described in this advisory circular are focussed on the approval of test pilots for experimental flight testing of manned aircraft they can be tailored to suit individual applications related to the experimental flight testing of large UAS under Part 102.

science of aeronautical engineering in order to safely and effectively plan, execute, and report upon their flight testing activities.

3.3 In order for a test pilot to be able to declare that a new aircraft design or design change shows compliance with the applicable airworthiness requirements the test pilot should apply their flying skills, experience, knowledge and professional judgement in a methodical, meticulous and dispassionate manner. They should work in combination with a certificated Part 146 Design Organisation and engineers in order to plan and execute their testing activities in the safest way possible. Test pilots should also be aware of their own capabilities so that they know when they are approaching the limits of their own personal levels of competence.

3.4 Test pilots operate in an environment that can be inherently risky and prone to external pressures. Therefore, test pilots should be able to recognise the risks associated with their test flying activities and ensure there are adequate systems, procedures and mitigations in place to ensure the flying activities they conduct are undertaken in the safest possible manner. They should also comprehensively and faithfully capture the quantitative data observed and qualitative assessments made during a flight and not be affected by 'commercial pressure' or an expedient to achieve a 'required result'. If an aircraft undergoing test flying fails a particular test point then the result must be accurately recorded as such so that the reasons for the failure can be examined and addressed before a re-test is undertaken and any subsequent claim of compliance is made.

3.5 Only by adopting such an approach can a test pilot fulfil their responsibilities to the Director and ensure that a safe and certifiable outcome is achieved as a result of their test flying activities.

4. Terminology

4.1 For the purposes of this advisory circular, the following terms are described.

4.1.1 Experimental Flight Testing

4.1.1.1 Experimental flight testing (also referred to as experimental flying or test flying) is a piloted airborne activity that is performed in order to qualitatively and quantitatively evaluate, determine, validate, verify and/or demonstrate an aircraft's (or its related systems) airworthiness, handling qualities, performance and/or mission suitability and utility. Experimental flight testing is conducted on aircraft operating under a *special category-experimental* airworthiness certificate and which may be concept demonstrators, research platforms, prototype aircraft (i.e. a new type or model), or already certified aircraft which have prototype design changes embodied that are in the process of being developed and approved. Typical experimental flight testing is conducted in accordance with documented test plans and associated safety plans. These plans have been developed, reviewed and approved by appropriately qualified flight operations and engineering individuals, typically from a certificated Part 146 Design Organisation or the CAA².

4.1.1.2 All experimental flight testing is conducted for one of the following purposes.

- (a) **Engineering, research and developmental flight testing:** These are critical and exploratory testing activities undertaken by a participant in order to investigate the design concept of a prototype aircraft or prototype design change, new operating techniques and new uses for aircraft. It is also undertaken in order to determine the likelihood of an aircraft design or design change being able to demonstrate compliance with the applicable

² Flight test plans for special category aircraft are not be expected to be developed by a certificated Part 146 Design Organisation.

airworthiness requirements. This is typically an iterative activity³ undertaken for the purpose of informing the applicant during their design process⁴.

- (b) **Certification flight testing:** These are test flying activities undertaken by a participant after the completion of engineering, research and developmental flight testing in order to demonstrate that a prototype aircraft type design or prototype design change meets the applicable airworthiness requirements contained in the New Zealand Civil Aviation Rules⁵. The CAA may also undertake certification flight testing to independently verify the flight testing results and statements of compliance declared by a participant⁶.
- (c) **Evaluation flying:** Evaluation flying is any flight testing activity undertaken on an aircraft issued with a special category-experimental airworthiness certificate for the purpose of demonstrating its airworthiness prior to the issue of another sub-category of special airworthiness certificate (specifically amateur-built, LSA, limited and exhibition). Further information regarding the evaluation flying of these aircraft can be found in advisory circulars AC21-3 and AC21-4.

4.1.2 Experimental Flight Testing Categories

4.1.2.1 Due to the potential scope of experimental flight testing activities it is appropriate for them to be divided into several categories (each with corresponding test pilot competence requirements) based on the level of risk and potential complexity associated with the flight testing being conducted. The content of the flight test being undertaken determines its category, and the flight test category determines the required level of approval for the test pilot.

4.1.2.2 The definitions of each category below should be read in conjunction with the examples provided in Annex A.

- (a) **Category 1 Experimental Flight Testing:** This category encompasses the experimental flight testing activities that present the highest levels of risk which are critical and/or exploratory in nature and require advanced pilot techniques, flight test crew rehearsals and

³ E.g. Determining a flight envelope for a new aircraft type would require engineering, research and developmental flight testing consisting of an extensive test point matrix covering a wide range of test conditions and configurations. Test execution would build-up from the lowest risk test points well within the to-be-certified envelope and concluding with test points that are the highest risk and are beyond the to-be-certified envelope. As a result of flight test data design changes may be required to correct anomalies or to improve the results achieved. Engineering, research and developmental flight testing provides the participant with sufficient information to create a commercially viable product and be confident that compliance can subsequently be shown with the applicable requirements.

⁴ Engineering, research and developmental flight testing activities are expected to be conducted in accordance with a test plan and safety plan so that the test flying is conducted in support of a defined purpose and is not a nugatory activity. However, it may not be necessary for this plan to be approved by the CAA.

⁵ Flight testing to show compliance with applicable airworthiness requirements would typically be conducted after developmental flight testing has proven to the participant that compliance can be shown. The applicable NZ Civil Aviation Rule requirements may cross refer to the FAA Federal Aviation Regulations (FARs), EASA Certification Specifications (CS's) or other acceptable airworthiness requirements.

⁶ CAA flight testing activities would normally only be undertaken as part of a type certification project or a complex supplemental type certification project.

dedicated engineering support, such as that required for a new or substantially changed aircraft design undergoing type or supplemental type certification.⁷

- (b) **Category 2 Experimental Flight Testing:** This category covers test flying not classified as category 1 on aircraft which are:
- (1) not yet type certified, or
 - (2) are type certified and have undergone a design change which is yet to be approved, the extent of which may:
 - (i) require the application of special flight test techniques to critically assess the aircraft handling qualities, performance or other flight characteristics, or
 - (ii) require an assessment of basic crew procedures and workload, or
 - (iii) require intentional flight marginally outside of the aircraft operational envelope but within a previously cleared envelope.
- (c) **Category 3 Experimental Flight Testing:** This category covers experimental flying required on previously type certified aircraft designs which are subject to design changes that are expected to have no more than a negligible effect on aircraft handling, performance or other flight characteristics, but still require airborne verification in order to show compliance with the applicable airworthiness requirements. Category 3 test flights are conducted entirely within the established flight manual limits. Should any effect on handling, performance or other flight characteristics that is more than negligible be anticipated during design or discovered during developmental flight testing then the activity should be considered as being at least category 2 experimental flight testing.
- (d) **Category 4 Experimental Flight Testing:** This category exclusively covers evaluation flying undertaken on an aircraft issued with a *special category-experimental* airworthiness certificate for the purpose of:
- (1) Demonstrating its airworthiness in order to obtain another sub-category of special airworthiness certificate (specifically amateur-built, limited and exhibition).
 - (2) Demonstrating the airworthiness of special category aircraft after the incorporation of a modification.
 - (3) Collection of data to substantiate a special category aircraft flight manual.

NOTE: Category 4 test flights are conducted in accordance with the operating limitations issued as part of the special category-experimental airworthiness certificate (For further information refer to AC21-3 for limited and exhibition aircraft and AC21-4 for amateur-built aircraft).

⁷ Flight testing of an aircraft that is undergoing a type certification programme should be considered either as category 1 or category 2 flight testing until the type has been certified. Flight testing of a design change to an already certified type may be category 1, category 2 or category 3, depending on the extent of the testing required.

Flight testing of a light sport aircraft undergoing development will be considered category 1, 2 or 3 depending upon the maturity of the aircraft development and nature of the test flying to be undertaken.

5. Test Pilot Qualifications and Experience Requirements

5.1 Category 1 Test Pilot

5.1.1 An individual approved to plan and conduct category 1 experimental flight testing will be expected to meet the following competency requirements.

5.1.2 Qualifications

- (a) graduation from an appropriate course⁸ from a recognised test pilot school⁹ (or equivalent¹⁰)
- (b) commercial pilot licence, in the case of FAR 23 aircraft or FAR 27 helicopters
- (c) airline transport pilot licence for FAR 25 aircraft or FAR 29 helicopters
- (d) an instrument rating if appropriate
- (e) multi-engine rating if appropriate
- (f) extensive formation flying experience if appropriate
- (g) an aerobatic rating if appropriate.

5.1.3 Experience

- (a) A minimum of 1000 total flight hours across a diverse range of applicable aircraft types and models, with at least 400 hours as pilot-in-command.
- (b) Previous experimental flying experience.
- (c) Experience in flight test programmes in the category for which the candidate is seeking approval to conduct test flying.
- (d) Recent flying experience of at least 50 flight hours in the previous 12 months, of which 20 hours should be actual flight testing or documented flight test technique proficiency training in any category of aircraft. In lieu of the flight hour requirements, currency can be demonstrated by having undertaken an experimental test pilot initial or refresher training course within 24 months of the previous approval being issued.

⁸ "Graduation from an appropriate course" does not necessarily mean an applicant must have graduated from a 12 month long test pilot's course. Graduation from a shorter course would be acceptable if it can be shown that the course is directly applicable to and sufficient for the test flying activity to be undertaken. Alternatively, graduation from a longer course is accepted as providing a knowledge base upon which competence in a broader range of test flying activities can be demonstrated.

⁹ Test Pilot Schools recognised by the CAA are Empire Test Pilots' School (ETPS), UK, National Test Pilot School (NTPS), USA, US Air Force Test Pilot School (USAFTPS), USA, US Naval Test Pilot School (USNTPS), USA, International Test Pilots School (ITPS), Canada and EPNER (École du Personnel Navigant d'Essais et de Reception (EPNER), France, Escola de Formacao em Ensaios em Voo (EFEV), Brazil, and Indian Air Force Test Pilot's School (IAFTPS), India.

¹⁰ Test pilot schools other than those listed above may be considered "equivalent" on a case-by-case basis.

5.1.4 Additional Requirements

- (a) a class 1 medical certificate
- (b) an acceptable level of understanding of aeronautical engineering principles and the applicable certification requirements, demonstrated by the provision of relevant and acceptable flight test plans and/or reports and a successful interview with CAA (see below)
- (c) an acceptable standard of technical writing ability, demonstrated by the provision of relevant and acceptable flight test plans and/or reports.

5.2 Category 2 Test Pilot

5.2.1 The scope of experimental flying activities covered by category 2 is very broad. Therefore, in order to address the range of competence “lower than category 1 but higher than category 3” the category 2 competency requirements can be tailored dependent upon the nature and risk of the test flying to be undertaken.

5.2.2 An individual approved to plan and conduct category 2 experimental flying would be expected to meet the same competency requirements for category 1 test pilots, except for the following.

5.2.3 Qualifications

- (a) While formal training as a test pilot will still be expected, the training undertaken need only be applicable for the extent of category 2 experimental flight testing required to be undertaken¹¹.

5.2.4 Experience

- (a) The previous experience requirements of category 1 may be reduced but to a level no lower than 750 total flight hours, preferably across a diverse range of applicable aircraft types and models, with at least 300 hours as pilot-in-command.

5.2.5 Additional Requirements

- (a) The additional requirements under category 1 are applicable in relation to the specific certification project.

5.3 Category 3 Test Pilot

5.3.1 It is expected that an individual applying to carry out category 3 experimental flying would meet the following minimum requirements.

¹¹ Depending upon the nature of the specific flight testing being undertaken formal training requirements may be relaxed. Many test pilot short-courses are available, some of which can be tailored to meet specific training needs. E.g. A short course focussed on Performance or Stability and Control/Handling Qualities. Completion of such a course may be considered acceptable for the extent of category 2 experimental flight testing required to be undertaken.

5.3.2 Qualifications

- (a) commercial pilot licence
- (b) applicable rating for the general configuration of aircraft to be tested (which may include, but not limited to; aeroplane, helicopter, instrument rating; tailwheel rating; acrobatic rating; float-plane rating; gas turbine rating; etc.)
- (c) a class 1 medical certificate
- (d) attendance at an introductory level flight test short-course or seminar appropriate for the flight testing to be conducted.¹²

5.3.3 Experience

- (a) a minimum of 500 flight hours pilot-in-command
- (b) flight testing experience proportionate to the activity envisaged.

5.3.4 Additional Requirements

- (a) An acceptable level of understanding of aeronautical engineering principles and the certification requirements applicable to the testing being undertaken.

5.4 Category 4 Test Pilot

5.4.1 The range of aircraft subject to evaluation flying activities covered by category 4 is very broad with the minimum requirements being dependent upon the category of aircraft being evaluated. It is expected that an individual applying for a category 4 test pilot approval to carry out evaluation flying of special category aircraft would meet the following minimum requirements.

5.4.2 Qualifications

- (a) For amateur-built aircraft:
 - (1) Private pilot licence or recreational pilot licence
- (b) For limited and exhibition aircraft:
 - (1) Category 3 qualification requirements
- (c) For all special category aircraft:
 - (1) Applicable rating for the general configuration of aircraft to be tested which may include, but not limited to; aeroplane, helicopter, instrument rating; tailwheel rating; acrobatic rating; float-plane rating; gas turbine rating; etc.)

¹² An applicant's previous flight testing experience may be considered sufficient to mitigate the need to meet this requirement.

5.4.3 Experience

- (a) For amateur-built aircraft:
 - (1) a minimum of 200 flight hours pilot in command
- (b) For limited and exhibition aircraft:
 - (1) Category 3 experience requirements
- (c) For all special category aircraft:
 - (1) be in current flying practice in aircraft of the same configuration and performance of the aircraft being evaluated

5.4.4 Additional Requirements

- (a) For amateur-built aircraft, applicants will be required to have a thorough knowledge of FAA advisory circular AC90-89B amateur-built & Ultralight Flight-Testing Handbook.

5.5 General Notes

5.5.1 Approval of Company Test Pilots

5.5.1.1 An applicant for a test pilot approval for category 1 or category 2 experimental flying is expected to be employed as a test pilot by a certificated Part 146 Design Organisation or a certificated Part 148 Manufacturing Organisation, or acting as a sub-contractor or specialist consultant specifically authorised by those organisations.

5.5.1.2 A certificated Part 146 Design Organisation and a certificated Part 148 Manufacturing Organisation that are type certificate holders may employ company test pilots as full-time employees or sub-contractors for the purpose of undertaking developmental test flying in relation to further development of the existing certified products identified in their exposition. These individuals will be expected to hold a company authorisation for those activities.

5.5.2 Test Pilot Approvals for Co-Pilots

5.5.2.1 When undertaking experimental flying of aircraft with a minimum crew of pilot and co-pilot, the co-pilot should hold a test pilot approval for at least the next lower category of experimental flying being undertaken (e.g. For category 1 experimental flying, while the pilot-in-command must hold a category 1 approval, the co-pilot should hold at least a category 2 test pilot approval. If conducting category 3 experimental flight testing, while the pilot must hold a category 3 approval the co-pilot need not hold a test pilot approval).

5.5.3 Flight Test Risk Management

5.5.3.1 FAA Order 4040.26 Appendix C, while written for the FAA Aircraft Certification Directorate, documents what is considered to be acceptable guidance relating to risk management practices for experimental flight testing activities. This information should be tailored by participants to reflect the specific test flying activities being undertaken.

5.5.4 Type Ratings

5.5.4.1 As aircraft undergoing flight testing are operating under a *special category-experimental* airworthiness certificate test pilots approved under rule 19.405 need not be rated on the specific aircraft type to carry out experimental or evaluation flying activities (Refer to rule 61.55(b)(2) and AC61-10).

6. Test Pilot Approval Process

6.1 Approval as a test pilot follows a specific process which is dependent upon the category of the experimental flying required to be undertaken. The normal sequence of events is as follows.

6.2 Submission of Application

6.2.1 CAA form 24019/04 – *Application for Test Pilot Approval* must be completed and submitted to the Director. Form 24019/04 can be obtained from the CAA web site: <http://www.caa.govt.nz/Forms/24019-04.pdf>.

6.2.2 Applicants should describe the nature of the proposed experimental flying as completely as possible. In determining which category of test pilot approval to apply for, and unless the activity is evaluation flying of a special category aircraft (which is automatically category 4), applicants should first determine if the flight test falls within the definition of category 1 before moving sequentially through the definitions of categories 2 and 3, until the correct category is determined. Annex A provides additional information to assist with this process. Depending upon the extent of experimental flying needing to be conducted it may be possible that different categories of test flying can be undertaken during the same certification project.¹³

6.2.3 Supporting documentation such as resumes, certificates, test plans, engineering documents or proposals should be attached with the application.

6.3 Review of Application

6.3.1 Once a complete application is received then CAA's review process involves.

- (a) Review of the proposed experimental flying to ensure the test pilot category classification is appropriate for the activity being applied for.
- (b) Review of the applicant's qualifications and experience against the minimum requirements specified for the category of experimental flying applied for.
- (c) Notification to applicants who meet the minimum requirements specified for category 1 or 2 experimental flying as appropriate for the experimental flying to be undertaken, and arrangements made for the applicant to undergo an interview and check flight (if required).
- (d) Notification to applicants who meet the minimum requirements specified for a category 3 experimental flying as appropriate for the experimental flying to be undertaken. An interview may not be necessary for a category 3 application.
- (e) Notification to applicants who do not meet the requirements for any of the 4 categories of experimental flying, with details of those areas where the applicant is deficient.

¹³ For example, demonstration of some requirements could be considered to be category 1 experimental flying while other requirements for the same project may be category 2. Because of this, the CAA may allow test pilots of differing categories to conduct specific aspects of the test flying programme for the same certification project.

6.4 Interview

6.4.1 Every applicant for a test pilot approval for category 1 and normally all applicants for a category 2 test pilot approval will be interviewed by the CAA or designated representative. The venue and method of interview will be agreed between the applicant and the CAA.

6.4.2 A range of questions relevant to the activity may be asked but it is likely the applicant will be required to outline a proposed experimental flying programme and describe the anticipated procedures, techniques, potential flight safety risks and the management of these. The applicant's knowledge of the applicable certification requirements will be examined, as will their experience, qualifications and overall competence to hold the approval requested.

6.4.3 Based on the interview, CAA will assess whether or not the applicant is suitable for the proposed activity. If the applicant is unsuccessful at the interview stage the applicant will be informed accordingly.

6.5 Practical Evaluation

6.5.1 Following successful completion of the interview stage, an applicant for a test pilot approval for category 1 or category 2 experimental flight testing may be required to undergo a practical simulator or flight evaluation with the CAA in order to ascertain the applicant's technical and flying proficiency for the proposed experimental flight testing. It is the responsibility of the applicant to provide a simulator or aircraft that is suitable to be used for the practical evaluation and the applicant will be the pilot-in-command throughout the practical evaluation. CAA will provide a reasonable flight test scenario for the applicant to prepare for.

6.5.2 The practical evaluation will be conducted on an aircraft type that the applicant is rated on and familiar with and be of similar configuration to that planned for the experimental flying for which the applicant is seeking approval. The applicant will be asked to demonstrate skills or techniques that will be required during the planned experimental flight testing and an assessment of the applicant's airmanship, practical application of flight testing principles and of flight test risk management practices will be made. It is probable that the applicant will be required to prepare a flight test plan prior to the check flight and provide a verbal debrief and written flight test report documenting the results of the practical evaluation afterwards.

6.5.3 An applicant for a test pilot approval for category 1 or category 2 experimental flight testing who is a graduate of a recognised test pilot school may not be required to undertake the check flight, depending on the applicant's experience. However, CAA may still require evidence of technical writing ability, typically in the form of test plans or test reports, to be submitted.

6.6 Approval

6.6.1 Once the process detailed above has been completed satisfactorily, the Director may approve the applicant as a test pilot by issuing an approval in written form. If an application is unsuccessful, the applicant will be informed of the decision in writing with the reasons stated.

6.6.2 All test pilot approvals will be issued for a maximum period of 2 years. Test pilot approvals issued by CAA may include limitations in duration and/or scope as is deemed appropriate (For example: In relation to a specific activity or programme for a specific aircraft registration and will expire when that activity had been completed, or after a maximum period of 2 years, whichever occurs first).

6.6.3 Dependent upon the application, approvals for test pilots employed by a certificated Part 146 or a certificated Part 148 organisations who are type certificate holders or for test pilots who regularly undertake category 4 evaluation flying may be issued in relation to a specific certification project or be more general in scope.

6.6.4 Once approved as a test pilot under rule 19.405 the pilot may perform that experimental flying for which the pilot is approved, subject to CAA oversight and audit as necessary.

6.6.5 Renewal of a test pilot approval would initially involve a review of activities undertaken during the preceding period, and then as much of the normal issue process as is appropriate based on the results of the review.

7. CAA Audit of Experimental Flight Testing

7.1 The grant of a test pilot approval does not provide carte blanche authority to the approval holder to perform prototype testing or experimental flying, without appropriate CAA involvement in the design approval process and showing of compliance with the applicable provisions of Parts 21 and 91. The CAA may audit any experimental flying activities conducted in support of certification projects in order to verify the accuracy and quality of the reported data, adherence to agreed plans and the management of flight test risks. The size and scope of these audits will be determined by the nature and complexity of the particular certification project and also the quality, accuracy and reliability of the reports submitted to the CAA for review.

7.2 These audits may include, but not be limited to:

- (a) review of flight test plans and procedures
- (b) review of flight test risk management plans, practices and implementation of risk mitigation strategies
- (c) CAA witnessing of test flights
- (d) review of test reports and data presented
- (e) CAA flight testing, which may comprise of a re-test of selected test points through to a complete re-test of the entire flight test programme (a complete re-test would only be required in cases where the submitted data is unacceptable due to it being found either incomplete, inaccurate, or potentially misleading or false)¹⁴.

8. Flight Testing Not Requiring a Test Pilot Approval

8.1 The activities listed below, while test flying by their very nature, are not conducted on aircraft operating under a *special category-experimental* airworthiness certificate and therefore, a test pilot approval for these activities is not required under rule 19.405. However, when undertaking these activities there is still a greater potential of encountering problems than in normal day-to-day flying activities. Therefore, methodical planning and thorough risk management is essential to ensuring that safety is maintained during the conduct of these activities.

8.1.1 Production Flight Testing: Also known as post-production or production acceptance test flying, this activity is flight testing of newly-manufactured type certificated aircraft with the aim of demonstrating that they conform to their certified type design. As the aircraft type is already certified, the behaviour of the aircraft is known. Production test flying is to be carried out in accordance with documented procedures which should be detailed in the certificated Part 148 Manufacturing Organisation's exposition. A production test pilot will require a licence and rating appropriate to the aircraft type and it is expected that they will be competent and formally

¹⁴ As required, the CAA may employ a test pilot to provide specific flight testing expertise for the conduct of CAA flight testing.

authorised by the certificated Part 148 Manufacturing Organisation to undertake the defined flight testing.

8.1.2 Post-Maintenance Flight Testing: Also referred to as an ‘operational flight check’ (Ref rule 91.613) or a ‘maintenance check flight’, post-maintenance flight testing is conducted at the conclusion of a maintenance activity under a release-to-service for the specific flight test activity in order to confirm that the flight characteristics of the aircraft have not appreciably changed as a result of the maintenance activity. Post-maintenance flight testing should be carried out in accordance with instructions issued by the aircraft manufacturer or in accordance with company procedures in the case of a maintenance organisation or an air operator.

8.1.3 While not requiring a test pilot approval under rule 19.405, as a minimum a pilot undertaking an operational flight check must be appropriately licensed and rated for the subject aircraft. For Part 119/125 or Part 119/121 operators, pilots undertaking post-maintenance flight testing are also expected to hold a company authorisation for those activities.

8.1.4 The Flight Safety Foundation’s “Functional Check Flight Compendium”¹⁵ is considered to provide relevant information for companies and individuals conducting operational flight checks.

NOTE: *If a yet-to-be approved modification was installed during a maintenance activity, then the aircraft no longer conforms to its approved configuration. Any flying conducted prior to the modification being approved cannot be considered an “operational flight check”. In such circumstances the aircraft must be issued with a special category-experimental airworthiness certificate and flight testing must be conducted by a test pilot approved under rule 19.405 until such time as the modifications are approved (Post-installation validation flights conducted after installing a modification under AC43-14 are an exception to this).*

8.1.5 AC43-14 Post-Installation Validation Flights: AC43-14 identifies the need for validation flights potentially being needed in order to confirm no-interference between avionic systems after the installation of a system in accordance with that advisory circular. The PIC conducting the validation flight for a modification conducted in accordance with AC43-14 is not required to hold a test pilot approval when these validation flights are conducted under Day VFR conditions.

9. Correspondence and Forms

9.1 Correspondence relating to experimental flight testing and test pilot approvals can be sent to the CAA at the following address marked for the attention of the Airworthiness Unit:

PO Box 3555 Wellington 6011 New Zealand

9.2 Alternatively, correspondence can be sent to:

airworthinessunit@caa.govt.nz

9.3 The forms referred to in this advisory circular can be obtained from either the Airworthiness Unit or from the CAA website: www.caa.govt.nz

¹⁵ <https://flightsafety.org/toolkits-resources/functional-check-flights/>

10. Charges

10.1 Applications for test pilot approvals will be assessed in accordance with the Civil Aviation Charges Regulations (No 2) 1991.

A1. Annex A: Examples of Categories 1, 2, 3 and 4 Flight Testing

A1.1 This annex presents a non-exhaustive list of examples of test flying activities to assist applicants determine what category their test pilot approval application should be for. These examples should be viewed in conjunction with the definitions of each category provided in the body of this advisory circular.

A1.2 In determining which category of test pilot approval to apply for, applicants for categories 1, 2 or 3 should first determine if the flight test falls within the definition and examples of category 1 before moving sequentially through the definitions and examples of categories 2 and 3, until the correct category is determined.

NOTE: *Once an approval has been issued for a particular category of test flying, approved test pilots should continually assess whether the results of the test flying undertaken continues to justify the assessment made. Unexpected flight test results may justify a re-categorisation of the test flying activity.*

A1.2.1 Category 1 flight testing examples

- (a) Full aero-servo-elastic and flying qualities envelope expansion of a new type where the flight envelope has not yet been established, or is in the process of being opened beyond that previously investigated limits.
- (b) Fixed-wing aircraft: Initial high speed taxi, high-speed aborts, first flights, VMCG, VMU, initial stalls, departure and spins.
- (c) Rotary-wing aircraft: Determination of H/V diagrams and category A take-off and landing profiles.
- (d) All types: Where the encounter of surprising or even hazardous flight characteristics can be expected such as assessing failures or degradation of critical systems.
- (e) Aircraft handling and initial performance flight testing in conditions where one or more of the following parameters is approaching the previously investigated limits of the aircraft envelope: altitude, attitudes, weights, CG position, speed/Mach, stalls, temperature, engine and aerofoil performance.
- (f) Where the embodiment of new systems is anticipated to significantly affect the aircraft's airworthiness, flying qualities or performance characteristics.
- (g) When the crew of the chase aircraft has the duty to assist the prototype aircraft crew in recovering from a critical flight situation (i.e. assist the crew in the aircraft subject to spinning in assessing the spin or triggering recovery actions).

A1.2.2 Category 2 flight testing examples

- (a) Flight testing within an envelope that has already been opened and it has been demonstrated that the general behaviour of the aircraft is adequately safe and there are no potentially unsafe flight characteristics identified within the opened envelope.
- (b) All-engines-operating climb performance.
- (c) Cruise performance.
- (d) Static stability demonstration.
- (e) Function and reliability flights.
- (f) Systems tests of autopilot or guidance/warning systems such as Terrain Awareness and Warning System (TAWS) or Airborne Collision Avoidance System (ACAS), when the

modes themselves are tested, requiring operating the aircraft by deviating from the standard operational procedures.

NOTE: *In the case of embodiment of such systems on an already certified aircraft, when the system integration in an existing cockpit requires a more global crew procedure assessment (e.g. the system has been integrated in cockpit screens and a centralised warning system which requires a new cockpit procedure assessment) some tests may fall under category 3; see below.*

A1.2.3 Category 3 flight testing examples Those test flights required to demonstrate compliance of ‘yet to be approved’ design changes with the applicable airworthiness requirements which should have no more than a negligible effect on the handling, performance or other flight characteristics of the aircraft and do not require the aircraft to be flown outside of the already approved flight manual envelope and limitations.

- (a) Part 25 or Part 29 aircraft interior/cabin conversion/installations that do not incorporate new role-specific equipment.
- (b) NVIS evaluation following a change which has a minor effect on an already approved NVIS cockpit.
- (c) Any of the following design changes that are not implemented in accordance with AC43-14.
 - (1) Emergency Locator Transmission (ELT) installation.
 - (2) New/upgraded in-flight entertainment system installation.
 - (3) SATCOM and telephone installation.
 - (4) New radio equipment installation.
 - (5) Guidance/warning systems which are not category 2 and for which demonstration of correct functioning in-flight is required.

NOTE: *There may be design changes whose tests, despite the fact that they have no influence on the behaviour of the aircraft, require flying in conditions which deviate significantly from the standard operational use of the aircraft. These unusual flight test conditions may require classifying the flight as category 2.*

E.g. A design change made to an already certified TAWS system which requires flight testing at very low altitude and/or towards high terrain. Such testing can be classified as category 3 flight on a light aeroplane or helicopter because the flight test is performed in the normal operating domain of the aircraft, whereas the same flight performed with a transport category aircraft, especially if it needs to be flown in clean configuration significantly below gear and flaps warning heights, should be classified as category 2 because such a flight does not correspond to the normal use of the aircraft and needs to adopt specific testing procedures that a category 3 test pilot is unlikely to have competence in.

A1.2.4 Category 4 flight testing:

- (a) All evaluation flying of amateur-built, limited and exhibition aircraft conducted in accordance with the operating limitations issued as part of the special category-experimental airworthiness certificate for the purpose of:
 - (1) Demonstrating the airworthiness of an aircraft in order to obtain another sub-category of special airworthiness certificate (specifically amateur-built, limited and exhibition).
 - (2) Demonstrating the airworthiness of special category aircraft after the incorporation of a modification.