

BACKGROUND TO XBT: HISTORICAL, LEGAL, AND ECONOMIC

***African Regional Seminar on the Cape Town Convention
and its Aircraft Protocol, and cross-border transferability
of aircraft***

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Around the world



The Aircraft



Boeing 767-300ER

- Boeing 767 entered service in 1982
- As of March 2018, 1,110 have been delivered
- QANTAS fleet of 767s: 39
- Fleet of 767s (new/used) imported into Canada: 90+

THE SELLER



- Australia's flag carrier since 1920
- Current fleet of 231 Boeing and Airbus aircraft
- Third oldest airline in the world
- Received first 767-300ER aircraft in 1988

THE BUYER



- Major Canadian carrier since 1996
- Current fleet of 171 Boeing and Bombardier aircraft

The Airworthiness Authorities



Australian Government
Civil Aviation Safety Authority

“CASA”

- Certifying aeronautical products since 1921
- Certifying to ICAO standards since 1944

The Airworthiness Authorities (*cont'd*)



“FAA”

- Certifying aeronautical products since 1926
- Certifying to ICAO standards since 1944

The Airworthiness Authorities (*cont'd*)



“TCAA”

- Certifying aeronautical products since 1919
- Certifying to ICAO standards since 1944

The Export Process



- “C” Check – heavy airframe check
- All ADs/SBs brought current
- All STCs reviewed/confirmed
- Full Airframe/Engines/Components Records review by Australian CASA
- Issue of CASA Export C of A to US (confirming Airworthiness of Aircraft for CASA purposes, and compliance with FAA supplementary requirements, as advised by FAA to CASA)

The Import and Export Process



- Spent over \$300,000 on conforming to U.S. regulations and registering on the U.S. registry
- Full import inspection by FAA
- Further U.S. MRO work for TCAA purposes
- FAA issued Export C of A to Canada (confirming Airworthiness of Aircraft for FAA purposes, and compliance with TCAA supplementary requirements, as advised by TCAA to FAA)

The Import Process



- TCAA – “ITRAN”
 - Inspect, Test and Repair as Necessary
 - Import Inspection
- BUT ALSO:
 - Required “Reverse Engineering” of several STCs/Modifications
 - Required complete Re-review of all Records
 - Required Re-creation/Re-certification of many Historical Records
 - Refused to validate Australian/FAA certified approvals of many items
- Process repeated for additional 3 x 767-300ERs

The Result



11 WestJet got the new capacity that it needed...

Blakes

BUT ...

Also resulted in:

- Unnecessary repetition of numerous export/import airworthiness steps completed by a leading international airline with strong safety record
- Unnecessary re-creation of a number of maintenance steps already certified by CASA and/or FAA, two of world's leading Airworthiness Authorities
- Waste of limited TCAA resources better allocated elsewhere
- Unnecessary downtime: 8 additional months

Allocation of duplicative resources added no additional safety protections

Wasted Resources

Duplicate Maintenance \$\$

+

Unnecessary Downtime \$\$

= Significant Wasted Resources
and \$\$\$\$ (several million USD!)

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