



Advisory Circular

Subject: Low Flight, Take-off or Landing within a Built Up Area

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1.0 Introduction

- (1) Subject to paragraph (3), this Advisory Circular (AC) is provided for information and guidance purposes. It describes an example of an acceptable means, but not the only means, of demonstrating compliance with regulations and standards. This AC on its own does not change, create, amend or permit deviations from regulatory requirements, nor does it establish minimum standards.
- (2) Operators are expected to follow the means of compliance described in this AC in all respects, unless the Minister approves an acceptable alternate means of compliance.
- (3) The Conditions of the Ministerial Authorizations are listed in Appendix A of this AC. As noted, compliance with these Conditions is mandatory.

1.1 Purpose

- (1) The purpose of this AC is to provide Canadian air operators with information pertaining to
 - (a) **Ministerial Authorizations** for:
 - (i) operation of an aircraft at altitudes and distances less than those specified in Paragraph 602.14(2) of the *Canadian Aviation Regulations* (CARs); and
 - (ii) conducting a take-off, approach or landing within a built-up area of a city or town in situations other than those detailed in paragraph 602.13(1) of the CARs.
- (2) These authorizations are issued by Transport Canada Civil Aviation (TCCA) to Canadian air operators holding an AOC issued under subparts 702, 703 and 704, or private operators holding a Private Operator Registration Document (POR) issued under Part VI, of the *Canadian Aviation Regulations* (CARs).

1.2 Applicability

- (1) This AC is applicable to:
 - (a) Canadian air operators conducting operations in accordance with subparts 702, 703 and/or 704 of the CARs;
 - (b) Private Operators conducting operations in accordance with subpart 604 of the CARs;
 - (c) Pilots, flight dispatchers, flight followers and other operations personnel employed by the operators listed above; and
 - (d) TCCA inspectors with certification and safety oversight responsibilities.
- (2) This AC is not applicable to authorizations for exhibitions, demonstration flights, or Remotely Piloted Aircraft Systems (RPAS).

1.3 Description of changes

- (1) Not applicable.

2.0 References and requirements

2.1 Reference documents

- (1) It is intended that the following reference materials be used in conjunction with this document:
 - (a) [Aeronautics Act](#) (R.S.C., 1985, c. A-2)

- (b) Part VI, Subpart 02 of the *Canadian Aviation Regulations (CARs)* - Operating and Flight Rules
- (c) Part VI, Subpart 03 of the CARs - Special Flight Operations
- (d) Part VI, Subpart 04 of the CARs - Private Operators
- (e) Part VII, Subpart 02 of the CARs - Aerial Work
- (f) Part VII, Subpart 03 of the CARs - Air Taxi Operations
- (g) Part VII, Subpart 04 of the CARs - Commuter Operations
- (h) Standard 623 of the *Commercial Air Service Standards (CASS)* - Special Flight Operations Standards and Procedures
- (i) Standard 722 of the CASS - Aerial Work
- (j) Standard 723 of the CASS - Air Taxi – Helicopters
- (k) Standard 724 of the CASS - Commuter Operations – Helicopters
- (l) Civil Aviation Directive (CAD) No. REG -003 - Exemptions from Regulatory Requirements Records, Document and Information Management System
- (m) Transport Canada Publication, TP 14984 — Transport Canada Civil Aviation service standards activities (with and without charges)
<https://tc.canada.ca/en/aviation/publications/transport-canada-civil-aviation-service-standards-activities-without-charges-tp-14984>

(2) The table below lists the regulatory authorities under which these authorizations/approvals are issued to air operators:

For operations conducted under the following Subparts of the CARs:	The Ministerial Authorization is issued pursuant to the following provisions:
702	Subparagraphs 702.22(1) & 702.22(2) & 702.22(3)
703	Subparagraph 703.36
704	Subparagraph 704.31
For operations conducted under the following Subparts of the CARs:	The Specific Approval is issued pursuant to the following provisions:
604	Subparagraph 604.74(2)(a)
702	Subparagraph 702.08(g)(i) & 702.08(g)(iii) & 702.08(g)(ix)
703	Subparagraph 703.08(g)(i) & 703.08(g)(vii)
704	Subparagraphs 704.08(g)(i) & 704.08(g)(viii)

2.2 Cancelled documents

- (1) As of 2020/12/23, the following document is cancelled by the issue of TP 4711 edition 12/2020:
 - (a) Commercial and Business Aviation Policy Letter 145, Original Issue, 2002-04-24 — Helicopter landings and take-offs within the built up areas of cities and towns.
- (2) By default, it is understood that the publication of a new issue of a document automatically renders any earlier issues of the same document null and void.

2.3 Definitions and abbreviations

- (1) The following **definitions** are used in this document:
 - (a) **Aerial Inspection:** means the inspection from an aircraft of crops, forests, livestock or wildlife, the patrolling of pipelines or power lines, a flight inspection or any other operation of a similar nature.
 - (b) **City or Town:** means a municipal entity incorporated as such.
 - (c) **Emergency Landing Area:** a secure area with sufficient manoeuvring room to permit a landing without creating a hazard to person or property.
 - (d) **Event:** means a planned occasion or activity.
 - (e) **Flight Inspection:** means the operation of an aircraft for the purpose of:
 - (i) calibrating air navigation aids;
 - (ii) monitoring or evaluating the performance of air navigation aids; or
 - (iii) obstacle assessment.
 - (f) **Issuing Authority:** means the Minister's delegate responsible for the geographic area where the activity is proposed.
 - (g) **Low Flight:** means flight below established minimum altitudes and distances, as set out in Paragraph 602.14(2) of the CARs.
 - (h) **Ministerial Authorization:** means an exemption that is provided by the regulation itself followed by criteria upon which the authorization is based.
 - (i) **Air Operator:** means the holder of an air operator certificate (AOC).
 - (j) **Operator:** means the holder of a private operator registration document (PORD).
 - (k) **Police authority:** means the Royal Canadian Mounted Police, Ontario Provincial Police, Sûreté du Québec or Canadian Coast Guard, or any municipal or Regional Police force established pursuant to provincial legislation.
 - (l) **Site inspection:** an SME's onsite review of the intended location(s) prior to the event.
 - (m) **Specific Approvals (SA):** are authorizations issued by the Minister under Subpart 604 and Part VII of the CARs that permit the carrying out of an activity in respect of which the Minister has established requirements. Specific Approvals are included as part of the AOC or PORD as applicable. The term is interchangeable with Special Authorization.
 - (n) **Within:** with respect to "built-up areas" means being substantially surrounded by buildings and/or structures. In practical terms this would mean that a landing site would have to be surrounded to the point that an approach to a landing and overshoot or departure, would overfly a structure at some point, or operate (fly) close enough to create a hazard
- (2) The following **abbreviations** are used in this document:

- (a) **AOC:** Air Operator Certificate
- (b) **CAR:** *Canadian Aviation Regulation*
- (c) **CASS:** *Commercial Air Service Standards*
- (d) **MA:** Ministerial Authorization
- (e) **PORD:** Private Operator Registration Document
- (f) **SA:** Specific Approval
- (g) **SFOC:** Special Flight Operations Certificate
- (h) **TCCA:** Transport Canada Civil Aviation

3.0 Background

3.1 General

- (1) As per paragraph 602.14(2)(a) of the CARs, all aircraft operating over built-up areas must ensure that in the event of an emergency necessitating an immediate landing it would be possible to land the aircraft without creating a hazard to persons or property on the surface. Notwithstanding this condition, there are minimum operational altitudes and horizontal distances from obstacles, within built up areas, established within subparagraph 602.14(2)(a)(i), (ii) & (iii) of the CARs.
- (2) The CARs allow flight below published minimums for specific types of flight operations. These flight operations include flights for:
 - (a) service to a police authority;
 - (b) saving human life;
 - (c) support of fire-fighting or air ambulance operations;
 - (d) administration of the *Fisheries Act* or the *Coastal Fisheries Protection Act*;
 - (e) administration of the national or provincial parks;
 - (f) the purpose of flight inspection.
- (3) As per paragraph 602.13(1) of the CARs, no person shall conduct a take-off, approach or landing in an aircraft within a built-up area of a city or town, unless that take-off, approach or landing is conducted at an airport, heliport or a military aerodrome. Exceptions are allowed, if:
 - (a) the place is not set apart for the operation of aircraft;
 - (b) the flight is conducted without creating a hazard to persons or property on the surface; and
 - (c) the aircraft is operated for the purpose of a police operation that is conducted in the service of a police authority or for the purpose of saving human life.
- (4) All other operators conducting low flight over a built up area, or taking-off, approaching or landing within a built-up area of a city or town, must be authorized by the Minister. These ministerial authorizations are associated with the type of flight operations that the aircraft is conducting:
 - (a) Part VI, Subpart 03 of the CARs - Special Flight Operations; or
 - (b) Part VII of the CASS.
- (5) An authorization to conduct low flight over a built up area or conducting a take-off, approach or landing within a built-up area of a city or town, require that the flight is in the public interest, and

the flight is not likely to adversely affect aviation safety. With that in mind, each request must be viewed on a case-by-case basis.

- (6) A risk assessment conducted by TCCA has concluded that the use of multi-engine aircraft for low flight, and take-off, approach and landing within a built-up area significantly reduces the risk of creating a hazard to persons or property on the surface.
 - (a) Where an operator wishes to utilize Single Engine Aircraft, additional mitigations will be required for the operations.

3.2 Application and structure of this Advisory Circular

- (1) This Advisory Circular (AC) provides the conditions and associated guidance applicable to:
 - (a) **Ministerial Authorizations** to operate at altitudes and distances less than those specified in 602.14(2) of the CARs, and/or to conduct a take-off, approach or landing within a built-up area of a city or town in situations other than those detailed in paragraph 602.13(1) of the CARs.
- (2) To accomplish the above stated objectives, the AC is structured in the following sections:
 - (a) **Main Body:** Provides background information and general guidance.
 - (b) **Appendix A:** Stipulates the conditions which operators must meet when issued the subject Ministerial Authorization.
 - (c) **Appendix B:** Provides specific guidance respecting the conditions for the subject MA (Appendix A). To facilitate cross-reference, the guidance in Appendix B utilizes the same numbering as the conditions in Appendix A of this AC.
 - (d) **Appendix C:** Features a compliance checklist for the conditions of the subject Authorization (Appendix A). This compliance checklist has been developed to assist operators to confirm that they are in compliance with the conditions of the Authorization. It also serves as an aid to TCCA personnel for certification and safety oversight purposes.
 - (e) **Appendix D:** Provides a list of the provisions in the CARs and CASS that are applicable to air operators conducting low flight operations over built up areas or open-air assemblies of persons.

4.0 Transport Canada Civil Aviation approval

- (1) A Canadian Commercial Air Operator or Private Operator who wishes to conduct low flight operations over a built-up area, or to conduct a take-off, approach or landing within a built-up area of a city or town may request authorization from their local TCCA office or Principal Operations Inspector (POI).

5.0 Types of low altitude authorizations and approvals

- (1) **A Ministerial Authorization** is issued for a specified one-time event for Part VI or Part VII operations.
 - (a) An air operator or private operator may make application for a Ministerial Authorization to conduct flight at altitudes and/or distances less than those specified in Paragraph 602.14(2) of the CARs, and/or conducting a take-off, approach, or landing **within** a built up area of a city or town in situations other than those detailed in paragraph 602.13(1) of the CARs.

- (b) Examples of this type of event are: aerial construction, aerial photography, film-making, aerial survey, aerial application and passenger or cargo transport operations.
- (2) **A Specific Approval (Special Authorization) for Part VII commercial operations** is attached to the operator's AOC for low altitude flight operations that occur on an ongoing basis as follows:
 - (a) An air operator that has a repetitive and consistent operational requirement to conduct low altitude flights over the same geographical area **outside** of a built up area of a city or town may apply to add a Specific Approval (SA) to their AOC to conduct flight at altitudes and/or distances less than those specified in Paragraph 602.14(2) of the CARs,
 - (b) Examples of this type of event are aerial inspection such as a pipe line or power line patrol.

Note: The operator must review the route at least annually to ensure that the SA operation does not encroach on any built up area. Any changes to the area of operations must be reported to the TC office responsible for oversight of the operation, to determine if additional safety mitigations are necessary. In extreme cases, the SA may be rescinded or amended to protect the public by restricting the flight path over the identified built up area.

Specific Approval (Special Authorization) for Part VI (private) operations:

- (a) If a private operator has an operational requirement to conduct operations such as aerial application or aerial surveillance that are repetitive in nature and are flown outside any built up areas, the operator may apply for an SA to be added to their PORD.
- (b) To complete the SA application the private operator should fulfil the requirements of section 604.05 of the CARs. In this case the Division IV activity will be listed as section 604.74 of the CARs; and
- (c) The application should contain the information as detailed in paragraph 604.74 (a) (ii) and of the CARs

Note: If the type of operation is intended to be a one-time only, or limited occurrence, the private operator should apply for a Special Flight Operations Certificate (SFOC) at their regional TC office that will be tailored for the existing conditions and requirements. (See Section 3).

- (3) **Special Flight Operations Certificate (SFOC)** are mandated for Part VI, operations, for a specific one-time event. Types of operations that can be conducted under an SFOC include:
 - (a) The operation of an aircraft, other than a balloon, for the purpose of conducting a take-off or landing within a built-up area of a city or town at a place other than an airport, heliport or military aerodrome; per paragraph 603.65(a) of the CARs;
 - (b) The operation of an aircraft for the purpose of conducting aerial application, aerial inspection, or aerial photography; per paragraph 603.65(b) of the CARs;
 - (c) The operation of a helicopter while conducting Class B, C or D external load operations over a built-up area or open-air assembly of persons, including flight at altitudes and distances less than those specified in paragraph 602.14(2)(a); per paragraph 603.65(c) of the CARs.

Note: SFOC's are not covered in the guidance provided in this AC. See the applicable Standards for the requirements of these certificates. However; the information in Appendix A to this AC provides valuable information on the conduct of these operations.

6.0 Future disposition

- (1) TCCA is committed to maintaining a viable civil aviation transportation system, while not compromising safety. This AC will remain in effect for information purposes until further notice.

7.0 Information management

(1) Not applicable.

8.0 Document history

(1) Not applicable

9.0 Contact us

For more information, please contact:

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We invite suggestions for amendment to this document. Submit your comments to:

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Appendix A — Conditions for operating at low altitudes and distances

Conditions for operating at altitudes and distances less than those specified in paragraph 602.14(2); Carrying Helicopter Class B, C or D External Loads Over A Built-Up Area Or Aerial Work Zone; and/or Conducting A Take-Off, Approach Or Landing Within A Built Up Area Of A City Or Town in situations other than those detailed in paragraph 602.13(1) of the CARs:

Authorities

Ministerial Authorizations: Operating at altitudes and distances less than those specified in paragraph 602.14(2) of the CARs; Carriage Of Helicopter Class B, C or D External Loads Over A Built-Up Area Or Aerial Work Zone; and/or Conducting A Take-Off, Approach Or Landing Within A Built Up Area Of A City Or Town in situations other than those detailed in paragraph 602.13(1) of the CARs, are issued pursuant to subparagraphs 603.65, 702.22(1), 702.22(2), 702.22(3), 703.36 and 704.31 of the CARs.

Conditions

This authority/approval is granted subject to the following conditions:

1. Operator requirements

1.1 Documentation

1.1.1 Low flight over built up area

The air operator's application to conduct a flight at altitudes and distances less than those specified in Paragraph 602.14(2) of the CARs, and/or conducting a take-off, approach or landing within a built-up area of a city or town in situations other than those detailed in paragraph 602.13(1) of the CARs will include, but is not limited to:

For 604, 702, 703 & 704 operations:

- (a) certification/confirmation that the governing municipality has been informed of the proposed operation;
- (b) purpose of the flights;
- (c) dates, alternate dates and proposed time of day of the operation;
- (d) location of the operation;
- (e) type of aircraft to be used;
- (f) altitudes and routes to be used depicted on a map of the area;
- (g) procedures and precautions to be taken to ensure that no hazard is created to persons or property on the surface including locations of forced landing areas in the event of an emergency;
- (h) name of the contact person designated by the air operator;

For 703 & 704 operations only:

- (i) detail why this authorization is required while conducting flights with passengers onboard; and
- (j) amendment to Company Operations Manual to include the routes and conditions for its use.

1.1.2 Low flight over built up area with jettisonable load

For operations under 604 & 702, to operate a helicopter carrying a jettisonable external load over a built-up area or to establish an aerial work zone within a built-up area, an aerial work zone plan shall be submitted and include:

- (a) certification that the governing municipality has been informed of the proposed operation;
- (b) purpose of the operation;
- (c) dates, alternate dates and proposed time of day of the operation;
- (d) location of the operation;
- (e) type of helicopter to be used, description of loads to be carried and approximate number of loads;
- (f) altitudes and routes to be used, location and size of the proposed work zone depicted on a map of the area;
- (g) aerial work zone security arrangements and security arrangements for areas to be overflown to ensure that no hazard is created to persons or property;
- (h) if external load operations are to be conducted to roof tops, safety precautions to be taken in event of a forced landing onto the roof or load penetration through the roof; and
- (i) name of contact person designated by the air operator.

1.1.3 Risk assessment

All applications shall include an assessment of all hazards (risk assessment), risk mitigation procedures and safety requirements.

1.2 Operational procedures

1.2.1 Emergency landing area(s)

Prior to conducting low flight over a built-up area, carrying helicopter class B, C or D external loads over a built-up area or aerial work zone, and/or conducting a take-off, approach or landing within a built-up area of a city or town, the pilot-in-command shall ensure that at any given altitude and speed, the aircraft can safely reach the identified and approved emergency landing area, if required in the event of an emergency.

1.2.2 Best practices

Operational risks are reduced through an in-depth evaluation of potential hazards. Preparation, by conducting detailed planning, re-enforces desirable company culture, resulting in a reduction of complacency and increased flight safety through situational awareness. Operators are to develop a checklist of best practices applicable to these operations.

1.3 Ground training (initial and recurrent)

1.3.1 The air operator shall have an approved initial and recurrent ground training program to qualify pilots respecting the conduct of the intended low flight operations over built up areas, including:

- (a) flights at altitudes and distances less than those specified in Paragraph 602.14(2) of the CARs;
- (b) helicopter class B, C or D external load carriage over a built-up areas or aerial work zones; as applicable, and;
- (c) take-off, approach or landing procedures within built-up areas of a city or town in situations other than those detailed in paragraph 602.13(1) of the CARs.

Appendix B — Specific guidance concerning conditions for Authorization/Approval

B.1 Overview

- (1) The matrix below provides specific guidance corresponding to the conditions specified for the authorizations which appear in Appendix A of this AC.
- (2) Each row of the matrix provides:
 - (a) an Item Number to identify the portion of text;
 - (b) the specific condition of the authorization to be discussed; and
 - (c) the corresponding guidance information related to that specific condition.

Item no.	Condition of Authorization / Approval (Appendix A)	Guidance information
1	<p>Paragraph 1.1.1</p> <p>Documentation</p> <p>Low flight over built up area</p>	<p>(1) In addition to the written portion, much of this information may be presented via a chart/diagram.</p>
2	<p>Paragraph 1.1.2</p> <p>Documentation</p> <p>Low flight over built up area with jettisonable load</p>	<p>(1) In addition to the written portion, much of this information may be presented via a chart/diagram.</p>
3	<p>Paragraph 1.1.3</p> <p>Documentation</p> <p>Risk Assessment</p>	<p>(1) Low flight over a built-up area and take-offs, approaches or landings within a built-up area of a city or town create hazards that, in most cases, may be minimized by reducing their frequency, increasing situational awareness and by minimizing the impact to the environment.</p> <p>(a) Reducing the frequency – length of time in the work zone, and/or number of trips into the built-up area;</p> <p>(b) Increasing situational awareness – this may be accomplished through air-to-ground communications, daylight practice runs through the proposed work zone prior to when night operations are planned, ground/flight training focusing on the specific tasks, issuing matching high visibility vests for ground personnel, and/or on-site wind indicators; and</p> <p>(c) Minimizing the impact to the environment – in some cases requires the roads or walkways to be closed or restricted to operational personnel, building evacuations, and/or detailing acceptable wind and weather conditions.</p>

Item no.	Condition of Authorization / Approval (Appendix A)	Guidance information
		(2) The expectation is that the operator will inspect and assess the work zone(s) and event activities for hazards, and then include associated risk mitigations in their application.
4	<p>Paragraph 1.2.1</p> <p>Operational Procedures</p> <p>Emergency Landing Area(s)</p>	<p>(1) These emergency landing area(s) must be sufficient in size for the aircraft to land with One Engine Inoperative (OEI).</p> <p>(2) The emergency landing area(s) must be continuously monitored to ensure no persons or property are present during the time of the flight.</p>
5	<p>Paragraph 1.2.2</p> <p>Operational Procedures</p> <p>Best Practices</p>	<p>(1) The following items may be helpful in developing a checklist of best practices:</p> <ul style="list-style-type: none"> (a) Develop an Emergency Plan, including training requirements (a checklist may be used for this); (b) Produce a list of stakeholders involved in the operation, including their roles, responsibilities and contact information; (c) Ensure awareness training exists for Dangerous Goods recognition. Confirm systems for controlling dangerous goods are on the site; (d) Review the access of and/or restrictions on vehicular and pedestrian traffic around the site and under the approach and departure paths; (e) Advise the local population, in order to minimize complaints; (media advertisement, available local government communications centers etc.); (f) Instruct and train passengers and ground crews regarding the planned activity and their responsibilities within the emergency plan; (g) Complete a checklist of actions to be taken before and after the event/operation; (h) Notify authorities when and as required (police, fire, city, NAV CANADA etc.); and (i) Verify and secure the site (foreign object damage, security, communication equipment, cleaning staff, and access).

Appendix C — Compliance checklist for the Ministerial Authorization

C.1 Overview

- (1) The matrix below has been developed to assist air operators in ensuring that they are in compliance with the conditions specified for the Authorization.
- (2) This matrix also serves as an aid for TCCA personnel for the purposes of certification and safety oversight.
- (3) This matrix provides:
 - (a) A reference to the specific condition in the Authorization;
 - (b) The assessment of compliance (to be made by the air operator/private operator/TCCA personnel); and
 - (c) An area to record the details of the air operator’s/private operator’s means of compliance. (This can include such things as the applicable references in the company operations manual).
- (4) This matrix can be reproduced locally.

Requirement		Compliance (Y/N)	Means of compliance (references / documentation)
1 Operator requirements	Paragraph 1.1.1 Documentation Low flight over built up area		
	Paragraph 1.1.2 Documentation Low flight over built up area with jettisonable load		
	Paragraph 1.1.3 Documentation Risk Assessment		
	Paragraph 1.2.1 Operational procedures Emergency landing area(s)		

Requirement		Compliance (Y/N)	Means of compliance (references / documentation)
1 Operator requirements Continued	Paragraph 1.2.2 Operational Procedures Best Practices		

Appendix D — Applicable regulations

D.1 Overview

- (1) Some of the *Canadian Aviation Regulations (CARs)* and *Commercial Air Service Standards (CASS)* that are applicable to air operators conducting flight at altitudes and distances less than those specified in Paragraph 602.14(2), carrying helicopter class B, C or D external loads over a built-up area or aerial work zone, and/or conducting a take-off, approach or landing within a built-up area of a city or town are specified below.

Caution: The regulations listed below are not necessarily complete and up-to-date, and they will not necessarily be updated. Air operators and pilots are responsible for compliance with all relevant provisions.

D.2 Part VI, Subparts 2, 3 and 4; Part VII, Subparts 3 and 4 of the CARs

Subject	Provisions in the CARs	Provisions in the CASS
Operating and flight rules	Subparagraphs 602.13(1)&(2), 602.14(2)(a)(i),(ii)&(iii), 602.15(1)&(2), 602.16(1)&(2), and 602.17	N/A
Special flight operations	Subparagraphs 603.65(a),(b)&(c)	N/A
Private operators	Paragraphs 604.05, 604.74	N/A
Aerial work	Subparagraphs 702.22(1),(2)&(3)	Subparagraphs 722.22(1)&(2)
Air Taxi operations	Subparagraphs 703.36(a)&(b)	Subparagraphs H723.36(1)&(2)
Commuter operations	Subparagraphs 704.31(a)&(b)	Subparagraphs H724.31(1)&(2)