



Advisory Circular

Subject: Foreign Licence Validation Certificate

Issuing Office:	Civil Aviation, Standards	Document No.:	AC 400-003
File Classification No.:	Z 5000-34	Issue No.:	03
RDIMS No.:	13734548 –V22	Effective Date:	2019-03-20

TABLE OF CONTENTS

1.0	INTRODUCTION	2
1.1	Purpose	2
1.2	Applicability	2
1.3	Description of Changes.....	2
2.0	REFERENCES AND REQUIREMENTS	2
2.1	Reference Documents	2
2.2	Cancelled Documents	3
2.3	Definitions and Abbreviations.....	3
3.0	BACKGROUND	3
4.0	CONDITIONS	3
5.0	APPLYING FOR A FOREIGN LICENCE VALIDATION CERTIFICATE	4
5.1	Documents to submit for Recreational Flying	4
5.2	Application for Commercial Flying.....	5
6.0	ISSUANCE OF A FOREIGN LICENCE VALIDATION CERTIFICATE	6
7.0	INFORMATION MANAGEMENT	6
8.0	DOCUMENT HISTORY	6
9.0	CONTACT OFFICE	7

1.0 INTRODUCTION

- (1) This Advisory Circular (AC) is provided for information and guidance purposes. It may describe 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.

1.1 Purpose

- (1) The purpose of this AC is to provide information and guidance on obtaining a Foreign Licence Validation Certificate (FLVC) in accordance with the *Canadian Aviation Regulations* (CARs).

1.2 Applicability

- (1) This document applies to all holders of pilot licences issued by an International Civil Aviation Organization (ICAO) contracting state other than Canada, who apply for a Canadian FLVC and to Transport Canada Civil Aviation (TCCA) licensing staff.

1.3 Description of Changes

- (1) Aligns the AC to a standard format.
- (2) This AC is modified to reflect changes made to the corresponding Staff Instruction (SI) 400-005 Issue 3 on the use of original documents.

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., 1985, c. A-2);
 - (b) Part I, Subpart IV of the *Canadian Aviation Regulations* (CARs) — General Provisions;
 - (c) Part IV, Subpart I of the CARs — *Validation of Foreign Licences*;
 - (d) Standard 421 of the CARs — *Flight Crew Permits, Licenses and Ratings*;
 - (e) Staff Instruction (SI) 400-005, Issue 03, 2018-12-05 — *Foreign Licence Validation Certificate*;
 - (f) Flight Crew Licensing Procedures Manual (FCL PM)
 - (g) Convention of International Civil Aviation Organization (ICAO) Article 32 and Article 40;
 - (h) Contracting States of ICAO, which may be found at: <https://www.icao.int/about-icao/Pages/member-states.aspx>
 - (i) Application for Foreign Licence Application Certificate, 26-0701 (07-12-02), which is available at:
http://www.tc.gc.ca/media/documents/ca-standards/26-0701_0712-02_bo.pdf

2.2 Cancelled Documents

- (1) Not applicable.
- (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 **definition** is used in this document:
 - (a) **Commercial Purpose:** flying operations conducted by an air operator, as defined in Subpart 1 of the CARs and in accordance with subsection 421.07(2) of the Standard (STD).

3.0 BACKGROUND

- (1) To act as a flight crew member in a Canadian registered aircraft a foreign licence holder shall be in possession of an appropriate Canadian Pilot Licence, Permit or FLVC.
- (2) Flight crew licences issued by a contracting state of ICAO may be validated for use in Canadian registered aircraft by obtaining a Canadian FLVC in accordance with sections 401.07 of the CARs and 421.07 of the Standards (STD).
- (3) It is recommended that prior to acting as a flight crew member in a Canadian registered aircraft outside of Canadian domestic airspace, the foreign licence holder should verify with the local Civil Aviation Authority on whether a Canadian FLVC is required for flight in their country's airspace.

***Note:** Although ICAO requires appropriate certification for licence holders operating foreign registered aircraft for international operations, the local Civil Aviation Authority may have other licensing requirements. (ICAO 'Convention on International Civil Aviation' – Article 32).*

4.0 CONDITIONS

***Note:** A foreign pilot can be issued a FLVC for training purposes in Canada. When the pilot training is for a Canadian pilot permit or a Canadian pilot licence, TCCA, upon successful review of the application, may issue the Canadian pilot permit or the Canadian pilot licence.*

When the pilot training is for a Canadian rating, TCCA does not endorse the FLVC or the foreign licence with any rating. Prior to receiving training in Canada, it will be up to the applicant to ensure that the training provided in Canada will be accepted by the foreign Civil Aviation Authority that issued the foreign licence. If the applicant wishes to have TCCA endorse a rating, then the applicant must first obtain a Canadian pilot permit or a Canadian pilot licence.

- (1) Subsection 401.03(1.1) of the CARs states that “No person shall exercise the privileges of a foreign licence validation certificate unless the person:
 - (a) holds the appropriate foreign licence validation certificate;
 - (b) has signed the certificate; and
 - (c) can produce the certificate when exercising those privileges.”
- (2) A FLVC may be issued for holders of the following foreign licences:
 - (a) Private Pilot Licence – Aeroplane, Helicopter;
 - (b) Commercial Pilot Licence – Aeroplane, Helicopter;

- (c) Airline Transport Pilot Licence – Aeroplane, Helicopter;
- (d) Multi-Crew Pilot Licence;*
- (e) Glider Pilot Licence;
- (f) Balloon Pilot Licence; and
- (g) Flight Engineer Licence.*

Note: An FLVC for the Multi-Crew Pilot Licence and the Flight Engineer Licence cannot be endorsed for Private and Recreational Flying.

- (3) The foreign licence must be valid and endorsed with an English or French language proficiency rating to operate in Canadian Domestic airspace.
- (4) For international flights (outside of Canadian Domestic airspace) the foreign licence must be endorsed with a valid English language proficiency rating.
- (5) A valid foreign medical certificate must accompany the foreign licence.
- (6) A FLVC is issued for specific purposes, in accordance with subsection 421.07(2) of the STD.
- (7) A FLVC issued for commercial purposes, in addition to exercising the specific purpose annotated on the FLVC, will also be annotated for private and recreational flying privileges.
- (8) A FLVC will be issued for the time period requested by the applicant, up to a maximum of one year.
- (9) A foreign pilot expecting to fly Canadian Registered Aircraft longer than a year or on a continual basis, is expected to obtain the appropriate Canadian Licence.
- (10) A FLVC shall not be issued if the applicant:
 - (a) Does not meet all the requirements of section 401.07 of the CARs and section 421.07 of the STD;
 - (b) Is the holder of a valid foreign licence that is not issued by a contracting state of ICAO;
 - (c) Holds a foreign licence issued on the basis of another licence from another state;
 - (d) Has failed to pass a TCCA written knowledge examination, required skill test or Canadian aviation medical examination without a subsequent pass for an equivalent category of licence;
 - (e) Holds a Canadian licence, permit, rating or medical certificate that is suspended or cancelled at the time of application;
 - (f) Resides full time in Canada; or
 - (g) If the applicant does not have a valid Operational Level 4 or higher English or French Aviation Language Proficiency endorsed on their foreign pilot licence

5.0 APPLYING FOR A FOREIGN LICENCE VALIDATION CERTIFICATE

5.1 Documents to submit for Recreational Flying

- (1) In order to apply for a FLVC for Recreational Flying, the following documents must be submitted:
 - (a) A completed application for the FLVC. The application form can be found at the following internet address:
http://wwwapps.tc.gc.ca/Corp-Serv-Gen/5/forms-formulaires/download/26-0701E_E_PD

- (b) A valid foreign flight crew licence or a valid temporary foreign flight crew licence issue by a contacting state of ICAO that is endorsed with privileges and ratings applicable for the FLVC application.
 - (c) A valid medical certificate issued by the same state that issued the licence. In the case of a licence issued by a member country of the European Aviation Safety Agency (EASA), a medical certificate issued by any EASA member country.
 - (d) A valid English or French language proficiency rating to a minimum “Operational Level” (ICAO level 4).
 - (e) The copy of the data page from the applicant’s passport indicating photo identification, name, signature, date of birth and citizenship.
 - (f) The fee specified in Subpart 104, Schedule IV of the CARs, may be paid by cheque, money order or credit card. Cheques and money orders should be made payable to “The Receiver General for Canada.” Subpart 104, Schedule IV of the CARs may be found at the following link:
<http://laws-lois.justice.gc.ca/eng/regulations/SOR-96-433/FullText.html#s-104.07>
- (2) An applicant applying for a recreational FLVC may submit copies of their foreign pilot licence and medical certificate to any TCCA Regional Office. TCCA may start the process of reviewing the application, however will not issue the FLVC until such time that the applicant has presented to TCCA the original foreign licence and foreign medical certificate. TCCA, upon a successful examination of the original documents by a trained staff person will photocopy the originals and the staff person will sign the photocopied documents as “CERTIFIED TRUE COPY OF ORIGINAL” with their signature, printed name and the date that the staff person certified the document as a true copy of the original.
- (3) In rare cases when an applicant cannot present themselves to a Transport Canada Regional Office to present the original documents and instead the applicant is flying directly to a place where they plan to rent an aircraft for recreational flying, TCCA may appoint an Authorized Person (AP) or a person associated with an Air Operator to review the original documents and then photocopy them and then sign the photocopied documents in the same manner as explained in (2) above with signature, printed name and date. The AP or the person associated with the Air Operator will then scan the CERTIFIED TRUE COPIES OF ORIGINAL and email them to the TCCA Regional Office that made the request. To issue the FLVC TCCA can fax or email a copy as per para 6.0 (3) of this document and mail the original FLVC to the address provided by the applicant.

5.2 Application for Commercial Flying

- (1) Applications for a Commercial FLVC shall only be accepted from a Canadian or foreign air operator that is submitting the application on behalf of the applicant. Applications for validation for commercial purposes will not be accepted directly from pilots.
- (2) A Canadian Air Operator making application for a Commercial FLVC on behalf of a pilot, TCCA does not need to see the original foreign pilot licences and copies are accepted however, in accordance with ICAO Annex 1, TCCA staff are required to confirm the validity of the licence by requesting a verification letter from the issuing Civil Aviation Authority (CAA). The verification letter may be obtained by the air operator from the licence holder and included with the application which may speed the process of issuing the FLVC. It is the responsibility of the air operator to ensure that each licence holder is properly qualified and holds an appropriate and valid licence and medical certificate and it is TCCA’s responsibility to verify such validity with the foreign CAA.

- (3) In addition to the documents outlined in Section 5.1(a –e) above, the air operator must include a written statement containing the following information: (Note: the application in 5.1(a) is submitted by the air operator on behalf of the applicant.)
- (a) A declaration that the pilot for which the application is being made holds a valid licence and medical certificate that are appropriate for the privileges required for the operation and are valid in accordance with the law of the State that issued the licence;
 - (b) A detailed description of the operation to be undertaken by the applicant;
 - (c) The geographical location where the operation will take place;
 - (d) The required duration to complete the specific operation; and
 - (e) A brief explanation why the holder of a Canadian flight crew licence cannot be used.

6.0 ISSUANCE OF A FOREIGN LICENCE VALIDATION CERTIFICATE

- (1) TCCA level of service for issuing a FLVC is within 20 business days after the fee and documentation have been received by the TCCA Licensing office. Please refer to the following link for more details: <http://www.tc.gc.ca/eng/civilaviation/opssvs/servicestandards-549.htm>
- (2) FLVCs issued for recreational purposes are mailed to the address provided by the applicant. FLVCs issued for commercial purposes are mailed to the Air Operator requesting the FLVC. The FLVC may also be picked up at a TCCA licensing office.
- (3) Upon request TCCA can fax, or email a copy of the FLVC to the applicant, thus allowing the applicant to exercise the privileges of the FLVC until the original document arrives.

Note: *When operating outside of Canada with faxed or copied documents, pilots are advised to confirm the acceptability of such documents with the foreign Civil Aviation Authority before beginning operations.*

7.0 INFORMATION MANAGEMENT

- (1) Not applicable.

8.0 DOCUMENT HISTORY

- (1) Advisory Circular (AC) 400-003, Issue 02, RDIMS 5568384 (E), 6217123 (F), dated 2011-04-05 — Foreign Licence Validation Certificate.
- (2) Advisory Circular (AC) 400-003, Issue 01, RDIMS 3755918 (E), 5111285 (F), dated 2009-10-01 — *Foreign Licence Validation Certificate.*

9.0 CONTACT OFFICE

For more information, please contact your regional office. The link to Transport Canada Regional Offices is:

<http://www.tc.gc.ca/eng/civilaviation/opssvs/general-personnel-licensing-1804.htm>

Suggestions for amendment to this document are invited, and should be submitted at the following address: AARTInfoDoc@tc.gc.ca

Original signed by

*Robert Sincennes
Director, Standards
Civil Aviation, Transport Canada*