

<p><b>Irish Aviation Authority</b> The Times Building 11–12 D'Olier Street Dublin 2, Ireland <a href="http://www.iaa.ie">www.iaa.ie</a></p> <p><b>Safety Regulation Division</b></p>	<p><b>Údarás Eitlíochta na hÉireann</b> Foirgneamh na hAmanna 11–12 Sráid D'Olier Baile Átha Cliath 2, Éire</p> <p><b>Rannán na Rialachán Sábháilteachta</b></p>	<p>AAM No. 06 Revision: 04 Date: 05.03.24</p>	
--	--	---	---

## **Title: Flight Permits and Maintenance of Annex I Aircraft and Art. 2(8)(a) Aeroplanes**

Advisory Memoranda are provided for information purposes only.

### **1. INTRODUCTION**

This memo sets out, in general terms, the maintenance requirements and flight permit renewal options available to aircraft not subject to EASA Regulations. These aircraft are subject to Irish national legislation. Examples of such aircraft are homebuilt/amateur built aircraft, and historic aircraft. These aircraft are listed in Annex I and Art. 2(8)(a) of the Basic Regulation (EU) 2018/1139.

### **2. REFERENCES**

(EU) 2018/1139 (as amended)

Irish Aviation Authority (Airworthiness of Aircraft) Order 1996, (S.I. No. 324 of 1996), as amended.  
This Advisory Memorandum supersedes and replaces Airworthiness Advisory Memorandum 06 at Revision 03.

### **3. DEFINITIONS**

#### **a. Complex Motor-Powered Aircraft**

(i) an aeroplane:

- with a maximum certificated take-off mass exceeding 5,700 kg, or
- certificated for a maximum passenger seating configuration of more than nineteen, or
- certificated for operation with a minimum crew of at least two pilots, or
- equipped with (a) turbojet engine(s) or more than one turboprop engine, or

(ii) a helicopter certificated:

- for a maximum take-off mass exceeding 3,175 kg, or
- for a maximum passenger seating configuration of more than nine, or
- for operation with a minimum crew of at least two pilots, or

(iii) a tilt rotor aircraft

#### **b. Flight Permit**

The IAA in exercise of its powers under Articles 7 (a) (b) and 30 of the Irish Aviation Authority (Airworthiness of Aircraft) Order 1996, (S.I. No. 324 of 1996) may permit an aircraft to fly within the State without a Certificate of Airworthiness being in force in respect thereof.

<b>Irish Aviation Authority</b> The Times Building 11–12 D'Olier Street Dublin 2, Ireland <a href="http://www.iaa.ie">www.iaa.ie</a>	<b>Údarás Eitlíochta na hÉireann</b> Foirgneamh na hAmanna 11–12 Sráid D'Olier Baile Átha Cliath 2, Éire	AAM No. 06 Revision: 04 Date: 05.03.24	
<b>Safety Regulation Division</b>	<b>Rannán na Rialachán Sábháilteachta</b>		

#### 4. What is an Annex I Aircraft?

Annex I aircraft are subject to national legislation rather than European (EASA) regulations.

These are aircraft falling into one or more of the categories below:

(a) historic aircraft meeting the following criteria:

- (i) aircraft whose:
  - initial design was established before 1 January 1955, and
  - production has been stopped before 1 January 1975;
- or
- (ii) aircraft having a clear historical relevance, related to:
  - a participation in a noteworthy historical event,
  - a major step in the development of aviation, or
  - a major role played into the armed forces of a Member State;

(b) aircraft specifically designed or modified for research, experimental or scientific purposes, and likely to be produced in very limited numbers;

(c) aircraft, including those supplied in kit form, where at least 51 % of the fabrication and assembly tasks are performed by an amateur, or a non-profit making association of amateurs, for their own purposes and without any commercial objective;

(d) aircraft that have been in the service of military forces, unless the aircraft is of a type for which a design standard has been adopted by the Agency;

(e) aeroplanes having measurable stall speed or the minimum steady flight speed in landing configuration not exceeding 35 knots calibrated air speed (CAS), helicopters, powered parachutes, sailplanes and powered sailplanes, having no more than two seats and a maximum take-off mass (MTOM), as recorded by the Member States, of no more than:

	Aeroplane/Helicopter/Powered parachute/powered sailplanes	Sailplanes	Amphibian or floatplane/helicopter	Airframe mounted total recovery parachute
Single-seater	300 kg MTOM	250 kg MTOM	Additional 30 kg MTOM	Additional 15 kg MTOM
Two-seater	450 kg MTOM	400 kg MTOM	Additional 45 kg MTOM	Additional 25 kg MTOM

When an amphibian or a floatplane/helicopter is operating both as a floatplane/helicopter and as a land plane/helicopter, it must fall below the applicable MTOM limit.

(f) single and two-seater gyroplanes with a MTOM not exceeding 600 kg;

(g) replicas of aircraft meeting the criteria of points (a) or (d), for which the structural design is similar to the original aircraft;

(h) balloons and airships having a single or double occupancy and a maximum design volume of, in the case of hot air not more than 1 200 m<sup>3</sup>, and in the case of other lifting gas not more than 400 m<sup>3</sup>;

(i) any other manned aircraft which has a maximum empty mass, including fuel, of no more than 70 kg.

2. Furthermore:

(a) tethered aircraft with no propulsion system, where the maximum length of the tether is 50 m, and where:

- (i) the MTOM of the aircraft, including its payload, is less than 25 kg, or
- (ii) in the case of a lighter-than-air aircraft, the maximum design volume of the aircraft is less than 40 m<sup>3</sup>;

(b) tethered aircraft with a MTOM of no more than 1 kg.

<b>Irish Aviation Authority</b> The Times Building 11–12 D'Olier Street Dublin 2, Ireland <a href="http://www.iaa.ie">www.iaa.ie</a>	<b>Údarás Eitlíochta na hÉireann</b> Foirgneamh na hAmanna 11–12 Sráid D'Olier Baile Átha Cliath 2, Éire	AAM No. 06 Revision: 04 Date: 05.03.24	
<b>Safety Regulation Division</b>	<b>Rannán na Rialachán Sábháilteachta</b>		

## 5. What is an Art. 2(8)(a) aeroplane?

Art. 2(8)(a) aeroplanes are subject to national legislation rather than European (EASA) regulations.

Aeroplanes, other than unmanned aeroplanes, which have no more than two seats, measurable stall speed or minimum steady flight speed in landing configuration not exceeding 45 knots calibrated air speed and a maximum take-off mass (MTOM), as recorded by the Member State, of no more than 600 kg for aeroplanes not intended to be operated on water or 650 kg for aeroplanes intended to be operated on water.

## 6. Flight Permit

An Annex I or Art.2(8)(a) aircraft may not fly without a Certificate of Airworthiness or a Flight Permit. In exceptional circumstances a national Certificate of Airworthiness may be issued for an Annex I or Art.2(8)(a) aircraft. However, it is more usual that the IAA issue a Flight Permit to allow aircraft, which do not qualify for a Certificate of Airworthiness, operate within the State. For aircraft registered in Ireland, the IAA may issue a Flight Permit. For aircraft registered in another State, see [IAA Aeronautical Notice A.19](#) regarding visiting permissions for Annex I and Art.2(8)(a) aircraft.

The Flight Permit is only valid for flights within the State and shall be carried on the aircraft. The conditions of the Flight Permit are listed on the document and must be adhered to. Persons wishing to fly their aircraft in another state must seek permission from that state.

Flight Permits are issued by the Irish Aviation Authority. A Flight Permit may be issued upon the receipt of a recommendation from an appropriately approved maintenance organisation or, for a single-seat aircraft, the Flight Permit published in [IAA Aeronautical Notice A.112](#) may be used. Flight Permits are normally issued with one-year validity, although some are non-expiring and are valid only when accompanied by a current Validity Certificate.

The relevant approved maintenance organisation will advise you with regards to the documents to be submitted with the Flight Permit application. This usually includes a documented inspection of the aircraft and a review of the aircraft's maintenance history. Operators of single-seat aircraft using IAA Aeronautical Notice A.112 must declare to the IAA that they are using that Flight Permit in accordance with the instructions on the notice.

### a. Flight Permit Fees

The fee payable to the Irish Aviation Authority for the issuance or renewal of a Flight Permit is €120.

<p><b>Irish Aviation Authority</b> The Times Building 11–12 D'Olier Street Dublin 2, Ireland <a href="http://www.iaa.ie">www.iaa.ie</a></p> <p><b>Safety Regulation Division</b></p>	<p><b>Údarás Eitlíochta na hÉireann</b> Foirgneamh na hAmanna 11–12 Sráid D'Olier Baile Átha Cliath 2, Éire</p> <p><b>Rannán na Rialachán Sábháilteachta</b></p>	<p>AAM No. 06 Revision: 04 Date: 05.03.24</p>	
--	--	---	---

## 7. Organisations approved to maintain Annex I and Art.2(8)(a) aircraft

### a. Amateur built (homebuilt), gyroplanes, and Historic (Classic and Vintage) Aircraft (Annex I 1(a), 1(c), and 1(f))

The Irish Light Aviation Society (ILAS) and the National Microlight Association of Ireland (NMAI) are approved by the Irish Aviation Authority (IAA) to issue a Certificate of Release to Service (CRS) following maintenance on certain aircraft. They also hold a privilege to make recommendations to the IAA for the issue and renewal of Flight Permits for amateur built, gyroplanes, and historic aircraft, as detailed in their National Maintenance Organisation Manual. Owners should make an application for a Flight Permit for their aircraft through ILAS or NMAI. ([www.ilas.ie](http://www.ilas.ie) or [www.nmai.ie](http://www.nmai.ie))

For single-seat aircraft, the Flight Permit issued on [IAA Aeronautical Notice A.112](#) may be used.

### b. Other Historic Aircraft (Annex I 1(a) & Annex I 1(d))

Aer Lingus Charitable Foundation (ALCF) and Irish Historic Flight Foundation (IHFF) are approved by the Irish Aviation Authority (IAA) to issue a Certificate of Release to Service (CRS) following maintenance on certain aircraft. They also hold a privilege to make recommendations to the IAA for the issue and renewal of Flight Permits for historic aircraft. Owners should make an application for a Flight Permit for their aircraft through ALCF ([www.facebook.com/AerLingusLolar1936](https://www.facebook.com/AerLingusLolar1936)) or IHFF ([www.irishhistoricflight.com](http://www.irishhistoricflight.com)).

### c. Microlights (Annex I 1(e))

The National Microlight Association of Ireland Ltd. (NMAI) and the Irish Microlight Association (IMA) are approved by the Irish Aviation Authority to issue a Certificate of Release to Service (CRS) following maintenance on certain aircraft. They also hold a privilege to make recommendations to the IAA for the issue and renewal of Flight Permits for microlights that meet the criteria of Annex I aeroplanes. Owners should make an application for a Flight Permit for their microlight through either organisation. ([www.nmai.ie](http://www.nmai.ie)).

For single-seat aircraft, the Flight Permit issued on [IAA Aeronautical Notice A.112](#) may be used.

### d. “Opt-Out” aeroplanes (Article 2(8)(a))

The National Microlight Association of Ireland Ltd. (NMAI) is approved by the Irish Aviation Authority to issue a Certificate of Release to Service (CRS) following maintenance on certain aircraft. They also hold a privilege to make recommendations to the IAA for the issue and renewal of Flight Permits for microlights that meet the criteria of Art.2(8)(a) aeroplanes. Owners should make an application for a Flight Permit for their microlight through either organisation. ([www.nmai.ie](http://www.nmai.ie)).

<b>Irish Aviation Authority</b> The Times Building 11-12 D'Olier Street Dublin 2, Ireland <a href="http://www.iaa.ie">www.iaa.ie</a>	<b>Údarás Eitlíochta na hÉireann</b> Foirgneamh na hAmanna 11-12 Sráid D'Olier Baile Átha Cliath 2, Éire	AAM No. 06 Revision: 04 Date: 05.03.24	
<b>Safety Regulation Division</b>	<b>Rannán na Rialachán Sábháilteachta</b>		

#### **e. Powered Parachutes/Paramotors/Hang-gliders and similar powered aircraft (Annex 1 1(i))**

Powered Paragliders and similar aircraft fall outside the scope of European regulations for the certification and continued airworthiness regulations; however, these aircraft are subject to Irish national legislation. In order to comply with the applicable National regulations when being flown in the State, these aircraft must be registered and hold a valid Flight Permit issued by the Authority.

For single-seat aircraft, this may be the Flight Permit issued on [IAA Aeronautical Notice A.112](#).

Two-seater powered parachutes require a Flight Permit issued by the Irish Aviation Authority. There is currently no organisation approved for maintenance or Flight Permit recommendations for this category of aircraft.

#### **f. Others**

For aircraft that meet Annex I or Art.2(8)(a), which aren't listed above, visit the IAA website ([www.iaa.ie](http://www.iaa.ie)) for further information. For single seat aircraft, refer to [IAA Aeronautical Notice A.112](#).

### **8. Owning and Registering an Annex I or Art. 2(8)(a) Aircraft**

An aircraft may only be registered to an Irish citizen, an EU citizen with a place of residence in the Republic of Ireland, or a limited company registered with the Company Registration Office when two thirds of the directors are EU citizens.

Aircraft owners or persons considering registering an Annex I or Art.2(8)(a) aircraft on the Irish Register should contact the relevant approved maintenance organisation for guidance.

#### **a. Owners' Responsibilities**

The owner is responsible for ensuring that;

- The aircraft is maintained in an airworthy condition;
- Any operational and emergency equipment fitted is correctly installed and serviceable;
- The Flight Permit remains valid; and
- The maintenance of the aircraft is performed in accordance with the aircraft maintenance programme.

### **9. Maintaining my aircraft**

It is the aircraft owner's responsibility to ensure that their aircraft is maintained in accordance with a maintenance programme (manufacturer's recommendations, organisation's programme or other) and that all maintenance carried out is appropriately entered in the aircraft log book. This may take the form of an annual inspection in accordance with an organisation's maintenance organisation manual. Certificates of Release to Service following maintenance may be issued by personnel designated by an approved maintenance organisation, EASA approved maintenance organisations (See [IAA AN A15](#)), or persons holding a national maintenance licence rated for that type of aircraft.

<p><b>Irish Aviation Authority</b> The Times Building 11-12 D'Olier Street Dublin 2, Ireland <a href="http://www.iaa.ie">www.iaa.ie</a></p> <p><b>Safety Regulation Division</b></p>	<p><b>Údarás Eitlíochta na hÉireann</b> Foirgneamh na hAmanna 11-12 Sráid D'Olier Baile Átha Cliath 2, Éire</p> <p><b>Rannán na Rialachán Sábháilteachta</b></p>	<p>AAM No. 06 Revision: 04 Date: 05.03.24</p>	
--	--	---	---

The approved maintenance organisation's procedures manual will contain a list of personnel designated to certify maintenance. Some personnel may hold the privilege to carry out specialised inspections or tasks. It will also advise you on the maintenance that a pilot-owner is permitted to carry out, under the approval of the organisation.

Annex I aircraft with Certificates of Airworthiness must be maintained in accordance with the aircraft maintenance programme and national requirements.

This Memorandum is available for download from the Irish Aviation Authority website: [www.iaa.ie](http://www.iaa.ie). Any queries relating to this Memo should be addressed to the Manager Continuing Airworthiness (Non-Scheduled), Airworthiness Division, The Times Building, 11-12 D'Olier Street, Dublin 2.