
IRELAND

SAFETY REGULATION DIVISION
IRISH AVIATION AUTHORITY
AVIATION HOUSE
HAWKINS STREET
DUBLIN 2

AERONAUTICAL NOTICE

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EASA PERMIT TO FLY

1. INTRODUCTION

This Notice has been issued to provide guidance to owners/operators of aircraft, approved design, maintenance and production organisations and licensed aircraft maintenance engineers, on applications to the Irish Aviation Authority (IAA) for an EASA Permit to Fly (EASA Form 20a) in accordance with Part 21 Subpart P now in force.

A **Permit to Fly** is generally issued when a certificate of airworthiness is temporarily invalid, for example as the result of damage, or when a certificate of airworthiness cannot be issued for instance when the aircraft does not comply with the essential requirements for airworthiness or when compliance with those requirements has not yet been shown, but the aircraft is nevertheless capable of performing a safe flight.

Note: Flight checks required by the manufacturers maintenance data following normal maintenance actions in compliance with the continuing airworthiness requirements referred to in Part 21A.181(a)1 do not require an EASA Permit to Fly.

2. APPLICABILITY

2.1. This Notice is applicable to Irish registered aircraft that are within the applicability of European Regulation (EC) No. 216/2008; (the Basic Regulation EC) with the exception of the following categories of aircraft which are not subject to European Union Regulations :

- a) Aircraft which are engaged in military, police, customs or similar services.
- b) Aircraft which are within the categories defined in Annex II of European Regulation (EC) No.216/2008.
- c) Aircraft which have their regulatory safety oversight delegated to a third country and they are not used by a Community operator.

2.2. European Commission Regulation (EU) No 748/2012, Annex Part 21 makes provision for an EASA Permit to Fly to be issued for an aircraft to fly when a valid EASA airworthiness certificate is currently not in force. An EASA Permit to Fly may be issued where it can be shown that the aircraft is capable of safe flight under defined conditions and for specific purposes as outlined in Part 21 Subpart P

Note 1: For the purposes of this Aeronautical Notice, aircraft that are required to comply with European Regulation (EC) No. 216/2008 are specified as "EASA Aircraft".

Note 2: Airworthiness certificates for EASA aircraft are prescribed in Part 21 Subpart H as follows:

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- a) Certificate of Airworthiness (Form 25)
 - b) Restricted Certificate of Airworthiness (Form 24)

Note 3: Permit to Fly (Form 20a) is prescribed in Commission Regulation (EU) No 748/2012, Annex Part 21 Subpart P. In addition Subpart P (Part 21A.708) identifies 'flight conditions' which must be approved in conjunction with an application for an EASA Permit to Fly.

- 2.3. Where there is a need to fly an EASA aircraft when an EASA Airworthiness Certificate is not in force or a flight is necessary for the issue of such a certificate, an application will need to be made for an EASA permit to fly, in accordance with the procedures detailed in the subsequent paragraphs of this Notice.

3. APPLICATION

- 3.1. An application for an EASA Permit to Fly is a two step process requiring:
 - Application for approval of flight conditions in accordance with Part 21A.709
 - Application for a permit to fly in accordance with Part 21A.707
- 3.2. Application for approval of flight conditions;
Applications may be made to;
 - a) EASA, or an appropriately approved design organisation, when approval of the flight conditions is related to the safety of design
 - b) IAA, or an appropriately approved organisation that will issue the Permit to Fly, when approval of the flight conditions is not related to the safety of design.

Examples of flight conditions not related to the safety of design include, but are not limited to:

- production flight testing for the purpose of conformity establishment;
- delivery/export flight of a new aircraft the design of which is approved;
- demonstrating continuing conformity with the standard previously accepted by EASA for the aircraft or type of aircraft to qualify or re-qualify for a (restricted -) certificate of airworthiness.

- 3.3. Application for a Permit to Fly
Applications may be made to the IAA as competent authority for Ireland in respect of this subject. An application for an EASA Permit to Fly shall be made to the Airworthiness Standards Department, Safety Regulation Division, Irish Aviation Authority, The Times Building, 11-12 D'Olier Street, Dublin 2. Fax: +353-1-6793349

- 3.4. The format of the application is provided in Appendix 1 of this Notice.

4. PROCEDURE

- 4.1. EASA Permits to Fly may be issued for specific purposes (15 off) as outlined in Part 21A.701. The applicant must establish that the purpose of the flight(s) meets Part 21A.701 criteria and then determine if the associated flight conditions are related to the safety of the design. If there is any doubt in any particular case whether or not the flight conditions are related to safety of design, the applicant should consult with EASA and/or the IAA before making the application. It should be noted that the more common Permit to Fly applications (eg ferry flights for maintenance work, flight test as part of compliance demonstration etc) do affect safety of design and must be approved by EASA, or an appropriately approved design organisation.
- 4.2. In the event that EASA approval of the flight conditions is required the applicant must apply to EASA using EASA Form 37 and EASA Form 18b. Full details of the application procedure may be found on http://www.easa.eu.int/home/c_permittofly.html.

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- 4.3. Upon receipt of the approved flight conditions as evidenced by a signed and stamped Form 18b by EASA quoting the EASA approval number, or equivalent evidence of approval from an appropriately approved design organisation, an application to the IAA for an EASA Permit to Fly may be made by the owner, operator or designated representative using the application form as shown in Appendix 1 of this Notice. All parts of the form must be completed. The approved EASA Form 18b, or equivalent from an appropriately approved design organisation, must be attached to the application.
 - 4.4. In the event that the flight conditions do not affect safety of design and the applicant requires IAA approval of the flight conditions, these flight conditions must be listed in box 9 and an application for approval of flight conditions (boxes 15 to 26) of Appendix 1 of this notice must be completed. The IAA will approve the flight conditions as part of the Permit to Fly.
 - 4.5. The IAA may specify additional requirements, where considered necessary.
 - 4.6. The IAA may issue an EASA Permit to Fly when satisfied that the condition of the aircraft has been properly assessed by the applicant and is in a condition to perform the flight(s) safely.
 - 4.7. The permit may contain other conditions and limitations under which the flight(s) may be made.
 - 4.8. The IAA may carry out a survey of the aircraft and/or associated records to verify the airworthiness of the aircraft prior to the issue of an EASA Permit to Fly.

5. CERTIFICATION OF MAINTENANCE

When prescribed as a condition associated with the EASA Permit to Fly, with the exception of a pre-flight inspection, any maintenance performed on an aircraft whilst operating on such a permit will require the issue of a Certificate of Release to Service (CRS). The issue of a CRS will be in accordance with Part-145, Part M (Subpart F) or Part 21 (Subpart G, Item 163) as appropriate.

Chief Executive
Irish Aviation Authority

Appendix 1

Application for EASA Part 21 Permit to Fly	
1. Applicant:	
2. Aircraft nationality and identification marks:	
3. Aircraft owner:	
4. Aircraft manufacturer/type	5. Serial number
6. Purpose of flight <i>(See additional Instructions below)</i>	
7. Description of Flight(s) including date(s) for the flight(s) and duration	
8. Aircraft configuration as relevant for the permit to fly <i>(See also Additional Instructions below)</i>	
9. Approval of flight conditions <i>[if not available at the time of application, indicate request for approval reference - See Additional Instructions below]</i> Who will approve flight conditions? EASA <input type="checkbox"/> Design Organisation <input type="checkbox"/> IAA <input type="checkbox"/> Request for approval reference:	
10. Aircraft Configuration Name the person or organisation responsible for release of the aircraft in accordance with the flight conditions listed on the permit to fly. Name(s): Location(s):	

11. Crew Composition & Qualifications

Specify number(s) of crew and their qualifications to be carried whilst operating on the EASA Permit to Fly:

Pilots Flight Engineer

Flight Observer Other (Please specify)

Note: Only minimum crew shall be carried on an aircraft operating on an EASA Permit to Fly

12. Declaration

I hereby confirm that with respect to this application as the Owner/Operator/Representative thereof*, that the information provided above is true in every respect and that the Conditions of the EASA Permit to Fly sought will be complied with.

Name: Signature:

Date:

Organisation Name: Organisation Approval No.....

*Delete as appropriate

Return Contact Fax/email:

13. Date

14. Name and signature

[Authorised signatory]

IAA USE ONLY

Permit to Fly No..... Date of Issue

Aircraft/Records Survey Performed Yes / No

Date:

Flight Conditions for a Permit to Fly – IAA Approval Form (This section is not required if flight conditions are approved by EASA or an appropriately approved Design Organisation)	
15. Flight Conditions Approval No:	<i>(IAA use only)</i>
16. Applicant:	
17. Date of Application:	
18. Aircraft Manufacturer/Type:	
19. Aircraft Serial Number:	
20. Purpose of Flight <i>(See additional Instructions below)</i>	
21. Aircraft Configuration <i>(See additional Instructions below)</i> The above aircraft for which a permit to fly is requested is defined in	
22. Substantiations <i>(See also Additional Instructions below)</i>	
23. Conditions/Restrictions <i>(See also Additional Instructions below)</i> The above aircraft must be used with the following conditions or restrictions:	
24. Statement The flight conditions have been established and justified in accordance with 21.A.708. The aircraft has no features and characteristics making it unsafe for the intended operation under the identified conditions and restrictions.	
25. Name of authorised representative of applicant:	26. Signature of authorised representative of applicant:
27. Date of Approval: <i>(IAA use only)</i>	28. IAA Authorised Signatory: <i>(IAA use only)</i>

ADDITIONAL INSTRUCTIONS

Box 6:

Purpose in accordance with 21.A.701(a). Use the following terminology and add any additional information for accurate description of the purpose, e.g. place, itinerary....

- (1) Development:
 - testing of new aircraft or modifications
 - testing of new concepts of airframe, engine propeller and equipment;
 - testing of new operating techniques;
- (2) Showing compliance with regulations or certification specifications:
 - certification flight testing for type certification, supplemental type certificates, changes to type certificates or European Technical Standard Order authorisation;
- (3) Design organisations or production organisations crew training:
 - Flights for training of crew that will perform design or production flight testing before the design approval and Certificate of Airworthiness (C of A) can be issued.
- (4) Production flight testing of new production aircraft:
 - For establishing conformity with the approved design, typically this would be the same program for a number of similar aircraft;
- (5) Flying aircraft under production between production facilities:
 - green aircraft ferry for follow on final production.
- (6) Flying the aircraft for customer acceptance:
 - Before the aircraft is sold and/or registered.
- (7) Delivering or exporting the aircraft:
 - Before the aircraft is registered in the State where the C of A will be issued.
- (8) Flying the aircraft for Authority acceptance:
 - In the case of inspection flight test by the authority before the C of A is issued.
- (9) Market survey, including customer's crew training:
 - Flights for the purpose of conducting market survey, sales demonstrations and customer crew training with non type certificated aircraft or aircraft for which conformity has not yet been established or for non-registered a/c and before the Certificate of Airworthiness is issued
- (10) Exhibition and air show:
 - Flying the aircraft to an exhibition or show and participating to the exhibition or show before the design approval is issued or before conformity with the approved design has been shown.
- (11) Flying the aircraft to a location where maintenance or airworthiness review are to be performed, or to a place of storage:
 - Ferry flights in cases where maintenance is not performed in accordance with approved programmes, where an AD has not been complied with where

certain equipment outside the Master Minimum Equipment List (MMEL) is unserviceable or when the aircraft has sustained damage beyond the applicable limits.

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 - (12) Flying an aircraft at a weight in excess of its maximum certificated takeoff weight for flight beyond the normal range over water, or over land areas where adequate landing facilities or appropriate fuel is not available:
 - Oversees ferry flights with additional fuel capacity.
 - (13) Record breaking, air racing or similar competition:
 - Training flight and positioning flight for this purpose are included
 - (14) Flying aircraft meeting the applicable airworthiness requirements before conformity to the environmental requirements has been found:
 - Flying an aircraft which has been shown to comply with all applicable airworthiness requirements but not with environmental requirements.
 - (15) For non-commercial flying activity on individual non-complex aircraft or types for which a certificate of airworthiness or restricted certificate of airworthiness is not appropriate.
 - For aircraft which cannot practically meet all applicable airworthiness requirements, such as certain aircraft without TC-holder ("generically termed orphan aircraft") or aircraft which have been under national systems of Permit to Fly and have not been shown to meet all applicable requirements. The option of a permit to fly for such an aircraft should only be used if a certificate of airworthiness or restricted certificate of airworthiness cannot be issued due to conditions which are outside the direct control of the aircraft owner, such as the absence of properly certified spare parts.

Note: The above listing is of cases when a permit to fly MAY be issued; it does not mean that in the described cases a permit to fly MUST be issued. If other legal means are available to allow the intended flight(s) they can also be used.

For an application due to a change of purpose: reference to initial request and description of new purpose.

Box 7:

If the flight(s) are to be carried out under an approved Flight Test Programme, specify on a separate attached report

Box 8:

Same as required in EASA Form 18B, box 5, if applicable.

8.1 The above aircraft for which a permit to fly is requested is defined in *[add reference to the document(s) identifying the configuration of the aircraft.]*

Does the aircraft comply with all applicable type certification and airworthiness requirements, and if not, the referenced documents should identify the non-compliances

8.2 The aircraft is in the following situation related to its maintenance schedule:

[Describe status]

Does the aircraft comply with all applicable continued airworthiness requirements, and if not, the referenced documents should identify the non-compliances

Box 9:

Reference to:

1. EASA approval, if flight conditions are approved by EASA; or
2. DOA approval form (when applicable), if approved under DOA privilege; or
3. IAA approval request

Attach referenced documents *[if not available at the time of application, indicate reference of request for approval]*

If safety of design is not affected list the flight conditions for which IAA approval is requested (reference Part 21A.708).

Attach referenced documents

Box 16:

Name of the organisation providing the flight conditions and associated substantiations for IAA approval.

Box 20:

See additional instructions for box 6 above.

Box 21:

Add reference to the document(s) identifying the configuration of the aircraft.

Box 22:

Add references to the document(s) justifying that the aircraft (as described in box 21) can perform the intended flight(s) safely under the defined conditions or restrictions.

Box 23:

Details of these conditions/restrictions or reference to relevant document, including specific maintenance instructions and conditions to perform these instructions.

Box 24:

Not to be filled in. The flight conditions have been established and justified including any condition or restriction necessary for safe operation of the aircraft, namely:

- the conditions or restrictions put on itineraries or airspace, or both, required for the flight(s)
- the conditions and restrictions put on the flight crew to fly the aircraft
- the restrictions regarding carriage of persons other than flight crew
- the operating limitations, specific procedures or technical conditions to be met

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- the specific flight test programme (if applicable)
 - the specific continuing airworthiness arrangements including maintenance instructions and regime under which they will be performed
 - the method used for the control of the aircraft configuration, in order to remain within the established conditions.

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