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REPUBLIC OF CYPRUS

MINISTRY OF COMMUNICATIONS AND
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DEPARTMENT OF CIVIL AVIATION
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ISSUE OF AN EASA PERMIT TO FLY

GENERAL

A Permit to Fly is issued by the Department of Civil Aviation, Safety Regulation Unit or by an organisation that has an EASA Part 21 Production or Design approval with privileges to issue such a Permit. It 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. These are the instances 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.

Permits to fly shall be issued in accordance with EASA Part 21, Subpart P under defined conditions and for the following purposes:

- Development;
- Showing compliance with regulations or certification specifications;
- Design organisations or production organisations crew training;
- Production flight testing of new production aircraft;
- Flying aircraft under production between production facilities;
- Flying the aircraft for customer acceptance;
- Delivering or exporting the aircraft;
- Flying the aircraft for DCA acceptance;
- Market survey, including customer's crew training;
- Exhibition and air show;
- Flying the aircraft to a location where maintenance or airworthiness review are to be performed, or to a place of storage;
- 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;
- Record breaking, air racing or similar competition;
- Flying aircraft meeting the applicable airworthiness requirements before conformity to the environmental requirements has been found;
- 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 (orphan aircraft).

In order for a Permit to Fly to be approved by the Department, an approval of the flight conditions must be obtained. Flight conditions are approved by EASA when this approval is related to the safety of the design. In all other cases the flight conditions are approved by the Department. Flight conditions can also be approved by an organisation that has an EASA Part 21 Production or Design approval with privileges to approve such conditions

Flight conditions include:

- a) The configuration(s) for which the permit to fly is requested;
- b) Any condition or restriction necessary for safe operation of the aircraft, including:
 - 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;
 - The specific flight test programme (if applicable);
 - The specific continuing airworthiness arrangements including maintenance instructions and regime under which they will be performed;
- c) The substantiation that the aircraft is capable of safe flight under the conditions or restrictions of subparagraph (b);
- d) The method used for the control of the aircraft configuration, in order to remain within the established conditions.

PROCEDURE WHEN THE APPROVAL OF FLIGHT CONDITIONS IS RELATED TO THE SAFETY OF THE DESIGN

Examples of flight conditions, the approval of which is related to the safety of design are when:

- The aircraft does not conform to an approved design
- An Airworthiness Limitation, a Certification Maintenance Requirement or an Airworthiness Directive has not been complied with
- The intended flight(s) are outside the approved envelope

The applicant must apply for approval of such flight conditions directly to EASA, using EASA Form 37. This form can be downloaded from the EASA website, http://www.easa.europa.eu/home/c_permittofly.html, or obtained from the Safety Regulation Unit of the Department.

EASA will approve the flight conditions and return EASA Form 18B to the applicant. The applicant must submit this form together with an application for an EASA Permit to Fly, EASA (DCA) Form 21, to the Department.

Establishing compliance with the conditions of an EASA Permit to fly will require either direct inspection of the aircraft by the Department or certification and issue of a Flight Release Certificate by an authorised person.

If a Flight Release Certificate is to be issued, the Standard Form SF-50 Flight Release Certificate document shall be used.

The Flight Release Certificate can only be issued by the following persons

- The holder of a Part 66 licence appropriately endorsed for the aircraft type
- The holder of an ICAO Annex 1 maintenance engineers licence that has been validated by the DCA
- The holder of a valid and appropriate authorisation issued by an organisation approved under Part 145 and in accordance with the terms of the authorisation.
- The holder of a valid and appropriate authorisation issued by an organisation approved under Part 21 and in accordance with the terms of the authorisation.
- A person authorised / approved by the DCA as being competent to issue such certification in a particular case.

The validity of the Flight Release Certificate must be stated and shall not exceed 14 days. If the airworthiness condition of the aircraft is changed during the period of validity, the certificate shall be re-issued. Each certificate shall be issued in duplicate, one copy must go on the aircraft, and the other retained in the aircraft's technical records.

Any maintenance performed on the aircraft whilst operating on a Permit to Fly, with the exception of a pre-flight inspection, will require the issue of a Certificate of Release to Service.

PROCEDURE WHEN THE APPROVAL OF FLIGHT CONDITIONS IS NOT RELATED TO THE SAFETY OF THE DESIGN

Examples of flight conditions, the approval of which is not related to the safety of design are when:

- Production flight testing for the purpose of conformity establishment
- Delivery / export flight of a new aircraft, the design of which is approved
- Positioning flights for maintenance when the Certificate of Airworthiness has expired
- Flights to a place of storage or to a place where maintenance or painting is carried out
- Flights necessary for the issue or re-validation of a Certificate of Airworthiness of an already approved design

The applicant must apply for approval of such flight conditions directly to the Department, using EASA (DCA) Form 37. The applicant must submit this form together with an application for an EASA Permit to Fly, EASA (DCA) Form 21, to the Safety Regulation Unit.

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CHANGES

Any change that invalidates the flight conditions or associated substantiation established for the Permit shall be approved by the DCA. When relevant, an application shall be made. A change affecting the content of the Permit requires the issuance of a new Permit.

OPERATIONAL REQUIREMENTS

An EASA Permit to Fly issued under EU regulations is valid in all EU member states, however national operational requirements remain applicable. Any person conducting a flight in an aircraft operating on a Permit to Fly must ensure that they comply with any operational requirements applicable to such aircraft for the airspace they are using (if any). Applicants should consult with relevant National Authorities in case of doubt.