

EASA Fact Sheet

Permit to Fly

The European Aviation Safety Agency (EASA) is responsible for the approval of flight conditions. Such an approval is the basis on which a Permit to Fly (PtF) can be issued by the Competent Authority of the State of Registry, or of the State prescribing the identification marks of an aircraft.

A PtF is generally issued when a certificate of airworthiness is temporarily invalid, or when a certificate of airworthiness cannot be granted, but the aircraft is nevertheless capable of performing a safe flight.

This fact sheet is intended to give guidelines to applicants on the role of the Agency in the PtF process. Questions on this topic can be sent to flightconditions@easa.europa.eu

1 When do I need a Permit to Fly?

A PtF is required when an aircraft does not meet, or has shown not to have met, applicable airworthiness requirements and as a result does not hold a valid certificate of airworthiness or restricted certificate of airworthiness, but is capable of a safe flight under defined conditions and for the purposes listed on point 4.2 of [Form 37](#)

Note that the State of Registry can also grant an exemption to allow an aircraft to fly without a valid C of A or R-C of A under the provisions of article 14.4 of the Basic Regulation if it finds that the conditions of this article are met.

2 Who can issue a Permit to Fly?

In accordance with Part 21 A.711, the Competent Authority of the State of Registry is responsible for the issue of a PtF. Approved design or production organisations may also issue a PtF within limitations specified in Part 21.

3 Why do I need a Flight Conditions Approval?

A PtF is issued on the basis of approved flight conditions, and these will identify the applicable limitations.

4 Who can approve Flight Conditions?

In accordance with [Part 21](#) A.710, EASA is responsible for the approval of flight conditions where they relate to safety of the design. However, certain DOA holders may have the privileges to approve flight conditions related to safety of the design. Where the flight conditions are not related to safety of the design, they may be approved by the Competent Authority.

5 What is EASA responsible for?

The Agency is responsible for the approval of the flight conditions on the basis of which a PtF can be issued by the Competent Authority.

The Agency approves the flight conditions in cases related to the safety of the design, defined as follows:

1. the aircraft does not conform to an approved design¹; or
2. an Airworthiness Limitation, a Certification Maintenance Requirement or an Airworthiness Directive has not been complied with; or
3. the intended flight(s) are outside the approved envelope.

6 In which cases is EASA not involved?

When the approval of flight conditions is not related to the safety of the design, the Agency is not involved, but only the Competent Authority of the State of Registry, or of the State prescribing the identification marks.

Examples of such conditions are:

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

7 What should the applicant do?

In the first instance the operator should establish whether the defective condition is covered by any of the existing approved data, e.g. MMEL, CDL.

If none of these options are applicable the next step is to contact their Competent Authority to start the process for the issue of a PtF. At this stage the operator needs to agree with his Competent Authority whether the flight conditions are related to safety of the design. If they are not, then the complete process can be dealt with by the Competent Authority.

If the Competent Authority determines that safety of the design is affected, then the flight conditions will need to be approved either by EASA, or by a suitably approved DOA. In many cases the TC holder will have privileges to do this, based on previously approved flight conditions agreed with EASA.

If the flight conditions cannot be approved either by the Competent Authority or by a DOA, then an application to EASA using Form 37 will be necessary. EASA will require technical data to support the

¹ Typical conditions include, but are not limited to

- unapproved modifications/STCs;
- damage beyond SRM limitations, not repaired or treated by a temporary fix combined with limitations;
- functional deficiencies or defects not covered within MMEL, and
- missing parts not covered within the CDL.

application which identifies the defective condition (e.g. pictures of any visible damage), actions taken to minimise the effects (e.g. statement from the manufacturer supporting the flight), and proposals for the flight conditions (using Form 18b) that further mitigate the situation in order that it can be clearly determined that a safe flight can be performed.

Where it is known that flight conditions will need to be approved by EASA, application for these could be made in parallel with the application to the Competent Authority for a Permit to Fly.

8 How to send an application

Applications for the approval of flight conditions can be sent at any time by fax, e-mail or regular mail to:

European Aviation Safety Agency

Applications Handling Department

Manager of the Operations Section

Postfach 10 12 53, D-50452 Köln, Germany

Fax: +49 (0)221- 89990 4455

E-mail: flightconditions@easa.europa.eu

The process for applying for the PtF from your Competent Authority is detailed on their website or in their publications. In the event of an emergency situation occurring during weekends or public holidays, your Competent Authority can contact EASA directly.