

Flight conditions & Permit to Fly

There are several specific purposes defined for a permit to fly (reference 21.A.701). Can I, as a DOA holder, have the privilege to issue a permit to fly for any of these purposes?

Answer

It is not possible for a DOA holder to have the privilege to issue a permit to fly (PtF) for the purpose listed under 21.A.701(a)15; for all other purposes it is possible.

To receive the privilege to issue a PtF, your DOA has to apply for it using the form FO.DOA.00082 (Application for Significant Changes to Design Organisation Approval). Also you have to issue procedures which describe how the flight conditions are defined and approved under your design organisation. The procedures shall ensure that necessary inspections, tests and analysis are performed before the flight conditions are approved. For more detailed information contact your DOATL.

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<https://www.easa.europa.eu/da/faq/20122>

Can you please clarify the differences between Forms 18A, 18B, 20A and 20B?

Answer

EASA Form 18a (*form to be created by the design organisation, see AMC 21.A.263(c)(6)*): This Form shall be used by the design organisation only when procedures have been developed by the DO to support the privilege of 21A.263(c)(6) and within the related scope.

EASA Form 18b (*included in form [FO.CERT.00037](#)*): This Form shall be used by Non DOA, or by design organisations not holding the privilege.21.A.263(c)(6).

EASA Form 20a (*form provided by respective NAA*): This PtF Form shall be used by the design organisation when the DO does not hold privilege 21.A.263(c)(7). The Form 20a will be then submitted to the NAA of the country of registration of the A/C who will issue then the PtF.

EASA Form 20b (*form to be created by the DO, see Part 21 - Appendix IV*) This PtF Form shall be used by the design organisation when the DO holds the privilege 21.A.263(c)(7). In this case a copy of this PtF shall be submitted to the competent NAA at earliest opportunity but not later than 3 days after issuance of the PtF.

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Can I, as a DOA holder, use my privilege to approve a permit to fly for an aircraft registered in a different country? Even when that country is not a member of the EU?

Answer

A DOA holder can issue a Permit to Fly for an aircraft registered in any EASA Member State but not for aircraft registered in other countries.

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Are the European operational rules applicable to an aircraft flying under a permit to fly?

Answer

European operational rules in general also apply to aircraft flying under a permit to fly but they do not apply to flights related to the introduction or modification of aircraft types conducted by design organisations (Comm. Reg. (EU) No 965/2012, Article 6(3)).

Generally, flights related to the introduction or modification of aircraft types conducted by design organisations are performed under a Permit to Fly issued for the following purposes:

- Development (21.A.701(a)1)
- Showing compliance with regulations or certification specifications (21.A.701(a)2)
- Design organisations or production organisations crew training (21.A.701(a)3)
- Market survey, incl. customer's crew training (21.A.701(a)9)

- Exhibition and air show (21.A.701(a)10)
- Flying aircraft meeting the applicable airworthiness requirements before conformity to the environmental requirements has been found (21.A.701(a)14)

Also some flights performed under a Permit to Fly issued for the purpose of 21.A.701(a)11 (Flying the aircraft to a location where maintenance or airworthiness review are to be performed, or to a place of storage) could fulfil the description of Article 6(3) of 965/2012, but this must be validated on a case-by-case basis.

Such flights shall be operated considering national rules, regardless of whether they are conducted by Design Organisations, a sub-contracted organisation or an individual.

In case the operational rules are not self-evident, the flight conditions should explicitly identify the applicable OPS rules and conditions.

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Can I, as a DOA holder, approve flight conditions and issue permits to fly for ferry flights?

Answer

Yes, as long as you have the privilege to approve flight conditions and issue permits to fly in the terms of approval of your DOA, and you comply with the conditions and limitations that are mentioned there. In all cases the privilege to approve flight conditions by a DOA holder is limited to cases where the approval is related to the safety of the design. And the DOA Holder can only obtain the privilege to issue a permit to fly for in-service aircraft when it has demonstrated that it is able to control the configuration of the aircraft.

It is important to take into account that the mentioned privileges are always related to the technical scope of the DOA. For example, a DOA which has those privileges in the terms of approval may issue a permit to fly to perform a ferry flight with an aircraft which has an expired and not still implemented airworthiness directive. Nevertheless, in order to do that the DOA should have the proper design capability, as reflected in the terms of approval, to evaluate the design aspects that are related to the impacted airworthiness directive and to be able to substantiate that the aircraft is capable of safe flight. For example, DOAs not having the avionics technical field in the terms of approval cannot approve a permit to fly to perform a ferry flight when the overdue airworthiness directive is related to avionics, even having the privileges

to approve flight conditions and issue permits to fly.

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