

DRAFT OPINION OF THE EUROPEAN AVIATION SAFETY AGENCY

for a Commission Regulation amending Commission Regulation (EC) No 1702/2003 of 24 September 2003, laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations

AND

DRAFT OPINION OF THE EUROPEAN AVIATION SAFETY AGENCY,

for amending Commission Regulation (EC) No 2042/2003 of 20 November 2003, on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks

AND

DRAFT DECISION OF THE EXECUTIVE DIRECTOR OF THE AGENCY,

amending Decision No 2003/1/RM of the Executive Director of the Agency of 17 October 2003 on acceptable means of compliance and guidance material for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations (“AMC and GM to Part 21”)

AND

DRAFT DECISION OF THE EXECUTIVE DIRECTOR OF THE AGENCY

amending Decision No 2003/19/RM of the Executive Director of the Agency of 28 November 2003 on acceptable means of compliance and guidance material to Commission Regulation (EC) No 2042/2003

Permit to Fly

I Draft Opinion Regulation (EC) No 1702/2003

Add a new paragraph 15 to article 2 as follows:

“15. The conditions determined before 28 March 2007 by the Member States for permit to fly, or other airworthiness certificate issued for aircraft which did not hold a certificate of airworthiness or restricted certificate of airworthiness issued under this Regulation, are deemed to be determined in accordance with this Regulation, unless the Agency determines that such conditions do not provide for a level of safety equivalent to that required by the basic Regulation or this regulation.

The permit to fly, or other airworthiness certificate issued by Member States before 28 March 2007 for aircraft which did not hold a certificate of airworthiness or restricted certificate of airworthiness issued under this Regulation, are deemed to be a permit to fly issued in accordance with this Regulation until 28 March 2008.”

II Draft Opinion Regulation 1702/2003 Part 21

SECTION A

SUBPART G — PRODUCTION ORGANISATION APPROVAL

21A.139 Quality System

.....

(b) The quality system shall contain:

1. As applicable within the scope of approval, control procedures for:

.....

(xvii) Issue of permit to fly.

.....

21A.163 Privileges

Pursuant to the terms of approval issued under 21A.135, the holder of a production organisation approval may:

....

(e) Under procedures agreed with its competent authority for production, and when the production organisation itself is controlling under its POA the configuration of the aircraft and is attesting conformity with the design conditions approved for the flight, to issue a permit to fly in accordance with 21A.711(c) including approval of the flight conditions in accordance with 21A.710(a)(3);

21A.165 Obligations of the holder

The holder of a production organisation approval shall:

....

(j) Establish compliance with 21A.711(c) and (e) before issuing a permit to fly (EASA Form 20b, see Appendix) to an aircraft.

SUBPART H — CERTIFICATES OF AIRWORTHINESS AND RESTRICTED CERTIFICATES OF AIRWORTHINESS

21A.173 Classification

Airworthiness certificates shall be classified as follows:

.....

~~(c) Permits to fly shall be issued to aircraft that do not meet, or have not been shown to meet, applicable certification specifications but are capable of safe flight under defined conditions.~~

21A.174 Application

....

~~(d) Each application for a permit to fly shall include:~~

~~1. The purpose of the flight(s);~~

- ~~2. The itineraries or airspace, or both, used for the flight;~~
- ~~3. Minimum flight crew and its qualification, required to operate the aircraft;~~
- ~~4. Restrictions for carriage of persons other than flight crew;~~
- ~~5. The ways in which the aircraft does not comply with the applicable certification specifications;~~
- ~~6. Any restriction considered necessary for safe operation of the aircraft;~~
- ~~7. Any other information considered necessary for the purpose of prescribing operating limitations.~~

21A.179 Transferability and re-issuance within Member States

....

(b) Where ownership of an aircraft has changed, and the aircraft has:

- ~~1. a restricted certificate of airworthiness not conforming to a restricted type-certificate, or~~
- ~~2. a permit to fly,~~

such **the** airworthiness certificates shall be transferred together with the aircraft provided the aircraft remains on the same register, or issued only with the formal agreement of the competent authority of the Member State of registry to which it is transferred.

21A.185 — Issue of permits to fly

~~The competent authority of the Member State of registry shall issue a permit to fly after the Agency has found that the aircraft and appropriate associated restrictions compensating for departure from the essential requirements permit the aircraft to perform safely a basic flight. For that purpose, the Agency may make or require the applicant to make appropriate inspections or tests necessary to ensure safety.~~

SUBPART J — DESIGN ORGANISATION APPROVAL

21A.263 Privileges

....

(b) Subject to 21A.257(b), compliance documents submitted by the applicant for the purpose of obtaining:

- 1. the approval of flight conditions required for a permit to fly; or**
- ~~2. a type-certificate or approval of a major change to a type design; or~~
- ~~3. a supplemental type-certificate; or~~
- ~~4. an ETSO authorisation under 21A.602B(b)(1); or~~
- ~~5. a major repair design approval;~~

shall be accepted by the Agency without further verification.

(c) The holder of a design organisation approval shall be entitled, within its terms of approval and under the relevant procedures of the design assurance system:

....

- 6. To approve the conditions under which a permit to fly can be issued in accordance with 21A.710(a)(2), except for initial flights of**
 - a new type of aircraft; or**

- an aircraft modified by a change that is or would be classified as a significant major change or significant STC; or
- an aircraft whose flight and/or piloting characteristics may have been significantly modified;

7. To issue a permit to fly in accordance with 21A.711(b) for an aircraft it has designed or modified, and when the design organisation itself is controlling under its DOA the configuration of the aircraft and is attesting conformity with the design conditions approved for the flight.

21A.265 Obligations of the holder

The holder of a design organisation approval shall:

....

(f) Where applicable, under the privilege of 21A.263(c)(6), determine the conditions under which a permit to fly can be issued.

(g) Where applicable, under the privilege of 21A.263(c)(7), establish compliance with 21A.711(b) and (e) before issuing a permit to fly (EASA Form 20b, see Appendix) to an aircraft.

SUBPART P – PERMIT TO FLY

21A.701 Scope

(a) Permits to fly shall be issued in accordance with this Subpart to aircraft that do not meet, or have not been shown to meet, applicable airworthiness requirements but are capable of safe flight under defined conditions and for the following purposes:

1. Development;
2. Showing compliance with regulations or certification specifications;
3. Design organisations or production organisations crew training;
4. Production flight testing of new production aircraft;
5. Flying aircraft under production between production facilities;
6. Flying the aircraft for customer acceptance;
7. Delivering or exporting the aircraft;
8. Flying the aircraft for Authority acceptance;
9. Market survey, including customer's crew training;
10. Exhibition and air show;
11. Flying the aircraft to a location where maintenance or airworthiness review are to be performed, or to a place of storage;
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;
13. Record breaking, air racing or similar competition;
14. Flying aircraft meeting the applicable airworthiness requirements before conformity to the environmental requirements has been found;
15. For recreational flying activity on individual aircraft or types for which the Agency agrees that a certificate of airworthiness or restricted certificate of airworthiness is not appropriate.
16. Any other purpose agreed by the Agency.

(b) This Subpart does not apply to aircraft registered outside the Member States except for aircraft used by an operator for which any Member State ensures oversight of operations.

21A.703 Eligibility

Any natural or legal person shall be eligible as an applicant for a permit to fly except for a permit to fly requested for the purpose of 21A.701(a)(15) where the applicant shall be the owner.

21A.705 Competent Authority

Notwithstanding 21.1, for the purpose of this Subpart, the 'Competent Authority' shall be:

- (a) The authority designated by the Member State of registry; or
- (b) For unregistered aircraft, the authority designated by the Member State which prescribed the identification marks.

21A.707 Application for permit to fly

- (a) Pursuant to 21A.703 and when the applicant has not been granted the privilege to issue a permit to fly, an application for a permit to fly shall be made to the Competent Authority in a form and manner established by that authority.
- (b) Each application for a permit to fly shall include:
 - 1. The purpose(s) of the flight(s), in accordance with 21A.701;
 - 2. The ways in which the aircraft does not comply with the applicable airworthiness requirements;
 - 3. The flight conditions approved in accordance with 21A.710.
- (c) Where the flight conditions are not approved at the time of application for a permit to fly, an application for approval of the flight conditions shall be made in accordance with 21A.709.

21A.708 Flight 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:
 - 1. the conditions or restrictions put on itineraries or airspace, or both, required for the flight(s);
 - 2. the conditions and restrictions put on the flight crew to fly the aircraft;
 - 3. the restrictions regarding carriage of persons other than flight crew;
 - 4. the operating limitations, specific procedures or technical conditions to be met;
 - 5. the specific flight test programme (if applicable);
 - 6. the specific continuing airworthiness arrangements including maintenance instructions and regime under which they will be performed.
- (c) The justifications 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.

21A.709 Application for approval of flight conditions

- (a) Pursuant to 21A.707(c) and when the applicant has not been granted the privilege to approve the flight conditions, an application for approval of the flight conditions shall be made
 - 1. to the Agency or to an appropriately accredited National Aviation Authority in a form and manner established by the Agency; or
 - 2. when approval of the flight conditions is not related to the safety of the design, to the Competent Authority in a form and manner established by that authority.
- (b) Each application for approval of the flight conditions shall include:
 - 1. the proposed flight conditions; and
 - 2. the documentation supporting these conditions ; and
 - 3. a declaration that the aircraft is capable of safe flight under the conditions or restrictions of paragraph 21A.708(b):

21A.710 Approval of flight conditions

- (a) The flight conditions shall be approved:
 - 1. by the Agency, or by an appropriately accredited National Aviation Authority; or

2. by an appropriately approved design organisation, under the privilege of 21A.263(c)(6); or
 3. when approval of the flight conditions is not related to the safety of the design, by the Competent Authority, or the appropriately approved organisation that will also issue the permit to fly.
- (b) Before approving the flight conditions, the Agency or the Competent Authority must be satisfied that the aircraft is capable of safe flight under the specified conditions and restrictions and may make or require the applicant to make any necessary inspections or tests for that purpose.

21A.711 Issue of a permit to fly

- (a) The Competent Authority shall issue a permit to fly:
1. upon presentation of the data required by 21A.707; and
 2. when the conditions of 21A.708 have been approved in accordance with 21A.710(a); and
 3. when the Competent Authority, through its own investigations, which may include inspections, or through procedures agreed with the applicant, is satisfied that the aircraft conforms to the design defined under 21A.708 before flight.
- (b) An appropriately approved design organisation may issue a permit to fly (EASA Form 20b, see Appendix) under the privilege granted under 21A.263(c)(7), when the conditions of 21A.708 have been approved in accordance with 21A.710(a).
- (c) An appropriately approved production organisation may issue a permit to fly (EASA Form 20b, see Appendix) under the privilege granted under 21A.163(e), when the conditions of 21A.708 have been approved in accordance with 21A.710(a).
- (d) An appropriately approved continuing airworthiness management organisation may issue a permit to fly (EASA Form 20b, see Appendix) under the privilege granted under Part M.A.711(b)(3) when the conditions of 21A.708 have been approved in accordance with 21A.710(a).
- (e) The permit to fly shall specify the purpose(s) and any conditions and restrictions approved under 21A.710. It may include conditions and restrictions prescribed by the Competent Authority outside the scope of the conditions of 21A.708(b);
- (f) For permits issued under subparagraph (b), (c), or (d) a copy of the permit to fly shall be submitted to the Competent Authority.

21A.713 Changes

- (a) Any change that invalidates the flight conditions or associated justifications established for the permit to fly shall be approved in accordance with 21A.710. When relevant an application shall be made in accordance with 21A.709.
- (b) A change affecting the content of the permit to fly requires the issuance of a new permit to fly in accordance with 21A.711.

21A.715 Language

The manuals, placards, listings, and instrument markings and other necessary information required by applicable certification specifications shall be presented in one or more of the official language(s) of the European Community acceptable to the Competent Authority.

21A.719 Transferability

- (a) A permit to fly is not transferable.
- (b) Notwithstanding subparagraph (a) for a permit to fly issued for the purpose of 21A.701(a)(15), where ownership of an aircraft has changed, the permit to fly shall be transferred together with the aircraft provided the aircraft remains on the same register, or issued only with the agreement of the competent authority of the Member State of registry to which it is transferred.

21A.721 Inspections

The holder of, or the applicant for, a permit to fly shall provide access to the aircraft concerned at the request of the Competent Authority.

21A.723 Duration and continued validity

- (a) A permit to fly shall be issued for a maximum of 12 months and shall remain valid subject to:
 - 1. compliance with the conditions and restrictions of 21A.711(e) associated to the permit to fly;
 - 2. the permit to fly not being surrendered or revoked under 21B.530;
 - 3. the aircraft remaining on the same register.
- (b) Notwithstanding subparagraph (a) a permit to fly issued for the purpose of 21A.701(a)(15) may be issued for unlimited duration.
- (c) Upon surrender or revocation, the permit to fly shall be returned to the Competent Authority.

21A.725 Renewal of permit to fly

Renewal of the permit to fly shall be processed as a change in accordance with 21A.713.

21A.727 Obligations of the holder of a permit to fly

The holder of a permit to fly shall ensure that all the conditions and restrictions associated with the permit to fly are satisfied and maintained.

21A.729 Recordkeeping

- (a) All documents produced to establish and justify the flight conditions shall be held by the holder of the approval of the flight conditions at the disposal of the Agency and Competent Authority and shall be retained in order to provide the information necessary to ensure the continued airworthiness of the aircraft.
- (b) All documents associated to the issue of permits to fly under the privilege of approved organisations, including inspection records, documents supporting the approval of flight conditions and the permit to fly itself, shall be held by the related approved organisation at the disposal of the Agency or the Competent Authority and shall be retained in order to provide the information necessary to ensure the continued airworthiness of the aircraft.

Section B -

SUBPART A — GENERAL PROVISIONS

21B.20 Obligations of the competent authority

Each competent authority of the Member State is responsible for the implementation of Section A, Subparts F, G, H, ~~and I~~ ~~and P~~ only for applicants, or holders, whose principal place of business is in its territory.

21B.25 Requirements for the organisation of the competent authority

(a) General:

The Member State shall designate a competent authority with allocated responsibilities for the implementation of Section A, Subparts F, G, H, ~~and I~~ ~~and P~~ with documented procedures, organisation structure and staff.

.....

SUBPART H — CERTIFICATES OF AIRWORTHINESS AND RESTRICTED CERTIFICATES OF AIRWORTHINESS

21B.325 Issue of certificates of airworthiness and restricted certificates of airworthiness

- (a) The competent authority of the Member State of registry shall, as applicable, issue, or amend a Certificate of Airworthiness (EASA Form 25, see Appendix) ~~or Restricted Certificate of Airworthiness (EASA Form 24, see Appendix) or Permit to Fly (EASA Form 20, see Appendix)~~ without undue delay when it is satisfied that the applicable requirements of Section A, Subpart H are met.

.....

21B.330 Suspension and revocation of certificates of airworthiness and restricted certificates of airworthiness

- (a) Upon evidence that any of the conditions specified in 21A.181(a) is not met, the competent authority of the Member State of registry shall suspend or revoke an airworthiness certificate.
- (b) Upon issuance of the notice of suspension and revocation of a certificate of airworthiness, ~~or restricted certificate of airworthiness or permit to fly~~ the competent authority of the Member State of registry shall state the reasons for the suspension or revocation and inform the holder of the certificate on its right to appeal.

Insert new subpart P – Permit to Fly

SUBPART P — PERMIT TO FLY

21B.520 Investigation

- (a) The Competent Authority shall perform sufficient investigation activities to justify the issuance, or revocation of the permit to fly.
- (b) The Competent Authority shall prepare evaluation procedures covering at least the following elements:

1. evaluation of the eligibility of the applicant;
2. evaluation of the eligibility of the application;
3. evaluation of the documentation received with the application;
4. inspection of the aircraft;
5. approval of the flight conditions in accordance with 21A.710(a)(3).

21B.525 Issue of permits to fly

The Competent Authority shall issue a permit to fly (EASA Form 20a, see Appendix) when it is satisfied that the applicable requirements of Section A, Subpart P are met.

21B.530 Revocation of permits to fly

- (a) Upon evidence that any of the conditions specified in 21A.723(a) are not met, the Competent Authority shall revoke a permit to fly.
- (b) Upon issuance of the notice of revocation of a permit to fly the Competent Authority shall state the reasons for the revocation and inform the holder of the permit to fly on the right to appeal.

21B.545 Record keeping

- (a) The Competent Authority shall operate a system of record keeping that provides adequate traceability of the process for the issue and revocation of each individual permit to fly.
- (b) The records shall at least contain:
 1. the documents provided by the applicant,
 2. documents established during the investigation, in which the activities and the final results of the elements defined in 21B.520(b) are stated, and
 3. a copy of the permit to fly,.
- (c) The records shall be kept for a minimum of six years after the permit ceases to be valid.

Appendices

EASA Forms

When the Forms of this Annex are issued in a language other than English they shall include an English translation.

The EASA (« European Aviation Safety Agency ») Forms referred to in the appendices to this Part shall have the following obligatory features. Member States shall ensure that the EASA Forms they issue are recognisable and shall be responsible for having those Forms printed.

Appendix I - EASA Form 1 Authorised release Certificate

Appendix II - EASA Form 15a Airworthiness Review Certificate

Appendix III - EASA Form 20a Permit to Fly

Appendix IV - EASA Form 20b Permit to Fly (issued by approved organisations)

Appendix ~~IV~~V - EASA Form 24 Restricted Certificate of Airworthiness

Appendix ~~V~~VI - EASA Form 25 Certificate of Airworthiness

Appendix ~~VI~~VII - EASA Form 45 Noise Certificate

Appendix ~~VII~~VIII - EASA Form 52 Aircraft Statement of Conformity

Appendix ~~VIII~~IX - EASA Form 53 Certificate of Release to Service

Appendix ~~IX~~X - EASA Form 55 Production Organisation Approval Certificate

Appendix ~~X~~XI - EASA Form 65 Letter of Agreement [Production without POA]

Competent authority LOGO

PERMIT TO FLY

(*)	
<p>Competent authority of a Member State of registry granted by virtue of Regulation (EC) No 1592/2002 hereby permit the noted aircraft to fly within the Member States under conditions listed below. This permit to fly is issued pursuant to Regulation (EC) 1592/2002, Article 5(3)(a) and certifies that the aircraft is capable of safe flight for the purpose and within the conditions listed below and is valid in all Member States</p> <p>This permit is also valid for flight to and within other non Member States provided separate approval is obtained from the competent authorities of such States.</p>	1. Nationality and registration marks.
2. Aircraft manufacturer/type	3. Serial number
4. The permit covers <i>[purpose in accordance with 21A.701(a)]</i>	
5. Holder: <i>[in case of a permit to fly issued for the purpose of 21A.701(a)(15) this should state: "the registered owner"]</i>	
6. Limitations Conditions/Remarks	
7. Validity period:	
8. Place and date of issue	9. Signature of the competent authority representative

EASA Form 20a

This permit shall be carried on board during all flights

(*) For use by State of Registry

Member State of the Competent Authority having issued the approval under which the permit to fly is issued; or
 'EASA' when approval issued by EASA

PERMIT TO FLY

<i>Name and Address of the organisation issuing the permit to fly</i>	(*)
This permit to fly is issued pursuant to Regulation (EC) 1592/2002, Article 5(3)(a) and certifies that the aircraft is capable of safe flight for the purpose and within the conditions listed below and is valid in all Member States. This permit is also valid for flight to and within non Member States provided separate approval is obtained from the competent authorities of such States.	1. Nationality and registration marks.
2. Aircraft manufacturer/type	3. Serial number
4. The permit covers <i>[purpose in accordance with 21A.701(a)]</i>	
5. Holder: <i>Organisation issuing the permit to fly</i>	
6. Conditions/Remarks	
7. Validity period:	
8. Place and date of issue	9. Authorised Signature Name Approval Reference No.

EASA Form 20b

~~This permit shall be carried on board during all flights~~

_____ (*) For use by Organisation Approval holder

III Draft Opinion Regulation 2042/2003

Article 3.

.....

3. By derogation from paragraph 1, the continuing airworthiness of aircraft holding a permit to fly shall, without prejudice to Community law, be ensured on the basis of the ~~national regulations of the State of registry~~ specific continuing airworthiness arrangements as defined in the permit to fly issued in accordance with the Annex to Commission Regulation (EC) No 1702/2003 of 24 September 2003, laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations (Part-21).

M.A.711 Privileges of the organisation

.....

- (b) An approved continuing airworthiness management organisation may additionally be approved to:
1. issue an airworthiness review certificate, or;
 2. make a recommendation for the airworthiness review to a Member State of Registry; or
 3. issue a permit to fly in accordance with Part 21A.711(d) including approval of the flight conditions in accordance with Part 21A.710(a)(3), under procedures agreed with its competent authority for maintenance, and when the continuing airworthiness management organisation itself is controlling under its approval the configuration of the aircraft and is attesting conformity with the design conditions approved for the flight

.....

IV Draft Decision AMC/GM to Part 21

AMC 21A.145(d)(1)

Approval Requirements – Certifying staff

....

8 For release of products, parts or appliances, the responsibilities to issue statements of conformity/release certificates (EASA Form 1) or permit to fly are allocated to the certifying staff identified in 21A.145 (d)(2).

.....

GM 21A.151

Terms of approval – Scope and categories

Terms of approval document(s) will be issued by the Competent Authority under 21A.135 to identify the scope of work, the products, and/or categories for which the holder is entitled to exercise the privileges defined in 21A.163.

The codes shown against each scope of work item are intended for use by the Competent Authority for purposes such as managing, administering and filing details of approvals. It may also assist in the production and publication of a list of approval holders.

The scope of work, the Products, Parts, or Appliances for which the POA holder is entitled to exercise the privileges defined in 21A.163 will be described by the Competent Authority as follows:

For Products:

- 1 General area, similar to the titles of the corresponding certification codes.
- 2 Type of Product, in accordance with the type-certificate.

For Parts and Appliances:

- 1 General area, showing the expertise, e.g., mechanical, metallic structure.
- 2 Generic type, e.g., wing, landing gear, tyres.

SCOPE OF WORK	PRODUCTS/CATEGORIES
A1 Large Aeroplanes	State types
A2 Small Aeroplanes	“
A3 Large Helicopters	“
A4 Small Helicopters	“
A5 Gyroplanes	“
A6 Sailplanes	“
A7 Motor Gliders	“
A8 Manned Balloons	“
A9 Airships	“
A10 Microlight Aircraft	“
A11 Very Light Aeroplanes	“
A12 Other	“
B1 Turbine Engines	“
B2 Piston Engines	“
B3 APU's	“
B4 Propellers	“

C1	Appliances:	State appliance generic types (e.g., Tyres, Altimeter, etc.) Examples include: Avionic, Com/Nav/Pulse Computer System, Aircraft/Engine/Avionic Instruments, Mechanical/Electrical/ Gyroscopic/Electronic Mechanical/Hydraulic/Pneumatic
C2	Parts:	State part generic types (e.g., Wing, Landing Gear, etc.) Examples include: Structural, Metallic/non-metallic Mechanical/Hydraulic/Pneumatic Electrical Electronic
C3	Materials	
D1	Maintenance	State aircraft types
D2	Issue of permit to fly	State aircraft types

Insert new AMCs and GM:

AMC 21A.163(e)

Procedure for the issue of a permit to fly

1 INTENT

This acceptable means of compliance provides means to develop a procedure for the issue of a permit to fly. Each POA applicant or holder must develop its own internal procedure following this AMC, in order to obtain the privilege of 21A.163(e) to issue permits to fly for an aircraft under procedures agreed with its competent authority for production, when the production organisation itself is controlling under its POA the configuration of the aircraft and is attesting conformity with the design conditions approved for the flight.

2 PROCEDURE FOR THE ISSUE OF A PERMIT TO FLY

2.1 Content

The procedure must address the following points:

- as relevant, in accordance with 21A.710(a)(3), the approval of flight conditions;
- conformity with approved conditions;
- issue of the permit to fly under the POA privilege;
- authorised signatories;
- interface with the local authority for the flight.

2.2 Approval of the flight conditions (when relevant)

The procedure must include the process to establish and justify the flight conditions, in accordance with 21A.708, and include the EASA Form 18B as defined in AMC 21A.709(b) for the approval under the POA privilege.

2.3 Conformity with approved conditions

The procedure must indicate how conformity with approved conditions is made, documented and attested by an authorised person.

2.4 Issue of the permit to fly under the POA privilege

The procedure must describe the process to prepare the EASA Form 20b and how compliance with 21A.711(c) and (e) is established before signature of the permit to fly.

2.5 Authorised signatories

The person(s) authorised to sign the permit to fly under the privilege of 21A.163(e) must be identified (name, signature and scope of authority) in the procedure, or in an appropriate document linked to the POE.

2.6 Interface with the local authority for the flight

The procedure must include provisions describing the communication with the local authority for flight clearance and compliance with the local requirements which are outside the scope of the conditions of 21A.708(b).

AMC 21A.263(b)(1)

Compliance documents with conditions related to engine or propeller without a type-certificate or with unapproved changes and fitted on aircraft for which a permit to fly is requested

The establishment of flight conditions may include conditions related to engines/propellers without a type-certificate or with unapproved changes and fitted on the aircraft for which a permit to fly is requested. These conditions (i.e. installation, operating, maintenance conditions or limitations) are defined by the organisation responsible for the design of the engine/propeller and provided to the organisation responsible for the design of the aircraft.

When the organisation responsible for the design of the engine/propeller has a DOA, the establishment and justification of these conditions must be done under the relevant DOA procedures. For that purpose, the associated documentation must be processed like any other compliance document. It must be provided to the organisation responsible for the design of the aircraft that will use it for the establishment of the aircraft flight conditions.

AMC 21A.263(c)(6)

Procedure for the approval of the conditions for issue of a permit to fly

1 INTENT

This AMC provides means to develop a procedure to determine that an aircraft can fly, under the appropriate restrictions compensating for non compliance with the certification specifications applicable to the aircraft category.

Each DOA applicant or holder must develop its own internal procedure following this AMC, in order to obtain the privilege to make this determination and approve associated conditions without Agency involvement, under 21A.263(c)(6). When the privilege does not apply, the DOA holder will prepare all necessary data required for the determination in accordance with the same procedure required for the privilege, and will apply for Agency approval.

2 PROCEDURE FOR THE APPROVAL OF THE CONDITIONS FOR ISSUE OF A PERMIT TO FLY

2.1 Content

The procedure must address the following points:

- decision to use the privilege;
- management of the aircraft configuration;
- determination of the conditions that must be complied with to perform safely a flight;
- documentation of flight conditions justifications;
- approval under the DOA privilege, when applicable- authorised signatories.

2.2 Decision to use the privilege of 21A.263(c)(6)

The procedure must include a decision to determine:

- flights for which the privilege of 21A.263(c)(6) will be exercised; and
- flights for which the approval of flight conditions by the Agency will be required according to the criteria of 21A.263(c)(6).

2.3 Management of the aircraft configuration

The procedure must indicate:

- how the aircraft, for which an application for permit to fly is made, is identified;
- how changes to the aircraft will be managed.

2.4 Determination of the conditions that must be complied with to perform safely a flight

The procedure must describe the process used by the DOA holder to justify that an aircraft can perform the intended flight(s) safely. This process should include:

- identification of deviations from applicable certification specifications or non compliance with Part 21 conditions for the issue of a certificate of airworthiness;
- analysis, calculations, tests or other means used to determine under which conditions or restrictions the aircraft can perform safely a flight;
- the establishment of specific maintenance instructions and conditions to perform these instructions;

- independent technical verification of the analysis, calculations, tests or other means used to determine under which conditions or restrictions the aircraft can perform the intended flight(s) safely;
- statement by the office of airworthiness (or equivalent), that the determination has been made in accordance with the procedure and that the aircraft has no features and characteristics making it unsafe for the intended operation under the identified conditions and restrictions;
- approval by an authorised signatory.

2.5 Documentation of flight conditions justifications

1. The analysis, calculations, tests, or other means used to determine under which conditions or restrictions the aircraft can perform safely a flight, must be compiled in compliance documents. These documents must be signed by the author and by the person performing the independent technical verification.
2. Each compliance document must have a number and issue date. The various issues of a document must be controlled.
3. The data submitted and approved by the type-certificate holder can be used as justifications. In that case, the independent technical verification referred to in 2.4 is not required.

2.6 Approval under the DOA privilege

2.6.1 Initial approval

The procedure must include the following EASA Form 18A to support the approval under the DOA privilege:

FLIGHT CONDITIONS FOR A PERMIT TO FLY – APPROVAL FORM	
1. Applicant approval nr. <i>[Name and organisation approval number of organisation providing the flight conditions and associated justifications]</i>	2. Approval form nr. Issue: <i>[number and issue, for traceability purpose]</i>
3. Aircraft manufacturer/type	4. Serial number(s)
5. Aircraft configuration The above aircraft for which a permit to fly is requested is defined in <i>[add reference to the document(s) identifying the detailed configuration of the aircraft]</i> <i>[For change(s) affecting the initial approval form: description of change(s). This form must be re-issued]</i>	
6. Justifications <i>[References to the document(s) justifying that the aircraft (as described in 5.) can perform the intended flight(s) safely under the defined conditions or restrictions.]</i> <i>[For change(s) affecting the initial approval form: reference(s) to additional justification(s). This form must be re-issued]</i>	
7. Conditions/Restrictions The above aircraft must be used with the following conditions or restrictions: <i>[Details of these conditions/restrictions, or reference to relevant document, including specific maintenance instructions and conditions to perform these instructions]</i>	
8. Statement The determination of the flight conditions has been made in accordance with the relevant DOA procedure agreed by the Agency. The aircraft has no features and characteristics making it unsafe for the intended operation under the identified conditions and restrictions. <i>[strikethrough what is not applicable]</i>	
9a. Approved under the authority of DOA EASA.21J.xyz <i>[when privilege of 21A.263(c)(6) applies]</i> 9b. Submitted under the authority of DOA EASA.21J. xyz <i>[when privilege of 21A.263(c)(6) does not apply]</i>	
10. Date of issue	11. Name and signature <i>[Authorised signatory]</i>
12. EASA approval reference and date <i>[when privilege of 21A.263(c)(6) does not apply]</i>	

EASA Form 18A

When the privilege of 21A.263(c)(6) is not applicable, the signed form should be presented by the office of airworthiness (or equivalent) to the Agency.

2.6.2 Approval of changes

Except for changes that do not affect the conditions approved for the issue of the permit to fly, the procedure must specify how changes will be approved by the DOA Holder. The form of paragraph 2.6.1 must be updated.

2.7 Authorised signatories

The person(s) authorised to sign the approval form must be identified (name, signature and scope of authority) in the procedure, or in an appropriate document linked to the DOA handbook.

AMC 21A.263(c)(7)

Procedure for the issue of a permit to fly

1 INTENT

This acceptable means of compliance provides means to develop a procedure for the issue of a permit to fly. Each DOA applicant or holder must develop its own internal procedure following this AMC, in order to obtain the privilege of 21A.263(c)(7) to issue permits to fly for aircraft it has designed or modified, when the design organisation itself is controlling under its DOA the configuration of the aircraft and is attesting conformity with the design conditions approved for the flight.

2 PROCEDURE FOR THE ISSUE OF A PERMIT TO FLY

2.1 Content

The procedure must address the following points:

- conformity with approved conditions;
- issue of the permit to fly under the DOA privilege;
- authorised signatories;
- interface with the local authority for the flight.

2.2 Conformity with approved conditions

The procedure must indicate how conformity with approved conditions is made, documented and attested by an authorised person.

2.3 Issue of the permit to fly under the DOA privilege

The procedure must describe the process to prepare the EASA Form 20b and how compliance with 21A.711(b) and (e) is established before signature of the permit to fly.

2.4 Authorised signatories

The person(s) authorised to sign the permit to fly under the privilege of 21A.263(c)(7) must be identified (name, signature and scope of authority) in the procedure, or in an appropriate document linked to the DOA handbook.

2.5 Interface with the local authority for the flight

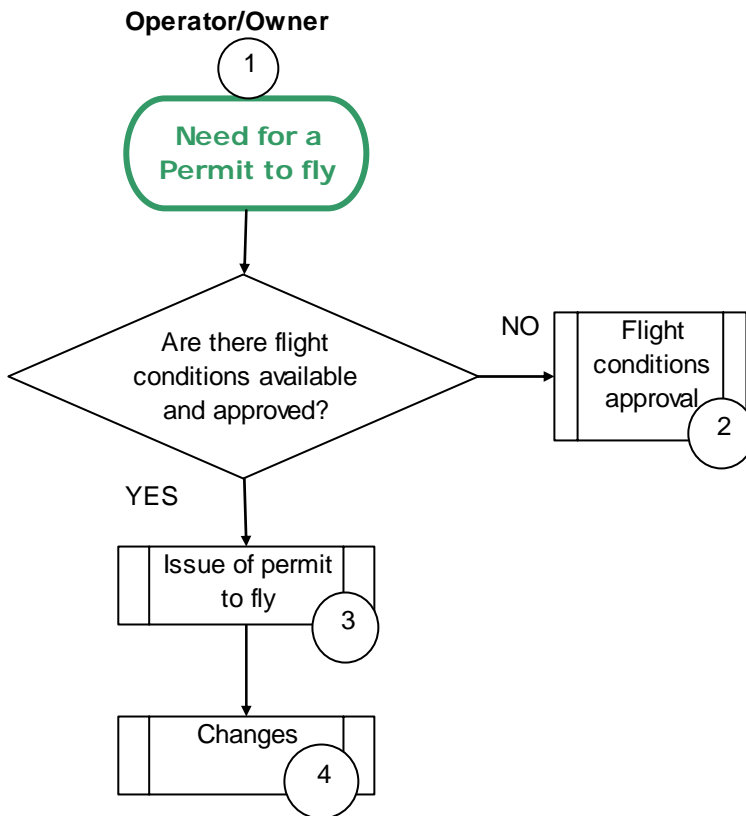
The procedure must include provisions describing the communication with the local authority for flight clearance and compliance with the local requirements which are outside the scope of the conditions of 21A.708(b).

GM to Subpart P

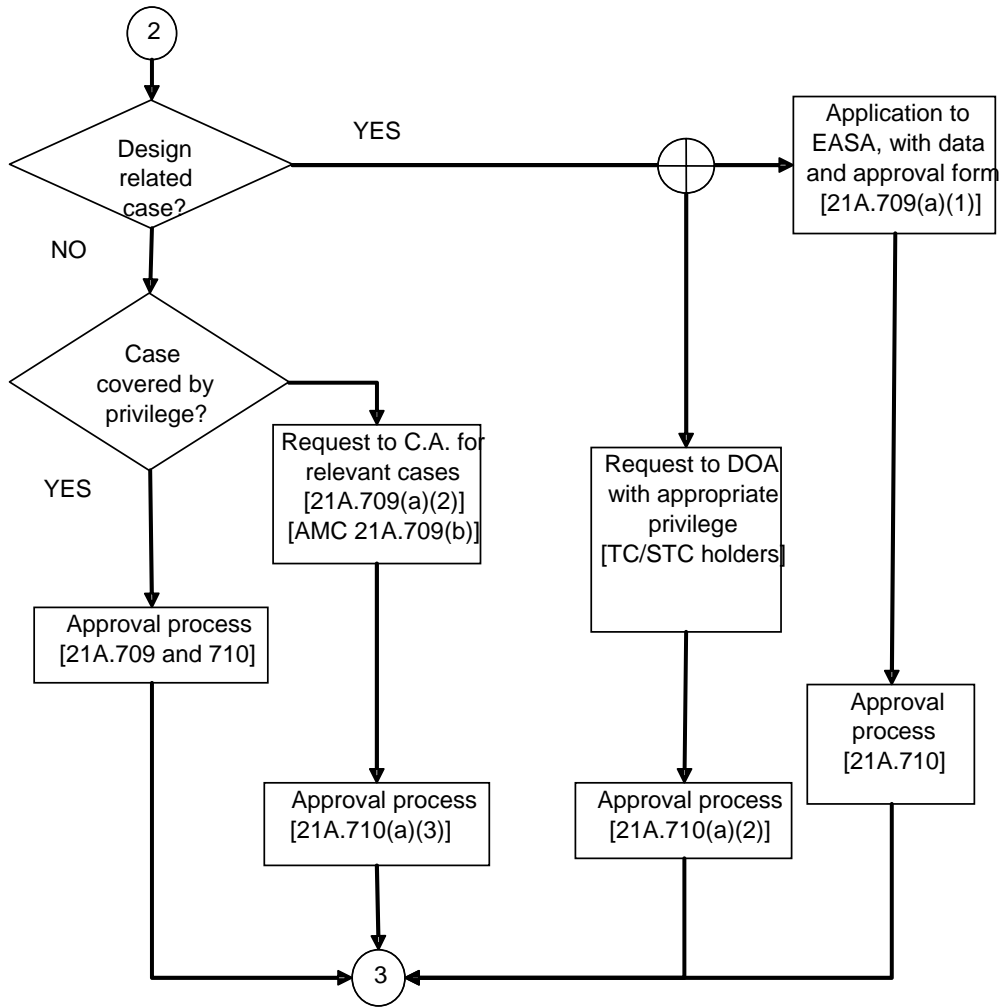
The process allowing a flight under a permit to fly can be described as follows:

1. Flow-chart 1: overview
2. Flow-chart 2: approval of flight conditions
3. Flow-chart 3: issue of permit to fly
4. Flow-chart 4: changes after first issue of permit to fly

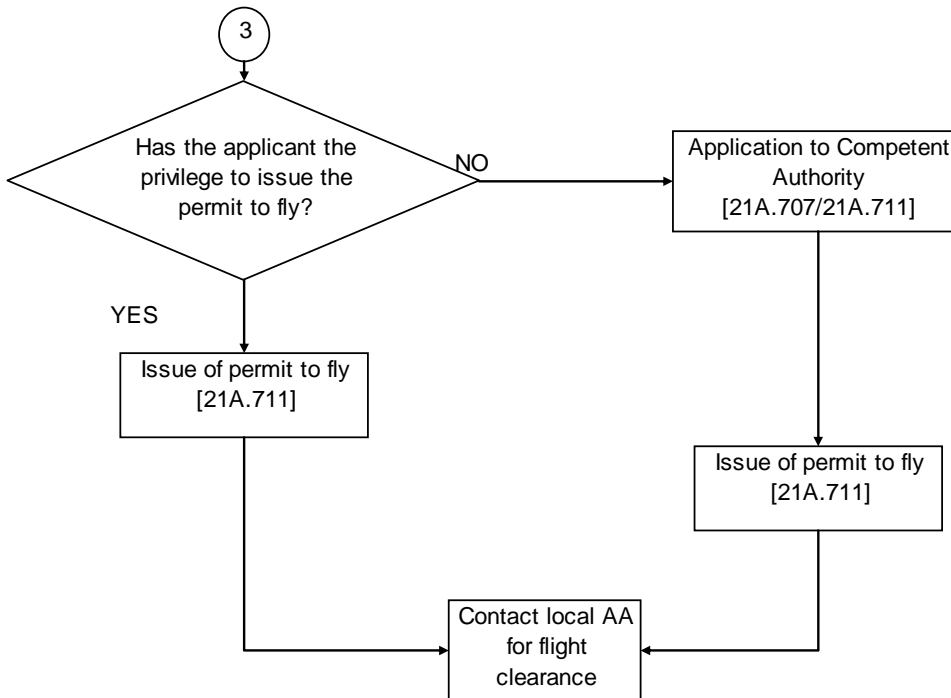
Flow-chart 1: overview



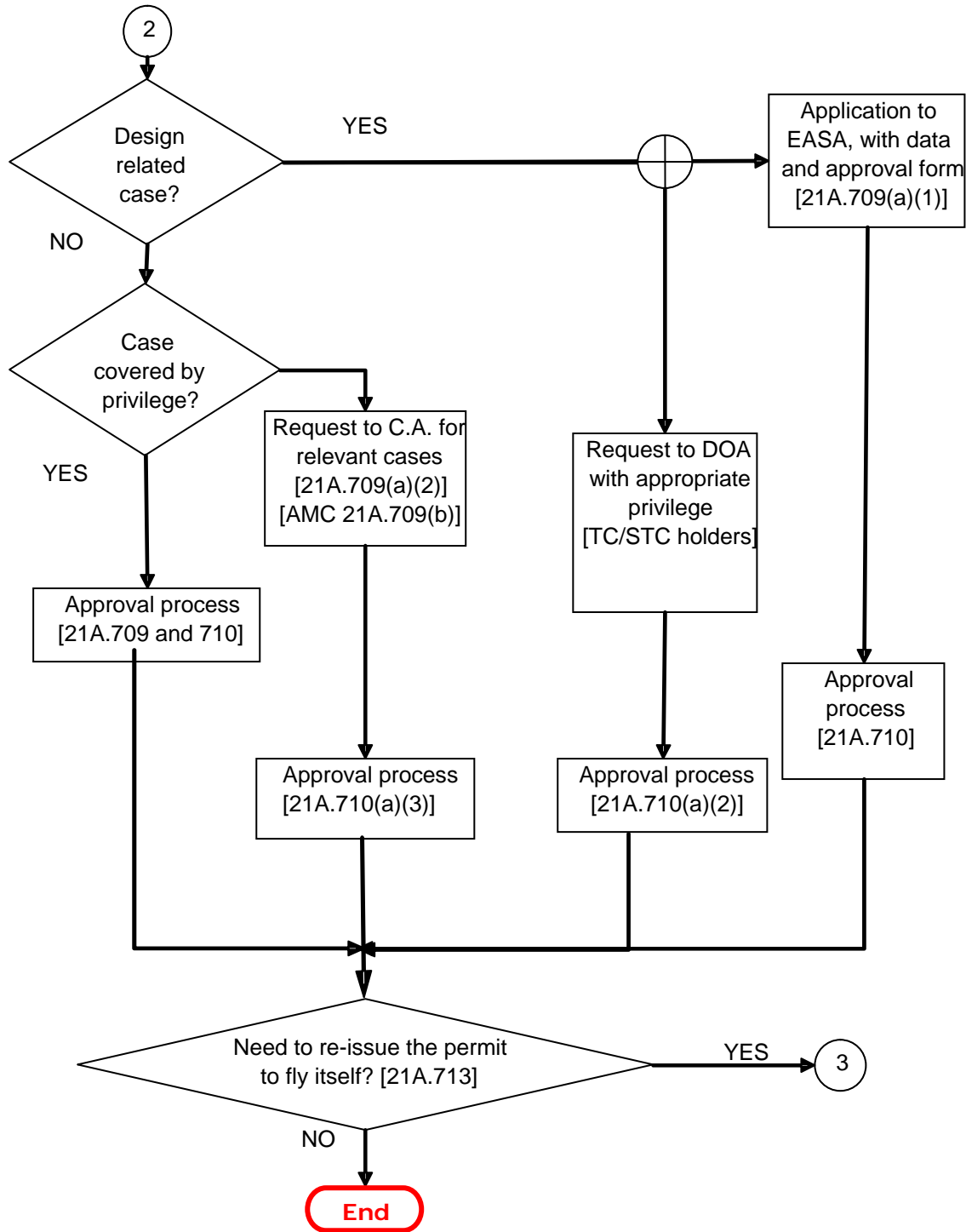
Flow-chart 2: approval of flight conditions



Flow-chart 3: issue of permit to fly



Flow-chart 4: changes after first issue of permit to fly



GM 21A.701(a)

Permit to fly when certificate of airworthiness or restricted certificate of airworthiness is not appropriate

A certificate of airworthiness or restricted category certificate of airworthiness may not be appropriate for an individual aircraft or aircraft type when the Agency agrees that it is not practicable to comply with the normal continued airworthiness requirements and that the aircraft is to a design standard that is demonstrated to be capable of safe flight under defined conditions. Paragraph 21A.701 identifies cases where the issuance of a (Restricted) Certificate of Airworthiness may not be possible or appropriate and this paragraph provides further information and typical examples for clarification where appropriate: -

Note: This list of examples is not exhaustive

- (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 Minimum Equipment List (MEL) is unserviceable or when the aircraft has sustained damage beyond the applicable limits.
- (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 recreational flying activity on individual aircraft or types for which the Agency agrees that 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 Agency will determine for which aircraft or types this provision is appropriate.
- (16) Any other purpose agreed by the Agency.
 - For cases not covered by (1) to (15) the applicant should seek Agency agreement of the purpose. Agreed purposes will be published and can be used automatically for possible future cases

GM 21A.701(b)

Aircraft registered outside the Member States

An aircraft registered outside the Member States and used for flight testing by an organisation which has its principle place of business in a Member State, remains under the authority of its state of registry. The Agency or an appropriately approved design organisation can provide, on request, technical assistance to the state of registry for the issue of a permit to fly, or equivalent authorisation, under the state of registry applicable regulations. Responsibility for the authorisation to fly rests with the authority of the Member State where the flight will take place. Such authorisation will be subject to the national regulations of the Member State

GM 21A.703

Applicant for a permit to fly

The applicant for a permit to fly may be a person other than the registered owner of the aircraft. As the holder of this permit will be responsible for ensuring that all the conditions and limitations associated with the permit to fly are continuously satisfied, the applicant for the permit should be a person or organisation suitable for assuming these responsibilities. In particular, the organisations designing, modifying or maintaining the aircraft should normally be the holder of the associated permits to fly.

GM 21A.705

Competent Authority

An aircraft registered in a Member State is under the responsibility of this Member State for continuing airworthiness aspects. Consequently, any permit to fly under Part 21 should be issued by that Member State including cases where the aircraft will fly in another State. The permit to fly contains all the conditions and restrictions to ensure safe flight but other airspace and operational rules remain the competence of the authority of the State where the flight will take place. The applicant should therefore also ensure compliance with the relevant regulations of that State.

GM 21A.707(b)

Application

EASA Form 21 (see AMC 21B.520(b)) should be obtained from the Competent Authority.

GM 21A.708(b)(6)

Continuing airworthiness

In most cases a simple reference to existing maintenance requirements will suffice for aircraft that have a temporarily invalid C of A.

For other aircraft it will have to be proposed by the applicant as part of the flight conditions. For approved organisations they can be included in their procedures.

GM No. 1 to 21A.708(c)

Safe flight

Safe flight normally means continued safe flight and landing but in some limited cases (e.g. higher risk flight testing) it can mean that the aircraft is able to fly in a manner that will primarily ensure the safety of overflown third parties, the flight crew and, if applicable other occupants.

This definition of "safe flight" should not be interpreted as allowing a test pilot, equipped with a parachute and operating over a sparsely populated area, to set out on a test flight in the full knowledge that there is a high probability of losing the aircraft. The applicant should take reasonable care to minimise safety risks and to be satisfied that there is a reasonable probability that the aircraft will carry out the flight without damage or injury to the aircraft and its occupants or to other property or persons whether in the air or on the ground.

GM No. 2 to 21A.708(c)

Justifications

The justifications should include analysis, calculations, tests or other means used to determine under which conditions or restrictions the aircraft can perform safely a flight.

GM No. 3 to 21A.708(c)

Operation of Overweight Aircraft

This GM provides information and guidance with respect to permit to fly for operating an aircraft 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.

1. GENERAL.

The excess weight that may be authorized for overweight operations should be limited to additional fuel, fuel carrying facilities, and navigational equipment necessary for the flight.

It is recommended that the applicant discuss the proposed flight with the TC holder of the aircraft to determine the availability of technical data on the installation of additional fuel carrying facilities and/or navigational equipment.

2. CRITERIA USED TO DETERMINE THE SAFETY OF ADDITIONAL FACILITIES.

In evaluating the installation of additional facilities, the Agency or the design organisation must find that the changed aircraft is safe for operation. To assist in arriving at such a determination, the following questions are normally considered:

- a. Does the technical data include installation drawings, structural substantiating reports, weight, balance, new centre of gravity limits computations, and aircraft performance limitations in sufficient detail to allow a conformity inspection of the aircraft to be made?
- b. In what ways does the aircraft not comply with the applicable airworthiness requirements?
- c. Are the fuel tanks vented to the outside? Are all areas in which tanks are located ventilated to reduce fire, explosion, and toxicity hazards?
- d. Are the tanks even when empty strong enough to withstand the differential pressure at maximum operating altitude for a pressurized aircraft?
- e. Have means been provided for determining the fuel quantity in each tank prior to flight?
- f. Are shutoff valves, accessible to the pilot, provided for each additional tank to disconnect these tanks from the main fuel system?
- g. Are the additional fuel tank filler connections designed to prevent spillage within the aircraft during servicing?
- h. Is the engine oil supply and cooling adequate for the extended weight and range?

3. LIMITATIONS.

The following types of limitations may be necessary for safe operation of the aircraft:

- a. Revised operational airspeeds for use in the overweight condition.
- b. Increased pilot skill requirements.
- c. A prescribed sequence for using fuel from various tanks as necessary to keep the aircraft within its centre of gravity range.
- d. Notification to the control tower of the overweight takeoff condition to permit use of a runway to minimize flight over congested areas.
- e. Avoidance of severe turbulence. If encountered, the aircraft should be inspected for damage as soon as possible.

EXAMPLE of operating limitations which may be prescribed as part of the permit to fly:

Aircraft type: xxxxxx Model: yyyy

Limitations:

1. Maximum weight must not exceed 8,150 pounds.
2. Maximum quantity of fuel carried in auxiliary tanks must not exceed 106 gallons in fwd tank, 164 gallons in centre tank, and 45 gallons in aft tank.
3. Centre of gravity limits must not exceed (fwd) +116.8 and (aft) +124.6.
4. Aerobatics are prohibited.
5. Use of autopilot while in overweight condition is prohibited.
6. Weather conditions with moderate to severe turbulence should be avoided.
7. When an overweight landing is made or the aircraft has been flown through moderate or severe turbulence while in an overweight condition, the aircraft must be inspected for damage after landing. The inspections performed and the findings must be entered in the aircraft log. The pilot must determine, before the next takeoff, that the aircraft is airworthy.
8. When operated in the overweight condition, the cruising speed (Vc) shall not exceed 185 m.p.h. and the maximum speed (Vne) shall not exceed 205 m.p.h.
9. Operation in the overweight condition must be conducted to avoid areas having heavy air traffic, to avoid cities, towns, villages, and congested areas, or any other areas where such flights might create hazardous exposure to person or property on the ground.

GM 21A.708(d)

Control of aircraft configuration

The applicant should establish a method for the control of any change or repair made to the aircraft, for changes and repairs that do not invalidate the conditions established for the permit to fly.

All other changes should be approved in accordance with 21A.713 and when necessary a new permit to fly should be issued in accordance with 21A.711.

AMC 21A.709(b)**Submission of documentation supporting the establishment of flight conditions**

Together with the application, the documentation required by 21A.709(b) must be submitted with the approval form (EASA Form 18B) defined below, completed with all relevant information. If the complete set of data is not available at the time of application, the missing elements can be provided later. In such cases, the approval form must be provided only when all data are available, to allow the applicant to make the statement required in box 8 of the form.

FLIGHT CONDITIONS FOR A PERMIT TO FLY – APPROVAL FORM	
1. Applicant <i>[Name of organisation providing the flight conditions and associated justifications]</i>	2. Approval form nr. Issue: <i>[number and issue, for traceability purpose]</i>
3. Aircraft manufacturer/type	4. Serial number(s)
5. Aircraft configuration The above aircraft for which a permit to fly is requested is defined in <i>[add reference to the document(s) identifying the configuration of the aircraft]</i> <i>[For change(s) affecting the initial approval form: description of change(s). This form must be re-issued]</i>	
6. Justifications <i>[References to the document(s) justifying that the aircraft (as described in 5.) can perform the intended flight(s) safely under the defined conditions or restrictions.]</i> <i>[For change(s) affecting the initial approval form: reference(s) to additional justification(s). This form must be re-issued]</i>	
7. Conditions/Restrictions The above aircraft must be used with the following conditions or restrictions: <i>[Details of these conditions/restrictions, or reference to relevant document, including specific maintenance instructions and conditions to perform these instructions]</i>	
8. Statement The flight conditions have been established and justified in accordance with 21A.708. The aircraft has no features and characteristics making it unsafe for the intended operation under the identified conditions and restrictions. <i>[when approved under a privilege of an approved organisation]</i>	
9. Approved under [ORGANISATION APPROVAL NUMBER]"	
10. Date of issue	11. Name and signature <i>[Authorised signatory]</i>
<i>[when not approved under a privilege of an approved organisation]</i> 12. Approval reference and date <i>[reference to appropriate approval: EASA, Competent Authority]</i>	

EASA Form 18B

When the flight conditions are approved under a privilege, this form should be used by the approved organisation to document the approval.

GM 21A.710(a)(3)

Approval of flight conditions – Related to the safety of the design or not

1. The approval of flight conditions is related to the safety of the design, when:
 - a. the aircraft does not conform to an approved design; or
 - b. an Airworthiness Limitation, a Certification Maintenance Requirement or an Airworthiness Directive has not been complied with; or
 - c. the intended flight(s) are outside the approved envelope.
2. Examples when the approval of flight conditions is not related to the safety of the design are:
 - a. production flight testing for the purpose of conformity establishment;
 - b. delivery / export flight of a new aircraft the design of which is approved;
 - c. 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.

GM 21A.711(e)

Additional conditions and restrictions

The conditions and restrictions prescribed by the Competent Authority may include airspace restrictions to make the conditions approved under 21A.710 more concrete, or conditions outside the scope of the ones mentioned in 21A.708(b) such as a radio station license.

GM 21A.713

Changes

Changes to the conditions or associated justifications that are approved but do not affect the text on the permit to fly do not require issuance of a new permit to fly.

In case a new application is necessary, the substantiation for approval of the flight conditions only needs to address the change.

GM 21A.719

Transfer of a permit to fly

Except for permits to fly issued under 21A.701(a)(15), like aircraft without TC holder, a permit to fly is issued based upon the applicant's declaration of many aspects of the proposed flight or flights, some of which are specific to the applicant. Accordingly, the basis upon which a permit to fly has been issued necessarily is no longer fully in place when the holder of a permit to fly changes, ownership changes, and/or there is a change of register. Such changes necessitate a new application under 21A.707.

AMC 21B.520(b)

Application for a permit to fly

The Competent Authority must receive an application for permit to fly on an EASA Form 21 (see below) completed by the applicant.

Application for Part 21 Permit to Fly	
1. Applicant:	<i>[Name of applicant]</i>
2. Aircraft nationality and identification marks:	
3. Aircraft owner:	
4. Aircraft manufacturer/type	5. Serial number
6. Purpose of flight <i>[Use terminology of 21A.701(a) and add any additional information for accurate description of the purpose, e.g. place, itinerary, duration...]</i> <i>[For an application due to a change of purpose (ref. 21A.713):reference to initial request and description of new purpose]</i>	
7. Expected target date(s) for the flight(s) and duration	
8. Aircraft configuration as relevant for the permit to fly 8.1 The above aircraft for which a permit to fly is requested is defined in <i>[add reference to the document(s) identifying the configuration of the aircraft. Same as required in AMC 21A.263(c)(6) or AMC 21A.709(b) application form, box 5]</i> 8.2 The aircraft is in the following situation related to its maintenance schedule: <i>[Describe status]</i>	
9. Approval of flight conditions <i>[if not available at the time of application, indicate reference of request for approval]</i> <i>[Reference to:</i> 1. EASA approval, if flight conditions are approved by EASA; or 2. DOA approval form (see AMC 21A.263(c)(6)), if approved under DOA privilege; or 3. Competent Authority approval	
10. Date	11. Name and signature <i>[Authorised signatory]</i>

EASA Form 21

V Draft Decision AMC/GM to Regulation 2042/2003

AMC M.A.711(b)(3)

Procedure for the issue of a permit to fly

1 INTENT

This acceptable means of compliance provides means to develop a procedure for the issue of a permit to fly. Each CAMO applicant or holder must develop its own internal procedure following this AMC, in order to obtain the privilege of M.A.711(b)(3) to issue permits to fly for an aircraft under procedures agreed with its competent authority for maintenance, when the continuing airworthiness management organisation itself is controlling under its CAMO the configuration of the aircraft and is attesting conformity with the design conditions approved for the flight.

2 PROCEDURE FOR THE ISSUE OF A PERMIT TO FLY

2.1 Content

The procedure must address the following points:

- as relevant, in accordance with 21A.710(a)(3), the approval of flight conditions;
- conformity with approved conditions;
- issue of the permit to fly under the CAMO privilege;
- authorised signatories;
- interface with the local authority for the flight.

2.2 Approval of the flight conditions (when relevant)

The procedure must include the process to establish and justify the flight conditions, in accordance with 21A.708, and include the EASA Form 18B as defined in AMC 21A.709(b) for the approval under the CAMO privilege.

2.3 Conformity with approved conditions

The procedure must indicate how conformity with approved conditions is made, documented and attested by an authorised person.

2.4 Issue of the permit to fly under the MOA privilege

The procedure must describe the process to prepare the EASA Form 20b (See Appendix to Part 21) and how compliance with 21A.711(d) and (e) is established before signature of the permit to fly.

2.5 Authorised signatories

The person(s) authorised to sign the permit to fly under the privilege of M.A.711(b)(3) must be identified (name, signature and scope of authority) in the procedure, or in an appropriate document linked to the CAME.

2.6 Interface with the local authority for the flight

The procedure must include provisions describing the communication with the local authority for flight clearance and compliance with the local requirements which are outside the scope of the conditions of 21A.708(b).