European Union Aviation Safety Agency

Specific Airworthiness Specifications

How to move an orphan aircraft from Restricted Certificate of Airworthiness (RCoA) to an EASA Permit to Fly (PtF)?

Answer

For a number of reasons, an aircraft owner may wish to move an orphan aircraft from a Restricted Certificate of Airworthiness (RCoA) which has been issued based on an existing Specific Airworthiness Specification (SAS) to a Permit to Fly (PtF).

Several (at present mostly) French built orphan aircraft types of the same basic Type Design are operated under RCoA (based on SAS) and also under PtF. The service experience, based on occurrence data available at DGAC, suggests that currently a safety risk does not exist when aircraft are moved from an SAS (RCoA) to a PtF. On the basis of this evidence EASA policy is to allow any aircraft with an SAS (RCoA) to transfer to a PtF if the owner requests.

The transfer process is initiated by sending both EASA Forms 37 to EASA online, together with drafted Flight Conditions (FC). The fees for the approval of the FC are invoiced iaw. actual Commission Regulation on Fees and Charges.

Once the Flight Conditions (FC) have been approved by EASA, an EASA PtF is issued by the Competent Authority of the State of Registry (SoR) based on the approved FC. This involves the applicant making a separate application to the Competent Authority of the SoR.

If the technical aspects of an FC are deemed to be generic for a specific type or model, they will be published together with the appropriate SAS. Where there is a need, Generic Flight Conditions (GFC), if not yet existing, will be developed by EASA in cooperation with the National Aviation Authority (NAA) of the State of Design and added to the SAS.

A Data Sheet (DS) should be understood as an aircraft design definition document and is an essential part of the FC. Such DS will not extend the scope of the SAS (initial TCDS), but specify the design of the particular aircraft at the time of initial PtF issuance. Any later design changes, other than Minor Changes as defined in the FC, have to be approved by EASA by reissuing (approving) of the FC for the affected s/n. Supplemental Type Certificates (STCs) approved/grandfathered before the SAS was issued initially may be used without separate FC approval (this should be clearly indicated in the FC). The same approach is valid for Standard Changes (changes approved per CS-STAN).

In legal terms, Airworthiness Directives (AD's) do not automatically apply to EASA permitted aircraft. The only way to solve any airworthiness issues is to revoke the EASA approved FC and issue a new FC which specifies the Airworthiness Directive as mandatory. If necessary, the NAAs will be notified by EASA accordingly.

The FC also include a reference to the arrangements for the continued airworthiness regime for the aircraft, which may differ from one SoR to another, depending on local arrangements.

Theoretically, it is possible to move back from a PtF to an SAS (RCoA). During this process the State of Registry should be satisfied that the aircraft in questions meets the SAS type design and has been maintained iaw. Part M in the meantime. However in practice this will be extremely difficult, if not impossible.

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Link:
https://www.easa.europa.eu/en/faq/20448

How do I find out if my aircraft has an SAS or TC?

Answer

The EASA aircraft lists can be found in the Product List page.
These lists specify whether the aircraft has a TC or SAS. This only applies for aircraft (including rotorcraft and lighter-than-air) but not to propulsion. If an engine or propeller becomes an orphan, there is no SAS.

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