European Union Aviation Safety Agency

FAQ n.22614

FAQs:

Part-SPO, Air Operations, Regulations

Question:

Is it allowed to perform specialised operations with a permit-to-fly or is a CofA mandatory at all times?

Answer:

Permit-to-fly - Reference: Reg. (EU) No 965/2012: ORO.SPO.100 (b); SPO.GEN.140; and NCO.GEN.135

Aircraft used in commercial specialised operations that fall under Part-SPO, must have a certificate of airworthiness (CofA) in accordance with Regulation (EU) No 748/2012 or may be wet leased-in from a third country operator or dry leased-in by an EU operator while being registered in a third country.

For commercial specialised operations as well as for any other specialised operation that fall under Part-SPO, the original certificate of airworthiness (CofA) need to be carried on each SPO flight (SPO.GEN.140 (a) (3)).

According to AMC1 SPO.GEN.140(a)(3) a permit to fly may (PtF) be used in SPO operations, if issued in accordance with the applicable airworthiness requirements and subject to compliance with the flight conditions established by the competent authority.

The applicable airworthiness requirements are those contained in Commission Regulation (EU) No 748/2012 (Part-21 thereof). Part-21 contains a list of purposes for which a PtF may be issued under certain conditions. For example, a mission for air racing may be possible with PtF. Please check with your competent authority if the purpose of the SPO mission complies with that list and those conditions.

For non-commercial specialised operations falling under Part-NCO, NCO.GEN.135 (a) (3) requires the original certificate of airworthiness (CofA) be carried on each flight.

According to AMC1 NCO.GEN.135 (a) (3) a PtF may be used in NCO operations, if issued in accordance with the applicable airworthiness requirements and subject to compliance with the flight conditions established by the competent authority.

The applicable airworthiness requirements are those contained in Part-21. Part-21 contains a

list of purposes for which a PtF may be issued under certain conditions. For example, a 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 (mainly, but not limited to, the so-called ‘orphan’ aircraft) may be possible with PtF. Please check with your competent authority if the purpose of the SPO mission complies with that list and those conditions.

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Link:

https://www.easa.europa.eu/en/faq/22614