



Approval of Flight Conditions for a Permit to Fly (AFC)

Doc #
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PR.CAP.00125-001
06/12/2024

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Approval of Flight Conditions for a Permit to Fly (AFC)

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PR.CAP.00125-001
06/12/2024

DOCUMENT CONTROL SHEET

Reference documents

a) Contextual documents

Agreement between the European Union and the Government of the Federative Republic of Brazil on civil aviation safety.

Agreement between the United States of America and the European Community - on cooperation in the regulation of civil aviation safety including its Technical Implementation Procedures for airworthiness and environmental certification between the Federal Aviation Administration of the United States of America and the EASA.

Agreement on civil aviation safety between the European Community and Canada.

Agreement on civil aviation safety between the European Union and Japan.

Agreement on civil aviation safety between the European Union and the Government of the People's Republic of China.

Chicago Convention Annex 8 - Airworthiness of Aircraft (International Standards and Recommended Practices) - 13th Edition, July 2022

Commission Implementing Regulation (EU) 2015/1018 - of 29 June 2015 laying down a list of classifying occurrences in civil aviation to be mandatorily reported according to Regulation (EU) No 376/2014 of the European Parliament and of the Council.

Commission Regulation (EU) 1321/2014 - of 26 November 2014 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks.

Commission Regulation (EU) 748/2012 - amended Commission Regulation of 3 August 2012 laying down implementing rules for the airworthiness and environmental protection certification of aircraft and related products, parts and non-installed equipment, as well as for the certification of DPO

ED Decision 2009/0192022/001/R - Amending general acceptable means of compliance for airworthiness of products, parts and appliances (« AMC-20 »)

ED Decision 2015/154/ED - On the allocation criteria for certification tasks. - Annex I Criteria for the Allocation of Projects (including the project management function).

ED Decision 2019/018/ED - On the implementation of airworthiness directives for products, parts and appliances designed in third countries and repealing decision of the executive director n° 2/2003.

ED Decision 2019/053/ED - On the delegation of powers of the Executive Director to certain staff members of the Agency's Certification Directorate.

ED Decision 2023/014/R - ED Decision 2023/014/R - Amendment 16 to issue 2 of the acceptable means of compliance and guidance material to Annex I (Part 21) to Commission Regulation (EU) 748/2012

MB Decision 01-2017 - Decision of the Management Board of 13 June 2017 repealing MB Decision 01-2011 on guidelines for the allocation of certification tasks to National Aviation Authorities and Qualified Entities

MB Decision 12-2007 - Decision of the MB of 1 Oct. 2007 concerning the general principles related to the certification procedures to be applied by the Agency for the issuing of certificates for products parts and appliances (hereinafter referred to as PCP Decision).

Regulation (EU) 2018/1139 - Regulation of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency.





Approval of Flight Conditions for a Permit to Fly (AFC)

Doc #
Approval Date

PR.CAP.00125-001
06/12/2024

Regulation (EU) 376/2014 - of the European Parliament and of the Council of 3 April 2014 on the reporting, analysis and follow-up of occurrences in civil aviation.

Regulation (EU) 996/2010 - of the European Parliament and of the Council of 20 October 2010 on the investigation and prevention of accidents and incidents in civil aviation and repealing Directive 94/56/EC Text with EEA relevance.

Trade and cooperation agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland - Trade and cooperation agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland.

b) Internal documents

EASA Form 18A - Flight conditions for a Permit to Fly - Approval form (DOA privilege)

EASA Form 18B - Flight Conditions for a Permit to Fly - Approval form

FO.CERT.00037 - Application for approval of flight conditions for a permit to fly

WI.CERT.00005 - Decisions and signatures for certification

WI.CERT.00012 - Electronic application review & task assignment

WI.IMS.00134 - CT Records management and Filing Plan

Abbreviations/Definitions

a) Abbreviations

AD: Airworthiness Directive

AFC: Approval of Flight Conditions for a Permit to Fly

AMC: Acceptable Means of Compliance

AOG: Aircraft On Ground

EASA: European Union Aviation Safety Agency (also referred to as "the Agency")

EU: European Union

CAMO: Continuing Airworthiness Management Organisation

CAO: Combined Airworthiness Organisation

CAT: Commercial Aircraft Transport

CMR: Certification Maintenance Requirement

CMU: Control and Monitoring Unit (of UAS)

CSP: Certification Service Provider

CS: Certification Specification (i.e. airworthiness standard as in the applicable aircraft certification basis)

CT Certification Directorate

CT Admin: Administrative Assistant of the relevant Department of the Certification Directorate

(R)CofA: (Restricted) Certificate of Airworthiness

DO: Design Organisation

DAH: Design Approval Holder (of the aircraft type subject to AFC)

DOA Design Organisation Approval

FC: Flight Conditions for a PtF

GM: Guidance Material

MS: EASA Member State





Approval of Flight Conditions for a Permit to Fly (AFC)

Doc #
Approval Date

PR.CAP.00125-001
06/12/2024

- IAW: Initial Airworthiness
- NAA: National Aviation Authority of EASA Member State
- NTO: No Technical Objection (from DAH)
- Part 21: Annex I to Commission Regulation (EU) 748/2012
- Part 21L: Annex Ib to Commission Regulation (EU) 748/2012 (Part 21 Light)
- PCM: Project Certification Manager (CT staff or NAA staff outsourced under Purchase Order from RS.3)
- PO: Production Organisation
- PtF: Permit to Fly
- RS.3.1: Applications Relations Section
- RS.3.2: Partner Relations Section
- RS Admin: RS.3.1 Administrative Assistant tasked as focal point for Flight Conditions
- (R)TC: (Restricted) Type Certificate
- SAP: EASA system used by RS.3 to manage Applications
- SM: responsible Section Manager
- SoR: State of Registry
- TAN: Task Assignment Notification (Purchase Order issued by RS.3 to outsource application NAAs)
- UAS: Unmanned Aircraft System

b) Definitions

Applicant

In accordance with Part 21.A.703(b), any natural or legal person is eligible for application for the approval of the Flight Conditions (FC).

Note: for a Permit to Fly (PtF), any natural or legal person may be an applicant, except when the PtF is applied for the specific case of an "Orphan" aircraft under Part 21.A.701(a)(15) for which purpose, the applicant shall be the aircraft owner (see Part 21.A.703(a)).

PCM

Project Certification Manager responsible for aircraft type design, allocated with the task to handle an application for Approval of Flight Conditions for a Permit to Fly (AFC).

Note: wherever the term "PCM" is used in this procedure, it means "the tasked PCM in coordination with his/her certification Team, as appropriate".

PCM on-duty

PCM appointed by EASA management with the duty of handling applications for AFC in the event of AFC urgency and/or technical staff workload issues.

Task allocation process

Internal EASA actions done in coordination between RS Admin, CT Admin, PCM on-duty and/or accountable Section Manager to ensure the allocation of the technical investigation for a certification task to the appropriate EASA staff.

Log of issues





Approval of Flight Conditions for a Permit to Fly (AFC)

Doc #

PR.CAP.00125-001

Approval Date

06/12/2024

Issue	Issue date	Change description
001	06/12/2024	Initial issue, superseding former procedure PR.AFC.00001-002.





INTRODUCTION

Purpose and scope

This document describes how EASA handles, pursuant to the Basic Regulation and Part 21 / Part 21L, applications submitted for the approval of Flight Conditions (FC) for a Permit to Fly (PtF) when related to the safety of design of the aircraft (see Part 21.A.709(a)(1) and Part 21.A.710(a)(1)).

The procedure does not apply for cases where the aircraft PtF to be issued is such that it only requires approval of FC that are NOT related to the safety of design of the aircraft.

(see Legal framework and basic principles below for further details about cases where EASA is NOT involved)

Legal framework

1) Basic Regulation:

Article 18(b)(2): by way of derogation from the Basic Reg. Art. 14 that requires individual aircraft to be issued and hold individual Certificates of Airworthiness (CofA):

- a Permit to Fly (PtF) may be issued to allow the operation of an aircraft which does not have a valid CofA or valid Restricted CofA when, upon application for the PtF, the applicant has demonstrated that the aircraft is capable of safely performing a basic flight;
- a PtF may also be issued without such PtF applications, by an organisation appropriately approved with the granted privilege to issue the PtF, provided that the organisation has determined that the aircraft is capable of performing safely a basic flight; and
- the PtF shall be issued (in both cases) subject to appropriate limitations, and in particular to also protect the safety of third parties.

Article 77(1)(c): for cases where a PtF has been applied for (so, distinct from the case 2. above), the Agency shall issue the approval for the FC associated to the PtF when related to the design.

For purposes of above Basic Reg. Articles,

2) Commission Reg. (EU) 748/2012 prescribes implementing rules in its Annex I (Part 21) and Annex Ib (Part 21L*):

- * for aircraft under Part 21L, the procedures are basically those as established in Part 21 (see Part 21L.A.241).

Part 21.A.701: a Permit to Fly may (PtF) may be issued for sixteen (16) distinct pre-defined “flight purposes” to (individual) aircraft that do not meet, or have not been shown to meet, applicable airworthiness requirements but are capable of safe flight under defined conditions (i.e. the approved Flight Conditions (FC) as hereafter mentioned).

Part 21.A.711:

- the Competence for issuing a PtF is assigned to:
 - a) the EASA Member State of Registry of the registered aircraft or the authority designated by the Member State to prescribe identification marks for an unregistered aircraft (see also Part 21.1(e) and Part 21.B.525), or
 - b) an approved Organisation (Design, Production or CAMO / CAO) under a granted privilege to do so. (with Part 21.A.263(c)(7) & 21.A.163(g) and other ‘PtF’ privileges of Part-M/CAMO/CAO as in Part 21.711(d))
- the PtF certificate itself may be issued by:
 - a) the competent authority of a Member State with EASA Form 20a (see Part 21 Appendix III), or
 - b) an approved Organisation, (Design, Production or CAMO / CAO) with EASA Form 20b (see Part 21 Appendix IV).





Approval of Flight Conditions for a Permit to Fly (AFC)	Doc #	PR.CAP.00125-001
	Approval Date	06/12/2024

- the PtF is issued ONLY WHEN the Flight Conditions (FC) as referred to in Part 21.A.708 (i.e. to demonstrate capability of safe flight) have been approved in accordance with Part 21.A.710.

Part 21.A.708: prescribes that the FC to be approved to allow issuing a PtF shall include:

- the aircraft configuration(s) for which the PtF is requested,
- the conditions and restrictions necessary for safe operation of the aircraft for which the PtF will be issued, and
- the substantiation that the aircraft is capable of safe flight under these conditions or restrictions.

Part 21.A.710:

- the Competence for approving the FC associated a PtF is assigned:
 - a) to EASA, or a Design Organisation approved with the granted privilege to do so (with Part 21.A.263(c)(6)), when the FCs are related to the safety of the design, or
 - b) when the FCs are NOT related to the safety of the design, to the competent authority of a Member State, or to a Production Organisation approved with the granted privilege to do so when it also issues the respective PtF under the same (combined "PtF & FC") privilege (with Part 21.A.163(g)).
- before approving the FC for a PtF, the Agency, the competent authority of the Member State or the approved organization (DO / PO) must be satisfied that the aircraft is capable of safe flight under the specified conditions and restrictions of the FC. Moreover, EASA or the competent authority of the Member State may make or require the applicant to make any necessary inspections or tests for that purpose.

Note: unlike DO and PO, a CAMO/CAO organization cannot be granted any "FC" privilege; however (see Part 21.A.711 above), a CAMO/CAO organization may issue Permits to Fly under a granted "PtF" privilege (with Part-M.A.711, Part-CAMO.A.125 or Part-CAO.A.095) provided that before issuing a PtF, the organization attests conformity with valid FC duly approved under Part 21.A.710 as the privilege requires.

Finally, Part 21 prescribes in addition the following:

- Part 21.A.707(c): where the FC for a PtF are not approved at the time of application for the PtF (by Design or Production organization, as the case may be under Part 21.A.710), an application for approval of the FC shall be made as follows:
 - Part 21.A.709(a)(1) - to EASA, when the approval of the FC is related to the safety of the design.
 - Part 21.A.709(a)(2) - to the competent authority of a Member State, when the approval of the FC is NOT related to the safety of the design.
- Part 21.A.723: a PtF shall be issued for a maximum period of 12 months, unless it is issued for the (specific) flight purpose of Part 21.A.701(a)(15) to an orphan aircraft, in which case the period of validity may be unlimited. Therefore, by analogy, the FC approved for a PtF are valid for the same duration as that of the PtF issued.

Basic Principles

1) Permit to Fly (PtF)

A Permit to Fly is individual aircraft airworthiness certificate that may be issued by derogation to a Certificate of Airworthiness (CofA) or restricted CofA when the aircraft needs to fly but cannot be issued or hold a valid (R)CofA due to non-compliance with the applicable airworthiness requirements (e.g. pending aircraft conformity demonstration or certification of unapproved design; or when the compliance is affected or voided as a result of an in-service event; or etc.).

In this case, it is possible to obtain a PtF subject to associated Flight Conditions (FC), which require prior approval with defined conditions or restrictions to enable the non-compliant aircraft to be demonstrated capable of safe flight for various possible purposes, as listed in Part 21.A.701(a) (see also GM 21.A.701(a)):





Approval of Flight Conditions for a Permit to Fly (AFC)

Doc #

PR.CAP.00125-001

Approval Date

06/12/2024

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 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.
16. flying an aircraft for troubleshooting purposes or to check the functioning of one or more systems, parts or appliances after maintenance.

1.1) Permit to Fly - Scope:

see GM 21.A.701: An aircraft registered outside the EASA Member States and used for flight testing by an organisation which has its principal place of business in a Member State, remains under the authority of its foreign state of registry (SoR). The Agency or an appropriately approved design organisation can provide, on request, technical assistance to the foreign SoR for the issue of a permit to fly, or equivalent authorisation, under the state of registry applicable regulations.

Note: the Agency does not carry out any task for the validation of flight permits issued by a foreign SoR. When a third country registered aircraft aims to fly to/from an EASA Member State under a flight permit issued by the SoR of the foreign aircraft, the responsibility to validate or not this foreign flight permit remains with the concerned EASA Member State under its airspace sovereignty.

1.2) Permit to Fly - Duration:

Unlike (R)CofA issued with an unlimited duration, a PtF is temporary airworthiness certificate with a limited period of validity. It is indeed reasonable that the status of non-compliance of the aircraft with applicable airworthiness requirements should be limited in time and therefore, under Part 21.A.723, a PtF shall be issued for a maximum period of 12 months (except for the case of orphan aircraft - see in 3. below).

However, in practice, the duration of a PtF may be less than 12 months and reduced as necessary depending on the nature of the airworthiness non-compliance of the aircraft and the flight purpose and operational need claimed for the PtF (e.g. the validity of PtF requested for a ferry flight as per Part 21.A.701(a)(11) should not last for one year).

1.3) Applicant eligible for a Permit to Fly:

See in Part 21.A.703(a): when the applicant for a PtF has not been granted any (organization) privilege to issue a PtF, the application for a PtF shall be made to the competent authority of a Member State (see Part 21.A.707(a)).

See moreover GM 21.A.703: the applicant for the PtF of an aircraft 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





Approval of Flight Conditions for a Permit to Fly (AFC)	Doc #	PR.CAP.00125-001
	Approval Date	06/12/2024

associated with the PtF are continuously satisfied, the applicant for the permit should be a person, or organization, 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.

1.4) Issuance of a Permit to Fly:

Under Part 21, the Agency never issues a PtF.

The Competence for issuing a PtF is assigned to the competent authorities of the EASA Member States and to Organisations (Design, Production or CAMO / CAO) when appropriately approved to do so under a granted privilege (see Part 21.1(e), Part 21.A.711 and Part 21.B.525).

Roles and possible involvement of Competent Authority/ Organisation are summarized in Tables 1. & 2. shown in the Process Charts below.

2) Flight Conditions (FC)

2.1) Basic scope of the FC

Prior approval of the FC that are associated to a PtF is required to attest that the safety of flight (SoF) of the non-compliant aircraft has been demonstrated with relevant conditions or restrictions before the PtF is issued (see Part 21.A.711(a)/(b)/(c)/(d) and Part 21.B.525).

The FC to be approved must contain all conditions or restrictions for safe operation of the (non-compliant) aircraft for the purpose(s) of the flight(s) claimed under PtF that are necessary compensating measures to the ways in which the aircraft does not comply with the applicable airworthiness requirements (see Part 21.A.707(b)).

Therefore, the Flight Conditions to approve consist of:

(Part 21.A.708 quote)

“(a) the configuration(s) for which the permit to fly is requested, including, for unmanned aircraft, the configuration of the CMU that is used to control the aircraft;”

(b) any condition or restriction necessary for the 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 program (if applicable);
6. the specific continuing airworthiness arrangements including maintenance instructions and regime under which they will be performed;

7. for unmanned aircraft, specific arrangements and instructions for the operation and the continuing

airworthiness of the UAS or of the CMU

(c) the substantiation that the aircraft is capable of safe flight under the conditions or restrictions of sub-parag. (b);

(d) the method used for the control of the aircraft configuration, including, for unmanned aircraft, the configuration of the CMU that is used to control the aircraft, in order to remain within the established conditions.”

(Part 21.A.708 unquote).

Examples - non-exhaustive - of possible FC limitations:

- non-revenue flight (passengers are never allowed in the frame of a Permit to Fly);
- identification of airports for take-off and landing;
- Day VFR for an aircraft normally approved for operation also in Night IFR;
- minimum Visibility/Visual Range;
- no flight over highly populated areas;





Approval of Flight Conditions for a Permit to Fly (AFC)	Doc #	PR.CAP.00125-001
	Approval Date	06/12/2024

- crew limitations;
- operating altitude or airspeed limitations;
- prohibition from using cabin pressurization;
- required flight control settings;
- etc.

The flight conditions can be as simple as applying additional limitations (e.g. practical examples above) for a specific flight purpose for a limited duration or be as comprehensive as possible by prescribing in addition to (e.g.) follow a specific flight test plan, use a specific flight manual, apply particular maintenance instructions and/or etc.

Note: Part 21.A.708(c) is not exhaustively prescriptive in this regard.

Finally, under GM 21.A.711(e), the Member States when issuing their PtFs may further strengthen flight safety with additional concrete conditions and restrictions beyond the scope of the ones that are already approved in the FCs with reference to Part 21.A.708(b).

2.2) Approval of Flight Conditions (FC)

Aircraft non-compliances to the applicable airworthiness requirements that will justify issuing a PtF in lieu of a (R)CofA are of two possible distinct natures.

There are these that relate to the safety of the (approved) design of the aircraft and the others that do NOT relate to the safety of the (approved) design of the aircraft. Therefore, the FC to be approved for a PtF are classified in two categories accordingly, which then consistently result in the involvement of different possible Competent Authorities or Organisations for the approval of the FC.

Under Part 21.A.710(a) & (b),

- when the FC are related to the safety of the design, the FC for a PtF may be approved by:
EASA or a Design Organisation approved with the granted privilege to do so
- when the FC are NOT related to the safety of the design, the FC for a PtF may be approved by:
the competent authority of a Member State, or a Production Organisation approved with the granted privilege to do so (but, for the last case, only when it also issues the respective PtF under the same - combined "PtF & FC" - privilege).

Note 1: unlike DO and PO, a CAMO/CAO organization cannot be granted any "FC approval" privilege.
(see legal framework above and 'PtF' privileges of Part-M/CAMO/CAO as in Part 21.711(d))

Note 2: if no Design organisation takes the responsibility to approve the FC associated with the issue of a PtF for an aircraft where the non-compliance affects the safety of the design, EASA may take the responsibility for the approval of such FC related to "design safety" subject to an application made to the Agency pursuant to Part 21.A.707.

Note 3: the Agency shall only issue FC (related to "design safety") for aircraft covered by the Basic Regulation when registered in an EASA Member State. EASA is not responsible for an aircraft on any non-EASA State of registry; or aircraft engaged in military, customs, police, or similar services; or aircraft covered by Annex I of the Basic Regulation. However, on the request of a third country authority of a non-EASA Member State, EASA may provide technical assistance to that foreign authority to assist it in its decision to issue a (national) third country PtF (this is outside the scope/purpose of this procedure; such a technical assistance to foreign authority should follow, when exiting, the appropriate Working Arrangement/Bilateral Agreement).

Before approving the FC, Part 21.A.710(c) requires EASA, the Member States and also the appropriately approved DO or PO organisation to be satisfied that the aircraft is capable of safe flight under the specified conditions and restrictions. For that purpose, the Agency or the Member States may make or require the applicant to make any inspections or tests as necessary.





Approval of Flight Conditions for a Permit to Fly (AFC)

Doc #
Approval Date

PR.CAP.00125-001
06/12/2024

Roles and possible involvement of Competent Authority / Organisation are summarized in Tables 1. & 2. shown in the Process Charts below.

2.3) Flight Conditions when related to design safety - see GM 21.A.710

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 CMR or an AD has not been complied with; or
- c. the intended flight(s) are outside the approved envelope;
- d. the permit to fly is issued for the purpose of 21.A.701(a)(15).

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 (R)CofA.

2.4) Safety of Flight (SoF) to be demonstrated by the FC

The approval of flight conditions requires interpretation of the wording “capable of performing a safe flight” that is used in Part 21 for the requirement 21.A.708(c) (see in 2.1 above).

Under GM No 1 to 21.A.708(c), it is explained that “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 minimize 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.

It implies therefore that:

- the flight of an aircraft under PtF must not be hazardous; and
- the conditions and restrictions of the approved FC (associated to the PtF) will either compensate the effect of the aircraft airworthiness non-conformity, or define a safe flight envelope for flying the aircraft.

To limit the risk for 3rd parties, this GM No 1 should also be understood to mean that operations under a PtF must be limited to non-revenue and, therefore, that no commercial transportation is allowable (i.e. no passenger on board). However, some flights can have a commercial reason (e.g. research) or a justified special need (e.g. development test or troubleshooting/functioning check purpose) that requires technical personal other than flight crew to be permitted on board, unless specifically excluded.

Under GM No 2 to 21.A.708(c), it is stated that the substantiations (of ‘safe flight’) should include analysis, calculations, tests or other means (i.e. as submitted by applicants) used to determine under which conditions or restrictions the aircraft can perform safely a flight.

Note: as already said (in 2.2 and Legal framework above), EASA keeps the right under Part 21.A.710(c) to make or require the applicant to make any necessary inspections or tests for the purpose of the substantiation of the SoF.

The explanation in GM No 2 to 21.A.708(c) especially means, among other things, that the Basic principles of design safety must still apply, including the consideration of paragraph CS XX.1309 (CS-23, CS-25, CS-27, CS-29,...) that the flight crew can cope with foreseeable operating conditions and will be able to continue the flight to a safe landing in case of





Approval of Flight Conditions for a Permit to Fly (AFC)	Doc #	PR.CAP.00125-001
	Approval Date	06/12/2024

subsequent failures during the flight within the defined envelope for the basic aircraft and the conditions/restrictions defined for the FC.

For flight purpose cases that require a PtF for more than one non-revenue operation (e.g. development flights under Part 21.A.701(a)(1)), the substantiation the SoF may require that the applicant determines a specific test plan or flight profile to be observed to allow some flexibility, systematic testing and incremental steps to provide development progress in consideration of specific hazards that may occur during the period of validity of the permit to flight.

For operation of overweight aircraft, GM No 3 to 21.A.708(c) provides specific information and guidance with respect to PtF for operating an aircraft in excess of its maximum certificated take-off weight, for flight beyond the normal range over water, or over land areas where adequate landing facilities or appropriate fuel is not available (i.e. flight purpose Part 21.A.701(a)(12)).

3) Orphan aircraft – Specific case of PtF and associated FC

An aircraft becomes orphan in case the (R)TC of the aircraft becomes invalid, which automatically occurs by law in the absence of any responsible (R)TC Holder capable to ensure any continued compliance with the Part 21 obligations that (R)TC holders have under Part 21.A.44 and Part 21.A.51(a)(1).

A (R)TC is no longer valid when the certificate is:

- surrendered by the holder (e.g. bankruptcy) or revoked by EASA under Part 21.A.51(a)(2) due to non-compliance to Part 21;
- suspended, revoked or limited by EASA under Part 21.B.65, in case (e.g.) the holder has ceased to exist; or
- suspended or revoked by EASA under the provisions in Art. 11 of Reg. (EU) 2019/2153 on the fees and charges levied by EASA, in the event of non-payment of the fees due by the certificate holder.

Under the current Part 21, orphan aircraft cannot* be issued or hold a (R)CofA in the absence of a valid (R)TC (see Part 21.A.173 and Part 21.A.181). Especially since this also means that there is no longer a responsible certificate holder to support the continuing airworthiness of the orphan aircraft design and to fulfil the relevant obligations of Part 21.A.3A.

* the only exception is for (legacy) orphan aircraft eligible for an RCofA based on Specific Airworthiness Specifications (SAS) that were approved by EASA, before the entry into force of the (new) Basic Regulation, with the old Part 21 that preceded the one applicable today under the current cover Reg. (EU) 748/2012 (see Part 21.A.173 and Part 21.B.327 - further details are also available in EASA procedure PR.CAP.00001).

Consequently, orphan aircraft (other than RCofAed’s with approved SAS) can only continue to be operated if they hold a permanent PtF for the flight purpose of Part 21.A.701(a)(15)** with FC related to the safety of the design approved by EASA. In this regard, EASA's policy is that the Agency should exceptionally issue relevant “orphan aircraft” FC based on a conservative risk assessment / mitigation.

** i.e. flight purpose for non-commercial flying activity on individual non-complex aircraft or types for which a (R)CofA is not appropriate - see also GM 21.A.701(a)(15).

4) Summary tables - Who does What

The Tables 1. & 2. shown in the Process Charts below summarize to whom (i.e. Competent Authority or Organisation - with granted privilege(s)) an Applicant can apply for the Approval of FC and the issuance of the respective PtF, depending on whether the airworthiness non-compliance of the aircraft is related to the Safety of Design or not.





Structure of process charts

Approval of Flight Conditions for a Permit to Fly (AFC)

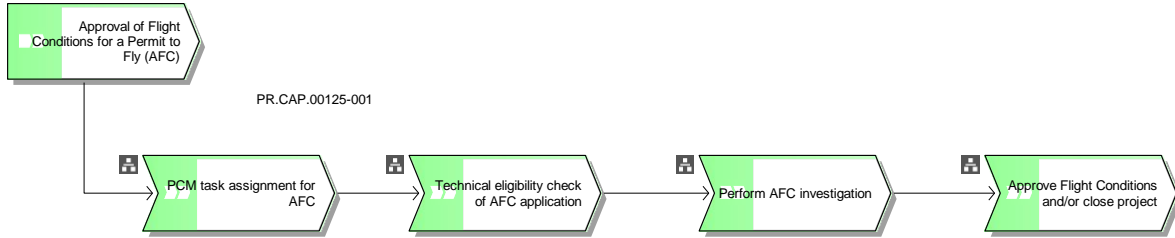


TABLE 1 - APPROVAL OF FLIGHT CONDITIONS RELATED TO SAFETY OF DESIGN and ASSOCIATED PERMIT TO FLY

Competent Authority/ Organisation	Flight Conditions (FC)		Permit to Fly (PtF)	
	Applied for to	Issued by	Applied for to	Issued by
General rule				
EASA	YES with EASA Form 37	YES with EASA Form 18A/B	NO	NO
Competent Authority of EASA Member State	NO	NO	YES (1)	YES
Other rule - based on granted privilege(s)				
Design Organisation (DO)	YES (2) (3)	YES	YES (2) (3)	YES (4)
Production Organisation	NO	NO	NO	NO
CAMO / CAO Organisation	NO	NO	NO	NO

(1) application with approved FC (from EASA or DO) or with concurrent application for FC approval (to EASA or DO) - see 21.A.707
 (2) application not required for the Organisation itself
 (3) natural/legal persons may apply to the Organisation by any practical means (email, etc.) for aircraft designed or changed by the DO
 (4) Design Organisation can ONLY exercise its DOA privilege to issue a PtF if it also approves the associated FC

TABLE 2 - APPROVAL OF FLIGHT CONDITIONS NOT RELATED TO SAFETY OF DESIGN and ASSOCIATED PERMIT TO FLY

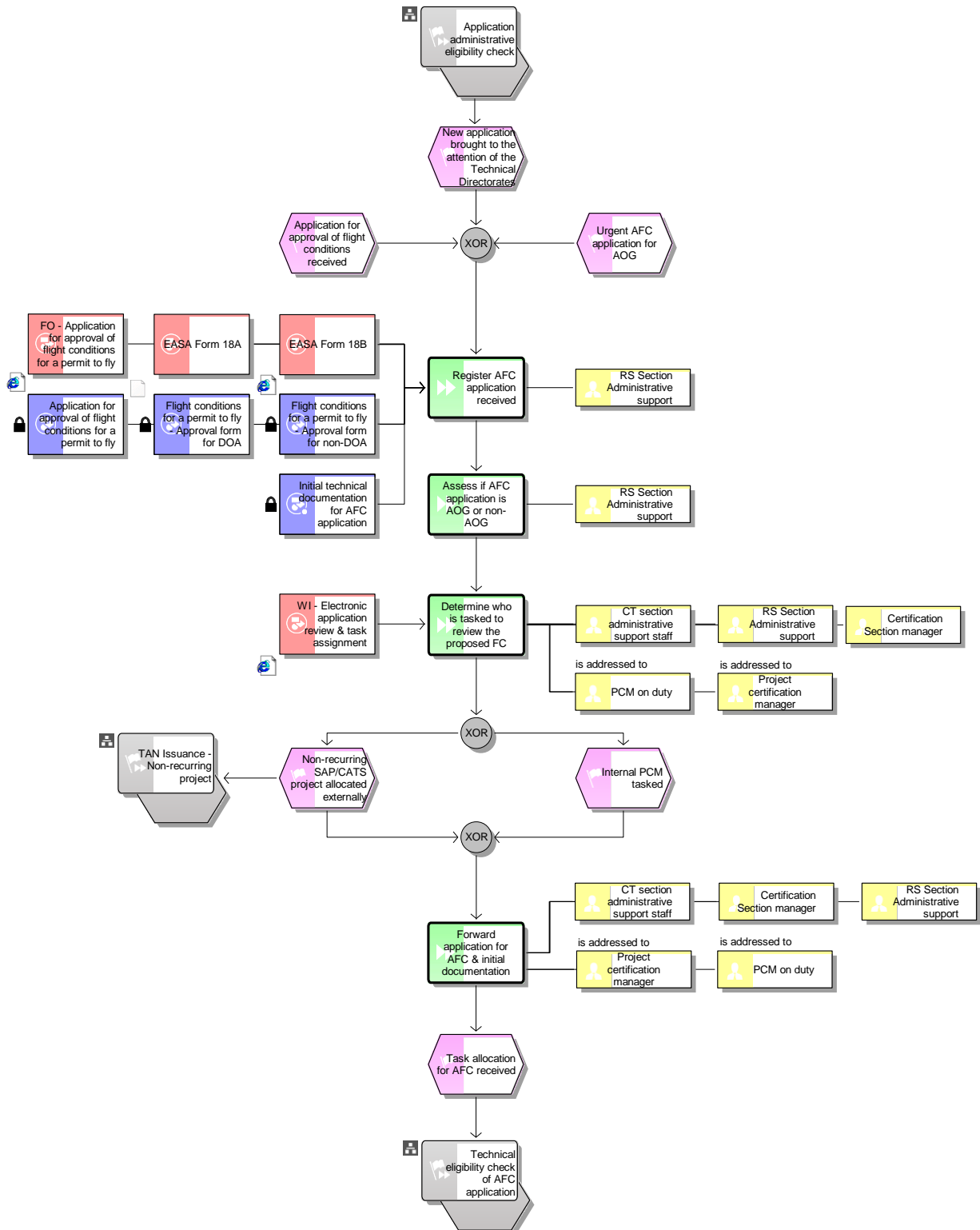
Competent Authority/ Organisation	Flight Conditions (FC)		Permit to Fly (PtF)	
	Applied for to	Issued by	Applied for to	Issued by
General rule				
EASA	NO	NO	NO	NO
Competent Authority of EASA Member State	YES (1)	YES	YES (2) (3)	YES
Other rule – based on granted privilege(s)				
Design Organisation	NO	NO	NO	NO
Production Organisation	YES (4) (5)	YES (6)	YES (4) (5)	YES (6)
CAMO / CAO Organisation	NO	NO	YES (4) (7)	YES (8)

(1) concurrent application for the respective PtF is expected
 (2) application with approved FC or with concurrent application for FC approval - see 21.A.707
 (3) natural/legal persons shall apply under the procedure established by the Member State (AMC 21.B.520(b))
 (4) application not required for the Organisation itself
 (5) NO natural/legal person can apply to a Production Organisation (as PO can only use its combined "FC & PtF" privilege for itself)
 (6) the Organisation can ONLY exercise its POA privilege to approve FC and (concurrent) issue of respective PtF for aircraft it produces
 (7) natural/legal persons may apply to the Organisation by any practical means (email, etc.) for aircraft under CAMO/COA responsibility
 (8) the Organisation can ONLY exercise its CAMO/CAO privilege to issue a PtF based on approved FC whose conformity it can attest





PCM task assignment for AFC





Approval of Flight Conditions for a Permit to Fly (AFC)

Doc #
Approval Date

PR.CAP.00125-001
06/12/2024

Activity	Description to the process activity
<p>Register AFC application received</p>	<p>Applications to EASA for Approval of Flight Conditions for a Permit to Fly (AFC) are sent by Applicants to the Applications Relations Section (RS.3.1).</p> <p>RS Admin (EASA staff assigned by RS.3.1 as focal point for AFC applications management) registers in SAP the AFC application received through the submission of an EASA Form 37 (either via e-mail or via the EASA Application Portal). This SAP registration is handled in accordance with the relevant RS.3.1 process (not described here).</p> <p>This triggers subsequent start of the task allocation process.</p> <p>1. Non-AOG applications Non-urgent applications (i.e. without any “Aircraft On-Ground” context) shall be subject to the standard day-to-day task allocation process for determination of the responsible PCM to be tasked with an AFC application received t.</p> <p>2. AOG applications Urgent AFC applications shall follow a faster task allocation process aiming at starting the review of such applications as soon as possible.</p>
<p>Assess if AFC application is AOG or non-AOG</p>	<p>For AFC applications related to aircraft involved in CAT operations, an AOG situation may have detrimental consequences on the aeronautical service provided by the affected Operator. Therefore, EASA shall endeavor to react quickly and give high priority treatment to such AFC applications.</p> <p>In accordance with Completion Instructions of the EASA Form 37, the AOG “flag” in the Form should normally be used by Applicants only when (quote) “a limited non-conformity exists for which a damage report and a No Technical Objection (NTO) statement of the design approval holder is readily available and can be sent to EASA for immediate review” (unquote).</p> <p>Therefore, RS Admin will check the specific AOG field as specified in box 4.1 of the EASA Form 37.</p>
<p>Determine who is tasked to review the proposed FC</p>	<p>If AOG - The task allocation process is as follows:</p> <p>1. RS Admin shall check if the PCM currently responsible for the concerned aircraft type can confirm his/her availability for the new (urgent) AFC task. This is handled by e-mail exchange as follows:</p> <ul style="list-style-type: none"> - RS Admin queries the PCM about his/her availability by email; - the request email is a full application data package, which includes the EASA Form 37 received and the associated supporting document(s), if any, as submitted by the applicant and already stored in SAP; - the request email of RS Admin to the PCM is also addressed (in C.c.) to the internal functional mailbox of the relevant Certification Directorate (CT) Department responsible for the aircraft type/category claimed by the applicant in the EASA Form 37; the CT Admin who is in charge of monitoring emails in the





Approval of Flight Conditions for a Permit to Fly (AFC)

Doc #

PR.CAP.00125-001

Approval Date

06/12/2024

CT Dept. functional mailbox is therefore informed of the new (urgent) AFC application and knows which PCM is contacted for it.

2. If the PCM confirms his/her availability, in response to the RS Admin's request email, the CT Admin is informed as well (still by C.c). The AFC task is then formally allocated to this PCM by the CT Admin who proceeds as follows:
- updates the SAP registered project data, i.e. allocation to PCM of the AFC project in SAP with the standard working hours and formal release of the project in SAP;

3. If the PCM cannot confirm his/her availability, in response to the RS Admin's request email, the CT Admin is still informed (also by C.c). In this case, the CT Admin shall contact the PCM-on-duty and allocate the AFC task to the him/her by the following steps:
- transfers the original request e-mail of RS Admin to the PCM on-duty. In addition, the accountable SM and the PCM in charge of the aircraft type shall be both copied in the notification message to the tasked PCM on-duty.
- updates the SAP registered project data, i.e. allocation to PCM on-duty of the AFC project in SAP with the standard working hours and formal release of the project in SAP.

NOTE 1: in case neither the PCM nor the PCM on-duty is available for the (urgent/AOG) AFC task, it may be allocated to the accountable SM or to another CT staff (PCM or Expert) following coordination (by email exchange) between RS Admin, CT Admin, PCM, PCM on-duty and/or accountable SM, as necessary as the case may require.

If NON-AOG - The task allocation process follows the principles of the standard day-to-day task assignment process of Work Instructions WI.CERT.00012 - Electronic application review & task assignment, with the following streamlined steps:

1. RS Admin shall check if the PCM currently responsible for the concerned aircraft type, or the PCM in charge of ongoing IAW project as quoted by the applicant in the EASA Form 37, or another PCM as specifically suggested by the applicant in the EASA Form 37 (e.g. a PCM previously involved in similar AFC with the same applicant), can confirm his/her acceptance for the new (non-urgent) AFC task. This is handled by e-mail exchange as follows:
- RS Admin requests the PCM acceptance of the AFC task by email;
- the confirmation request email contains the full application data package, which includes the EASA Form 37 received and the associated supporting document(s), if any, as submitted by the applicant and already stored in SAP;
- the confirmation request email of RS Admin to the PCM is also addressed (in C.c.) to the internal functional mailbox of the relevant CT Department responsible for the aircraft type/category claimed by the applicant in the EASA Form 37; the CT Admin who is in charge of monitoring emails in the CT Dept.





Approval of Flight Conditions for a Permit to Fly (AFC)

Doc #

PR.CAP.00125-001

Approval Date

06/12/2024

	<p>functional mailbox is therefore informed of the new AFC application and knows which PCM is contacted for it.</p> <p>2. If the PCM confirm acceptance of the AFC task, in response to the RS Admin’s confirmation request email, the CT Admin is informed as well (still by C.c). The AFC task is then formally assigned to this PCM by the CT Admin who proceeds as follows:</p> <ul style="list-style-type: none"> - CT Admin updates the SAP registered project data, i.e. allocation to PCM of the AFC project in SAP with the standard working hours and formal release of the project in SAP. <p>NOTE 2: the accountable SM for the aircraft type (or for the ongoing IAW project) monitors the allocation process by looking at the internal functional mailbox of the relevant CT) Department.</p> <p>3. If the PCM cannot confirm acceptance of the AFC task, the CT Admin is still informed (also by C.c). In this case, the CT Admin shall request the accountable SM by email to determine allocation to another available PCM or even possibly to a CT Expert. Upon decision received from the accountable SM, the AFC task is then formally allocated by the CT Admin by the following steps:</p> <ul style="list-style-type: none"> - transfers the original confirmation request e-mail of RS Admin to the PCM tasked by the accountable SM; - updates the SAP registered project data, i.e. allocation to PCM of the AFC project in SAP with the standard working hours and formal release of the project in SAP. <p>-----</p> <p>NOTE 3: for all cases, the original request email from RS Admin for any new (AOG/non-AOG) AFC task is considered to be formal “Task Allocation email” as soon as the addressed PCM confirms availability/acceptance of the AFC task by reply email, or otherwise when re-addressed by CT Admin to the PCM on-duty, or to another EASA staff (PCM or Expert).</p> <p>NOTE 4: in both cases (AOG and NON-AOG), if the task allocation email of RS Admin is addressed to a NAA PCM, the (copied/informed) CT Admin will have to also confirm RS.3.2 to proceed with the issuance of a relevant Task Assignment Notification (TAN) for outsourcing purpose of the AFC application as a non-recurring project (to be issued under dedicated RS.3.2 process not described here).</p> <p>NOTE 4: in both cases (AOG and NON-AOG), RS Admin informs by e-mail the applicant for AFC that the AFC task is allocated, indicating also the name of the tasked PCM.</p>
<p>Forward application for AFC & initial documentation</p>	<p>If not already completed during the previous allocation/activity step described above the following actions shall be accomplished.</p> <p>1. When internal PCM is tasked, the RS Admin and/or the CT Admin ensure that a full AFC application data package (i.e. EASA Form 37 and, if any, the other available initial supporting documentation) is sent to the tasked PCM.</p>





Approval of Flight Conditions for a Permit to Fly (AFC)

Doc #

PR.CAP.00125-001

Approval Date

06/12/2024

2. When NAA PCM is tasked, the RS Admin and/or the CT Admin also ensure that a full AFC application data package is sent to the tasked PCM. In addition, the CT Admin, ensures coordination with RS.3.2 for issuance of a relevant TAN to the concerned NAA in its role of CSP.

At this stage, as a result of the above allocation/activity steps, the tasked PCM has received the Task Allocation email and a full AFC application data package.

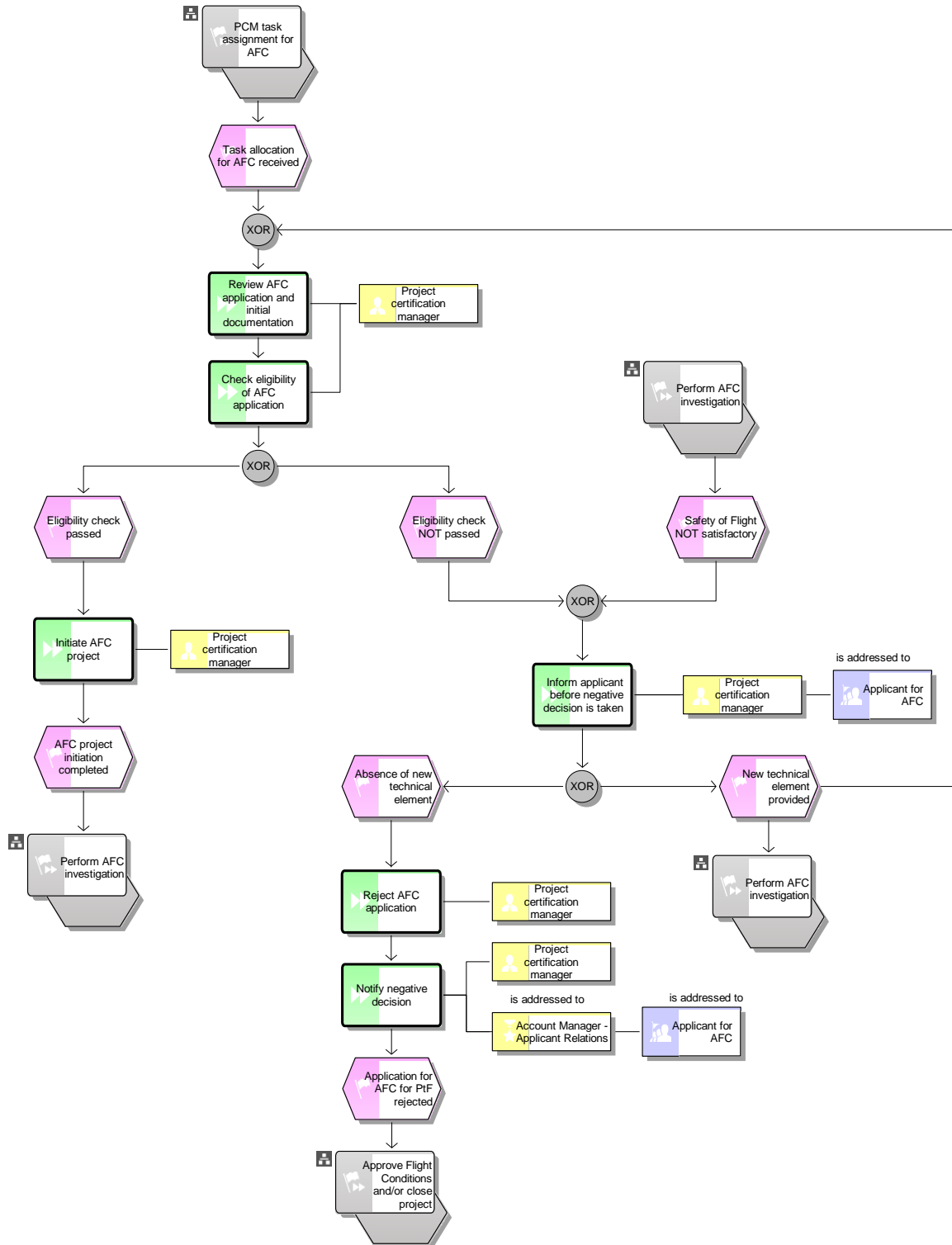
Internal Process Interfaces

- Application administrative eligibility check
- TAN Issuance - Non-recurring project
- Technical eligibility check of AFC application





Technical eligibility check of AFC application





Approval of Flight Conditions for a Permit to Fly (AFC)

Doc #
Approval Date

PR.CAP.00125-001
06/12/2024

Activity	Description to the process activity
<p>Review AFC application and initial documentation</p>	<p>The documents available for the tasked PCM at this stage consist of at least:</p> <ul style="list-style-type: none"> - EASA Form 37 (or equivalent Summary of data generated by the EASA portal) - associated EASA Form 18B (for non-DOA Applicants - usual case) or 18A (for DOA Applicants - less frequent case) <p>The PCM shall check that all fields of the two submitted EASA Forms are exhaustively and properly filled without any technical inconsistencies or ambiguities, and are also both signed by the applicant.</p> <p>The PCM shall also check completeness of the AFC application Vs. the document(s) that the applicant has submitted as initial documentation. E.g. if a substantiation report quoted in the EASA Form 18A/18B is missing, it shall be requested to the Applicant to allow the next activity step of the eligibility check of the AFC application to be expedited with all relevant technical elements at hand.</p>
<p>Check eligibility of AFC application</p>	<p>The PCM shall check the eligibility of the AFC application with reference to Part 21.A.701 and Part 21.A.710 with the following considerations:</p> <ol style="list-style-type: none"> 1. EU registered or NON-EU registered aircraft EASA can only approve FC for civil EU registered aircraft. The scope of a Permit to Fly (hence, by analogy, of the associated FC) is clarified in the Basic Principles above (see 1. and 1.1 and also with ref. to GM 21.A.701). 2. Design safety related Vs. NOT Design safety related EASA can only approve FC when related to the safety of design (see Basic Principles in 2.2 above). For the definition, see Basic Principles in 2.3 above with ref.to GM 21.A.710. <p>Check the Flight Purpose as claimed by the applicant in the EASA Form 37 as to whether it relates to design safety or not. Application for multiple flight purposes is acceptable.</p> <p>Certain flight purposes refer to aircraft with non-conformities that are typically related to the safety of the design, E.g. flight purposes 21.A.701(a)(1) / (2) / (8) / (9) / (10) / (12) / (13) / (15) / (16) Conversely, some other flight purposes often only refer to aircraft with typical non-conformities that are NOT related to the safety of the design: E.g. flight purposes 21.A.701(a)(4) / (5) / (6) / (7) / (14) Finally, there are also flight purposes which, depending on the non-conformity of the aircraft, may or may not relate to the safety of design. E.g. 21.A.701(a)(3) / (11). For instance, a ferry flight as flight purpose No. 11 will relate to “design safety” for an aircraft where an AD has not been complied with or where an equipment outside the approved Master Minimum Equipment List is unserviceable; while ferry flights of aircraft with overdue standard maintenance will not relate to “design safety”.</p>





Approval of Flight Conditions for a Permit to Fly (AFC)

Doc #
Approval Date

PR.CAP.00125-001
06/12/2024

	<p>Refer to GM 21.A.701(a) for further details on the description of the sixteen (16) possible flight purposes of Part 21.A.701(a). In case of doubt, the PCM may consult internally for technical advice: (first) Senior PCM/Expert and (then) the accountable SM and/or Chief PCM/Expert.</p> <p>-----</p> <p>The eligibility check is positive when the AFC application refers to civil EU registered aircraft, and to flight purpose(s) with non-compliance to airworthiness requirement(s) that are related to the safety of design. Otherwise, the eligibility check is NOT passed, and the negative decision process (further described below) shall be followed.</p>
Initiate AFC project	<p>If the eligibility check is passed, the AFC project is initiated by the PCM.</p> <p>At this stage, the PCM shall perform an initial review of the available documentation and require additional information as necessary to achieve a comprehensible definition of the aircraft’s non-conformity with the applicable airworthiness requirement(s) and the applicant’s proposed strategy/approach to demonstrate the safety of flight.</p> <p>In many cases the PCM will be able to further process the AFC project alone (e.g. for a non-highly critical “design safety” non-compliance of the aircraft supported by a DAH’s NTO), however the involvement of expert Team Member(s) should be considered as necessary (e.g. for non-conform aircraft with critical damages, or for first flight and/or test of a prototype or modified aircraft, or etc.).</p>
Inform applicant before negative decision is taken	<p>If the eligibility check is NOT passed (or also in case the assessed Safety of Flight (SoF) is NOT satisfactory), the PCM shall provide feedback to the applicant accordingly before any negative decision is formally taken.</p> <p>This is done with the aim to inform the applicant on the intended rejection of the AFC application and to invite the applicant to provide comments.</p> <p>The technical rationale for such a PCM position shall be explained in detail with reference to the relevant Part 21 requirements and/or associated Part 21 AMC/GM, as necessary.</p> <p>The PCM shall assess any comment received from the applicant and decide whether or not there are new technical elements that could allow for a reconsideration of the position to reject the AFC application.</p>
Reject AFC application	<p>In the absence of any new technical element received from the applicant in response to the feedback provided, the PCM shall confirm the position that the AFC application must be rejected and inform RS Admin accordingly, by sending an e-mail to: flightconditions@easa.europa.eu (with CT Admin in C.c), in which the justification of the technical rationale for the AFC rejection must be stated in detail.</p> <p>In case of doubt, the PCM may consult internally for technical advice: (first) Senior PCM/Expert and (then) the accountable SM and/or Chief PCM/Expert as necessary.</p>





Approval of Flight Conditions for a Permit to Fly (AFC)

Doc #

PR.CAP.00125-001

Approval Date

06/12/2024

Notify negative decision

When the PCM has confirmed that the AFC application must be rejected, the applicant shall first be advised by email to withdraw its AFC application (so that to possibly avoid rejection of the AFC application by notification of a negative decision, which requires a Legal act under the Basic Reg.). This email advising the applicant to withdraw the AFC application may be sent by the PCM or by the RS Admin on behalf of the PCM.

If the applicant does not withdraw its AFC application, a formal negative decision letter shall be prepared by the PCM and, once finalized internally, RS.3.1 shall notify this negative decision letter to the Applicant together with the detailed reason(s)/rationale, including also a reference to the possibility for appeal as specified in Articles 108 to 113 of the Basic Regulation.

NOTE: for the drafting of the negative decision letter, the involvement of Senior/Chief PCM/Expert, Management and/or Legal Dept., as necessary, may be considered by the PCM in coordination with the accountable SM.

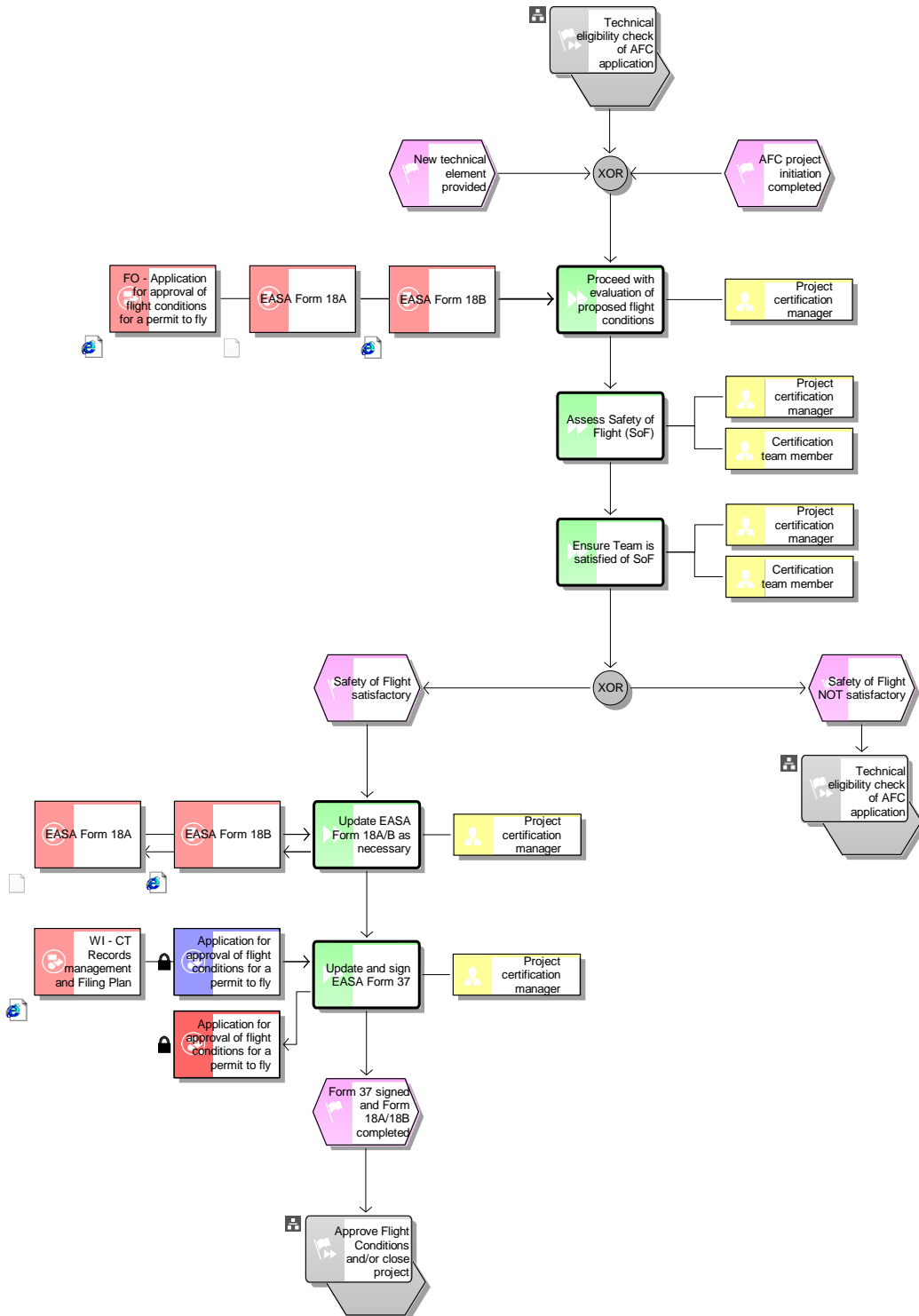
Internal Process Interfaces

- PCM task assignment for AFC
- Perform AFC investigation
- Approve Flight Conditions and/or close project





Perform AFC investigation





Approval of Flight Conditions for a Permit to Fly (AFC)

Doc #
Approval Date

PR.CAP.00125-001
06/12/2024

Activity	Description to the process activity
Proceed with evaluation of proposed flight conditions	<p>The PCM shall perform the technical investigation of the FC as proposed by the applicant.</p> <p>In accordance with Part 21.A.708(c) and Part 21.A.710(c), the objective is to be satisfied that the Applicant demonstrates that the aircraft is capable of safe flight:</p> <ul style="list-style-type: none"> - for the intended flight purpose(s) claimed (in EASA Form 37 box 4.2 and EASA Form 18A/18B box 5.); - under the conditions and restrictions specified in the EASA Form 18A/18B (at Box 8.), which shall provide sufficient mitigation of the airworthiness risk(s) related to the safety of the design of the aircraft’s non-compliance(s) on the basis of relevant Substantiations for the respective aircraft configuration (as defined in EASA Form 18B/18B at Box 7. and Box 6. thereof).
Assess Safety of Flight (SoF)	<p>The PCM shall thoroughly review the EASA Form 18A/18B and all its supporting technical documents, with particular focus on the following Boxes of the Form in order to properly assess the Safety of Flight (Sof):</p> <ul style="list-style-type: none"> - Box 6. - Aircraft configuration: should provide an accurate definition of the non-compliant aircraft, so as to ensure that the applicant will be able to control this non-compliant configuration after the PtF is issued in the event that an aircraft change or repair could affect the validity of the conditions as established/approved in the FC for the PtF (see GM 21.A.708(d)). - Box 7. - Substantiations: should provide reference to the analysis, calculations, test results, flight test plan, flight protocol,... or any other means (including, e.g., DAH’s NTO) that the applicant submits to demonstrate under which conditions or restrictions the SoF of the non-compliant aircraft is established; the PCM also keeps the right to request more information or require the applicant to make any necessary additional inspections or tests for the purpose of this substantiation (see Basic Principles in 2.4 above for further guidance). - Box 8. - Conditions/Restrictions: should provide all conditions and restrictions that ensure mitigation of the airworthiness risk(s) inherent to the aircraft non-compliance(s) (see Basic Principles in 2.1 above for guidance) on the basis of the substantiations submitted by the applicant. <p>This PCM review may lead to request the applicant to update its EASA Form18B/18A.</p> <p>-----</p> <p>NOTE 1: the SoF demonstration for AFC is different from a compliance demonstration as usually required for certification of an aircraft type or changes/repairs to it. The flights under PtF with associated AFC are subject to potential airworthiness risk(s) inherent with the specific intended flight purpose and the particular nature of the aircraft non-conformity. Therefore, the ultimate target for the SoF assessment is to properly identify the airworthiness</p>





Approval of Flight Conditions for a Permit to Fly (AFC)	Doc # Approval Date	PR.CAP.00125-001 06/12/2024
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	<p>risks and provide for each of those an acceptable mitigation, which may consist in a complex technical task requiring sometimes engineering judgment and senior experience.</p> <p>For this reason, in case of doubt, the PCM may consult internally for technical advice: (first) Senior PCM/Expert and (then) the accountable SM and/or Chief PCM/Expert as necessary (and/or possibly even the relevant EASA Safety Board, in the context of highly complex AFC - e.g. development flights of a prototype of a new aircraft).</p> <p>NOTE 2: new aircraft prototypes may need Development flights under a PtF (i.e. flight purpose 21.A.701(a)(1)). In the absence of any applicable TC basis for this case, the SoF demonstration for AFC should refer to a selection of “non-compliant” airworthiness requirements pertinent for the flight purpose from the Certification Specification of the category of product of the prototype aircraft as applicable at the date of AFC application or, alternatively, should at least be based on the essential requirements of the Basic Regulation.</p>
Ensure Team is satisfied of SoF	<p>Once the SoF assessment has been satisfactorily completed by the PCM, the Expert Statement of Satisfaction (SoS) from each Team Member involved in the AFC project (as decided by the PCM during the above activity step “Initiate AFC project” of the process) shall be collected.</p> <p>The PCM collects any Team Members’ Statement of Satisfaction regarding the SoF demonstration by e-mail (there is no specific EASA form for this Expert SoS). The PCMs’ Statement of Satisfaction itself will be stated by the PCM as overall conclusive SoS on behalf of the certification Team when updating and signing the EASA Form 37 (see below the relevant activity step of the process).</p>
Update EASA Form 18A/B as necessary	<p>When the assessment of the SoF led the applicant to update its EASA Form 18A/18B, the PCM shall make sure that he/she has received from the applicant the latest (final) amendment to this Form, with a revised “date of issue” (in Box 11.) and the applicant’s signature (in Box 12.) to attest its Statement (in Box 9.) that the aircraft “has no features and characteristics making it unsafe for the intended operation under the identified conditions and restrictions” of the Flight Conditions to be approved by EASA.</p> <p>NOTE: when the Form is issued by a DOA, it is an EASA Form 18A, in which the (specific) Box 10. shall be additionally filled in with the reference of the DOA as “EASA.21J.xyz”.</p> <p>Based on the applicant’s dated & signed EASA Form 18A/18B (initial or amended/final), the PCM completes the Form by adding:</p> <ul style="list-style-type: none"> - in Box 13., the “EASA Approval Number” of the FC to be approved (note: reference will be made to the relevant AFC project number as registered in SAP); - and possibly also any written notes and/or supplemental flight restrictions beyond those already defined by the applicant in the Form for the FC to be approved. <p>The updated EASA Form 18A/18B can then be submitted internally for review and approval of the FC it contains by authorized EASA staff.</p>





Approval of Flight Conditions for a Permit to Fly (AFC)

Doc #

PR.CAP.00125-001

Approval Date

06/12/2024

Update and sign EASA Form 37

The PCM shall also provide in the EASA Form 37 a Statement of Technical Satisfaction on behalf of the certification Team (note: based on the Team Members' Expert SoS, if previously collected - see above activity step "Ensure Team is satisfied of SoF" of the process).

To that end, the PCM completes, dates and signs the EASA Form 37 by filling in the Boxes 7.1, 7.2 and 7.3 thereof in accordance with the completion instruction as indicated on the Form for these boxes.

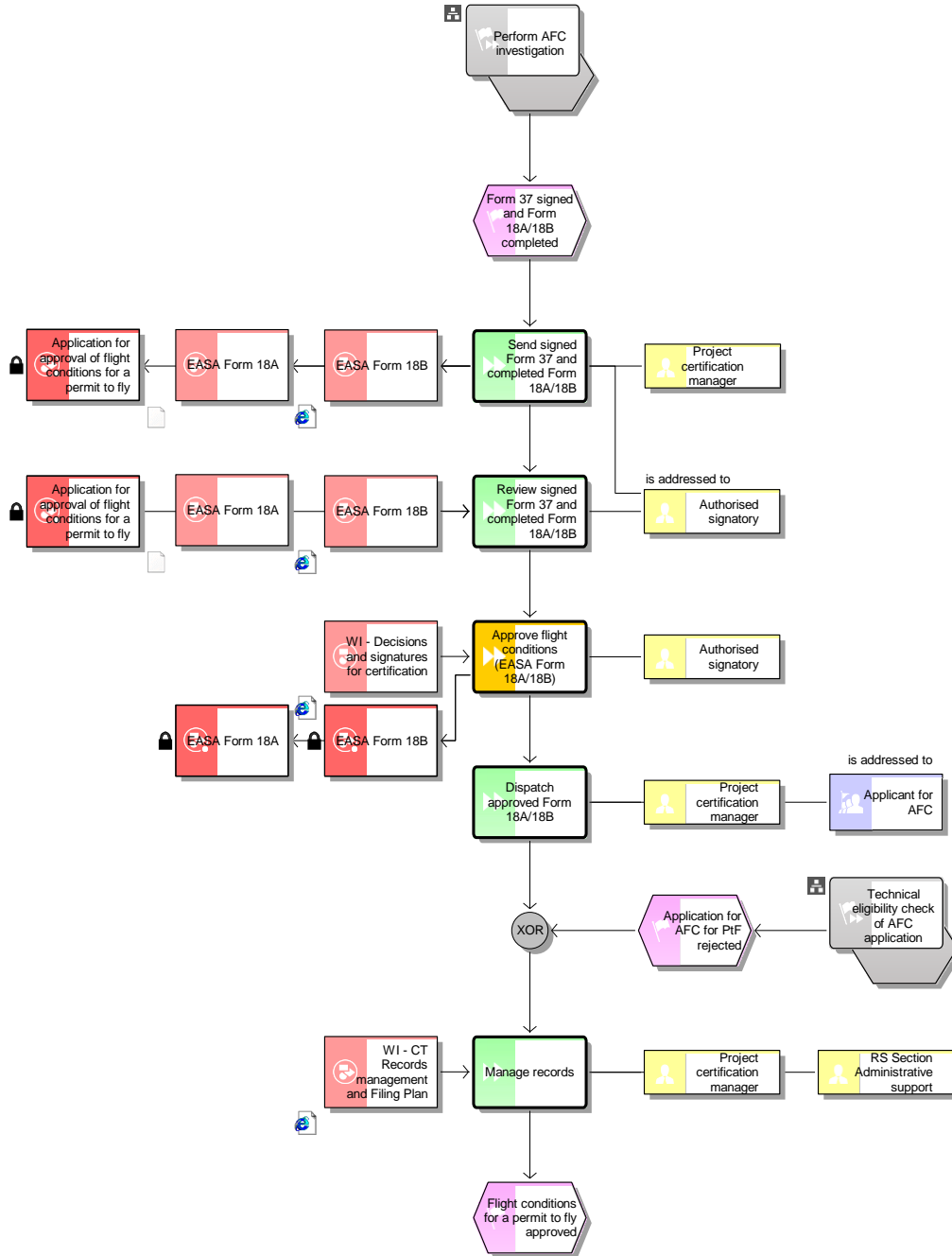
Internal Process Interfaces

Technical eligibility check of AFC application
Approve Flight Conditions and/or close project





Approve Flight Conditions and/or close project





Approval of Flight Conditions for a Permit to Fly (AFC)	Doc # Approval Date	PR.CAP.00125-001 06/12/2024
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Activity	Description to the process activity
Send signed Form 37 and completed Form 18A/18B	<p>The PCM shall submit internally the signed EASA Form 37 and the completed EASA Form 18A/18B for review of both finalized Forms and approval of the FC, that the EASA Form 18A/18B contains, by authorized EASA staff.</p> <p>NOTE: authorized EASA staff with appropriate delegation for AFC - reference is made to the applicable ED Decision on the delegation of powers of the Executive Director to certain staff members of the Agency's Certification Directorate.</p> <p>Thus, the PCM sends the two Forms by email to an authorized EASA staff for AFC (in order of priority when a recipient in the list is absent):</p> <ol style="list-style-type: none"> 1. the accountable SM, or 2. another SM of the same CT Department, or 3. a PCM who has the appropriate delegation for AFC, or 4. alternatively, any other authorized CT Manager.
Review signed Form 37 and completed Form 18A/18B	<p>The authorized EASA staff, upon receipt of the PCM email with the signed EASA Form 37 and the completed EASA Form 18A/18B, shall review both forms to ensure that they are complete, correct, without inconsistencies or omissions, and therefore acceptable to him/her.</p> <p>If the EASA Form 18A/18B requires an amendment, the PCM will assist the authorized EASA staff in obtaining from the applicant a relevant revision of the Form. Alternatively, the authorized EASA staff may possibly also add written notes where appropriate in the Form, and/or even supplemental flight restrictions beyond those already defined in the Form for the FC to be approved.</p>
Approve flight conditions (EASA Form 18A/18B)	<p>When satisfied with the review performed, the authorized EASA staff shall approve the EASA Form 18A/18B under his/her name in accordance with the Work Instructions WI.CERT.00005 - Decisions and Signatures for Certification. Dedicated Box 13. of the EASA Form 18A/18B must indicate: "EASA Approval Number", Date, Signature and EASA stamp.</p> <p>NOTE: only authorized EASA staff with appropriate delegation for AFC can approve an EASA Form 18A/18B - reference is made to the applicable ED Decision on the delegation of powers of the Executive Director to certain staff members of the Agency's Certification Directorate.</p> <p>Once approved, the authorized EASA staff send back the dated, signed and stamped EASA Form 18A/18B to the PCM by email.</p>
Dispatch approved Form 18A/18B	<p>Upon receipt of the dated, signed and stamped EASA Form 18A/18B, the PCM has the duty to promptly dispatch the approved Form:</p> <ul style="list-style-type: none"> - PDF copy by email directly sent to the applicant. - the PCM's email to the applicant is also addressed (in C.c.) to RS Admin at flightconditions@easa.europa.eu and CT Admin at the CT Dept. functional mailbox.





Approval of Flight Conditions for a Permit to Fly (AFC)

Doc #

PR.CAP.00125-001

Approval Date

06/12/2024

	NOTE: the PCM-signed EASA Form 37 is an internal EASA record and therefore must not be sent to the applicant.
Manage records	<p>Archiving and filing of electronic records of the AFC project shall be ensured by the PCM in accordance with the Work Instructions WI.IMS.00134 - CT Records management and filing plan. This activity step is also necessary when the AFC application is rejected (in the absence of any new technical element received from the applicant), and the AFC project is subsequently concluded with either withdrawal of the application (by the applicant) or issuance of a negative decision letter (by RS.3.1) - see above activity step "Technical eligibility check of AFC application" of the process.</p> <p>In addition, the PCM shall support the proper administrative closure of the AFC project in SAP (which is handled under a relevant RS.3.1 process - not described here).</p> <p>To that end, depending on the final Process step reached with applicant for the AFC project, the PCM must also ensure the following:</p> <ol style="list-style-type: none"> 1. AFC completed - EASA Form 18A/18B approved <ul style="list-style-type: none"> The PCM sends a full AFC data package by e-mail to the RS Admin at flightconditions@easa.europa.eu, i.e.: <ul style="list-style-type: none"> - the original of the dated, signed, and stamped / approved EASA Form 18A/18B - the original of the PCM-signed EASA Form NR 37 - other AFC-related documents reviewed (optional) - sharing access link to the location where they are archived is also possible 2. AFC not completed - AFC application withdrawn <ul style="list-style-type: none"> The PCM makes sure that any applicant's email stating withdrawal of AFC application is shared with the RS Admin at flightconditions@easa.europa.eu

Internal Process Interfaces
Perform AFC investigation Technical eligibility check of AFC application





RECORDS

Appendix A : Operational Documents

Perform AFC investigation	
Record	Activity
Application for approval of flight conditions for a permit to fly	- Update and sign EASA Form 37

Approve Flight Conditions and/or close project	
Record	Activity
EASA Form 18B [EASA Form 18B]	- Approve flight conditions (EASA Form 18A/18B)
Application for approval of flight conditions for a permit to fly	- Send signed Form 37 and completed Form 18A/18B
EASA Form 18A [EASA Form 18A]	- Approve flight conditions (EASA Form 18A/18B)

Appendix B : External Documents

PCM task assignment for AFC	
Record	Activity
Flight conditions for a permit to fly - Approval form for non-DOA	- Register AFC application received
Initial technical documentation for AFC application	- Register AFC application received
Application for approval of flight conditions for a permit to fly	- Register AFC application received
Flight conditions for a permit to fly - Approval form for DOA	- Register AFC application received

Perform AFC investigation	
Record	Activity
Application for approval of flight conditions for a permit to fly	- Update and sign EASA Form 37

