

FAQ n.20133**FAQs:**

Flight conditions & Permit to Fly, Design Organisations

Question:

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

Answer:

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

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

- Development (21.A.701(a)1)
- Showing compliance with regulations or certification specifications (21.A.701(a)2)
- Design organisations or production organisations crew training (21.A.701(a)3)
- Market survey, incl. customer's crew training (21.A.701(a)9)
- Exhibition and air show (21.A.701(a)10)
- Flying aircraft meeting the applicable airworthiness requirements before conformity to the environmental requirements has been found (21.A.701(a)14)

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

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

In case the operational rules are not self-evident, the flight conditions should

explicitly identify the applicable OPS rules and conditions.

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Link:

<https://www.easa.europa.eu/faq/20133>