



OPERATING ON A PERMIT TO FLY COMPARED WITH A CERTIFICATE OF AIRWORTHINESS

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1. Introduction

A Certificate of Airworthiness (CofA) is an internationally recognised document, which confirms that the airworthiness of the aircraft has been demonstrated to a level which affords the travelling public with an appropriate level of safety. A CofA is granted after a suitably accredited organisation demonstrates that the aircraft complies with the appropriate internationally recognised design code. The definition of the design is termed the “approved data” and it includes a definition of the Maintenance system and the Flight Manual. In order for a Certificate of Airworthiness to remain valid a “Type Certificate Holder” must be nominated to assume the responsibilities for continued airworthiness and defect monitoring in service. Alternatively, in the UK a company might set up a ‘Type Responsibility Agreement’ (TRA) with the CAA to look after a particular type or types of aircraft where the manufacturer no longer exists or is unable to hold the Type Certificate.

To be granted a Permit to Fly, all that is required is for a person of recognised competence to assess the aircraft as airworthy. The way in which this requirement is interpreted varies from one country to the next. In the UK, the CAA allows organisations such as the LAA to make a pragmatic assessment, which considers the way in which the aircraft will be operated.

The change from operating on a CofA to a Permit to Fly results in additional limitations on the operation of the aircraft. In consideration of this, strict adherence to the maintenance system stipulated by the manufacturer is no longer mandated. As a consequence the owner is often able to reduce the operating costs by taking a more practical role in the upkeep of the aircraft, under the supervision of a LAA inspector.

2. Additional Limitations

The ANO section 9 provides the ‘letter of the law’ which, thankfully is interpreted in CAP 733. The basic limitations are stated below. Some specific concessions are permitted, the CAA publications should be studied for this detail¹.

- Flight by day under Visual Flight Rules only (except in specific individually authorised cases)
- Aircraft cannot be used for Public Transport or Aerial Work (PPL hire permitted, on individual application)
- The Permit to Fly is valid for UK airspace only.
- Ab initio training not permitted (except when person trained is the owner, owner’s close relative or group owner)
- A Permit Maintenance Release must be issued before return to service following maintenance.
- The aircraft must be operated in accordance with the published limitations and procedures appropriate to the aircraft type

¹ Note that before July 2010, Permit aircraft were not allowed to fly over congested areas. A CAA exemption (E3175) was issued that allowed certain permit aircraft (microlight aeroplanes, amateur-built aeroplanes up to 1500 kg, and factory-built aeroplanes up to 1500 kg that were previously on a Certificate of Airworthiness) to overfly congested areas, subject to the normal rules of the air. These rules included retaining the capability to glide clear and maintaining minimum clearances with obstacles. This exemption did not apply when test flying or check-flying the aircraft. The exemption overrode any statement to the contrary in existing Permit to Fly documents. In February 2012 the exemption was superseded by Information Notice [IN-2012/003](#), which made the arrangement permanent.



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3. Operational Benefits

- The owner can more easily perform his own maintenance and repairs.
- Repairs and Modifications, including the use of “non-approved” parts can be approved by LAA Engineering. This provides a less onerous route than available through the CAA at a cost that is more affordable for the recreational flyer.

The ANO and CAP 733 can be viewed at the following websites:

<http://www.caa.co.uk/docs/33/CAP393.PDF>

<http://www.caa.co.uk/docs/33/CAP733.PDF>