**PERMIT TO FLY**

**When do you need a permit to fly?**

A permit to fly becomes necessary when the certificate of airworthiness is for some reason not valid or cannot be issued, but the aircraft is nevertheless capable of performing a safe flight. Provisions concerning permits to fly are issued by the European Aviation Safety Agency, EASA. The provisions apply to aircraft for whose design EASA is responsible, which means practically all type-certificated aircraft.

Unless the flight conditions are related to the safety of the aircraft’s design, they are also approved by the Finnish Transport Safety Agency (Trafi). In cases related to design safety EASA has, since 29 March 2007, approved the flight conditions under which Trafi may issue the permit to fly.

*Flight conditions will be approved either by Trafi or EASA:*

*Flight conditions will usually be approved by Trafi. In this case, approval for the flight conditions must be sought from Trafi at the same time as the permit to fly.*

*Examples of such cases:*

* *the certificate of airworthiness or airworthiness review certificate has expired*
* *a new aircraft with approved design is transferred or exported*
* *there is a need to demonstrate that the aircraft or aircraft type continuously meets EASA's earlier standard for the issue or re-issue of a (restricted) certificate of airworthiness.*

*Flight conditions relating to the safety of aircraft design will be approved by EASA. This includes cases where:*

* *the aircraft does not conform to an approved design*
* *an airworthiness limitation, certification maintenance requirement or airworthiness directive has not been complied with, or*
* *the intended flights are outside the approved envelope.*

In order to be granted a permit to fly, you need to do the following:

If an aircraft fails to meet the airworthiness requirements for other reasons than design safety, send a completed form LU3343, Application for a Permit to Fly and approval of flight conditions, to Trafi. Otherwise you should send an application concerning flight conditions to EASA on [EASA Form 37](http://www.suomi.fi/suomifi/english/eservices/forms/trafi_lu3351/index.html). After this application has been approved, Trafi may issue the permit to fly based on an application submitted on [EASA Form 21](https://www.suomi.fi/suomifi/english/eservices/forms/trafi_lu3350/index.html).

*Please note:*

*Attached to EASA Form 37 is also* [*EASA Form 18B*](http://www.suomi.fi/suomifi/suomi/asioi_verkossa/lomakkeet/trafi_lu3352/index.html)*.*

*In order for your application for approval of flight conditions to be handled promptly by EASA, it is important that you fill in both* [*Form 37*](http://www.suomi.fi/suomifi/english/eservices/forms/trafi_lu3351/index.html) *and* [*18B*](http://www.suomi.fi/suomifi/suomi/asioi_verkossa/lomakkeet/trafi_lu3352/index.html) *completely and correctly. However, do not sign Form 18B! You may also send Form 18B later on, but the flight conditions cannot be approved before the applicant has provided EASA with all the completed forms. You can either send the forms by e-mail or fax them. Both addresses can be found on Form 37.*

You should send the application for permit to fly to Trafi’s Airworthiness Unit using [EASA Form 21](https://www.suomi.fi/suomifi/english/eservices/forms/trafi_lu3350/index.html) while EASA is handling your application or directly afterwards. Send the EASA-approved Form 18B to Trafi after you have received it.

If the application concerns a private flight with a simple aircraft or with a type of aircraft for which a standard or restricted airworthiness certificate cannot be granted, the application can only be made by the registered owner of the aircraft.

The flight conditions and the permit to fly can also be issued (EASA Form 20b) by a production or design organisation or a continuing airworthiness management organisation, if the organisation’s Operations Manual contains approved procedures for that.

**For national aircraft that comply with Annex II to Regulation (EC) No 216/2008, a permit to fly is applied for according to the earlier practice using an informal application.**

In accordance with section 38 of the Finnish Aviation Act (864/2014) Trafi can, for a limited time, grant permission for using the aircraft for aviation with the purpose of testing its properties, even though it is not entirely clear whether the aircraft is airworthy. A similar permission can be granted by Trafi for a ferry flight or for another special reason, even though the aircraft does not fully comply with airworthiness requirements.

Any conditions necessary for the safe use of an aircraft can be attached to the permit to fly and to the airworthiness review certificate.

**Instructions on how to apply for a permit:**

1. **Aircraft that comply with Annex II to EC Regulation No 216/2008 and Border Guard aircraft**

1.1 You may apply for a permit to fly from the Finnish Transport Safety Agency’s airworthiness department by letter, fax, e-mail or phone according to the earlier practice. The processing time is usually one workday.

1. **Aircraft whose design is under EASA’s responsibility**
   1. The applicant holds previously approved flight conditions and limitations for the aircraft:
      1. Apply for a permit to fly from Trafi using [EASA Form 21](https://www.suomi.fi/suomifi/english/eservices/forms/trafi_lu3350/index.html). (A design, production or continuing airworthiness management organisation that has the right to grant permits to fly may also grant the permit using EASA Form 20b.)
   2. The applicant has no approved flight conditions.
      1. The permit to fly is not related to the safety of aircraft design.
         1. Apply for a permit to fly and approval for flight conditions on form LU3343. Trafi issues the permit to fly on EASA Form 20a, or
         2. A design organisation that has the right to issue permits to fly grants the permit using EASA Form 20b without Trafi’s contribution.
      2. The permit to fly is related to the safety of aircraft design.

2.2.2.1 Apply for EASA’s approval for the flight conditions using [EASA Form 37](http://www.suomi.fi/suomifi/english/eservices/forms/trafi_lu3351/index.html) (in accordance with point 21.A.709 in Part 21, annexed to EC Regulation No 1702/2003) and include the completed [EASA Form 18B](http://www.suomi.fi/suomifi/suomi/asioi_verkossa/lomakkeet/trafi_lu3352/index.html). Alternatively, you may ask for the conditions and limitations from a design organisation that has the right to approve flight conditions.   
  
In order for your application to be handled promptly by EASA, it is important that you fill in both Form 37 and 18B completely and correctly. The flight conditions cannot be approved before the applicant has provided EASA with all the completed forms. The forms can be sent either by e-mail or by fax. The addresses can be found in Form 37.

2.2.2.2. After you have received the approved flight conditions, you need to apply for a permit to fly from Trafi using [EASA Form 21](https://www.suomi.fi/suomifi/english/eservices/forms/trafi_lu3350/index.html). Trafi grants the permit on EASA Form 20a. Design organisations that have the right to issue permits to fly may grant the permit on EASA Form 20b without Trafi’s contribution.

**Instructions on how to fill in EASA Form 21**

1. **Applicant:** Applicant’s name and contact details
2. **Aircraft nationality and registration marks**
3. **Aircraft owner**
4. **Aircraft manufacturer / type**
5. **Serial number**
6. **Purpose of flight:** Select from the menu.
7. **Intended date(s) and duration of the flight(s):** Mention when the flight(s) are to be carried out. As additional information, you may give e.g. ferry flight, test flight etc., with the starting point and the destination. When scheduling the flights, note that delays due to weather or other reasons may occur.
8. **Aircraft configuration as relevant for the permit to fly** 
   1. **The aircraft for which a permit to fly is requested is defined in:** A reference to Type Certificate Data Sheets (TCDS) etc., where the aircraft has been defined. Note any changes to the definition, such as Supplemental Type Certificates (STC).
   2. **Aircraft maintenance status in relation to its maintenance schedule:**

Indicate any maintenance yet to be performed on the aircraft, and other malfunctions and defects which have an effect on airworthiness.

1. **Approval of flight conditions:** A reference to EASA-approved flight conditions, or if Trafi approves the flight conditions, a reference to the application for approval of flight conditions.

Further information: Trafi / Licences and Approvals / Means of Transport Certification / Type Certification

Jari Lyytinen, tel. +358 29 534 6234, e-mail jari.lyytinen(at)trafi.fi

Hannu Martikainen, tel. +358 29 534 6081, e-mail hannu.martikainen(at)trafi.fi