

GUERNSEY ADVISORY CIRCULARS (GACs)



GAC AIR-9



PERMIT TO FLY



Office of the
Director of
Civil Aviation

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First Issue

(July 2024)

Guernsey Advisory Circulars (GACs) are issued to provide advice, guidance and information on standards, practices and procedures necessary to facilitate the application and processing of applications for services related to the Guernsey Aircraft Register.

They are not in themselves law or a regulation but may amplify provisions of the laws and regulations, including the Guernsey Aviation Requirements, or provide practical guidance. Since GACs are non-binding, regulated persons may choose alternative means to comply with the guidance. In this case, however, they lose the presumption of compliance provided by the circular and need to demonstrate to the Office of the Director Civil Aviation (ODCA) that they do comply with the law.

The definitive version of GACs is on the States of Guernsey website <http://www.cidca.aero> which should be viewed to establish the latest issue.

Enquiries regarding the content of this publication should be addressed to the Office of the Director of Civil Aviation, Guernsey Airport, Airport Terminal Building, La Villiaze, Forest, Guernsey, GY8 ODS.

Processing of applications will be done by the Guernsey Aircraft Registry, which operates as '2-REG'. For further information consult <http://www.2-reg.com> or send a message to info@2-reg.com.

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1 Purpose

This Circular provides information regarding the Permit to Fly (PtF) application and guidance material designed to assist the applicant in gathering the relevant aircraft documentation required by the Director for the investigation and issue of a PtF.

2 Related laws, regulations and requirements

This Circular relates to:

GAR Parts 21, 91, 119, 121, 125 and 135.

No rights can be derived from this document. For exact details please refer to The Air Navigation (Bailiwick of Guernsey) Law, 2012 (The Law). In case of conflict between this guidance document and the Law, the latter shall prevail.

3 Definitions

Definitions, in the context of this GAC shall have the meanings listed in GAR Part 1 (Definitions, Abbreviations and Units of Measurement).

4 Introduction

- 4.1 Should an aircraft no longer meet the certification standards set for its applicable Type Acceptance Certificate, its Certificate of Airworthiness (CofA) will not be in force. The only provision for allowing an aircraft to fly in these circumstances is to permit the aircraft to be operated in accordance with the conditions of a Permit to Fly (PtF), granted by the Director.
- 4.2 A PtF may also provide an exemption from the requirements to hold a CofA whilst operating within Guernsey airspace.

Note: Where a flight commences and/or terminates outside Guernsey airspace, and the aircraft is to be operated in accordance with the conditions of a PtF, an overflight approval of the PtF prior to the flight will be required from the respective foreign Aviation Authorities of their entered airspace.

5 Circumstances when a Permit to Fly may be required

- 5.1 For example:

- Ferry flights for maintenance: Flying the aircraft to a location where maintenance (or repair) is to be performed, or to a place of storage.
- Check flights after maintenance: Flying the aircraft following maintenance affecting the aircraft's performance, handling, etc; or when required by the manufacturer.
- Test flights for approval of a modification: Flying the aircraft to test modifications. Test flights must be conducted in accordance with a Flight Test Schedule approved by the Aviation Authority certifying the modification(s).

6 'Validity' and 'In Force' - Expressions of a Certificate of Airworthiness

- 6.1 The expressions 'validity' and 'in force' are utilised in respect of a CofA granted to an aircraft registered in Guernsey. For clarity these expressions are defined as follows:

'Validity' refers to the certification conditions that an aircraft must meet, and the periodicity of any expiry for a CofA to be considered valid; it does not constitute authority for flight unless the aircraft meets all the conditions of the valid CofA.

'In Force' describes where a CofA, unless surrendered, suspended or cancelled, will be considered in force so long as the aircraft continues to

meet the conditions to which the CofA was issued.

7 Flight Authority

- 7.1 The owner or operator should endeavour to maintain a valid CofA for the aircraft, precluding the need for a PtF.

Where this is not possible, an application for a PtF should be made to 2-REG, by the appointed GAR Part 39 organisation or Technical Coordinator, on behalf of the aircraft owner or operator.

8 Application for a Permit to Fly

- 8.1 The PtF application to 2-REG should be completed with applicable supporting documentation. This should include specific technical justification supporting the nature of the intended flight or journey, which must detail the reasons why the CofA is not in force, and why, for example, this cannot be resolved at the aircraft's current location.

The specific technical justification may require support from the Type Certificate Holder (TCH) and/or an appropriately approved design organisation.

- 8.2 Whilst a TCH may conventionally provide a 'No Technical Objection' (NTO) to support an applicant's request, an NTO does not constitute design approval, nor authority to operate the aircraft.
- 8.3 Early communication with 2-REG is recommended to facilitate obtaining the appropriate technical justification.
- 8.4 The PtF application shall also require a declaration by the applicable GAR Part 39 Organisation or Technical Coordinator authorised by the Director, that the aircraft has no features and characteristics making it unsafe for the intended flight(s) and should include a comprehensive operational risk assessment appended accordingly.
- 8.5 The Director reserves the right to inspect the aircraft or review the aircraft records prior to granting a PtF.
- 8.6 The application for a PtF should be made online using the 2-REG Application Portal at: www.2-reg.com/application
- Each application should be supported by the applicable form completed, available at: www.2-reg.com/downloads
- 8.7 Appendix A provides a sample of the application form, to be completed for applications for a Permit to Fly.

9 Flight Release Certificate

- 9.1 As specified in GAR Part 21.705 and GAR Part 43.155; prior to the conduct of a flight under a PtF, a Flight Release Certificate shall be issued, to satisfy that:
- a) As per GAR part 21.175(b); that the aircraft documentation has been satisfactorily reviewed by the GAR Part 39 approved organisation, or Technical Coordinator, and that the aircraft is considered airworthy in respect of required scheduled maintenance and defect rectification; and
 - b) All applicable maintenance actions including any required by the conditions on the Permit to Fly have been carried out and the aircraft is therefore fit for flight under the identified conditions and restrictions; and;
 - c) The aircraft is configured to the conditions prescribed on the PtF certificate.
- 9.2 Upon successful completion of the evaluation, a Flight Release Certificate issued by a person authorised by the Director shall be issued to certify that the aircraft is fit for flight.
- 9.3 The certificate should be issued for the specified period as detailed on the PtF certificate.
- 9.4 A Flight Release Certificate may only be issued by the following:
- a) an individual within a GAR Part 145 organisation who is authorised in accordance with GAR Part 43.155 and listed in the Maintenance Organisation Exposition (MOE) for this purpose; or
 - b) a person specifically authorised by the Director for this purpose.
- 9.5 Appendix B provides an example of an acceptable format for the Flight Release Certificate.

10 Limitations of a Permit to Fly

- 10.1 The following conditions are considered essential for the PtF;
- a) persons or property are not carried for compensation or hire; and
 - b) no person is carried in the aircraft unless that person is essential to the purpose of the flight and has been advised of the contents of the authorisation and the airworthiness status of the aircraft; and
 - c) the aircraft is operated only by crew who are aware of the purpose of the flight and any limitations imposed, and who hold appropriate certificates or licences acceptable to the Director; and

- d) all flights are to be conducted so as to avoid areas where flights might create hazardous exposure; and
- e) all flights are conducted within the performance operating limitations prescribed in the Aircraft Flight Manual and any additional limitations specified by the Director for the particular flight; and
- f) a Permit Flight Release Certificate shall be certified by an authorized person or organisation
- g) the period of validity and the conditions of a PtF are to be specified.
- h) the registration marks assigned to the aircraft are to be displayed on the aircraft in accordance with The Aviation Registry (Guernsey) Law, Schedule 3; and
- i) an authorisation / validation of the PtF is obtained from any foreign State to be overflown and any additional conditions from that authorisation followed.

11 Air Operator Certificate (AOC) Holders

11.1 The holder of an AOC shall:

- a) include in its Operations Manual the details and procedures that will apply when operating an aircraft under a PtF; and
- b) establish the procedures to be followed for the application for a PtF and the continuing airworthiness control procedures, which must be included in the associated Maintenance Control Manual (MCM) as specified in GAR Part 39.59; and
- c) establish the GAR Part 145 maintenance and Flight Release Certificate authorisation procedures which must be documented in the MOE.

12 Private Operator Certificate (POC) Holders

12.1 Non-commercial aircraft owners/operators, who may not utilise an Operations Manual, must satisfy the Director that they have taken adequate measures to ensure that the flight can be made safely and will not endanger any person or property.

12.2 Holders of a POC shall not operate a flight with any persons on board that are not essential for the safe operation of the aircraft.

13 Operating Under a Permit to Fly

- 13.1 Operators should be aware that aircraft not having a valid and in force CofA in compliance with ICAO Annex 8 do not have automatic rights of international air navigation under the Chicago Convention.
- 13.2 An aircraft operating under a PtF should obtain prior permission from each State whose airspace it is intended to use while operating without a valid CofA.
- 13.3 The operator of an aircraft registered in Guernsey shall retain any maintenance records supporting a PtF after the aircraft has been released to service, together with all documents supporting their decision to conduct the flight.

Appendix A Permit to Fly Application Form (example)



Form A-AIW.CA

Application for Certificate of Airworthiness (CofA Initial & Noise Certificate/CofA Reissue/Permit to Fly/Export CofA)

1: Documents applied for by submitting this application form:

☐ (1) Initial Certificate of Airworthiness & Noise Certificate.	Sections required: 1, 1.1, 1.2, 1.3, 1.4, 2, 3, 4, 5, 8.	☐ (2) Reissue of Certificate of Airworthiness:	Sections required: 1, 1.1, 1.2, 1.3, 2, 5, 8
☐ Permit to Fly	1, 1.1, 1.2, 1.3, 1.4, 2, 3, 4, 5, 6, 8.	☐ Export CofA	1, 1.1, 1.2, 1.3, 2, 4, 5, 7, 8

For 2-Reg Internal Completion:

Application Reference Number (ARN):	GG -
-------------------------------------	------

1.1: Application details:

Full name of the Applicant:	
Full Address of the Applicant:	
☐ Owner ☐ CAMO ☐ Tech Co-ordinator	
Telephone number:	
e-mail address:	

1.2 Aircraft /Engine/Prop Details

Registration:	2 -	TAC:	
Operational Category:	☐ Private	☐ Aerial Work	☐ Commercial
Aircraft Manufacturer:			
Type Designation:		Series:	
Manufacturer Serial number:		Manufacture date:	
Current Total Hours:		Current Total Cycles:	
Engine Manufacturer:			
Engine Type	Serial Number	Time Since New	Cycles Since New
1			
2			
3			
4			
Engine Manufacturer Recommended TBO:			
Time Since Overhaul	Cycles Since Overhaul	Time Since Overhaul	Cycles Since Overhaul
1		3	
2		4	
Propeller Manufacturer:			
Propeller Type	Serial Number	Time Since New -hrs	Calendar time
1			
2			
3			
4			
Prop Manufacturer recommended TBO:	Hrs	Cal Time	
Time Since Overhaul -hrs	Cal Time Since Overhaul	Time Since Overhaul -hrs	Cal Time Since Overhaul
1		3	
2		4	

Appendix A Permit to Fly Application Form (example)



Form A.AIW.CA

Application for Certificate of Airworthiness (CofA Initial & Noise Certificate/CofA Reissue/Permit to Fly/Export CofA)

1.3: Other details:

State reference and revision status of AFM or POH as published by TC holder.	Ref:	Rev:
Indicate if the AFM/POH is approved to be kept on board in Digital data format.	☐ Digital AFM/POH	☐ Hard Copy AFM/POH
State Guernsey Approved Maintenance Programme reference and revision status.	AMP Ref:	
Complete Date of last review:	AMP Rev:	Date:

1.4: CofA & Type Acceptance Certificate (only initial application):

Current TCDS	State:	No:	Rev:
Selected TCDS	State:	No:	Rev:
Is there any difference between the current TCDS requirements and the proposed TCDS requirements? If yes, state how the aircraft will become compliant with the proposed TCDS.	☐ Yes - Attach details. ☐ No		
If the previous Maintenance Programme differs at all from the Guernsey approved AMP, please provide bridging / Alignment details.	☐ Yes - Attach details. ☐ No Differences		
State details of Technical Coordinator or CAMO managing continuing airworthiness, provide Guernsey acceptance / approval reference.	Org name:		
	Approval/Acceptance Ref:		
MEL - If required by GAR's, state approved MEL document number and revision status. Attach MEL Certificate of approval. (GAR 91/121/125/135 - .615)	MEL Ref:		Rev:
			☐ Not required
If intending to apply for Specific Approval RVSM, provide evidence of Aircraft design and certification for RVSM.	☐ Yes - Attach RVSM compliance details (TCDS/AFM)		☐ No - If a future application is made this may be delayed!
NAT/HLA - For Initial Issue, provide evidence of Aircraft design & certification for NAT HLA.	☐ Yes - Attach details.		☐ No - If a future application is made this may be delayed!

2: Documents to be attached for CofA (Initial & Reissue):

	Description:
☐	a. Copy of Mass and Balance report , or AFM/POH weight report and the aircraft specific Equipment list . Include details of any approved additional Operating configurations .
☐	b. Copy of the certified Aircraft Interior Configuration Document , (May be called a Lay Out Passenger Arrangement [LOPA] & Emergency Equipment Layout [EEL] if separate) or equivalent information from AFM/POH.
☐	c. Provide evidence of AFM/POH & supplements revision status & source documents.
☐	d. Copy of the Repair record of all airframe damage, or if no repairs select box below. The record must detail each damage site with a reference to a certified assessment to the approved data that supports continued aircraft operation. Provide the repair record since the aircraft was new for an initial CofA (1), or since the last CoA for a Reissue.
	☐ No Repairs
☐	e. List of all design changes (Modes) to each airframe, engine, propeller, rotor, and appliance, including substantiation data required by GAR Part 21.73(c); since new for Initial, & since last CoA for Reissue. (Specify all Mod's approval/accepted references & Guernsey acceptance if applicable.)
	☐ No Design Changes since new. ☐ No Design Changes since last CofA.

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Appendix A Permit to Fly Application Form (example)



Form A.AIW.CA

Application for Certificate of Airworthiness (CofA Initial & Noise Certificate/CofA Reissue/Permit to Fly/Export CofA)

2: Documents to be attached for CofA (Initial & Reissue) Continued:

☐	f. Details of compliance with ADs for Airframe declared Type Certificate, & State of design for Engine, Propeller, Equipment or Appliance. Since new for initial, & since last CoA for Reissue.
Airframe AD Bi-Weekly date:	Regulatory Authority:
Engine AD Bi-Weekly date:	Regulatory Authority:
Propeller AD Bi-Weekly date:	Regulatory Authority:
Equip/Appliance AD Bi-Weekly date:	Regulatory Authority:
☐	g. Attach an up-to-date full Maintenance Status Report . This should include an LDND List, identify life limited & hard time parts, & provide records that demonstrate compliance with respective Maintenance Programme Tasks.
☐	h. Attach a Digital copy of Maintenance Records since the last CofA.
☐	i. Attach evidence that applicable Airframe, Engine and Propeller Logbooks are up to date, or alternately if electronic records are utilised, these are up to date. Logbooks .
☐	j. Attach a copy of the Maintenance Contract .
☐	k. Attach a copy of current Radio Licence .

3: Additional documents to be attached for CofA: (Initial only)

	Description:
☐	a. Attach details if the aircraft has ever been refused a Certificate of Airworthiness. Refused CofA
☐	b. Provide a copy of current/last expired CofA .
☐	c. Provide a valid Export Certificate of Airworthiness or equivalent (Compliance Document /Airworthiness Review Report) where available. This should demonstrate compliance with GAR 21.175(a). Note: An Export CofA is an aid to demonstrating the aircraft is compliant with the required TCDS, but the responsibility for that final statement rests with the Applicant.
☐	d. Attach a statement of how the applicant will provide the data required by GAR 21.25(b) to 2-REG when required, e.g., AMM, CAI, Service info & amendments, AFM, MMEL, CDL, applicable Weight Balance Manual & any other applicable operational certification data. Data Required .
☐	e. Provide pictures of Airframe and Engine Manufacturers data plates .
☐	f. Provide pictures of registration & Data Plate applied to aircraft as required by Guernsey Aviation Registry Law, schedule 3.
☐	g. Provide up to date copy/copies of ELT registration.
☐	h. Transponder Codes - Provide copy of Certified task for programming.

4: Noise certificate details (required for initial CofA Application & Export):

a. Attach a statement of any modifications/SB's incorporated that affect compliance with the applicable noise certification standards.	Noise Mods ☐ Attached
b. Provide details of the maximum take-off (MTOM) and maximum landing masses (MLM) for compliance with the applicable noise certification standards.	
MTOM/MTOW (kg)	MTOM/MTOW (lbs)
MLM/MLW (kg)	MLM/MLW (lbs)
c. Attach copies of any AFM/POH supplements or revisions required for compliance with the applicable noise certification standards.	Noise AFM-POH ☐ Attached
d. Attach copy of the previous Noise Certificate or a document attesting to noise certification, if available, issued by the Authority of the State that issued the certificate in compliance with ICAO Annex 16 Volume 1.	Noise Certificate ☐ Attached

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Appendix A Permit to Fly Application Form (example)



Form A.AIW.CA

Application for Certificate of Airworthiness (CofA Initial & Noise Certificate/CofA Reissue/Permit to Fly/Export CofA)

5: Aircraft & Records Location

Location of the aircraft for physical inspection:	
Name of contact person for inspection:	
Email:	
Tel:	
Location of aircraft records for review: (If different from above)	
Name of contact person for review: (If different from above)	
Email:	
Telephone:	

6: Permit to Fly (only if applied for):

Reason for applying for a Permit to Fly instead of a Certificate of Airworthiness (multiple options possible):

GAR 21.703 (a)	
☐ a. Absence of a Guernsey DCA approved maintenance programme	
☐ b. Aircraft not in compliance with an approved maintenance programme	
☐ c. Overdue Airworthiness Directive	☐ d. Overdue Service Life Limits
☐ e. Unapproved modification	☐ f. Unapproved repair
☐ g. Damage to aircraft or engines or propeller or appliances beyond approved limits	
☐ h. Unserviceability of instrument or equipment beyond MMEL conditions	
☐ i. Other, please specify in detail:	
☐ j. GAR 21.703 (b) Absence of Type Acceptance Certificate by Guernsey DCA	
☐ k. GAR 21.703 (c) Flight associated with the approval of a design change	

Details:

l. Reference to Flight Test Programme and organization GAR 21.705 (c):	
m. Safety substantiation: <i>Provide as much details as possible for substantiating that the aircraft is safe to fly. This may include an evaluation by the Type Acceptance Certificate holder (TC) / OEM as appropriate.</i>	
☐ Select box if TC/OEM Evaluation attached.	
n. Proposed flight conditions: <i>Provide flight conditions for mitigating the risks imposed by the aspect which prevents airworthiness.</i>	
o. Purpose of flight:	

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Appendix A Permit to Fly Application Form (example)



Form A.AIW.CA

Application for Certificate of Airworthiness (CofA Initial & Noise Certificate/CofA Reissue/Permit to Fly/Export CofA)

Details of flight:

Date period from:	(dd/mm/yyyy)	Departure Airport:	(ICAO 4 letter codes)
Date period to:	(dd/mm/yyyy)	Proposed Operational /	
(Max 30 Days from PTF start date)		Technical Stops:	
		Arrival Airport:	
Detail name and designation of all persons operating the flight: Note: (Only personnel essential for the purpose of the flight to be carried, & all personnel to be informed of the details of this Permit)			

7: Import details (only if Export Certificate of Airworthiness is applied for):

a. Country of import:	
b. Next registration (if known):	
c. Proposed date of import:	
d. Name of importer:	
e. Address of importer:	
f. Local Authority, contacts *email address	
g. Additional information or special requirements of the importing State: <i>Note: It is the responsibility of the applicant to ascertain these import requirements and ensure they are made available to 2-REG.</i>	
☐ Select box if Export details attached	

*Important – ensure email address of State of Import Local Authority contact is completed!

8: Declaration to be signed by a nominated post holder responsible for the management and supervision of continuing airworthiness activities, or a Technical Co-ordinator. (See GAR 39.51)

Declaration	
"I hereby certify that the aircraft meets all the requirements of the selected TAC and approved maintenance programme¹. Additionally, all the appropriate airworthiness directives have been complied with¹ and the aircraft detailed in this application is in a safe condition for flight. I therefore consider the aircraft to be airworthy in accordance with Guernsey Aviation Requirements and declare that all information herein and documents submitted with this application are true in every respect. I furthermore consider the aircraft and documents ready for review by the DCA as required." (¹ Except as specified in Section 6)	
Date	(dd/mm/yyyy)
Name of applicant	
Organisation/Role/Position	
Signature	

Please complete all relevant shaded area and select applicable boxes (☑).

Please ensure all documents (file names) attached are named the same as in BOLD type.

Submit this application in PDF via <https://www.2-reg.com/application/>

Appendix B Flight Release Certificate (example)

FLIGHT RELEASE CERTIFICATE PERMIT TO FLY USE ONLY – PLACE ON BOARD AIRCRAFT				
Aircraft Type:		Serial Number:		Registration:
<i>I confirm that the aircraft documentation has been satisfactorily reviewed by the GAR Part 39 approved organisation, or authorised individual, and that the aircraft is considered airworthy in respect of required scheduled maintenance and defect rectification.</i>				
GAR 39 (organisation) Validation/Approval Ref	GAR 39 (individual) Authorisation Ref	Name	Signed	Date
<i>I confirm that all applicable maintenance actions including any required by the conditions on the Permit to Fly have been carried out. The aircraft is therefore fit for flight under the identified conditions and restrictions.</i>				
GAR 145 (organisation) Validation/Approval Ref	GAR 43 (individual) Authorisation Ref	Name	Signed	Date
This certificate is valid	from (date):		until (date):	

END