



ANNEX TO PRINCIPLE (DEL.08)

Annex M to Principle (DEL.08) CASR 21.200 - Issue of a special flight permit

December 2024



Acknowledgement of Country

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1. CASR 21.200 - Issue of a special flight permit

1.1 Purpose

This annex describes the specific scope of the provision and supporting appointment criteria to appoint an applicant as an authorised person to issue a special flight permit (SFP) for an Australian aircraft or manned free balloon under regulation 21.200 the *Civil Aviation Safety Regulations 1998 (CASR)*.

Note: Annex M is an annex to [Principle \(DEL.08\) Managing airworthiness-related external delegates and authorised persons](#) and is supported by Worksheet (DEL.08) Annex M - CASR 21.200 - Issue of a special flight permit.

1.2 Scope

A person may apply to issue an SFP for an aeroplane, a helicopter or a manned free balloon that is one or more of the following:

- An aeroplane that has a certificated seating capacity of more than 38 seats (high capacity)
- An aeroplane that has a certificated seating capacity of 38 seats or less (not high capacity)
- A type of aircraft that is the first of its type registered in the Australian Aircraft Register
- To operate only inside Australia
- To operate inside, outside or into and out of Australia
- To conduct production flight testing
- To conduct customer demonstration flights
- To operate at a weight up to 110% 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 (paragraph 21.197(2) of CASR refers).

Note: CASA will only consider an application to issue an SFP to conduct production flight testing or customer demonstration flights, where the applicant can demonstrate a direct and continuous relationship with the production certificate holder for whom the flight test or demonstration is being conducted.

Persons outside CASA will not be authorised to issue an SFP to:

- assist in searching for, bringing aid to or rescuing persons in danger on a particular occasion under paragraph 21.197(1)(f) of CASR or
- assist in dealing with a state of emergency under paragraph 21.197(1)(g) of CASR or
- operate at a weight of greater than 110% of the aircraft's maximum certificated take-off weight or
- allow an aircraft to fly where the aircraft involved is carrying major damage and/or major defects or
- allow an aircraft to fly with the requirements of an airworthiness directive (AD) not complied with without consent, or
- an aircraft in a special class of aircraft.

Note: The scope of an instrument is dependent on the applicant's qualifications, experience in some cases employment conditions.

1.3 Qualifications

For initial issue, the applicant must have successfully completed the CASA Certificate of Airworthiness course and a mentoring program with a suitably qualified mentor within 12 calendar months prior to application.

Note: Holders of a valid instrument for the purpose of any other provision of regulation 21.176 of CASR are exempt from this requirement while their instrument remains valid.

1.4 Knowledge

The applicant will be asked to demonstrate at interview:

- a sound knowledge of ICAO requirements relating to SFP
- a sound knowledge regarding the application of CASRs, relevant advisory circulars (AC), CASA policies and procedures
- a working knowledge of advisory circular (AC) [AC 21.09 – Special flight permits](#)
- current technical knowledge and experience commensurate with that required for issuing an SFP
- a working knowledge of the information contained in aircraft type certification standards, information contained in aircraft type certificates (TC) and type certificate data sheets (TCDS), airworthiness limitations and certification maintenance requirements (CMR), aircraft flight manuals (AFM), airworthiness directives (AD) or other airworthiness and maintenance data applicable to the type of aircraft and prescribed purpose of operation
- a sound knowledge of the appropriate conditions that may be set in the interests of safety, including operational limitations and
- an understanding of the conditions under which an SFP may be suspended or cancelled and
- If the application relates to issuing an SFP for overweight operations, sound knowledge regarding the application of AC 21-09 and the applicants written procedures relating to overweight operations.

1.5 Experience

Each applicant should submit, attached to their application, a resume setting out details of their experience that satisfies the relevant subparagraph below.

- In relation to non-high capacity aeroplanes, helicopters or manned free balloons, a minimum of 3 years' experience in airworthiness and maintenance or maintenance control of type certificated aircraft of the type applied for.

Note: Applicants must provide evidence of experience in relation to each aircraft type (aeroplanes, helicopters and balloons). The scope of experience will determine the scope of any proposed instrument. A lack of experience in a particular type will result in that type being excluded.

- In relation to high capacity aeroplanes, a minimum of 5 years' experience in airworthiness and maintenance or maintenance control of type certificated aircraft, with a minimum of 3 years' experience on transport category aircraft.

Note: Evidence of equivalent aviation experience may be considered and will be subject to review by CASA on a case-by-case basis.

Initial issue (to satisfy either of the above paragraphs)

The applicant must have carried out, under the supervision of CASA or a person authorised to issue an SFP, the functions leading up to the issue of at least 2 permits for aircraft similar to the type certification category of the scope of the instrument of appointment (IOA).

Upgrading to high capacity

The applicant must have carried out, under the supervision of CASA or a person authorised to issue an SFP, the functions leading up to the issue of at least 2 permits for aircraft classified as high capacity.

In relation to issuing a permit to an aircraft that is the first of its type on the Australian Register, the applicant must have carried out, under the supervision of CASA, the functions leading up to the issue of at least one permit for an aircraft that was the first of its type in Australia.

Note: The requirement set out in the previous paragraph is in addition to the experience requirements above unless one of those samples was for an aircraft that is first of type.

In relation to issuing a permit to an aircraft to operate up to 110% of its certificated maximum take-off weight (MTOW), the applicant must have carried out, under the supervision of CASA, the functions leading up to the issue of at least one permit to operate above the MTOW.

1.6 Procedures manual - Specific criteria

In addition to the criteria listed at Appendix A in [Principle \(DEL.08\) Managing airworthiness-related external delegates and authorised persons](#), the applicant will be required to include the following in their procedures manual.

1.6.1 Reporting

Details of a register to record the following information about SFP issued, stating the:

- manufacturer, type, model, and serial number of the aircraft
- registration marking
- date of issue, and expiry (if applicable) of each certificate.

A procedure to ensure that all documents relating to the certificate are sent to the CASA Australian Civil Aircraft Register.

1.6.2 Application procedures

- Information required to support the application is stated
- Documentation required by the authorised person to ensure that the aircraft is fit for the intended flight
- If the application relates to overweight operations, the purpose complies with subregulation 21.197(2) of CASR.

1.6.3 Application procedure assessment

- Technical requirements address the same subject matter set out in or refer to CASA [Protocol \(SFP.01\) – Special flight permit](#).
- Compliance with CASA advisory circular [AC 21.09 – Special flight permits](#) is required

- Assessment process stated
- Description of a work/assessment package and how to compile a package
- Checklists setting out what must be checked during assessment
- Procedures to check status of AD for impact on SFP stated
- Procedures to consider operational limitations (liaise with chief pilot or another qualified person)
- Inspection of aircraft:
 - A statement that the IOA holder must inspect each aircraft to satisfy themselves that the aircraft is in a safe condition to fly
 - set out the circumstances when the IOA holder might rely on a LAME (or other suitable person) inspection and/or certification
 - set out the circumstances where a physical inspection will not be conducted by the IOA holder
- Procedures to manage the interaction with the production certificate holder, and the production system procedures (for paragraphs 21.197(1)(c) and (e) of CASR only)
- Procedures for making direction in accordance with subregulation 21.197(6) of CASR
- Considerations to be taken into account for a SFP to support a dealer's mark under Part 47 of CASR
- Procedures to apply to CASA prior to approving flight with a requirement of an: AD not complied with
- Procedures to apply to CASA prior to approving flight for an aircraft that is the FOT/FOM to be issued with a CofA in the transport or commuter category.

1.6.4 Procedures to approve flight outside Australia

- The aircraft must be an Australian aircraft
- Procedures to ensure that each SFP permitting operations in international airspace, include the condition referred to in CASA AC 21-9 Appendix 1 condition 32
- Conditions to include matters set out in AC 21-09.

1.6.5 Procedures to authorise operations $\leq 110\%$ certificated MTOW

- If modified, the aircraft has been modified in accordance with approved data
- Engine oil consumption analysis (that there will be sufficient oil for the flight)
- (based on actual consumption for the aircraft)
- Weight and balance:
 - Load data sheet and loading system validated by *Civil Aviation Order* (CAO) 100.7 Authority holder (unless the information is part of an approved flight manual supplement)
 - Procedures to make the information available to the crew
- For permits where there is no approved flight manual supplement, procedures on how to determine conditions for the permit including:
 - capacity of the additional fuel tank(s), together with the necessary instructions regarding fuel usage and operation of the auxiliary system
 - normal and emergency procedures as may be necessary for safe operation in an overweight condition
 - performance information, including any variation in stalling and maximum permissible speeds
 - manoeuvres permitted (these will normally be limited to gentle turns)
 - where applicable, a prohibition against smoking.

1.6.6 Procedures to authorise operations \geq 110% certificated MTOW

- That the aircraft must have an approved flight manual supplement for the overweight operations
- Procedures for preparing a recommendation to CASA AC 21-09.

1.6.7 Approval

- Completing assessment documentation
- Completion of checklists: Numbering of SFP
- Distribution of approved SFP.

1.6.8 Specific forms

- List and description of each form/checklist used during assessment included
- Description on the use of each form/checklist
- Copy of each form to be used during assessment included.

1.7 Surveillance of IOAs

1.7.1 Condition – Individual conditions, scope and limitations

Each Instrument of Appointment contains conditions and limitations specific to the individual. Common to these conditions are:

- The scope of the appointment
- Requirement to comply with an approved procedures manual; and
- A requirement to ensure all documents and checklists used in the application, assessment and issue of the certificate, are sent to the Civil Aviation Registrar within 7 days after issue.

For Surveillance activities, these areas may be validated by:

- Sampling DMNS tasks
- Sampling work packages in RMS associated with either the DMNS job number or Registration.
- Validating tasks are only undertaken for the reasons approved under the instrument.
- Reviewing samples against SFP.01 principle and worksheet to ensure it is reasonable that the SFP should have been issued.
- Validate the AC21-09 and authorisation holder's procedures are followed.
- Sample the data provided by RO to ensure sufficient information / evidence is provided to justify the SFP, such as:
 - Maintenance Release
 - Any defects or modifications that may affect the flight
 - Temporary repairs /Engineering Orders etc.
 - Evidence of storage maintenance being carried out if aircraft has been in storage
 - Communications with OEM if seeking NTO
 - AD schedule to determine compliance.
 - Have sufficient maintenance actions been undertaken and certified on the maintenance release to ensure serviceability prior to intended flight.

- Review SFP certificate issued to ensure accurate information has been included considering:
 - If required, how does the delegate ensure that appropriate operating conditions have been applied to the SFP.

Note: Any outstanding ADs require the authorisation holder to seek approval from Regulatory Services. ADs may specifically preclude the use of SFPs.

The auditor may seek input from an appropriately qualified person to sample the operational requirements and to validate they have been incorporated accordingly.

1.7.2 Condition - Maintaining a register

The delegate must maintain a register containing the following information:

- The name of the registered operator
- The manufacturer, type, model and serial number of the aircraft
- The registration marking
- The specific nature of the special flight permit
- The date of issue and date of expiry (if applicable) of each document

During surveillance, the register is validated by reviewing the DMNS records against the register held by the authorisation holder.

1.7.3 Condition - Maintaining records

The delegate must maintain copies of all documents associated with the exercise of power for at least 5 years after the date of issue. The inspector may review the following documents to determine whether the records are adequately maintained. Storage conditions and the content maintained should be accessible on site to the inspector. This can be paper based or electronic, however should be consistent with the authorisation holders procedures. If electronic (soft copy) then suitable back up files should be maintained.

1.7.4 Condition - Notification to CASA of intent to exercise powers

On engagement by a client, and prior to exercising their powers, the delegate must notify CASA through the Delegate Management Notification System. Compliance with this conditions may be validated by reviewing records within the evidence package to establish a reference point.

1.7.5 Condition - Notification of outcomes to CASA

The delegate must record the details of the outcome to CASA into the DMNS within 14 days after a power is exercised. Compliance with this condition may be verified by comparing the DMNS records task completed date against the date identified on the certificate issued.

1.7.6 Condition - Availability of records

It is a condition of an authorisation that a delegate must make their register and all documents available to a CASA inspector for inspection. Assessment should sample actual records including:

- Register of tasks completed
- Work Packages supporting / demonstrating compliance for the issue of certificate
- Access to aircraft records where tasks are in progress
- Access to ICA where tasks are in progress

1.7.7 Relating a regulatory breach to a delegation

If a breach of a condition is found during a surveillance event, the inspector is to record the deficiency against the relevant condition and use the relate function in EAP to relate the breach to the regulation CASR 21.200. This will enable reporting against that delegation.

1.8 Revision history

Table 1. Revision history table

Version No.	Date	Parts / Sections	Details
1.1	November 2024	1.7	Add Surveillance section
1.0	September 2024	All	First issue