



PRINCIPLE

(OPS.14) - Foreign registered aircraft special flight authorisations



Acknowledgement of Country

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Terminology

Acronyms and abbreviations

Table 1. List of acronyms and abbreviations

Acronym/abbreviation	Description
AFM	aircraft flight manual
AOC	air operator's certificate
AWI	airworthiness inspector
CASA	Civil Aviation Safety Authority
CASR	Civil Aviation Safety Regulations 1998
CoA	Certificate of airworthiness
FCOM	flight crew operating manual
FOI	flying operations inspector
IFR	instrument flight rules
IMC	instrument meteorological conditions
MEL	minimum equipment list
NAA	national aviation authority
PIC	pilot in command
Special CoA	Special certificate of airworthiness
SFP	Special flight permit
SFA	Special flight authorisation

Definitions

Table 2. List of definitions

Term	Definition
air transport operation	a passenger transport operation, a cargo transport operation, or a medical transport operation, that is conducted for hire or reward, or is prescribed by an instrument issued under regulation 201.025.
Airworthiness category	an aircraft airworthiness category is essentially a homogeneous grouping of aircraft types and models of generally similar characteristics, based on the proposed or intended use of the aircraft, and their operating limitations.

Term	Definition
experimental aircraft	experimental aircraft are not type-certificated despite being grouped under the special CoA and may not be airworthy despite being issued an experimental certificate.
organisation	a product or service provider, operator, business, and company, as well as aviation industry organisations.
orphan aircraft type	ICAO definition - An aircraft which has its Type Certificate revoked by the State of Design and no longer has a designated State of Design in accordance with Annex 8. These aircraft do not meet the Standards of Annex 8
restricted category	applies to aircraft issued with a special CoA which may carry out certain special purpose operations, usually for hire or reward such as: <ul style="list-style-type: none"> a. those designed and type certificated specifically as restricted category e.g. specialist water bombers, agricultural aircraft b. ex-military aircraft c. aircraft which may have been standard category but have been modified for a special purpose operation.
special certificate of airworthiness	a special CoA is issued to an aircraft which does not meet the requirements of an applicable comprehensive and detailed airworthiness code as required for standard category aircraft.
special flight permit	special flight permit may be issued where an aircraft does not meet the applicable airworthiness requirements but can be reasonably expected to be capable of safe flight for the intended purposes.
utility category	applies to aeroplanes, gliders and powered sailplanes which can be used for limited acrobatic operations, having a seating configuration (excluding pilot seats) of nine seats or less, and an MTOW of 5700 kg or less.

Reference to regulations

Unless specified otherwise, all subregulations, regulations, Divisions, Subparts and Parts referenced in this Principle are references to the *Civil Aviation Safety Regulations 1998* (CASR).

Revision history

Amendments/revisions for this principle are recorded below in order of the most recent first.

Table 3. Revision history table

Version No.	Date	Parts / Sections	Details
1.1	December 2025	Part 1	Clarification of assessment scope
1.0	October 2025	All	First issue

1. Assessment scope

Inspectors will use this protocol suite for the assessment of an application under regulation 91.970 for a special flight authorisation to permit a foreign registered aircraft to operate in Australian territory when:

- the aircraft does not have an annex 8 compliant CoA (standard CoA) to operate in Australian airspace.
- the aircraft has a multi-category CoA but intends to operate in restricted category, or
- the aircraft is operating under a special flight permit (however called)

Regulation 11.055 states that if an application is submitted for an authorisation in accordance with these regulations, CASA may grant the authorisation if the applicant meets the criteria specified in the regulations.

The assessment may be conducted concurrent with an application under Part 138 for the use of a foreign registered aircraft, or concurrent with an air display application, where the operator intends to be a participant.

An SFA cannot be issued for air transport operations.

The Principle does not apply to aircraft operated under Part 103 - Sport and recreation aircraft or Part 132—Limited category aircraft.

1.1 Assessment worksheet user instructions

This principle provides guidance to the inspector when using the associated Worksheet (OPS.14) Foreign registered aircraft special flight authorisation title. The worksheet provides inspectors with a regulation-based tool for recording the outcomes of the assessment. It is set out as follows:

- user instructions
- assessment worksheets
- assessment summary
- approval data sheet.

The assessment will be conducted by both a flying operations inspector (FOI) and airworthiness inspector (AWI). Normally, an AWI would conduct the assessment, with an FOI providing support on matters relating to flight operations, for example an FOI will be required to ensure the elements of regulation 11.055 are met.

The assessment Worksheet (OPS.14) makes provision for both an FOI and AWI sign off.

Example:

An aerial work operator wishes to use a foreign registered restricted category aircraft to support firefighting activities. The special aerial work certificate has a condition that allows the aircraft to take-off and land from an area that has specific dimensions. A FOI should be consulted to ensure the condition would be allowable under the Part 138 rules.

2. Assessment

2.1 Application

The application must be complete and supply sufficient information for the inspector to make the assessment. Applications for a special flight authorisation may come from a foreign operator or individual or be facilitated by an Australian authorisation holder such as a Part 138 aerial work operator. Copies of documentation supporting the application should be certified as correct from the foreign NAA.

2.2 Special certificate of airworthiness

A special CoA may be issued to an aircraft which does not meet the requirements for a certificate of airworthiness (CoA) issued under ICAO annex 8.

Note: Foreign registered aircraft which has a standard CoA or a multi-category CoA when not operating in restricted category does not require an SFA to operate in Australian airspace

Inspectors must assess whether any conditions or limitations associated with the special CoA are suitable for the operation of the aircraft in Australian airspace. Inspectors may also add additional conditions to the SFA to ensure the safety of air navigation in Australian airspace. It is not necessary to repeat limitations of conditions on the SFA but rather the SFA must include a standard condition requiring the aircraft to be operated in accordance with the specific special CoA.

Inspectors must confirm the expiry date of the special CoA, if applicable, covers the entire period that the aircraft intends to operate in Australian airspace.

For the purpose of an SFA an aircraft issued with a foreign special CoA would normally be one of the following:

- a restricted category aircraft
- an experimental aircraft

2.2.1 Restricted category aircraft

Restricted category applies to aircraft which may carry out certain special purpose operations, usually for hire or reward. Aircraft types which may be eligible for issue of a special CoA in the restricted category include:

- those designed and type certificated specifically as restricted category e.g specialist water bombers, agricultural aircraft
- ex-military aircraft
- aircraft which may have previously held a standard CoA however have been modified for special purpose operations.

A common application for an SFA may include a Part 138 aerial work operator wishing to use a foreign registered restricted category aircraft for firefighting operations in Australia.

Note: The requirement for an SFA in this case would be assessed concurrent with the OPS.138 worksheet for the use of a foreign registered aircraft.

Division 91.T.2 Restricted category aircraft operating requirements apply in addition to the foreign NAA requirements.

For Part 138 aerial work operations regulation 138.205 prohibits the carriage of an aerial work passenger (including fireground personnel carriage operations) when the aircraft is certified as restricted category.

2.2.2 Experimental aircraft

An experimental aircraft maybe a type certified aircraft that has moved into experimental category for the purpose or research and development or an aircraft that does not hold type certification. Even though the aircraft will hold an experimental certificate under a special CoA they may not be fully airworthy.

An experimental aircraft may be used for one or more of the following purposes:

- research and development
- showing compliance with regulations
- training the applicant's flight crew
- exhibition
- air racing
- market surveys
- operating amateur-built aircraft
- operating kit-built aircraft
- private operations of aircraft previously used for research and development or showing compliance with regulations

A common application for an SFA may be associated with an air display application.

Inspectors may need to consult AEB prior to an authorisation to ensure all risks associated with an experimental aircraft have been considered. See section 2.8.1 of this Principle.

2.2.3 Orphan aircraft

An aircraft is considered orphaned when the type certificate issued by the State of Design is revoked and there is no longer a State of Design to fulfil the responsibilities under Annex 8, Part II, Chapter 4.

Orphan aircraft type must be rendered ineligible for a Certificate of Airworthiness. However, the State of Registry can issue a "Special Certificate of Airworthiness" or equivalent document to denote that an aircraft does not meet the Standards of Annex 8. While not valid for the purpose of international flight, such a document provides conditions and limitations that may be required by other Contracting States for purpose of granting approvals to fly within or through their jurisdiction.

An application for an SFA involving an orphan aircraft must be referred to AEB for assessment.

2.3 Multi-category certificate of airworthiness

A foreign registered aircraft may hold a multi - category CoA which complies with a certain category when it is configured in that category. If the aircraft is certified in restricted category and one or more other categories, the aircraft must be inspected to determine the airworthiness each time it changes category. To be suitable, the inspector will need to ensure the foreign operator has the required personnel to carry out the inspection when the aircraft changes categories.

To issue a SFA in this case the inspector will need to ensure that robust procedures are in place to identify when the aircraft is in restricted category.

Inspectors must confirm the expiry date of the multi - category airworthiness certification, if applicable, covers the entire period that the aircraft intends to operate in Australian airspace.

2.4 Special flight permit

When an aircraft is not fully in compliance with its airworthiness requirements, the foreign NAA airworthiness regulations may have provisions for the issuance of a special flight approval, authorisation or permit, providing the aircraft is capable of safe flight. Such occasions may include:

- a flight test required after a modification or repair during a process of applying for a supplemental type certificate
- relocating the aircraft to a base where maintenance is to be performed, or to a point of storage
- delivering the aircraft; or
- evacuating the aircraft from an area of impending danger, or in cases of force majeure

Inspectors must confirm the expiry date of the SFP, if applicable, covers the entire period that the aircraft intends to operate in Australian airspace.

ICAO doc 9760 states that when issuing a special flight permit, appropriate limitations should be prescribed to minimize hazard to persons or property. The following limitations are considered to be essential in all special flight permits:

- a copy of the permit should be on board the aircraft at all times when operating under the terms of the permit
- the registration marks assigned to the aircraft by the State of Registry should be displayed on the aircraft in conformity with the requirements of that State
- persons or property should not be carried for compensation or hire
- no person should be carried in the aircraft unless that person is essential to the purpose of the flight and has been advised of the contents of the authorization and the airworthiness status of the aircraft
- the aircraft should be operated only by crew who are aware of the purpose of the flight and any limitations imposed, and who hold appropriate certificates or licenses acceptable to the State of Registry
- all flights should be conducted so as to avoid areas where flights might create hazardous exposure to persons or property
- all flights should be conducted within the performance operating limitations prescribed in the aircraft flight manual and any additional limitations specified by the State of Registry for the flight; and
- the period of validity of the permit should be specified.

Inspectors must assess whether any conditions or limitations associated with the SFP are suitable for the operation of the aircraft in Australian airspace.

Example

A SFP issued by a foreign NAA may restrict the operation of the aircraft to that NAA's airspace.

Inspectors may add conditions above that of the SFP to the SFA to ensure the safety of air navigation in Australian airspace. It is not necessary to repeat limitations or conditions from the SFP on the SFA, but rather, the SFA must include a standard condition requiring the aircraft to be operated in accordance with the SFP.

To be suitable a foreign SFP as a minimum should meet the ICAO doc 9760 requirements and applicable Australian standards.

If the inspector is unsure whether a foreign SFP meets the Australian standards they should consult AEB for guidance.

2.5 Noise certificate or exemption

Noise certification for individual aircraft is required before the aircraft can legally be operated in Australian territory. For an aircraft to operate in Australian airspace it must meet Part 2 Division 1 of the Air Navigation (Aircraft Noise) Regulations 2018.

Note: If an individual aircraft does not meet the Australian noise requirements, then it is illegal for that aircraft to operate in Australian territory, even though the aircraft may have a valid Special CoA.

The SFA includes a standard condition that the aircraft is stage 3 compliant or has been exempted. Refer to [Air Navigation \(Aircraft Noise\) Regulations 2018 \(legislation.gov.au\)](https://www.legislation.gov.au/australian-legal-terminology/air-navigation-aircraft-noise-regulations-2018)

2.6 Purpose of the flight

A foreign registered aircraft which has been issued with a SFP must be operated in accordance with the conditions of the permit. (see section 2.4 of this Principle). One of the conditions prescribed by ICAO doc 9760 is the purpose of the flight. Prior to issuing a SFA the flying operations inspector must be satisfied that the SFA application includes the purpose of the flight as per the condition on the SFP.

Where aircraft hold a special CoA the flying operations inspector must be satisfied that the purpose of the flight in Australian airspace complies with the conditions on the special CoA.

Example 1

A foreign registered experimental aircraft is intending to compete in the Red Bull Air Race in Perth. The special CoA does not permit the aircraft to be used in aerobatic competitions. The subsequent SFA would limit the operation in Australian airspace to air racing.

Example 2

A special CoA in restricted category allows for a foreign registered helicopter to conduct firefighting operations. The operator of the aircraft has contracted to an Australian Part 138 aerial work operator to assist during the fire season. The SFA should include a condition that the carriage of aerial work passengers for fire ground operations is prohibited.

2.6.1 Flight planning

The flying operations inspector must confirm that the proposed route, schedule are consistent with any conditions imposed by the special CoA or SFP. In both the example below the inspector must confirm that the proposed operation can meet the conditions. To be suitable, the flying operations inspector should place a condition on the SFA to comply with the specific requirements.

Example 1

A SFP has been issued to allow an aircraft to operate in day VMC only.

Example 2

An aircraft operating under a special CoA cannot operate in known icing conditions.

2.7 Fitness and propriety

Regulation requires 91.970 requires CASA to issue a SFA subject to the requirements of regulation 11.055. Subregulation 11.055(4) to (6) states that CASA may take into account, among other things, the applicants:

- record of regulatory compliance
- experience
- knowledge of the Australian regulations in relation to the operation

Depending on CASA knowledge of the applicant, the flying operations inspector may request further information from the foreign NAA to confirm suitability. The decision whether to contact the foreign NAA is at the discretion of the inspector.

In some circumstances the flying operations inspector may wish to interview the applicant to assess their knowledge of the Australian regulations.

If the applicant is associated with an Australian authorisation holder such as a Part 138 aerial work operator, the requirements would be met by requiring the Australian operator to conduct induction training prior to the applicant conducting operations on their behalf.

2.8 Safety of air navigation

Paragraph 11.055(1A)(e) requires the inspector to be satisfied that granting the authorisation would not have an adverse effect on the safety of air navigation. The term safety of air navigation originates from section 9A of the Civil Aviation Act, where CASA's most important function is the safety of air navigation.

The term "safety of air navigation" is deliberately broad in nature but has the effect of ensuring in all matters relating to the operation of an aircraft CASA must take into account the differing risks associated with the operation of an aircraft. The Australian regulations achieve this via certification, continuing airworthiness, and operational requirements.

When a flying operations inspector considers whether issuing a SFA will not have an adverse effect on the safety of air navigation as a minimum they should take into consideration:

- the continuing airworthiness of the aircraft to meet the special CoA or SFP,
- any conditions included in the special CoA or SFP
- the purpose of the flight,
- the weather conditions
- the proposed area of operation or route
- if the relevant aircraft will operate over a built-up area
- the experience of the flight crew

as to whether granting the approval would meet the standard prescribed by Paragraph 11.055(1A)(e).

The assessment will be primarily conducted by a flying operations inspector but may require input from an AWI to reach a final decision.

2.8.1 Risk assessment

Depending on the application, the inspector may need to conduct a risk assessment prior to issuing a SFA.

Example

A risk assessment may be required when considering an authorisation involving an aircraft certified in experimental category.

When conducting a risk assessment, the inspector should consider the inclusion of AEB National Ops & standards.

Inspectors should follow the work instruction [Guidance for Considering Risk for Exemptions and Novel Approvals](#).