

Operational Leaflet
TRAVELLING ABROAD IN A PERMIT AIRCRAFT

A Permit to Fly is granted in the UK by the CAA, as a national permit for a range of aircraft including those operating in the LAA scheme. It is not equal to a fully ICAO recognised Certificate of Airworthiness, and as such it confers no 'right of flight' anywhere outside the UK.

However, agreements have enabled travelling abroad in Permit aircraft. Typically, prior permission to fly in foreign airspace is granted by the airworthiness authority of the country or countries to be visited. This can either be by requesting and obtaining specific permission or, in some cases, by relying on 'standing permission' being provided and published by the airworthiness authority in question.

In 1980 many countries agreed to recognise each other's national Permits to Fly (or local equivalents) and the heads of these national bodies are members of the European Civil Aviation Conference (ECAC). They reached an agreement that amateur-built aircraft (and subsequently selected vintage and classic aircraft) would be granted permissions to fly in one another's airspace. (It should be noted that these agreements pre-date the formation of EASA. Therefore, these agreements, where still valid, have therefore continued immaterial to the UK's withdrawal from EASA membership.

LICENSING

With the exception of France, who have written a post-EASA letter of agreement enabling (below) the use of UK national licenses for flying Permit aircraft (not EASA Certificated Part-21 CofA aircraft), it should be noted that an ICAO-compliant Part-FCL licence is a requirement for flight overseas. Neither UK NPPL or UK LAPL licenses will be accepted on most European countries.

FRANCE

In June 2021, The DGAC updated their specific rulings on the overflight of French territory by amateur built and certain historic aircraft registered in the United Kingdom.

Details are on the DGAC website and include courtesy English translations:

<https://www.ecologie.gouv.fr/en/foreign-aircraft>

Detail links to the French and English versions of the decrees that apply are:-

<https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000036437808>

https://www.ecologie.gouv.fr/sites/default/files/arrete_flight_amateur_built.pdf

<https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000036437838>

https://www.ecologie.gouv.fr/sites/default/files/arrete_flight_historic_aircrafts.pdf

In general, the terms are:

Pilots may fly amateur build aircraft for private activity, VFR only, for up to 28 consecutive days subject to them having a valid UK certificate of airworthiness (or permit to fly).

Historic aircraft, are permitted on the same basis. These are defined as aircraft falling in category 1(a) (i) of Annex I to Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018*, and that a type certificate or an individual certificate of airworthiness meeting the

requirements of Annex 8 of the Chicago Convention has been issued to such an aircraft, and that the aircraft was constructed by a manufacturer authorised by the former holder of the type certificate.

*In general, this means factory-built former CofA aircraft, whose initial design was established before 1 January 1955, and production has been stopped before 1 January 1975, now operating on an LAA Permit to Fly. Certain LAA-overseen former military types are also covered within this definition.

BELGIUM has confirmed that: *No temporary overflight permit is required for:*

(1) amateur built aircraft, registered in an ECAC (European Civil Aviation Conference) Member State, disposing of a Certificate of Airworthiness or Permit to Fly, issued by that Member State;

(2) historical aircraft originally factory-manufactured and previously holding an ICAO compliant Certificate of Airworthiness and subsequently operated under national rules through a National Restricted Permit to Fly or National Restricted Certificate of Airworthiness, and falling under EU Regulation (EC) No 216/2008, Annex II, Article a(i), with a maximum take-off weight of less than 5700kg and operated in non-commercial flights.

It should however be noted that the usage of aforementioned aircraft in Belgian airspace is limited to 30 days per calendar year.

In addition. Concerning the medical, there is currently no specific requirement in Belgium, the national system of the country of registration or authorization is accepted.

OTHER COUNTRIES

We are currently updating this technical leaflet to reflect in more detail the relationships with other European countries, particularly following the UK's withdrawal from the EC and EASA. A more complete listing of countries will be placed here shortly.

Countries which have in the past honoured the ECAC agreement include Austria, Croatia, Cyprus, Denmark, Finland, Germany, Ireland, Italy, Luxembourg, Monaco (French rules apply), Netherlands, Norway, Romania, Slovak Republic, Slovenia, Sweden and Switzerland. Of course, it remains, at all times, the responsibility of the owner/pilot to ensure compliance with all applicable regulations, whether flying in the UK or abroad.

In addition, the Czech Republic, Greece, Hungary, Latvia, Lithuania, Portugal and Spain have accepted the ECAC agreement in principle BUT require individual applications to be made.

AND FINALLY....

It's important to note that this information relates solely to the matter of acceptance of Permits to Fly and cannot be relied on for other operational requirements such as carriage of documents, radios, airspace, maps, customs, flight plans, insurance requirements or licensing.

Pilots should of course operate in any other third country in accordance with the national rules of the air for the country concerned. It is vital that pilots familiarise themselves with the differences that apply.