

NEPALESE CIVIL AIRWORTHINESS REQUIREMENTS
SECTION B
AIRWORTHINESS CERTIFICATION

CHAPTER B.4

ISSUE 5
MARCH 2017

SPECIAL FLIGHT PERMIT / PERMIT TO FLY

1. GENERAL

- 1.1 When an aircraft is not fully in compliance with its *airworthiness requirements* or its C of A is not in force, the Director General may issue either a Special Flight Permit or a Permit to Fly on certain occasions, to an aircraft which is capable of a safe flight.
- 1.2 A Special Flight Permit may be issued on the following occasions:
- a) a check flight required after a modification or repair during a process of applying for a supplemental type certificate;
 - b) showing compliance with regulations or certification specifications/airworthiness code after modification or repair;
 - c) relocating the aircraft to a base where maintenance is to be performed, or to a point of storage;
 - d) delivering or exporting an aircraft; or
 - e) evacuating the aircraft from an area of impending danger, or in cases of force majeure.
- 1.3 A Permit to Fly may be issued on the following occasions and to aircraft defined in Chapter B.2:
- a) flight of development or experimental aircraft
 - b) crew training of design organisations or production organisations;
 - c) flight testing of new production aircraft
 - d) flying aircraft under production between production facilities;
 - e) flying the aircraft for customer acceptance;
 - f) flying the aircraft for CAA Nepal acceptance for initial issue of a C of A.
 - g) market survey, including customer's crew training;
 - h) flying for exhibition and air show;
 - i) conducting an airworthiness check flight of type certificated aircraft for the purpose of renewal of an expired C of A;
 - j) flying an aircraft at a weight in excess of its maximum certificated takeoff weight for flight beyond the normal range over water, or over land areas where adequate landing facilities or appropriate fuel is not available;
 - k) other occasions that may be specified by the Director General.

Note: The Special Flight Permit or Permit to Fly does not authorize flight over a country other than Nepal without permission of that country.

NEPALESE CIVIL AIRWORTHINESS REQUIREMENTS

SECTION B

AIRWORTHINESS CERTIFICATION

2. APPLICATION

- 2.1 An application for a Special Flight Permit / Permit to Fly shall be made to the Director General in Form B.4.1 given in Appendix-1 to this Chapter.
- 2.2 The application for a Special Flight Permit / Permit to Fly shall include:
- a) the purpose of the flights, in accordance with 1.2 or 1.3 as applicable;
 - b) if the aircraft does not comply with applicable *airworthiness requirements*, the ways in which the aircraft does not comply;
 - c) the crew required to operate the aircraft and its equipment;
 - d) any restriction the applicant considers necessary for safe operation of the aircraft which might include:
 - i) the configurations for which the Special Flight Permit / Permit to Fly is requested;
 - ii) the conditions or restrictions put on itineraries or airspace, or both, required for the flights;
 - iii) the conditions and restrictions put on the flight crew to fly the aircraft;
 - iv) the restrictions regarding carriage of persons other than flight crew;
 - v) the operating limitations, specific procedures or technical conditions to be met;
 - vi) the specific flight check programme, if applicable;
 - vii) the specific continuing airworthiness arrangements including maintenance instructions and regime under which they will be performed;
 - e) the substantiation that the aircraft is capable of safe flight under the conditions or restrictions of subparagraph (d).
 - f) any other information that CAA Nepal reasonably needs to be able to prescribe operating limitations or other conditions in the interests of aviation safety.
- 2.3 The Director General may make, or require the applicant to make, appropriate inspections or tests necessary to determine whether the aircraft can reasonably be expected to be capable of safe flight for the intended purpose or purposes. The applicant for a Special Flight Permit / Permit to Fly shall provide access to the aircraft concerned at the request of CAA Nepal.
- 2.4 Any expenses incurred on CAA Nepal in the course of the issue of a Special Flight Permit / Permit to Fly shall be fully borne and paid by the applicant.

3. ISSUE OF A SPECIAL FLIGHT PERMIT / PERMIT TO FLY

- 3.1 The Director General shall issue a Special Flight Permit / Permit to Fly upon receipt of an application and:
- a) when satisfied that the conditions in this paragraph 3 are met;
 - b) when CAA Nepal through its own investigations, which may include inspections or through procedures agreed with the applicant, is satisfied that the aircraft is capable of safe flight under the conditions or restrictions of subparagraph 3.3.

NEPALESE CIVIL AIRWORTHINESS REQUIREMENTS

SECTION B

AIRWORTHINESS CERTIFICATION

- 3.2 The Special Flight Permit / Permit to Fly shall specify the purposes and any conditions, restrictions that the Director General might consider necessary to impose.
- 3.3 Any conditions and restrictions imposed on a Special Flight Permit / Permit to Fly, that limit the use of the aircraft, must be in writing and set out in or attached to the Special Flight Permit / Permit to Fly.
- 3.4 A Special Flight Permit / Permit to Fly shall not be issued to:
 - a) an aircraft which is eligible for Certificate of Airworthiness (C of A) .
 - b) aircraft the maximum weight of which is 650 kg and below used for commercial purpose.
 - c) an aircraft which is considered by the Director General to be unsafe to fly.
 - d) an aircraft is covered by an airworthiness directive that restricts flights under a Special Flight Permit / Permit to Fly;
- 3.5 A Special Flight Permit or Permit to Fly shall be issued on CAAN Form B.4.2 or B.4.3 respectively, a sample of which is given in Appendix-2 and Appendix-3 to this Chapter.

4. CHANGES TO A SPECIAL FLIGHT PERMIT / PERMIT TO FLY

- 4.1 Any change that invalidates the conditions or associated substantiation established for the Special Flight Permit / Permit to Fly also invalidates the issued Special Flight Permit / Permit to Fly. Any such changes must be approved.
- 4.2 A change affecting the content of the Special Flight Permit / Permit to Fly requires the issuance of a new Special Flight Permit / Permit to Fly in accordance with this Chapter.

5. DURATION AND CONTINUED VALIDITY

- 5.1 A Special Flight Permit shall remain valid for the period specified on it from the date of issue subject to sub paragraph 5.3.
- 5.2 A Permit to Fly shall remain valid for the period specified on it but not more than a maximum of 12 months subject to sub paragraph 5.3.
- 5.3 Conditions for validity of Special Flight Permit / Permit to Fly
 - a) compliance with the conditions and restrictions associated to the Special Flight Permit / Permit to Fly;
 - b) the Special Flight Permit / Permit to Fly not being surrendered or revoked by CAA Nepal;
 - c) the aircraft remaining on Nepalese Civil Aircraft Register.
- 5.5 Upon surrender or revocation, the Special Flight Permit / Permit to Fly shall be returned to CAA Nepal.

NEPALESE CIVIL AIRWORTHINESS REQUIREMENTS
SECTION B
AIRWORTHINESS CERTIFICATION

6. RENEWAL OF SPECIAL FLIGHT PERMIT / PERMIT TO FLY

6.1 Renewal of the Special Flight Permit / Permit to Fly shall be processed in accordance with paragraph 4.

7. SUSPENSION AND CANCELLATION OF A SPECIAL FLIGHT PERMIT / PERMIT TO FLY

7.1 The Director General may suspend or cancel a Special Flight Permit / Permit to Fly, by written notice given to its holder, if the Director General considers that it is necessary to do so in the interests of aviation safety.

- a) A notice under sub-paragraph 7.1 must set out:
 - i) the grounds for the suspension or cancellation; and
 - ii) in the case of a suspension—the date when the suspension ends.

8. RESPONSIBILITIES OF THE HOLDER OF A SPECIAL FLIGHT PERMIT / PERMIT TO FLY

8.1 The holder of a Special Flight Permit / Permit to Fly shall ensure that all the conditions and restrictions associated with the Special Flight Permit / Permit to Fly, as applicable, are satisfied and maintained.

9. CONDITIONS OF SPECIAL FLIGHT PERMIT / PERMIT TO FLY

9.1 All Special Flight Permits or Permits to Fly must be issued with the conditions and restrictions associated with the specific permit. These conditions and restrictions shall be listed in CAAN Form B.4.4 named “Flight Permit Conditions”. A sample Flight Permit Conditions form with non exhaustive list of conditions and restrictions is given in Appendix-4 to this Chapter. See also paragraph 9.3.

9.2 The following conditions and limitations are of General nature and considered to be essential in all permits:

- a) A copy of Special Flight Permit/ Permit to Fly shall be carried on board the aircraft at all times when operating under Special Flight Permit/ Permit to Fly.
- b) A Special Flight Permit / Permit to Fly does not allow commercial operation of the aircraft. No person or property should be carried for compensation or hire purpose.
- c) The registration marks assigned to the aircraft by the CAA Nepal should be displayed on the aircraft in conformity with the requirements of CAA Nepal.
- d) 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 issued or validated by the CAA Nepal.
- e) No persons 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;

NEPALESE CIVIL AIRWORTHINESS REQUIREMENTS
SECTION B
AIRWORTHINESS CERTIFICATION

- f) All Flight should be conducted so as to avoid areas having heavy traffic or any other areas where flights might create hazardous exposure to persons or property.
 - g) All Flights shall be conducted in accordance with performance operating limitations contained in the aircraft's flight manual and additional limitations specified by CAA Nepal for the intended flight.
 - h) If the flight involves operation over countries outside Nepal, the operator of the aircraft should obtain appropriate authorisation from the authorities of each of those countries prior to operation of such flight.
 - i) Before flight, the aircraft shall be inspected by an appropriately qualified and authorized person and must be inspected to sufficient depth in accordance with procedures contained in the operators manual to ensure the aircraft is in safe condition and is fit for the purpose of the particular Special Flight Permit / Permit to Fly.
 - j) any maintenance required as a result of the inspection must be assessed performed by suitably qualified and authorized person and maintenance essential for the operation of the intended flight carried out and certified before the flight;
 - k) Following the completion of required maintenance, a Certificate of Release to Service shall be issued by suitably qualified and authorized person.
 - l) The Special Flight Permit/ Permit to Fly does not permit operation of a product to which an airworthiness directives applies except in accordance with the requirements of the directives
 - m) Operating mass of the aircraft must be the minimum necessary for the flight with necessary reserve fuel load.
 - n) Flight into known or forecast turbulent air masses or icing conditions is prohibited.
 - o) Any other conditions or limitations as considered necessary by the operator for the safe operation of flight.
 - p) The flight under this Special Flight Permit/Permit to Fly shall be conducted prior to the expiry date of this permit.
- 9.3 Specific Conditions to the aircraft and the intended flight shall be additionally included in the Form B.4.4 "Flight Permit Conditions" on applicability basis in each case.
- 9.4 Director General may require the applicant to make the aircraft available for inspection especially when the aircraft is damaged or the airworthiness/safety of aircraft is in doubt.

NEPALESE CIVIL AIRWORTHINESS REQUIREMENTS
SECTION B
AIRWORTHINESS CERTIFICATION

10. RECORDKEEPING

- 10.1 All documents produced to establish and justify the conditions and restrictions shall be held by the holder of the Special Flight Permit / Permit to Fly at the disposal of CAA Nepal and shall be retained in order to provide the information necessary to ensure the continued airworthiness of the aircraft.
- 10.2 A record of the inspection and any maintenance carried out must be made in the aircraft logbook or approved alternative maintenance record for the aircraft.
- 10.3 The previously expired CRS or current CRS issued, whichever may apply, is to be used to record details of the issue and validity of the Special Flight Permit / Permit to Fly, to record applicable flight details, and to record any defects or damage detected during or after the flight.

Civil Aviation Authority of Nepal

CIVIL AVIATION AUTHORITY OF NEPAL

Form B.4.1

Appendix-1

APPLICATION FOR ISSUE / RENEWAL OF A SPECIAL FLIGHT PERMIT / PERMIT TO FLY

1. – Owner details

Name as stated in C of R:

Owner's address:

Contact details:

Phone: Email:

2. – Applicant details

Applicant Name:

Applicant address:

Applicant Contact details:

Phone: Email:

3. – Aircraft details

Registration: Type / Model Serial No.

Aircraft Manufacturer: Year of manufacture

Engine Type: Propeller Type:

4. – Purpose of Special Flight Permit / Permit to Fly

(Specify the purpose in reference to NCAR B.4)

Detail:

5. – Proposed itinerary

Flight details: From: To:

Flight route:

Period for which permit is requested:

From: / / To: / / Proposed departure date: / /

6. – Details of crew required to operate the aircraft

Names	Licence and Ratings	Licence validity

CIVIL AVIATION AUTHORITY OF NEPAL

7. - Details of non-compliance to airworthiness requirements:

(Attach supporting documents including damage assessment report if any)

8. - Details of limitation/ restriction, the applicant considers necessary for safe operation of the aircraft

Engineering:

Operations:

Others:

9. – Proposed action to make aircraft fit for the intended flight:

10. - Any other information relevant to the flight for the purpose of prescribing Operating limitations:

Certified, that the aircraft is capable of safe flight for the intended purpose and destination. The above particulars and all documents submitted in support of this application are true in every respect.

Name	Signature
Continuing Airworthiness Manager.....
Flight Operations Manager
Date:.....

CIVIL AVIATION AUTHORITY OF NEPAL

Form B.4.2

Appendix-2

Certificate No.....		
CIVIL AVIATION AUTHORITY OF NEPAL SPECIAL FLIGHT PERMIT		
Nationality and Registration Marks	Manufacturer and Manufacturer's Designation of Aircraft	Aircraft Serial No.
Engine Type:		
Propeller Type:		
Purpose of flight:		
<p>This Special Flight Permit, issued pursuant to NCAR Chapter B.4, hereby permits the aircraft to fly without a certificate of airworthiness in force in respect thereof. This permission for flight does not constitute a Certificate of Airworthiness issued pursuant to the Convention on International Civil Aviation dated 7 December 1944.</p> <p>This Special Flight Permit is issued subject to the conditions listed in the attached CAAN Form B.4.4 Flight Permit Conditions.</p> <p>This Special Flight Permit is issued by the Director General upon being satisfied with the airworthiness of the aircraft for the purpose stated herein and shall remain valid for the period prescribed from the date of issue.</p>		
Issue date:.....		
Valid till.....		for the Director General:
<i>This permit does not authorize flight over a country other than Nepal without permission of that country</i>		

CIVIL AVIATION AUTHORITY OF NEPAL

Form B.4.3

Appendix-3

Certificate No.....			
CIVIL AVIATION AUTHORITY OF NEPAL PERMIT TO FLY			
Nationality and Registration Marks	Manufacturer and Manufacturer's Designation of Aircraft	Aircraft Serial No.	
Engine Type:			
Propeller Type:			
Purpose of flight:			
<p>This Permit to Fly, issued pursuant to NCAR Chapter B.4, hereby permits the aircraft to fly without a certificate of airworthiness in force in respect thereof. This permission for flight does not constitute a Certificate of Airworthiness issued pursuant to the Convention on International Civil Aviation dated 7 December 1944.</p> <p>This Permit to Fly is issued subject to the conditions listed in the attached CAAN Form B.4.4 Flight Permit Conditions.</p> <p>This Permit to Fly shall be issued or renewed by the Director General upon being satisfied with the airworthiness aircraft for the purpose stated herein and shall remain valid for the period prescribed from the date of issue.</p> <p>Date:.....</p> <p style="text-align: right;">..... for the Director General:</p> <p style="text-align: center;"><i>This permit does not authorize flight over a country other than Nepal without permission of that country.</i></p>			
The Permit to Fly is validated for the period shown below:			
From	To	On date	Signed

CIVIL AVIATION AUTHORITY OF NEPAL

Form B.4.4

Appendix-4

FLIGHT PERMIT CONDITIONS

Type of permit: Special Flight Permit Permit to Fly Certificate Number

Nationality and Registration Marks	Manufacturer and Manufacturer's Designation of Aircraft	Aircraft Serial No.

The following conditions and limitations are of General nature and considered to be essential in all permits:

- a) A copy of Special Flight Permit/ Permit to Fly shall be carried on board the aircraft at all times when operating under Special Flight Permit/ Permit to Fly.
- b) A Special Flight Permit / Permit to Fly does not allow commercial operation of the aircraft. No person or property should be carried for compensation or hire purpose.
- c) The registration marks assigned to the aircraft by the CAA Nepal should be displayed on the aircraft in conformity with the requirements of CAA Nepal.
- d) 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 issued or validated by the CAA Nepal.
- e) No persons 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;
- f) All Flight should be conducted so as to avoid areas having heavy traffic or any other areas where flights might create hazardous exposure to persons or property.
- g) All Flights shall be conducted in accordance with performance operating limitations contained in the aircraft's flight manual and additional limitations specified by CAA Nepal for the intended flight.
- h) If the flight involves operation over countries outside Nepal, the operator of the aircraft should obtain appropriate authorisation from the authorities of each of those countries prior to operation of such flight.
- i) Before flight, the aircraft shall be inspected by an appropriately qualified and authorized person and must be inspected to sufficient depth in accordance with procedures contained in the operators manual to ensure the aircraft is in safe condition and is fit for the purpose of the particular Special Flight Permit / Permit to Fly.
- j) any maintenance required as a result of the inspection must be assessed performed by suitably qualified and authorized person and maintenance essential for the operation of the intended flight carried out and certified before the flight;
- k) Following the completion of required maintenance, a Certificate of Release to Service shall be issued by suitably qualified and authorized person.
- l) The Special Flight Permit/ Permit to Fly does not permit operation of a product to which an airworthiness directives applies except in accordance with the requirements of the directives
- m) Operating mass of the aircraft must be the minimum necessary for the flight with necessary reserve fuel load.
- n) Flight into known or forecast turbulent air masses or icing conditions is prohibited.
- o) Any other conditions or limitations as considered necessary by the operator for the safe operation of flight.
- p) The flight under this Special Flight Permit/Permit to Fly shall be conducted prior to the expiry date of this permit.

The permit referenced above, is issued subject to the following specific conditions, as applicable, in addition to the General conditions and limitations mentioned above:

1. The aircraft shall not be flown except for the purpose of:
2. Maximum number of occupants authorized to be carried, including crew:
3. Minimum number of crew:
4. The aircraft may only be flown byname of pilot).

CIVIL AVIATION AUTHORITY OF NEPAL

5. The following essential persons only may be carried on the flight:
.....
.....
.....
6. The aircraft must be operated in compliance with the Flight manual or following below operating limitations which shall be displayed in the crew compartment by means of placards or instrument markings:
Aerobatic limitations:.....
Engine limitations:.....
Air speed limitations:.....
Altitude limitations:.....
Attitude limitations:.....
Fuel limitations:.....
Other limitations:.....
7. Loading limitations:
Max. take off..... Max. Landing..... C of G..... % MAC
CG limits for flight under this permit are: to
- This aircraft may takeoff at a weight limit of:
8. The route to be flown is:.....
9. Prior air traffic control approval is required for:.....
10. Any other limitations (if any).....
.....

.....
Date

.....
for the Director General