

A stylized paper airplane icon in shades of blue is shown flying over a dashed grey line that represents a flight path, curving upwards and then downwards.

CIVIL AVIATION DIRECTIVE – 8305

PERMIT TO FLY⁺

CAAM PART 21 SUBPART P

CIVIL AVIATION AUTHORITY OF MALAYSIA

ISSUE 01
REVISION 00 – 1ST MAY 2021

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Introduction

In exercise of the powers conferred by section 24O of the Civil Aviation Act 1969 [Act 3], the Chief Executive Officer makes this Civil Aviation Directive (CAD) 8305 – Permit to Fly (CAAM Part 21 Subpart P) pursuant to Regulation 21, 29, 31, 189 and 193 of the Malaysia Civil Aviation Regulation (MCAIR) 2016.

This CAD provides the procedures and requirements pertaining to a Permit to Fly and for any matters connected therewith.

This CAD 8305 – Permit to Fly is published by the Chief Executive Officer under section 24O of the Civil Aviation Act 1969 [Act 3] and come into operation on 1st May 2021.

Non-compliance with this CAD

Any person who contravenes any provision in this CAD commits an offence and shall on conviction be liable to the punishment under section 24O of the Civil Aviation Act 1969 [Act 3] and/ or under Malaysia Civil Aviation Regulation 2016.



(Captain Chester Voo Chee Soon)
Chief Executive Officer
Civil Aviation Authority of Malaysia



Civil Aviation Directive Components and Editorial practices

This Civil Aviation Directive is made up of the following components and are defined as follows:

Standards: Usually preceded by words such as “*shall*” or “*must*”, are any specification for physical characteristics, configuration, performance, personnel or procedure, where uniform application is necessary for the safety or regularity of air navigation and to which Operators must conform. In the event of impossibility of compliance, notification to the CAAM is compulsory.

Recommended Practices: Usually preceded by the words such as “*should*” or “*may*”, are any specification for physical characteristics, configuration, performance, personnel or procedure, where the uniform application is desirable in the interest of safety, regularity or efficiency of air navigation, and to which Operators will endeavour to conform.

Definitions: Terms used in the Standards and Recommended Practices which are not self-explanatory in that they do not have accepted dictionary meanings. A definition does not have an independent status but is an essential part of each Standard and Recommended Practice in which the term is used, since a change in the meaning of the term would affect the specification.

Notes: Included in the text, where appropriate, Notes give factual information or references bearing on the Standards or Recommended Practices in question but not constituting part of the Standards or Recommended Practices;

It is to be noted that some Standards in this Civil Aviation Directive incorporates, by reference, other specifications having the status of Recommended Practices. In such cases, the text of the Recommended Practice becomes part of the Standard.

The units of measurement used in this document are in accordance with the International System of Units (SI) as specified in CAD 5. Where CAD 5 permits the use of non-SI alternative units, these are shown in parentheses following the basic units. Where two sets of units are quoted it must not be assumed that the pairs of values are equal and interchangeable. It may, however, be inferred that an equivalent level of safety is achieved when either set of units is used exclusively.

Any reference to a portion of this document, which is identified by a number and/or title, includes all subdivisions of that portion.

Throughout this Civil Aviation Directive, the use of the male gender should be understood to include male and female persons



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1 General

1.1 Citation

1.1.1 These Directives are the Civil Aviation Directives 8305 – Permit to Fly (CAAM Part 21 Subpart P) [CAD 8305], Issue 01/Revision 00, and comes into operation on 1st May 2021.

1.1.2 This CAD 8305 – Permit to Fly (CAAM Part 21 Subpart P), Issue 01/Revision 00 will remain current until withdrawn or superseded.

1.2 Applicability

1.2.1 This CAD shall be applicable to:

- (a) an applicant for, or holder of, a permit to fly; or
- (b) Continuing Airworthiness Management Organisation under Regulation 31(1)(a), or
- (c) Production Organisation that has been granted the privilege under CAD 8201 to issue permit to fly.

1.3 Revocation

1.3.1 This CAD, revokes Notice 8305 Issue 1 dated 02 May 2018.

1.4 Definition

1.4.1 In this CAD, unless the context otherwise requires:

Aircraft means a machine that can derive support in the atmosphere from reactions of the air, other than reactions of the air against the surface of the earth.

Continuing Airworthiness Management Organisation (CAMO) means approved continuing airworthiness management organisation which holds a valid certificate of approval granted under Regulation 31(1)(a) of the MCAR

CAAM means Civil Aviation Authority Malaysia

CAD means Civil Aviation Directive

Certificate of Approval means a certificate of approval issued under Regulation 21 of the MCAR 2016; and

MCAR means Civil Aviation Regulations

Permit to Fly shall have the same meaning assigned to it under the MCAR 2016

Production Organisation Approval (POA) means approved production organisation which holds a valid certificate of approval granted under Regulation 21(1) of the MCAR 2016.



2 Application for The Issuance of Permit to Fly

2.1 An application for a permit to fly shall be made by the following:

- a) a CAMO approved to manage the continuing airworthiness of the aircraft; or
- b) if the continuing airworthiness of an aircraft is not managed by a CAMO, the owner of the aircraft; or
- c) a POA approved to manufacture an aircraft.

2.2 Permit to fly is classified as follows:

- a) **Permit to fly with Flight Conditions** - Applicable for aircraft with temporary loss of airworthiness in which Certificate of Airworthiness of the aircraft ceased to be in force due to the following:
 - 1) maintenance is not performed in accordance with approved programmes;
 - 2) operation beyond the applicable operating limits;
 - 3) an Airworthiness Directive has not been complied with;
 - 4) showing compliance with regulations or certification requirements;
 - 5) certain equipment outside the approved Minimum Equipment List (MEL) is unserviceable; or
 - 6) when the aircraft has sustained damage beyond the applicable limits.
- b) **Permit to fly with conditions** - Applicable for any other aircraft due to the following:
 - 1) a Certificate of Airworthiness has not been issued or is not appropriate; or
 - 2) performing Maintenance Check Flight.

2.3 A permit to fly may be issued by:

- a) CAAM; or
- b) a CAMO that has been granted the privilege to issue permit to fly; or
- c) a POA that has been granted the privilege to issue permit to fly.

2.4 CAAM may issue a permit to fly if CAAM is satisfied that the applicant has fulfilled the following requirements:

- a) submission of an application form CAAM/AW/8305-01 to the CAAM and accompanied by the prescribed fee; and
- b) the associated Flight Conditions has been approved or the associated conditions have been accepted

3 Obligations of CAMO

- 3.1 An organisation referred to in paragraph 2.1(a) of this CAD shall:
- a) submit a copy of the permit to fly to CAAM, accompanied by the prescribed fee, at the earliest opportunity but not later than 3 days from the date the permit to fly is issued, renewed or varied; and
 - b) inform the CAAM immediately of any revocation, of permit to fly issued, upon evidence that any of the conditions specified in paragraph 4.2 of this CAD are met.

4 Application For The Approval Of Flight Conditions

- 4.1 Pursuant to Regulation 29(4) of the MCAR 2016, a permit to fly shall cease to be in force if any conditions of the permit are not complied with. The conditions of the permit are specified in the Flight Conditions, or any other documents as specified on the permit.
- 4.2 An application for the approval of the Flight Conditions shall be made to CAAM using application form CAAM/AW/8305-02.
- 4.3 Notwithstanding paragraph 4.2 of this CAD, the Flight Conditions which is not related to the safety of the design may be approved by a design organisation approved under Regulation 21 of the MCAR 2016 that has been granted such privilege.
- 4.4 The application for approval of Flight Conditions shall include:
- a) any condition or restriction necessary for safe operation of the aircraft, including:
 - 1) the conditions or restrictions on itineraries or airspace, or both, required for the flight(s);
 - 2) any conditions or restrictions on the flight crew in regard to the flight test qualifications and the nature of the flight test(s);
 - 3) any conditions or restrictions regarding carriage of persons other than flight crew;
 - 4) the operating limitations, specific procedures or technical conditions to be met;
 - 5) the specific flight test programme (if applicable); and
 - 6) the specific continuing airworthiness arrangements including maintenance instructions and regime under which they will be performed;
 - b) the substantiation that aircraft is capable of safe flight under the conditions or restrictions of paragraph 4.4(a) of this CAD;

- c) the configuration(s) of the aircraft at the time the application for the Flight Conditions is submitted; and
- d) the method used for the control of the aircraft configuration, in order to remain within the established conditions.

5 Variation

- 5.1 An application for the variation of a permit to fly shall be made to CAAM using application form CAAM/AW/8305-01 and accompanied by the prescribed fee.

6 Duration and Validity of Permit To Fly

- 6.1 A permit to fly may be granted for a period not exceeding 12 months
- 6.2 The permit to fly shall cease to be in force if:
 - a) the conditions specified in Regulation 29(4) of the MCAR 2016 occurs;
 - b) the registration and marking of the aircraft has changed; or
 - c) the permit to fly has been surrendered, suspended or revoked under MCAR.
- 6.3 The permit to fly has been issued by CAAM shall cease to be in force if the certificate of airworthiness for the aircraft is issued or becomes valid.

7 Renewal of Permit To Fly

- 7.1 An application for the renewal of a permit to fly, which was issued by CAAM, shall be made to CAAM using application form CAAM/AW/8305-01 and accompanied by the prescribed fee.

8 Obligations of The Holder of A Permit To Fly

- 8.1 The holder of a permit to fly shall ensure that all the conditions and restrictions associated with the permit to fly are satisfied.
- 8.2 The holder of a permit to fly shall inform the flight crew on the conditions, restrictions and any other operating limitations associated with the permit to fly, prior to the flight.
- 8.3 The permit to fly and the associated conditions shall be carried on board and displayed in the aircraft at all times when operating under the terms of the permit to fly.

9 Record Keeping

- 9.1 All documentary evidence produced to establish and justify the Flight Conditions (if applicable), and for showing compliance with all conditions and restrictions associated with the permit to fly shall be held by the holder of the permit to fly at the disposal of CAAM and shall be retained in order to provide the information necessary to ensure the continued airworthiness of the aircraft.