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**Federal Aviation
Administration**

InFO

Information for Operators

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http://www.faa.gov/other_visit/aviation_industry/airline_operators/airline_safety/info

An InFO contains valuable information for operators that should help them meet certain administrative, regulatory, or operational requirements with relatively low urgency or impact on safety.

Subject: Operations Conducted Outside of the U.S. Under Special Flight Authorizations or Special Flight Permits with Continuous Authorizations to Conduct Ferry Flights

Purpose: This InFO informs operators ferrying unairworthy aircraft using Special Flight Authorizations (SFA) or operations specifications (OpSpecs) paragraph D084, Special Flight Permit with Continuous Authorizations to Conduct Ferry Flights, that the authorizations contained in these documents may not meet the regulatory requirements of all foreign countries.

Background: Title 14 Code of Federal Regulation (14 CFR) part 91, § 91.703(a)(2) requires each person operating a civil aircraft of U.S. registry to, “when within a foreign country, comply with the regulations relating to the flight and maneuver of aircraft there in force” unless the applicable Federal Aviation Administration (FAA) regulations are more restrictive. *See* § 91.703(a)(3).

Discussion: Article 33 of the Convention on International Civil Aviation (Chicago Convention) requires contracting states to recognize airworthiness certificates issued by other contracting states if they meet the minimum airworthiness standards articulated in the Chicago Convention. Annex 8 of the Chicago Convention, Airworthiness of Aircraft, Part II, details the airworthiness requirements for all contracting states. Aircraft operated under an SFA or OpSpec D084 do not meet applicable FAA airworthiness requirements and would not be required to be considered airworthy by foreign States. *See* 14 CFR part 21, § 21.197(a). Therefore, an operator must obtain special permission from each foreign country it wishes to fly over prior to conducting an operation under such provisions outside of the U.S. This means that, in order to be valid, an SFA or OpSpec D084 must be accompanied by special permission from each foreign country in order for an aircraft to operate in that country’s airspace.

It is the responsibility of each person operating a civil aircraft of U.S. registry to comply with the rules of the air for each foreign country it flies over or operates into and the applicable provisions of part 91. *See* §§ 91.703(a)(2)-(3). Operators should ensure a process is in place to address the requirements of foreign countries.

Recommended Action: Industry users should review the contents of this InFO and become familiar with the applicable provisions of the Chicago Convention and each State’s requirements for conducting operations under an SFA or OpSpec D084.

Contact: questions or comments concerning this InFO should be directed to the Technical Programs Branch, AFS-260 at (202) 267-8166.