



CIVIL AVIATION DIRECTIVE – 8306

TEMPORARY LOSS OF AIRWORTHINESS – PERMIT TO FERRY

CIVIL AVIATION AUTHORITY OF MALAYSIA

ISSUE 01
REVISION 00 – 1ST AUGUST 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) 8306 – Temporary Loss of Airworthiness – Permit to Ferry, pursuant to Regulation 26, 27, 29, 34, 40, 42, 81, 165, 189, 193 and 195 of the Malaysia Civil Aviation Regulation (MCAR) 2016.

Civil Aviation Directive 8306 – Temporary Loss of Airworthiness – Permit to Ferry is published by the Chief Executive Officer under Section 24O of the Civil Aviation Act 1969 [Act 3] and comes into operation on 1st August 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 punishments under Section 24O of the Civil Aviation Act 1969 [Act 3] and/or under Malaysia Civil Aviation Regulation 2016.

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(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 8306 – Temporary Loss of Airworthiness – Permit to Ferry, Issue 01/Revision 00, and comes into operation on 1 August 2021.

1.1.2 This CAD 8306 Issue 01/Revision 00 is issued and to be read in conjunction with CAD 8305 – Permit to Fly (CAAM Part 21 Subpart P) and will remain current until withdrawn or superseded.

1.2 Applicability

1.2.1 This CAD, be read together with CAD 8 and CAD 8305, apply to all Malaysian registered aircraft and foreign registered aircraft operating in/out of Malaysia or overfly in Malaysian airspace.

1.3 Revocation

1.3.1 This CAD 8306, revokes Airworthiness Notice No. 75 issue 2 dated 1 October 2002.

1.4 Definitions

Aircraft means any machine that can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the earth's surface;

CAMO means approved continuing airworthiness management organisation which holds a valid certificate of approval granted under regulation 31(1)(a) of the MCAR;

Permit to fly means a permit issued under regulation 29 of MCAR;

CAA means Civil Aviation Authority.

2 Permit to Ferry

2.1 A Certificate of Airworthiness issued in respect of an aircraft shall cease to be in force if the aircraft or such of its equipment as is necessary for the airworthiness of the aircraft is not overhauled, repaired or modified in a manner and with material of a type approved by the CAAM. Any failure to revert an aircraft back to an airworthy condition when its maintenance is not performed in accordance with approved programmes or when an aircraft is operated beyond the applicable operating limits or when an Airworthiness Directive has not been complied with or when certain equipment outside the approved Minimum Equipment List (MEL) is unserviceable or when the aircraft has sustained damage beyond the applicable limits as defined by appropriate

airworthiness requirements, shall render the aircraft ineligible for operation until the aircraft is restored to an airworthy condition.

- 2.2 However, in circumstances when restoration of the aircraft to an airworthy condition is not possible at the place of occurrence, CAAM may prescribe specific limiting conditions to permit the aircraft to fly without passengers to a facility at which it can be restored to an airworthy condition provided the aircraft is capable of safe flight.
- 2.3 This provision in permitting the ferry flight will also require the operator to seek clearances from the appropriate authorities of the respective States over which the ferry flight will take place.

3 Requirements

3.1 Malaysian registered aircraft

- 3.1.1 This section of the CAD is applicable to all Malaysian registered aircraft when its Certificate of Airworthiness ceased to be in force due to factors as stipulated in para 2.1 of this CAD or any other factors as determined by CAAM and the provision for the aircraft to fly to a facility at which it can be restored back to an airworthy condition. A Permit to Fly with Flight Conditions as per CAD 8305 can be issued (as a Permit to Ferry) to allow the aircraft to be ferried from the point of occurrence to a point of determined destination.
- 3.1.2 A CAMO may request for Permit to Fly from CAAM as per CAD 8305 to allow for the ferry flight of an aircraft for the purpose of positioning the aircraft to a place where repair or any other maintenance tasks for returning the aircraft to an airworthy condition is to be performed.
- 3.1.3 In the course of issuing a Permit to Fly for the purpose of ferrying an aircraft, CAAM may inspect the aircraft or may require the applicant to perform appropriate inspections or tests necessary for safety.
- 3.1.4 The operator is advised that if the flight involves operations over States other than Malaysia, the operator of the aircraft must obtain flight clearance from the appropriate authorities of that States prior to undertaking the flight.
- 3.1.5 The pilot-in-command shall observe and abide by all limitations and conditions set forth in the Permit to Fly.
- 3.1.6 A copy of the Permit to Fly issued by CAAM shall be displayed on board the aircraft.

3.2 Foreign registered aircraft

- 3.2.1 This section of the CAD is applicable to all foreign registered aircraft operating in/out of Malaysia or overfly in Malaysian airspace when its Certificate of



Airworthiness ceased to be in force due to the aircraft sustaining structural damage or technical problem.

- 3.2.2 A Clearance Letter shall be issued to allow the aircraft to be ferried from the point of occurrence to a point of determined destination for the repair or rectification work to be carried out.
- 3.2.3 The owner/operator of aircraft as stated in para 3.2.1 is required to notify CAAM immediately and submit a copy of the Mandatory Occurrence Report that is submitted to its CAA.
- 3.2.4 It shall be the owner's/operator's responsibility to report the occurrence to the CAA of the State of Registry.
- 3.2.5 The owner/operator may apply for a Clearance Letter from CAAM using form CAAM/AW/8306-01.
- 3.2.6 A Permit to Fly or equivalent with Flight Conditions from the State of Registry shall be a prerequisite for the issue of a Clearance Letter from CAAM.
- 3.2.7 CAAM reserved the right to inspect the aircraft and the applicant/operator shall facilitate the inspection. CAAM may impose additional limiting conditions as it deems necessary and will be reflected in the Clearance Letter.
- 3.2.8 The Clearance Letter will be addressed to the Operator/Applicant and a copy shall be provided to them. The letter shall not constitute an approval or endorsement whatsoever for any or part of the aircraft rectification work carried out in getting the aircraft to a flyable condition.
- 3.2.9 The owner/operator shall be responsible for all the preparations and ground handling requirements for the aircraft safe departure.