

Importing a Flight Permit Aircraft into Ireland

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A. Introduction

The Irish Light Aviation Society (ILAS) is a voluntary organisation set up to oversee the building and operation of amateur-built light aircraft, and the restoration/renovation and operation of certain vintage factory-manufactured aircraft. Such aircraft are required to fall within the terms of the ILAS's technical approval in its delegated responsibility from the IAA. It is vital before you purchase an aircraft, project or kit, that you establish whether or not the particular aircraft you are acquiring will be eligible for the issue of an IAA Flight Permit administered by ILAS. If not, then you need to go the EASA Permit route or EASA Certificate of Airworthiness route, and in both cases should liaise directly with the relevant section of the IAA.

B. Amateur-built Aircraft

Aircraft types (including amateur-built gyroplanes) which meet *all* of the following criteria may be recommended by ILAS for IAA acceptance and supervision by ILAS. Otherwise all supervision will be directly by the IAA:

- Maximum number of occupants, including crew, not exceeding four persons.
- Maximum take-off mass not to exceed 1225 kgs (2700 lbs).
- Stall speed in the landing configuration not to exceed 60 Knots EAS.
- Design dive speed not to exceed 250 Knots EAS (Fixed Wing) or 140Kts (Gyroplane).
- Installed power unit not to exceed 260 BHP, with a multi-engine configuration not exceeding this limit when considered the total installed power of all engines combined.
- Several examples of the type should be successfully flying.
- The major portion (at least 51%) of the workshop hours involved in producing the aircraft should be contributed by an amateur builder or a non-profit-making association of amateurs for their own purposes and without any commercial objective(s).

Where a specific engine type is not specified for an approved design, any engine meeting the engine criteria above may be used, subject to the ILAS Technical Subcommittee being satisfied as to its suitability, taking all relevant factors into account.

C. Classic Historical and Vintage Aircraft

Any aircraft type which no longer enjoys factory support may qualify for supervision by ILAS, subject to the approval of the Technical Subcommittee and the IAA. These aircraft are defined in Annex II of EU Commission Regulation 216 of 2008 as amended. (ILAS reserves the right not to supervise complex aircraft including complex ex-military aircraft that require a level of expertise which is not available to it).

D. Gyroplanes

Factory built gyroplanes which meet the following criteria may qualify for supervision by ILAS, subject to the approval of the Technical Subcommittee and the IAA:

- Maximum number of occupants, including pilot, not exceeding two persons.
- Maximum take-off weight not to exceed 560 kgs.
- Several examples of the type should be successfully flying.

Factory-built and amateur-built gyroplanes from an approved authority are both eligible for acceptance review by the Technical Subcommittee and the IAA.

All design changes and repairs on aircraft with an IAA Flight Permit administered by ILAS must be IAA approved.

E. “To Do” List for the Prospective Importer of a Completed Aircraft, a Project or a Kit

Firstly, if planning to import an aircraft into the Republic of Ireland, check that the aircraft you plan to import comes within the remit of the ILAS-administered Flight Permit scheme as outlined above. This generally covers Classic & Vintage Fixed-Wing Aircraft, Amateur-Built Fixed Wing Aircraft, certain Factory-Built Gyroplanes, Amateur-Built Gyroplanes and certain restricted or experimental aircraft. If an aircraft is on the EASA “Annex II” list, then it is likely to be under the Flight Permit system – though of course there are some exceptions.

Secondly, please be aware that Flight Permit Aircraft in many other countries (including the US) are not regulated to the same degree as in Ireland, and therefore caution must always be exercised in transferring such an aircraft to the ILAS Flight Permit system as there could well be problems meeting the ILAS Flight Permit requirements. It would be prudent to contact the ILAS Committee (usually through the Chairman or Permit Secretary) as early in the decision-making process as possible – certainly before irrevocable commitments are entered into – in order to avoid costly and time-consuming mistakes.

The process for importing a Flight Permit aircraft is roughly outlined as follows, though note that variations may apply in particular cases and not all elements are applicable to kits:

1. If not already an ILAS member, apply to ILAS for membership, as ILAS procedures only apply to ILAS members, and any significant interaction between ILAS and the IAA can only take place on behalf of ILAS members.
2. Apply to the ILAS Permit Secretary for the registration of a new project, preferably before committing to the purchase of the aircraft.
3. The ILAS Committee will appoint an inspector to oversee the process, usually at the next meeting.
4. The ILAS inspector will check (or at least need to be provided with evidence of) the following items:
 - i. That the aircraft is of a type already accepted by ILAS. If not, an application for a new aircraft type must be made to ILAS (which has an associated fee). This will take some time (typically several weeks), as IAA approval must be sought and obtained, and a very significant amount of research work into the type needs to be undertaken by the IAA.
 - ii. That (if applicable) the aircraft is genuinely amateur-built (i.e. more than 51% built by an amateur builder) and also falls within the weight, power and stall speed limits applicable to the ILAS Flight Permit scheme, and can therefore be dealt with by ILAS.
 - iii. That (for a completed amateur-built or restored aircraft) the aircraft has been built and maintained to an acceptable standard. This may in some circumstances require the inspector or some other suitably-qualified delegate to travel to inspect the aircraft in situ.
 - iv. That the design of the aircraft complies with the ILAS approved design standard (drawings, manual, etc.) for that particular type, that it has an acceptable type of engine and propeller, and that no significant modifications to the aircraft have been made by the builder or subsequently in service. Any modifications or repairs which come to light must be scrutinised by the inspector and a decision made as to their acceptability.
 - v. That (for a completed aircraft) any mandatory bulletins, Airworthiness Notices and Mandatory Permit Directives applicable to the airframe, engine, propeller or other components have been incorporated or otherwise complied with.
 - vi. That (for a completed aircraft) the aircraft and engine logbooks are consistent with the state of

the aircraft and provide proper evidence of satisfactory recording of maintenance work, any repairs or accidents, etc, which may warrant further investigation, engine overhaul history and engine modifications, etc.

- vii. That installed radio (communications or navigation) equipment is of a IAA or JAA approved type, or is to be replaced by same. Note that any aircraft radio installation *will* require a ComReg radio installation approval. (All aircraft radio licence costs are paid directly to ComReg).
 - viii. That (for a completed aircraft or a project) due diligence has been done on ownership and history of the aircraft, covering title of and liens on the aircraft, and an accident report search.
5. If, after all that, the purchase of a completed aircraft or project carrying a registration is still going ahead, then the aircraft needs to be de-registered in the state of origin and re-registered in Ireland. In general, the aircraft is likely to need an Export Certificate of Airworthiness (Export CofA), for which a Letter of Acceptance may need to be issued by the IAA, prior to de-registration. Then the IAA will need the De-registration Cert and the Bill-of-Sale before re-registration. Consult the IAA website for instructions on the re-registration of the aircraft and the applicable regulations: The Irish Aviation Authority (Nationality and Registration of Aircraft) Order, (S.I. No. 634 of 2005) refers. See also, IAA Information Letter: AWSD 1/07 or its replacement. All re-registration costs are paid directly to the IAA
 6. At this point, the shipping will need to take place. Don't forget to ensure that the hull is insured for the shipping stage. If the aircraft is to be dismantled for placing in a container, ensure that this process is undertaken by or supervised by an appropriately-qualified person. It is a good idea to get pictures of the aircraft secured in the container. Remember that it is not unknown for containers to arrive upside-down, so everything in the container should be sufficiently secured so as to remain in place for any eventuality.
 7. The aircraft must be put back together and re-rigged by a suitably-qualified person on arrival in Ireland. It must be fitted with appropriate Irish registration markings, placarding, instrumentation and fireproof metal ID plate. The original log books should be closed off (although they must be retained in safekeeping for future reference) and a new set of airframe, engine and (for variable-pitch props) propeller logbooks must be raised of the approved format. (Note that the appropriate aircraft, engine and propeller log books should be sourced directly from the IAA because these contain references to Irish legislation & regulations. Logbooks produced for other jurisdictions are generally not be suitable. Note also that the IAA may request a copy of a current insurance certificate before issuing a Certificate of Registration).
 8. Only upon receipt of a copy of the newly-issued Certificate of Registration and of a copy of an insurance certificate with ILAS listed as an additional insured, will ILAS issue a Permit Workpack to allow the aircraft to be inspected and test flown.
 - i. A ILAS inspector will carry out a detailed inspection of the aircraft as per the Permit Workpack and submit a report to ILAS describing the aircraft in detail, the inspections carried out, any remedial work needing to be carried out, checks on control throws, fuel flow checks, engine ground runs, etc. The inspector should be an inspector already familiar with the type of aircraft concerned, so an unusual or "once-off" type will cause more difficulty in acquiring the appropriate expertise.
 - ii. For an amateur-built aircraft, the inspector must check the aircraft against the drawings and build manual and state if any variations exist. For a factory-built type, the checks will be against any Type Certificate information available.

- iii. In cases of doubt, or just even for audit purposes, an IAA Staff Engineer may also visit the aircraft to check its condition as part of the delegated authority to ILAS of the Flight Permit scheme.
- iv. The aircraft must (usually) be re-weighed and a new weight schedule created validated by the ILAS inspector, using a standard ILAS weight and balance schedule form.
- v. A Certificate of Fitness for Flight will be issued by the Inspector to allow any (appropriate) required period of test-flying to be carried out.
- vi. Great care should be taken in the selection of a suitable test pilot, and as a minimum this person should have extensive experience on type (or at least an aircraft of a similar or related type) and a high level of currency on type. ILAS will need to be advised who is proposed will test fly the aircraft, and from what airfield. The airfield must be suitable for the purpose of test flying, i.e. adequate as regards size, surface, and maintenance facilities. Appropriate rescue facilities must also be available in the event of an accident occurring during the flight testing.
- vii. If all is well, application can be made for a new Flight Permit. The completed form is returned to the ILAS Permit Secretary along with the weight schedule, copy of the radio license, the previous logbooks, the inspector's report, three clear photographs of the aircraft and the permit issue fee.
- viii. The ILAS Permit Secretary will check the report, and on resolution of any outstanding queries, will submit a recommendation to the IAA that they issue the aircraft a Flight Permit, which should issue within a week or so. The IAA may require the owner to furnish them with copies of all applicable manuals.
- ix. Note that ILAS cannot process any application documentation, including Flight Permit or Type-recognition applications, or supervise the operation of any Flight Permit aircraft, unless *all* beneficial owners of the aircraft are ILAS members in good standing. Fees for Flight Permit applications should be paid to ILAS only.

In all cases it is essential to contact the ILAS Committee at the earliest opportunity, supplying the aircraft type, the exact model number and if possible a serial and registration number. ILAS will usually respond after the following monthly meeting (held on the last Thursday of the month) to such applications, referring cases to the IAA as necessary. It is possible (and it has happened, even though the aircraft type is acceptable to the ILAS in principle) that following inspection it will prove impossible - without substantial (expensive) rework - to issue a Permit to Fly. Certain conditions can come to light that cast doubt on the quality of build of an aircraft or on the integrity of materials used. Particular problems occur where the primary structure is made from composite materials. Proof loading will almost always be required. Additional inspection requirements may be required to be met and each aircraft must be considered as a separate case.

F. Ex-military aircraft

The IAA does not have a specific written protocol for ex-military aircraft, especially former combat aircraft. They do allow former liaison/trainer aircraft such as Piper Cubs and Chipmunks to operate without restriction, but anyone seeking to import so-called "heavier metal" would be wise to contact the IAA first.

G. "Project" aircraft

The IAA would want to seek provenance of any part-complete or dismantled aircraft. Not having logbooks or any provable history to an aircraft may make things difficult, especially if one is contemplating restoring a derelict aircraft. Be prepared to do considerable research and supply copious evidence.

H. Shipping and Customs Aspects of Importing Aircraft, Aircraft Kits or Aircraft Parts

1. Long crates, for example, ones of the order of 15-16 ft long, are likely to cause problems for airfreight, and so it may be useful to plan for sea freight (and the longer timescales involved) instead.
2. It may be useful to use a freight company with which the factory or shipper is already familiar, as they will both know the crating and liaison requirements.
3. Make doubly sure that the consignment is *insured*. It is easy for this to get overlooked.
4. It is probably best to let the freight company handle the customs procedures on your behalf. They will need a faxed/scanned signed "Customs Clearance Authorization" or "Customs Representation Form" to this effect to do this. A PPS/EORI number will be required on this instead of a VAT number if it is a private import.
5. The Customs Compliance Specialist in the freight company may need assistance with commodity codes if there are parts that are not clearly an aircraft part. These are described in (EU) Commission Regulation 948/2009 (a 900 page document) – the current version of which is available at <http://www.revenue.ie/en/customs/businesses/importing/classification-of-goods.html> . You will need the 10 digit version of the codes. For example, aircraft *parts* for a kit aircraft generally come under the HS-code 8803300010, but not everything that goes on an aircraft will have this code. For example, a capacitive fuel sensor could have a different code, such as 9026102900, and tools for working on aircraft will certainly have different codes from aircraft parts. Also, the above code is for aircraft *parts*, so a complete aircraft will have a different code (starting with 8801 or 8802). Finally, there can be changes to these codes from one year to the next (albeit usually not extensive ones), so it will be necessary to check which codes are applicable at a given point in time.
6. You will need to contact the Revenue offices in Nenagh to initiate the request for "Simplified Authorisation for Customs End-use procedure".

The office to be contacted is:

Economic Procedures Unit, Revenue Offices, St Conlon's Road, Nenagh, Co. Tipperary;

See www.revenue.ie/en/customs/businesses/economic/inward-processing.html

This may include sending the following information by email (which will clearly change from case-to-case):

- A. The shippers, including the contact info for the person in the shippers handling the Customs Clearance.
- B. The details requested as indicated on Page 9 of the "Instruction Manual on Customs End-Use Procedure". This includes the following:
 - i. the name and address of the applicant, the importer and the operator: (usually you).
 - ii. the nature of the end-use: (e.g "the kit will be used to build a two-seat single engine light aircraft for the applicant's personal use").
 - iii. the technical description of the goods, the products resulting from their end-use and the means of identifying them: (long description here as required) ...
 - iv. the estimated rate of yield from the goods in question or the method by which that rate is to be determined: (e.g. "The goods are being imported for personal use and not for profit as part of any commercial activity", as long as this is actually the case).

- v. the estimated period for assigning the goods to their end-use: (e.g., in the case of an amateur-build kit: “It is expected that it will take between 3 and 5 years to bring the aircraft being constructed to an airworthy status”, or whatever you expect in your case).
- vi. the place where the goods are to be put to the end-use: (Construction address and airfield address)
- vii. In order to set up a temporary facilitation number to allow Simplified End-Use, one needs to first apply to the AEP Helpdesk for an EORI number: AEP-HelpDesk@revenue.ie. In the case of a private person (or group thereof) going to take ownership of the goods and also being the consignee, the individual owner or representative of the group will need to supply the following information to be registered with the EORI number:

Name; Address; Tax (PPS) Number.

Note that the shippers cannot do this on your behalf.

The EORI number is likely to arrive within 24 hours of applying. It is usually related to the PPS number (though not identical).

- 7. On supplying the EORI by email, the contact in the Economic Procedures Unit should then supply the Temporary End-Use Facilitation Number, which should to be active for about 3 months.
- 8. On supplying the EORI Number and the Temporary End-Use Facilitation Number to the freight/shipping company contact, they start the clearance with the Simplified End-use Procedure. Note that as of late 2015, a copy of the “Temporary End Use Authorisation documentation” was *not* required, as the *Simplified* End-Use procedure does not require an “Authorisation”. If in doubt, check back with Revenue in Nenagh.
- 9. Once the shipping invoices, customs clearance charges and VAT are paid to the shippers, the crates should be released.
- 10. General experience is that the crates for an RV aircraft kit for example, could take about 6 weeks to arrive from Oregon by sea freight to Dublin, and it takes about 7-10 days to get the customs clearance sorted, though you can start this before the crates arrive in Dublin. Actually, you *should* start this before the crates arrive, because some shippers have additional storage charges if they have to hold the crates longer than say 7 days. Be sure to enquire about this on first contact.
- 11. You will have costs for Ocean Freight, Custom Clearance, Agency Fees, LCL Handling and VAT, with the VAT usually being the most significant expense.
- 12. When you take delivery of the crates/boxes, it is *vital* that you make a careful inspection of the outside at least, looking for ANY apparent damage. We have seen gross damage to a crate, such as from a forklift fork, having no effect on the contents of a crate, but on the other hand, almost invisible damage from a nail penetrating the underside of a crate writing off several aluminium sheet parts. Take a good set of pictures of the crates from all sides before the delivery person leaves, and note any damage on the sheet that they ask you to sign. The factory can be a great help if there is any problem – the experienced ones have seen most situations before, and they will have more influence with the shippers (and their insurers) than you will likely have.