



## POLICY LETTER 01/2018 (Issue 03)

### PRIVATE OPERATIONS UNDER AN AIR OPERATOR CERTIFICATE

#### (a) Introduction

Operation of any aircraft listed on an Air Operator Certificate (AOC) is part of a fully integrated management system comprising operational control, qualifications, training, composition and behaviour of air crew as well as management of airworthiness and reporting in a commercial activity environment.

However, in some special cases a flight of such an aircraft may not qualify as Commercial Air Transport (CAT) but as a non-commercial flight, e.g. when a private owner of an aircraft makes use of the equipment for strictly personal purposes. In such a case it must be assured that the operation fully stays within the integrity of the AOC.

The operator may elect to comply with CAR OPS 1/3 (as applicable) requirements in all respects and operate non-revenue (private) flights to CAT standards. Provided this is clearly stated in the OMA the following guidance material is not applicable.

However, should the operator elect to operate to the standards applicable for private flights, some requirements of CAR OPS 2A/2H may be applied. To keep the integrity of the AOC these differences must be fully documented in the Operations Manual and all personnel involved must be familiar with these procedures.

*Note: Regardless of the option elected to use, one-off exemptions remain available to all operators based on a justifiable request.*

#### (b) Management Responsibilities

The Accountable Manager of the AOC must guarantee the full integrity of the AOC for non-commercial operations with any aircraft listed on the AOC. This is to assure that the safe commercial air transport operations cannot be adversely affected by non-commercial operations under any circumstances.

All non-commercial flights will be conducted in accordance with the provisions of the AOC operations manual. The OMA must further provide guidance for their description and handling within the Management System of the certified operator.

The following describes the subjects that must be considered when integrating private operations with aircraft listed on the AOC and the operations issues that must be covered prior to approval of such operations.

#### (c) Maintenance & Continuing Airworthiness

There cannot be any changes to the maintenance and continuing airworthiness requirements of the approved maintenance system under the AOC.



**(d) Operations Manual Procedures**

The Operations Manual must define and describe the possible differences between the standards applicable to commercial operations and non-commercial operations under the AOC.

The operator is responsible for submitting the alternative procedures proposal. The following is a list of those areas which the SM CAA may consider alternative procedures. Any alternative procedure must be processed through the Operator's Safety Management System.

The operator must submit their proposal a minimum of 30 days in advance of its intended implementation to allow SM CAA to conduct its regulatory oversight responsibility. The operator may not implement any alternative procedure without obtaining CAA approval.

The alternative procedures may be included in a separate Appendix/Chapter or Section in a current operation manual (OMA) or in a separate manual dedicated to non-commercial operations.

**(e) OMA Requirements**

**(1) Operation**

Operations must be strictly non-revenue. The OMA must describe the differences between commercial operations and non-commercial operations. Training flights, test flights, delivery flights, ferry flights, demonstration flights and positioning flights must also be addressed;

**(2) Supervision by the Operator**

The operator must state that non-commercial flight will be conducted under the AOC operational control and supervision as if it were a CAT flight.

**(3) Licensing and Qualification**

Where pilots may be rostered for private and commercial flights on a regular basis, the minimum licence qualification and validity must not fall below that required by CAR OPS 1.

Exceptionally, operators may require pilots to conduct private flights where the minimum licence qualification and validity meets that required by CAR OPS 2A/2H (as applicable). Exceptional circumstances may include flights by the aircraft owner or pilot availability issues. Prior to recommencing commercial flights affected pilots must fully comply with CAR OPS 1/3 requirements (as applicable).

Non-commercial flights may only be performed by pilots who meet all the licensing requirement for the State of Licence issue and hold a licence validation issued by the San Marino CAA. The operator must provide elements of the operator conversion



course to ensure the crew member demonstrates compliance with para (5) below.

ICAO Annex 1 requirement for pilots over 65 years of age need not apply.

(4) Competence and Training of Crew members

The operator must state that the recurrent training requirements of CAR OPS 1.965(a)(3) still apply.

(5) Competence of Operations Personnel

The operational competences and performance of personnel must include as a minimum; company introduction, information and training requirements with regard to responsibilities, company and reporting procedures as well as knowledge of the Operations Manual and shall meet the same requirements as for commercially operating personnel;

(6) Safety Management System

The operator's safety management system shall ensure that non-commercial operations feature in their internal oversight to include inspections, audits, risk assessments and FRMS;

(7) Maximum Types Operated

The operator may define less restrictive requirements for crew members who are exclusively operating non-commercial operations. Crew members who fly for commercial and non-commercial shall comply with the maximum number of types as required by CAR OPS 1.980;

(8) Area of Operation

The areas and type of operation being undertaken will remain subject to CAR OPS 1.240. Applications for flights to be conducted outside the area of AOC shall be made with details of proposed area. EDTO operations may not apply but the operator must define any less restrictive requirements;

(9) Flight Time Limitations (FTL)

Flight Duty Period and rest requirements must be specified exclusively for crewmembers that only fly non-commercial. Crew members who fly commercial and non-commercial shall be considered as an integral part of the CAT approved FTL & FRMS scheme. FTL records shall be retained for all air crew for the equivalent CAT requirements. Exceedances of flight and duty limitations and/or reduction of rest periods, including any use of Commander's discretion must be reported to the SM CAA.



(10) Flight Plan

The operator shall ensure the ATC flight plan specifies “G” to reflect a general aviation flight;

(11) Aerodromes

The operator may define less restrictive requirements for the criteria and responsibilities for the authorisation of the use of aerodromes. (i.e. Category B and C aerodromes);

(12) Determination of fuel quantities

The operator may specify different requirements but must ensure CAR OPS 2A/2H pre-flight and in-flight requirements are complied with;

(13) Mass and Centre of Gravity

The operator may define less restrictive requirements for the policy on use of standard/actual masses, determination of baggage and cargo mass, last minute change procedures, preparation and acceptance of mass and centre of gravity calculations;

(14) Technical log

The integrity of the technical log must remain as per commercial operations. A new sector record page must be used when a flight changes its status from commercial to non- commercial and vice versa. The technical log must indicate if the flight is commercial or non-commercial;

(15) Special categories of passenger

Inadmissible, Deportees and Persons in Custody are not allowed on non-commercial flights;

(16) Cabin Safety & Passenger Briefing

The operator may define less restrictive requirements but must comply with CAR OPS 2A/2H);

(17) Smoking

The operator may define less restrictive requirements for smoking on board;

(18) Cosmic or Solar radiation

The operator may define less restrictive requirements for crew members who only



fly exclusively non-commercial. CAR OPS 1/3 requirements will apply to crew members that mix CAT and non-commercial operations;

(19) EDTO operations

The operator may define less restrictive requirements;

**(f) OMB Requirements**

(1) Performance data

The operator may define less restrictive requirements but must comply with CAR OPS 2A/2H;

(2) Landing data

The operator may define less restrictive requirements by the use landing distance instead of landing field length;

**(g) OMC Requirements (Aerodrome categorisation)**

The operator may define less restrictive requirements for categorisation B and C aerodromes.

**(h) Amendment of Operations Manual**

Existing AOC holders are requested to review their existing Operations Manual procedures in light of this policy letter and submit an amendment to the manual should they elect to take advantage of this policy.

It would be appreciated if the Accountable Manager of your organisation could acknowledge receipt of this policy letter.

Yours sincerely,

Eng. Marco Conti  
Director General

19/01/2026