



GUERNSEY ADVISORY CIRCULARS (GACs)



GAC 47-1

**AIRCRAFT
REGISTRATION –
ELIGIBILITY AND
ADMISSION
CRITERIA**

BAILIWICK OF GUERNSEY
Office of the Aircraft Registrar

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Guernsey Advisory Circulars (GACs) are issued to provide advice, guidance and information on standards, practices and procedures necessary to facilitate the application and processing of applications for services related to the Guernsey Aircraft Register.

They are not in themselves law or a regulation but may amplify provisions of the laws and regulations, including the Guernsey Aviation requirements, or provide practical guidance.

The definitive version of GACs is on the States of Guernsey website <http://www.cidca.aero> which should be viewed to establish the latest issue.

Enquiries regarding the content of this publication should be addressed to the Aircraft Registrar, Guernsey Airport, Airport Terminal Building, La Villiaze, Forest, Guernsey, GY8 ODS.

No rights can be derived from this document. For exact details please refer to laws, regulations and Guernsey Aviation Requirements referred to herein. In case of conflict between this guidance document and the laws and/or regulations, the latter shall prevail.

Processing of applications is done by the Guernsey Aircraft Registry, which operates as '2-REG'. For further information consult <http://www.2-reg.com> or send a message to info@2-reg.com.

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1 - Purpose

The purpose of this Guernsey Advisory Circular (GAC) is to provide information on eligibility and admission criteria for owners who wish to have their aircraft registered in Guernsey.

2 - Related laws, regulations and requirements

This GAC relates to:

- the Aviation Registry (Guernsey) Law, 2013 ("**the Law**");
- the Aviation Registry (Eligibility) Regulations, 2015 ("**the Regulations**");
- Guernsey Aviation Requirements Part 47 – Aircraft Registration.

The Law and the Regulations are together referred to as "**the Relevant Legislation**".

3 - Definitions

1. Words used in this GAC shall have the meanings given in the Relevant Legislation, in GAR Part 1 (Definitions, Abbreviations and Units of Measurement) and as set out below, should there be any conflict the definitions in the Relevant Legislation shall prevail.
2. For reasons of convenience, the terms Resident Agent and Authorised Person, as used in the Relevant Legislation are set out below:
 - (a) Resident Agent means: *a natural or legal person resident in Guernsey and being a Guernsey licensed fiduciary or authorised person, and*
 - (b) an authorised person means: *a person authorised to act as such in accordance with the provisions of section 4(2)(c) of the Regulation of Fiduciaries Law.*
3. "**vintage**", for the purposes of this GAC an aircraft will be considered vintage if it meets the following criteria:
 - (i) its State of Design type certificate or any variations relevant to the type registered¹ is established as being more than 50 years old, or

¹ This allows for aircraft that may have an initial type certificate being more than 50 years old but where the newer variations of that type certificate are issued less than 50 years ago and the variation is applicable to the registered aircraft such as the Boeing 737 series, where newer variants may be considered for registration but older will not.

- (ii) its production stopped at least 25 years ago.

4 - Eligibility and admission

The difference between eligibility and admission criteria pertains to the relevant object:

- eligibility requirements pertain to the owner of an aircraft, and
- admission criteria pertain to categories of aircraft.

5 - Eligibility criteria

The following criteria apply to both natural and legal persons, together 'persons'.

Any British Islands²-resident and national of a European Economic Area (EEA) State or Switzerland can register an aircraft in Guernsey. In addition, legal persons registered in a country listed in Appendix C to the GFSC Handbook on Countering Financial Crime and Terrorist Financing³ can register an aircraft in Guernsey.

Natural persons resident in a British Overseas Territory⁴ can register an aircraft.

All other persons either need to have representation by means of a Guernsey-based resident agent or a legal entity, or alternatively, can apply to the Aircraft Registrar to register directly, which will be allowed in exceptional circumstances.

In all cases, the owner will be subject to due diligence requirements, the depth of which will vary according to the State where the owner is incorporated or resident and that States' international standing in terms of security and anti-money laundering provisions.

Three categories of due diligence are applied, as follows:

Category	Natural persons who are:	Legal persons which are:
A	<ul style="list-style-type: none"> ○ Resident in the British Islands, or ○ Represented by a resident agent. 	<ul style="list-style-type: none"> ○ Resident in the British Islands, or ○ Represented by a resident agent.
B	<ul style="list-style-type: none"> ○ Nationals of any EEA State, ○ Nationals of Switzerland; or ○ Resident in a British Overseas Territory. 	an Appendix C to the Handbook ⁵ business.
C	Any other person.	Any other person.

² The British islands comprise Great Britain, Northern Ireland, Isle of Man, Jersey and the Bailiwick of Guernsey

³ The Handbook means the Handbook for Prescribed Businesses on Countering Financial Crime and Terrorist Financing as revised or re-issued from time to time by the Guernsey Financial Services Commission.

⁴ Has the same meaning as in the British Nationality Act 1981.

⁵ See note 3.

Documents that need to be produced for each of the categories are set out in Table 1.

Table 1 - Documents required for due diligence

Category	A	B	C
Documents required	<ul style="list-style-type: none"> • Power of Attorney if a proxy is used; • Proof of ownership of the aircraft; • Evidence of registered address e.g. recent utility bill in the case of a natural person; • Copy of passport in case of a natural person; • Certificate of Incorporation; • Certificate of Good Standing may be required depending on the age of the company and at the discretion of the Registrar. 	<p>As per category A, plus:</p> <ul style="list-style-type: none"> • Transparent overview of the company's business activities by an owner or legally authorised representative of the company; • A document indicating the beneficial owner(s) of the aircraft – this can be an extract from the register of shareholders or a declaration by an officer of the company. However, if the beneficial owner is a legal person, an extract from the register of shareholders of the company is required; • A document by the owner or legally authorised representative of the company indicating the ultimate beneficial owner(s); • An extract from the register of directors. 	<p>As per category B, plus:</p> <ul style="list-style-type: none"> • A notarised copy of the passport photo page of the directors; • A notarised copy of the ultimate beneficial owner(s)' passport photo page; • Evidence of the ultimate beneficial owner(s) permanent residence (i.e. copy of recent utility bill).

A charterer can also register an aircraft used under a charter by demise, in his, her or its, name, provided that under the charter by demise the charter assumes for the airworthiness and operation of the aircraft. The eligibility criteria for owners also apply to charterers.

Joint ownership of privately operated aircraft is allowed by persons each having not less than a 5% beneficial share⁶.

⁶ See section 143(2)(a) of the Air Navigation (Bailiwick of Guernsey) Law, 2012.

6 - Admission criteria

1. For operational and management reasons, there are some restrictions on the categories of aircraft that can be registered, as it is the Registrar's view that certain types of aircraft would be more suitably registered elsewhere as the Aircraft Registry does not have the expertise to fully support such types. Accordingly, amateur-built, ex-military and vintage aircraft will not be accepted for registrations. All other types will be accepted provided that the aircraft type is eligible for a Type Acceptance Certificate per GAR 21.
2. There are also restrictions on registration according to aircraft weight, which are as follows.
 - (a) Any person meeting the eligibility criteria may have an aircraft registered when the Maximum Take-Off Mass (MTOM) is 5,700 kg or above.
 - (b) Persons resident in the Channel Islands can register any aeroplane or helicopter with an MTOM of 750 kg or above.
 - (c) Persons not resident in the Channel Islands can register a turbine-engined aircraft with an MTOM over 750 kg provided the following two extra conditions are met, for the duration of the aircraft being registered in Guernsey:
 - the owner or owners of the aircraft is or are represented by a Guernsey-based Resident Agent; and
 - the aircraft's maintenance is managed by a GAR 39 continuing airworthiness management organisation or a Technical Coordinator based in Guernsey.

Table 2 presents the above in a tabular manner.

Table 2 - Table representation of the admissibility criteria

	Status of Ownership	Privileges
1	A natural person resident in any of the Channel Islands, or a legal person resident in any of the Channel Islands, provided that such legal person is ultimately majority owned by one or more natural person(s) resident in any of the Channel Islands.	May register any aeroplane or helicopter provided the MTOM authorised for the aeroplane or helicopter is 750kg or greater, the aeroplane or helicopter is capable of meeting the requirements of GAR 21 and not vintage.
	Or	
2(a)	A natural or legal person not resident in any of the Channel Islands, being a "Qualified Person" in accordance with the Aviation Registry (Guernsey) Law, 2013.	May register any aeroplane provided the MTOM authorised for the aeroplane is 5700kg or greater, or the aeroplane is turbine / turboprop powered, or any turbine powered helicopter, the aeroplane or helicopter is capable of meeting the requirements of GAR 21 and not vintage.
	Or	
2(b)	If, in addition to the criteria in Box 2(a) above where the owner is represented by a Guernsey-based Resident Agent, and the aeroplane's continuous airworthiness is managed by a Guernsey based GAR 39 organisation or Technical Coordinator.	May register any aeroplane or helicopter provided the MTOM authorised for the aeroplane or helicopter is 750kg or greater, the aeroplane or helicopter is capable of meeting the requirements of GAR 21 and not vintage.

- END -