



GUERNSEY AVIATION REQUIREMENTS (GARs)



PART 47

**AIRCRAFT
REGISTRATION
AND MARKING**

BAILIWICK OF GUERNSEY

Director of Civil Aviation

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- Annex 7 at amendment 6.

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Processing of applications will be done by the Guernsey Aircraft Registry. For further information consult <http://www.2-reg.com/> or send a message to info@2-reg.com.



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Revisions

GAR Issue	Subject
Issue 1	First issue published for information.
Issue 2	<ul style="list-style-type: none">• Title of Subpart C changed• 47.3(b) text added• Editorial changes
Issue 3	<ul style="list-style-type: none">• 47.3(c): expansion of scope to aircraft for which no authorisation to fly is sought.• 47.53: validity period applies for aircraft registered in the name of a charterer by demise;• Editorial changes.

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Subpart A – General

47.1 Purpose

- (a) The requirements of this GAR Part cover the registration and marking of aircraft.
- (b) These Requirements are not in themselves Law. Failure to comply may not constitute an offence. However, the Requirements repeat or reproduce many of the provisions of the Aviation Registry (Guernsey) Law, 2013 (“the Law”). Therefore, failure to comply with these Requirements may:
 - (1) constitute a breach of the Law; and
 - (2) result in proceedings for breaches of the Law; or
 - (3) result in the refusal of an application for renewal of a certificate; or
 - (4) result in action to suspend or revoke a certificate.
- (c) The Law details the legal obligations governing the registration and marking of aircraft. The Law specifies these obligations in rather general terms. Under the provision in the Air Navigation (Bailiwick of Guernsey) Law, 2012, Section 135, the Director may publish Requirements to augment, amplify and detail more precisely the manner in which these obligations shall be met. The Requirements are the means by which owner(s) will be able to satisfy the Director as to their fulfilment of their obligations in respect of the registration and marking of aircraft or their entitlement to hold a certificate.
- (d) The issue of a Certificate of Registration indicates only that the holder is considered to be qualified. The possession of such a document does not relieve the owners from the responsibility for compliance with the Law and any other legislation in force.

47.3 Applicability

This Part applies to persons who wish to register in Guernsey an aircraft that requires either:

- (a) a Certificate of Airworthiness under GAR Part 21 Subpart E; or
- (b) a Permit to Fly under GAR Part 21 Subpart P;
- (c) registration for a purpose other than (a) or (b), in which case the aircraft is not authorised to fly for the duration of being registered in Guernsey.

47.5 Definitions

Definitions, in the context of this Part of the GARs shall have the meanings listed in GAR Part 1 (Definitions, Abbreviations and Units of Measurement).

Subpart B – Aircraft Registration

47.21 Requirement

- (a) Only those persons of a class or description prescribed by The Aviation Registry (Eligibility) Regulations, 2015, as amended, may hold a legal or beneficial interest by way of ownership in an aircraft or engine registered in Guernsey or a share in such an aircraft or engine.
- (b) No aircraft shall be registered in Guernsey or remain registered in Guernsey if it is registered in any other country.

47.23 The applicant for aircraft registration

- (a) The Registrar shall be satisfied that the applicant(s) for aircraft registration are qualified persons.
- (b) The Registrar may determine that it is acceptable for the aircraft to be registered in the name of a charterer by demise.

47.25 Accuracy of registry information

- (a) The holder of a Certificate of Registration shall notify the Registrar, as soon as practicable, of any change that affects the currency of any information contained in the certificate.
- (b) If a person has information that indicates an inaccuracy in the Guernsey register, that person shall notify the Registrar as soon as practicable.

47.27 Transponder codes

Any allocated and assigned 24-bit Mode S transponder address code shall be removed from coded aircraft equipment on the deregistration of aircraft from the Guernsey register except:

- (a) when the aircraft is to make a flight or journey immediately following the deregistration; and
- (b) the new State of registration has not allocated a new transponder code; and
- (c) the Registrar is satisfied with the arrangements and that the appropriate aircraft log book entries have been made specifying the removal of the transponder code following the agreed flight or journey.

Subpart C – Registration certificate

47.51 Application for registration

- (a) Every application for the registration of an aircraft and for the grant of a certificate shall be made in writing by, or on behalf of:
- (1) the person who is a qualified person and lawfully entitled to the possession of the aircraft; or
 - (2) the group who, on a date specified in the application, are qualified persons and lawfully entitled to the possession of the aircraft; or
 - (3) the charterer of the aircraft.
- (b) The applicant shall furnish the Registrar with the following information:
- (1) the name of the aircraft manufacturer;
 - (2) the designation of the aircraft, model and serial number;
 - (3) the name and address of the person(s) specified in paragraph 47.51(a); and
 - (4) such further particulars relating to the aircraft and the person or group specified in paragraph 47.51(a) as may be required by the Registrar.
- (c) The Registrar may also require the applicant to produce all or any of the following, as may be reasonable in the circumstances:
- (1) evidence of the aircraft designation, model and serial number.
 - (2) evidence of the identity of the person(s) specified in paragraph 47.51(a).
 - (3) a statutory declaration by the person specified in paragraph 47.51(a) that that person or group, on a date specified in the application will be, lawfully entitled to the possession of the aircraft.

47.53 Registration and grant of certificate

- (a) An applicant is entitled to have an aircraft registered and is entitled to a certificate of registration if the Registrar is satisfied by the details of the application and:
- (1) the aircraft is not registered in any other country; and
 - (2) the owner of the aircraft is a qualified person; or
 - (3) if applicable, the charterer by demise is a qualified person, even where the owner of the aircraft is an unqualified person; and
 - (4) the grant of the certificate is not contrary to the interests of aviation safety; and
 - (5) on payment of the appropriate fee.
- (b) If the Registrar is satisfied that an applicant complies with the requirements of Subpart B and Subpart C, an appropriate entry shall be made on the Guernsey aircraft register.

- (c) When the aircraft is registered in the name of a charterer by demise, it will have a validity period which will not extend beyond the end date of the agreement between the owner and the charterer by demise.

47.55 Reservation of marks

- (a) Subject to paragraphs 47.55(b) and 47.55(c), the Registrar shall reserve a registration mark for a period acceptable to the Director:
- (1) at the request of a person who intends to register an aircraft in Guernsey; and
 - (2) on payment of any applicable fee.
- (b) A registration mark shall not be reserved if it is allocated or actually in use.
- (c) The Registrar may refuse to reserve a registration mark if its use is considered to be undesirable.
- (d) A registration mark that has been reserved shall not, while reserved, be allocated to an aircraft as a registration mark otherwise than at the request of the person who originally reserved the registration mark and subject to the consent of the Registrar.

47.57 Change of possession of aircraft

- (a) If the holder of a Certificate of Registration ceases to be the owner or charterer of that aircraft, the certificate expires on the date the certificate holder ceases to have lawful entitlement to possession of the aircraft.
- (b) The certificate holder whose certificate expires in accordance with paragraph 47.57(a) shall:
- (1) within 14 days after the date of such expiry, notify the Registrar; and
 - (2) surrender to the Registrar the certificate of registration.

47.59 Replacement of certificate

- (a) The holder of a Certificate of Registration may apply for a replacement certificate if the certificate is:
- (1) lost, stolen, or destroyed; or
 - (2) so damaged that particulars are no longer clearly legible.
- (b) On receiving an application under paragraph 47.61(a), the Registrar may reissue the certificate:
- (1) on being satisfied that the application has been made by the person to whom the certificate was originally issued; and
 - (2) that the information supplied under paragraph 47.51 continues to be valid; and
 - (3) on a payment of any applicable fee.

47.61 Change of registration mark

- (a) The holder of a Certificate of Registration may apply to the Registrar for a new registration mark to replace the mark allocated to the aircraft specified in the certificate.
- (b) The applicant for a change of registration mark shall apply in writing and submit to the Registrar:
 - (1) the certificate of registration; and
 - (2) the registration mark sought; and
 - (3) a payment of any fee.
- (c) On receiving an application under paragraph 47.61(b), the Registrar on being satisfied to the particulars derived under paragraph 47.51 may make the appropriate amendments to the registry.
- (d) On allocation of a new registration mark under paragraph 47.61(c), the Registrar shall issue to the registered owner or charterer a new Certificate of Registration.

47.63 Cancellation of registration

- (a) An aircraft remains registered:
 - (1) until the Certificate of Registration is suspended or revoked; or
 - (2) any validity period specified on the certificate has expired; or
 - (3) the certificate ceases to be valid by virtue of paragraph 47.57.
- (b) The Registrar may revoke the Certificate of Registration for the aircraft:
 - (1) on receipt of a written request from the registered owner or charterer; or
 - (2) if the aircraft is destroyed, lost or stolen; or
 - (3) if the aircraft is permanently withdrawn from use; or
 - (4) if the owner or charterer of the aircraft has applied to register the aircraft in any other country; or
 - (5) the aircraft is registered in any country other than Guernsey; or
 - (6) it is in the interest of the public;
 - (7) an authorised party or certified designee of an Irrevocable De-Registration and Export Request Authorisation (IDERA) has requested the de-registration of the aircraft.
- (c) Subject to the provisions of Section 23(2) of the Law, the Registrar shall issue a statement of deregistration.

Subpart D – Aircraft Marking

47.101 Requirement

An aircraft registered in Guernsey other than permitted by Section 1(2) of the Air Navigation (Bailiwick of Guernsey) Law, 2012, shall not fly without bearing marks allocated by the Registrar and applied in accordance with Schedule 3 of the Law.

47.103 Identification plate

An aircraft registered in Guernsey other than permitted by Section 1(2) of the Air Navigation (Bailiwick of Guernsey) Law, 2012, shall not fly without the identification plate applied in accordance with Schedule 3 of the Law.

47.105 Removal of marks and identification plate

On deregistration, the owner or charterer of the aircraft is responsible for the removal of the previously assigned registration marks and identification plate.

END

