

GUERNSEY STATUTORY INSTRUMENT

2013 No. 64

The Aviation Registry (Eligibility) Regulations, 2013

<i>Made</i>	<i>19th November, 2013</i>
<i>Coming into operation</i>	<i>19th November, 2013</i>
<i>Laid before the States</i>	<i>, 2014</i>

THE COMMERCE AND EMPLOYMENT DEPARTMENT, in exercise of the powers conferred upon it by section 12(1) and section 52 of the Aviation Registry (Guernsey) Law, 2013^a ("**the Law**"), and all other powers enabling it in that behalf, hereby makes the following regulations:-

Qualified persons.

1. (1) The following persons are qualified persons for the purpose of section 12 of the Law –

- (a) the Crown,
- (b) natural persons who are –
 - (i) Commonwealth citizens,
 - (ii) nationals of any EEA State,
 - (iii) British protected persons,

^a Order in Council No XIII of 2013.

(iv) resident in the Channel Islands, or

(v) represented by a resident agent,

(c) legal persons –

(i) formed in accordance with the law of a Commonwealth country and which have their registered office, central administration or principal place of business within the Commonwealth,

(ii) formed in accordance with the law of an EEA State and which have their registered office, central administration or principal place of business within the European Economic Area,

(iii) which have their registered office, central administration or principal place of business within the Channel Islands, or

(iv) who are represented by a resident agent, or

(d) any other person, at the discretion of the Registrar, subject to whatever additional requirements he may impose.

(2) For the purposes of subparagraphs (1)(b)(v) and (1)(c)(iv), a resident agent must be –

(a) resident in Guernsey, and

(b) a Guernsey licensed fiduciary or authorised person.

Interpretation.

2. (1) In these regulations –

"**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,

"**British protected person**" has the meaning given in section 50 of the British Nationality Act 1981, as it takes effect in Guernsey.

"**the Channel Islands**" means the islands within the Bailiwick of Guernsey and the Bailiwick of Jersey,

"**the Commonwealth**" has the meaning given in section 179 of the Aviation (Bailiwick of Guernsey) Law, 2008^b,

"**EEA State**" has the meaning given in section 179 of the Aviation (Bailiwick of Guernsey) Law, 2008^c,

"**Guernsey licensed fiduciary**" means a person who is a licensed fiduciary under the Regulation of Fiduciaries Law,

"**the Law**" means the Aviation Registry (Guernsey) Law, 2013,

"**the Registrar**" means the Aircraft Registrar,

^b Order in Council No. XXVIII of 2008, as amended by No. X of 2013

^c Order in Council No. XXVIII of 2008, as amended by No. X of 2013

"Regulation of Fiduciaries Law" means the Regulation of Fiduciaries, Administration Businesses and Company Directors, etc (Bailiwick of Guernsey) Law, 2000^d, as amended,

and other words or expressions have the same meaning as in the Law.

(2) The Interpretation (Guernsey) Law, 1948^e applies to the interpretation of these regulations as it applies to the interpretation of an enactment.

(3) Any reference in these regulations to an enactment is a reference thereto as from time to time amended, repealed and replaced (with or without modification), extended or applied.

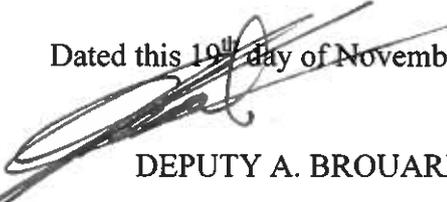
Citation.

3. These Regulations may be cited as the Aviation Registry (Eligibility) Regulations, 2013.

Commencement.

4. These Regulations shall come into force on the 19th day of November, 2013.

Dated this 19th day of November, 2013


DEPUTY A. BROUARD

Deputy Minister of the Commerce and Employment Department
For and on behalf of the Department

^d Order in Council No. I of 2001 amended by No. XIV of 2003; No. XVI of 2007; No. VIII of 2008; No. XXV of 2008; Ordinance No. XXXIII of 2003 (the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003) and Guernsey Statutory Instrument No. 3 of 2008 (the Regulation of Fiduciaries, Administration Businesses and Company Directors, etc (Bailiwick of Guernsey) (Amendment) Regulations, 2008).

^e Ordres en Conseil Vol. XIII, p. 355.

EXPLANATORY NOTE

(This note is not part of the regulations)

These Regulations specify the persons who are 'qualified persons' for the purpose of section 12 of the Aviation Registry (Guernsey) Law, 2013.

