

GUERNSEY STATUTORY INSTRUMENT

2022 No. 29

**The Aviation Registry (Eligibility) Regulations, 2022**

<i>Made</i>	21 <sup>st</sup> April, 2022
<i>Coming into operation</i>	21 <sup>th</sup> May, 2022
<i>Laid before the States</i>	, 2022

THE COMMITTEE FOR ECONOMIC DEVELOPMENT, in exercise of the powers conferred upon it by section 12(1) and section 52 of the Aviation Registry (Guernsey) Law, 2013<sup>a</sup> ("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 or EFTA State, or

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<sup>a</sup> Order in Council No XIII of 2013.

- (iii) represented by a resident agent,
- (c) legal persons registered in, or having their principal place of business in, –
- (i) Brazil, provided only that the legal person primarily operates an aircraft leasing business,
  - (ii) the British Islands,
  - (iii) the Commonwealth,
  - (iv) an EEA State,
  - (v) an EFTA State,
  - (vi) Japan, provided only that the legal person primarily operates an aircraft leasing business,
  - (vii) the People's Republic of China, provided only that the legal person primarily operates an aircraft leasing business,
  - (viii) South Africa, provided only that the legal person primarily operates an aircraft leasing business,
  - (ix) the United Arab Emirates,
  - (x) the United States of America, or
- (d) legal persons represented by a resident agent, or

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

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

- (a) resident in the Bailiwick of Guernsey, and
- (b) a licensed fiduciary.

**Interpretation.**

2. (1) In these regulations –

"Commonwealth" means the countries listed in Schedule 3 of the British Nationality Act, 1981<sup>b</sup>,

"Commonwealth citizen" has the same meaning as in section 37 of the British Nationality Act, 1981,

"EEA State" has the meaning given in section 179 of the Aviation (Bailiwick of Guernsey) Law, 2008<sup>c</sup>,

"EFTA State" means a country party to the European Free Trade Agreement established by the Stockholm Convention of 1960,

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<sup>b</sup> An Act of the United Kingdom Parliament, chapter 61 of 1981

<sup>c</sup> Order in Council No. XXVIII of 2008, as amended by No. X of 2013

"**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,

"**Regulation of Fiduciaries Law**" means the Regulation of Fiduciaries, Administration Businesses and Company Directors, etc (Bailiwick of Guernsey) Law, 2020<sup>d</sup>, as amended,

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

**Repeal**

3. Aviation Registry (Eligibility) Regulations, 2015<sup>e</sup> are hereby repealed.

**Citation.**

4. These Regulations may be cited as the Aviation Registry (Eligibility) Regulations, 2022.

**Commencement.**

5. These Regulations shall come into force on the 21<sup>st</sup> day of May 2022.

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<sup>d</sup> Order in Council No. XIX of 2020.

<sup>e</sup> G.S.I. No. 88 of 2015.

Dated this 21<sup>st</sup> day of April, 2022

A handwritten signature in black ink, consisting of several overlapping loops and strokes, positioned above the name of the signatory.

DEPUTY N. INDER

President of the Committee for Economic Development

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#### 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.

