

Existing legislation	Proposed new legislation	Rationale for proposal
<b>Article 4 – Department to register aircraft in the Isle of Man</b>	<b>Article 4. Registration Authority</b>	
(1) The Department is the authority for the registration of aircraft in the Isle of Man.	For the purposes of this Order the Department is the authority for the registration of aircraft in the Isle of Man.	No change
	<b>Article 5. Department to register aircraft in the Isle of Man</b>	
(2) The Department is responsible for maintaining the register and, without prejudice to the Electronic Transactions Act 2000 (an Act of Tynwald), may record in the register the information specified in article 6(2) in a legible or a non-legible form so long as the recording is capable of being reproduced in a legible form.	(1) The Department is responsible for maintaining a register, which shall be known as the aircraft register and, without prejudice to the Electronic Transactions Act 2000 <sup>1</sup> , may record in the register the information specified in article 8(2) in a legible or a non-legible form so long as the record is capable of being reproduced in a legible form.	No substantial change
(3) Subject to articles 5 and 7, an aircraft must not be registered or continue to be registered in the Isle of Man if it appears to the Department that—	(2) Subject to articles 6 and 10, an aircraft must not be registered or continue to be registered in the Isle of Man if it appears to the Department that—	No change
(a) the aircraft is registered outside the Isle of Man and that the registration would not cease by operation of law were the aircraft to be registered, or continue to be registered, in the Isle of Man;	(a) the aircraft is registered outside the Isle of Man;	No substantial change – still has the same effect.
(b) an unqualified person holds a legal or beneficial interest by way of ownership in the	(b) an unqualified person holds a legal or beneficial interest by way of ownership in the	No change – definition of ‘unqualified person’ added: “unqualified person” means a person that

<sup>1</sup> AT 8 of 2000

aircraft or in a share in the aircraft;	aircraft or in a share in the aircraft;	is not qualified to register an aircraft in the Isle of Man under article 6
(c) the aircraft could more suitably be registered in some other part of the Commonwealth or in an EEA State or Switzerland; or	(c) the aircraft could more suitably be registered with an alternative State of Registry; or	No substantial change – still has the same effect
(d) it would not be in the public interest for the aircraft to be or to continue to be registered in the Isle of Man.	(d) it would not be in the public interest for the aircraft to be or to continue to be registered in the Isle of Man.	No change
	(3) The Department must, at all reasonable times, make the aircraft register available for inspection by any person.	This is a requirement copied over from the <a href="#">Civil Aviation (Procedure) Regulations 1991</a> .

Existing legislation	Proposed new legislation	Rationale for proposal
<b>Article 5 – Who may register aircraft in the Isle of Man</b>	<b>Article 6. Who may register aircraft in the Isle of Man</b>	
<p>(1) Only the following persons are qualified to hold a legal or beneficial interest by way of ownership in an aircraft registered in the Isle of Man or in a share in such an aircraft —</p> <p>(a) the Crown in right of the Isle of Man, the United Kingdom or any part of the United Kingdom;</p> <p>(b) Commonwealth citizens;</p> <p>(c) Nationals of any EEA State or Switzerland;</p> <p>(d) British protected persons;</p> <p>(e) bodies incorporated in some part of the Commonwealth or having their registered office, central administration or principal place of business in a part of the Commonwealth; or</p> <p>(f) undertakings formed in accordance with the law of the Isle of Man, an EEA State or</p>	<p>(1) Only the following persons are qualified to hold a legal or beneficial interest by way of ownership in an aircraft registered in the Isle of Man or in a share in such an aircraft —</p> <p>(a) the Crown in right of the Isle of Man, the United Kingdom or any part of the United Kingdom;</p> <p>(b) Commonwealth citizens;</p> <p>(c) Nationals of any EEA State or Switzerland;</p> <p>(d) British protected persons;</p> <p>(e) bodies incorporated in some part of the Commonwealth or having their registered office, central administration or principal place of business in a part of the Commonwealth; or</p> <p>(f) undertakings formed in accordance with the law of the Isle of Man, an EEA State or</p>	No change

<p>Switzerland and having their registered office, central administration or principal place of business within the Isle of Man, an EEA State or Switzerland.</p>	<p>Switzerland and having their registered office, central administration or principal place of business within the Isle of Man, an EEA State or Switzerland.</p>	
	<p>(2) Further to paragraph (1) the following persons are qualified to hold a legal or beneficial interest by way of ownership in a transitional aircraft registered in the Isle of Man or in a share in such an aircraft –</p> <p>(a) bodies incorporated in or having their registered office, central administration or principal place of business in any of the States or territories listed in paragraph (3);</p> <p>(b) undertakings formed in accordance with the law of and having their registered office, central administration or principal place of business within any of the States or territories listed in paragraph (3).</p>	<p>New provision. This is a new provision related to transitional aircraft, which adopts the processes currently enabled through Exemption 17/2018.</p>
	<p>(3) The States or territories referred to in paragraph (2) are -</p> <p>(a) Hong Kong (Special Administrative Region);</p> <p>(b) Japan;</p> <p>(c) People’s Republic of China;</p> <p>(d) United States of America.</p>	<p>New provision. This is a new provision to provide for the registration of transitional aircraft.</p>
<p>(2) If an unqualified person resides or has a place of business in the Isle of Man and holds a legal or beneficial interest by way of ownership in an aircraft or in a share in an aircraft, the Department may register the aircraft in the Isle of Man if it is satisfied that the aircraft may otherwise be properly registered.</p>	<p>(4) If an unqualified person resides or has a place of business in the Isle of Man and holds a legal or beneficial interest by way of ownership in an aircraft or in a share in an aircraft, the Department may register the aircraft in the Isle of Man if it is satisfied that the aircraft may otherwise be properly registered.</p>	<p>No change</p>

(3) If an aircraft is chartered by demise to a person qualified under paragraph (1) the Department may, whether or not an unqualified person is entitled as owner to a legal or beneficial interest in the aircraft, register the aircraft in the Isle of Man in the name of the charterer by demise if it is satisfied that the aircraft may otherwise be properly registered.	(5) If an aircraft is chartered by demise to a person qualified under paragraph (1) and (2) the Department may, whether or not an unqualified person is entitled as owner to a legal or beneficial interest in the aircraft, register the aircraft in the Isle of Man in the name of the charterer by demise if it is satisfied that the aircraft may otherwise be properly registered.	No change
(4) Subject to this Part, an aircraft registered under paragraph (3) may remain registered during the continuation of the charter.	(6) Subject to this Part, an aircraft registered under paragraph (5) may remain registered during the continuation of the charter.	No change

Existing legislation		
Existing legislation	Proposed new legislation	Rationale for proposal
<b>Article 6 – Application for registration</b>	<b>Article 7. Application for registration</b>	
(1) An application for the registration of an aircraft in the Isle of Man must be made in writing to the Department and must— (a) include or be accompanied by such information and evidence relating to the aircraft and the ownership and chartering of the aircraft as the Department may require to enable it to determine whether the aircraft may properly be registered in the Isle of Man and to issue the certificate of registration; and (b) include the proper description of the aircraft according to column 3 of the “Classification of aircraft” in Part 1 of Schedule 2.	(1) An application for the registration of an aircraft in the Isle of Man must be made in a format acceptable to the Department and must — (a) include or be accompanied by such information and evidence relating to the aircraft and the ownership and chartering of the aircraft as the Department may require; and (b) include the proper description of the aircraft according to column 4 of the Classification of Aircraft table.	Using the wording ‘format acceptable’ enables us to specify the use of a particular Form etc.  No other substantial change – still has the same effect

	<b>Article 8. Registration and certificate of registration</b>	
<p>(2) If the Department receives an application for the registration of an aircraft in the Isle of Man and is satisfied that the aircraft may properly be so registered, the Department must register the aircraft, wherever it may be, and include in the register the following information—</p> <p>(a) the number of the certificate;</p> <p>(b) the nationality mark of the aircraft and the registration mark assigned to it by the Department;</p> <p>(c) the name of the constructor of the aircraft and its designation;</p> <p>(d) the serial number of the aircraft;</p> <p>(e) the name and address of every person who is entitled as owner to a legal interest in the aircraft or in a share of the aircraft or, in the case of an aircraft that is the subject of a charter by demise, the name and address of the charterer by demise; and</p> <p>(f) in the case of an aircraft registered under article 5(2) or 5(3), an indication that it is so registered.</p>	<p>(1) Upon receiving an application for the registration of an aircraft the Department may register the aircraft if it is satisfied that the application complies with this Order.</p> <p>(2) The following particulars must be included in the aircraft register in respect of every aircraft registered therein —</p> <p>(a) the number of the certificate of registration;</p> <p>(b) the nationality and registration marks assigned to the aircraft by the Department;</p> <p>(c) the manufacturer and the manufacturer’s designation of the aircraft;</p> <p>(d) the serial number of the aircraft;</p> <p>(e) the name and address of every person who is entitled as owner to a legal interest in the aircraft or in a share of the aircraft or, in the case of an aircraft that is the subject of a charter by demise, the name and address of the charterer by demise; and</p> <p>(f) in the case of an aircraft registered under article 6(4) or (5), an indication that it is so registered.</p>	<p>Split into 2 paragraphs.</p> <p>It is proposed to change the word ‘must’ in the existing legislation to ‘may’ to ensure the Department has appropriate control over who may register in the Isle of Man.</p> <p>Paragraph (2)(c) now accords to the ICAO wording in Annex 7 to the Convention on International Civil Aviation.</p>
<p>(3) Subject to paragraph (5) the Department must supply to the registered owner a certificate of registration.</p> <p>(4) A certificate of registration must include the information specified in paragraph (2) and the date on which the certificate was issued.</p>	<p>(3) The Department must supply to the registered owner a certificate of registration which must contain the particulars required by paragraph (2) and the date on which the certificate was issued.</p> <p>(4) A certificate of registration remains valid for an indefinite duration.</p>	<p>No substantial change – still has the same effect</p>

<p>(5) The Department is not required to supply a certificate of registration if—</p> <p>(a) the registered owner is the holder of an aircraft dealer’s certificate granted under this Order; and</p> <p>(b) the registered owner has made to the Department (and has not withdrawn) a statement of the registered owner’s intention that the aircraft is to fly only in accordance with the conditions in an aircraft dealer’s certificate set out in Part 2 of Schedule 2.</p> <p>(6) If a statement under paragraph (5)(b) has been made and not withdrawn, the aircraft must be flown only in accordance with the conditions in the aircraft dealer’s certificate set out in Part 2 of Schedule 2.</p> <p>(7) The Department may grant an aircraft dealer’s certificate to any person who is qualified under article 5(1) if it is satisfied that the person has a place of business in the Isle of Man for buying and selling aircraft.</p>		<p>Paragraph (5) deleted. Aircraft dealers certificate no longer used. Also to be deleted is Part 2 of Schedule 1 to the Air Navigation (Isle of Man) Order 2015</p>
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Existing legislation		
Existing legislation	Proposed new legislation	Rationale for proposal
<p><b>Article 7 – Changes to the register</b></p>	<p><b>Article 10. Changes to the aircraft register</b></p>	
<p>(1) Subject to articles 5(2) and 5(3) and 8(1), if at any time after an aircraft has been registered in the Isle of Man an unqualified person becomes entitled to a legal or beneficial interest by way of ownership in the aircraft or in a share in the aircraft, the registration of the aircraft becomes void and the certificate of registration must be</p>	<p>(1) Subject to articles 6(4) and 6(5), 11(1) and 12(2), if at any time after an aircraft has been registered in the Isle of Man an unqualified person becomes entitled to a legal or beneficial interest by way of ownership in the aircraft or in a share in the aircraft, the registration of the aircraft becomes void and shall be cancelled.</p>	<p>No substantial change – still has the same effect. The introduction of article 12(2) in the ‘subject to’ list incorporates conditions pertaining to aircraft subject to an international interest (Cape Town Convention).</p>

<p>returned immediately by the registered owner to the Department.</p>		
<p>(2) A person who is the registered owner of an aircraft registered in the Isle of Man must immediately inform the Department in writing of—</p> <p>(a) a change in the information supplied to the Department when applying for the registration of the aircraft;</p> <p>(b) the destruction of the aircraft, or its permanent withdrawal from use; or</p> <p>(c) in the case of an aircraft registered under article 5(3), the termination of the charter by demise.</p>	<p>(2) A person who is the registered owner of an aircraft registered in the Isle of Man must inform the Department in a format acceptable to the Department as soon as possible but no later than 48 hours of —</p> <p>(a) a change in the information supplied to the Department under article 7;</p> <p>(b) the destruction of the aircraft, or its permanent withdrawal from use; or</p> <p>(c) in the case of an aircraft registered under article 6(5), the termination of the charter by demise.</p>	<p>Currently it is a requirement for the registered owner of the aircraft to notify the Department <u>immediately</u> if there is a change in the information provided when registering the aircraft.</p> <p>An amendment has been made to require the registered owner to notify the Department <u>as soon as possible but not later than 48 hours</u> of changes being made.</p>
<p>(3) A person who becomes the owner of an aircraft registered in the Isle of Man must within 28 days of becoming the owner inform the Department in writing to that effect.</p>	<p>(3) A person who becomes the owner of an aircraft registered in the Isle of Man must inform the Department in a format acceptable to the Department as soon as possible but no later than 48 hours of becoming the owner.</p>	<p>Using the wording 'format acceptable' enables us to insist on a particular Form etc.</p> <p>The amount of time that a person who becomes the owner of an aircraft has to inform the Department is currently 28 days which is considered too long. The proposal is that it should be within 48 hours.</p>
<p>(4) Subject to article 8(2), the Department may, whenever it appears necessary or appropriate in order to give effect to this Part or to bring up to date or otherwise correct the register, amend the register or cancel the registration of an aircraft.</p>	<p>(4) Subject to article 11(1), the Department must, whenever satisfied that it is necessary or appropriate in order to give effect to this Part or to bring up to date or otherwise correct the register, amend the register or cancel the registration of an aircraft.</p>	<p>Change of 'may' to 'must'. The addition of 'satisfied' provides flexibility on completing the activity.</p> <p>Note no time limit – connects with changes to new (5) below.</p>
<p>(5) The Department must cancel the registration of an aircraft within two months of being satisfied that there has been a change in the ownership of the aircraft.</p>		<p>The wording means that the Department has to cancel a registration if there has been a change of ownership – so there is no option of the registration being updated rather than cancelled.</p>

		The requirement for the cancellation to be done within two months has been removed – covered by when 'satisfied' in (4) above.
	(5) Subject to regulation 51 (transitional provision) of the 2015 Regulations, the Department must cancel the registration of an aircraft as soon as reasonably practicable if satisfied that a person wishes and is entitled to procure the de-registration of the aircraft in accordance with Article IX (modification of default remedies provisions) of the Aircraft Protocol <sup>2</sup> (within the meaning of the 2015 Regulations).	The new (5) is as per the consequential amendment intended by SI 2015 No 912 when Cape Town was applied to the Island and mirrors that of that of the UK Air Navigation Order as a result of Cape Town amendments etc. and we seek to stay aligned.

Existing legislation		
Existing legislation	Proposed new legislation	Rationale for proposal
<b>Article 8 – Aircraft that are entered in the Register of Aircraft Mortgages</b>	<b>Article 11 – Aircraft that are entered in the Register of Aircraft Mortgages</b>	
(1) The registration of an aircraft that is the subject of an undischarged mortgage entered in the Register of Aircraft Mortgages does not become void by virtue of article 7(1).	(1) The Department must not, under article 10(4), cancel the registration of an aircraft which is the subject of an undischarged mortgage entered in the Register of Aircraft Mortgages kept by the Department unless all persons shown in the Register of Aircraft Mortgages as mortgagees of the aircraft have consented to the cancellation.	Reworded to correspond to UK Air Navigation Order article - incorporates Cape Town protections
(2) The Department must not cancel the registration of such an aircraft under article 7(4) unless all persons shown in the Register of Aircraft Mortgages as mortgagees of the aircraft have consented to the cancellation.	(2) Subject to regulation 51 of the 2015 Regulations (transitional provision), this article does not apply to an aircraft to which article 12 applies.	The original article 8(2) is now combined with the new (1)  Paragraph (2) introduces the exclusion pertaining to the Cape Town Convention

<sup>2</sup> Protocol to the Cape Town Convention on matters specific to Aircraft Equipment



Existing legislation	Proposed new legislation	Rationale for proposal
<b>Article 9 – General provisions concerning registration</b>	<b>Article 13. General provisions concerning registration</b>	
(1) In this Part and in Part 2 of Schedule 2 “the registered owner” means the person in whose name the aircraft is registered in accordance with article 6(2).		To be moved to definitions in the <a href="#">Civil Aviation (Miscellaneous Provisions) Order</a>
(2) The reference in article 7(2) to the registered owner of an aircraft includes, in the case of a deceased person, his or her personal representative, and in the case of a body corporate that has been dissolved, its successor.	(1) Reference in this Part to the registered owner of an aircraft includes, in the case of a deceased person, their personal representative, and in the case of a body corporate that has been dissolved, its successor.	No change
(3) In this Part references to an interest in an aircraft do not include references to an interest in an aircraft to which a person is entitled only by virtue of the person’s membership of a flying club.		Proposal to remove as there is no reference to ‘an interest in an aircraft’ within the new Order.
(4) Nothing in this Part requires the Department to cancel the registration of an aircraft if in its opinion it would not be in the public interest to do so.	(3) Nothing in this Part requires the Department to cancel the registration of an aircraft if in its opinion it would not be in the public interest to do so.	No change
(5) Without prejudice to the Electronic Transactions Act 2000 (an Act of Tynwald), a provision in this Part that requires the giving of information to the Department in writing may be met by means of an electronic communication if the use of such a communication results in the information contained in it being available to the Department in all material respects as it would appear if given or sent in printed form.		Covered under the <a href="#">Civil Aviation (Miscellaneous Provisions) Order</a>

Existing legislation and/or	Proposed new legislation	Rationale for proposal
<p><b>Article 10 – Nationality and registration marks</b></p>	<p><b>Article 24. Nationality and registration marks</b></p>	
<p>(1) An aircraft (other than an aircraft permitted by or under this Order to fly without being registered) must not fly unless it has painted or fixed on it, in the manner required by the law of the country in which it is registered, the nationality and registration marks required by that law.</p> <p>(2) The marks to be borne by aircraft registered in the Isle of Man must comply with Part 3 of Schedule 2.</p>	<p>(1) An aircraft operator must ensure that an aircraft registered in the Isle of Man does not fly unless it has painted or fixed on it, in the required manner, the nationality and registration marks required under Schedule 1 except in accordance with a permission granted by the Department.</p>	<p>New wording clarifies that the responsibility for ensuring that an aircraft does not fly without the registration marks rests with the operator of the aircraft.</p> <p>In the current paragraph (1) the words in the brackets relates to an article in the Air Navigation (Isle of Man) Order 2015 that we have not transposed.</p> <p>The Department is given discretion to allow an aircraft to operate for a short time with non-compliant marks.</p>
<p>(3) An aircraft must not bear a mark that would indicate—</p> <p>(a) that the aircraft is registered in a country in which it is not in fact registered; or</p> <p>(b) that the aircraft is a State aircraft of a particular country if it is not in fact such an aircraft, unless the appropriate authority of that country has sanctioned the bearing of such a mark.</p>	<p>(2) The aircraft operator must ensure that the marks referred to in paragraph (1) are not displayed on the aircraft if the registration of the aircraft has been cancelled.</p>	<p>Amended wording for clarity of intent with regard to aircraft previously registered in the Isle of Man.</p>

## Various Articles - Commercial air transport

Existing legislation	Proposed new legislation	Rationale for proposal
<p><b>11. Prohibition of use for commercial air transport or aerial work</b></p>	<p><b>14. Prohibition of use for commercial air transport</b></p>	
<p>Except in the case of a transfer of functions under Article 83 of the Chicago Convention, an aircraft registered in the Isle of Man must not fly on a flight for the purpose of commercial air transport or aerial work.</p>	<p>An aircraft registered in the Isle of Man must not be flown for the purpose of commercial air transport.</p>	<p>Article 11 of the existing legislation has been split into commercial and aerial work (see article 22)</p> <p>Removal of allowance under Article 83 of the Chicago Convention as IOMAR policy is not to enter agreements under this article of the Convention.</p>
<p><b>12. Offering commercial air transport flights</b></p>	<p><b>15. Offering commercial air transport flights</b></p>	
<p>A person must not hold anyone out (whether the person who is being held out is the same person as the one who is holding out or is another person) as being one who may offer flights in an aircraft registered in the Isle of Man for the purpose of commercial air transport</p>	<p>A person must not hold anyone out (whether the person who is being held out is the same person as the one who is holding out or is another person) as being one who may offer a flight by an aircraft registered in the Isle of Man for the purpose of commercial air transport.</p>	<p>No change core in requirement</p> <p>Note change in definition of 'commercial air transport' from: "A flight that is carrying passengers, cargo or mail for remuneration or hire where the principal purpose for their carriage is to transport them, and where a seat on the flight or the right to have cargo or mail carried is available to any member of the public, and includes a flight that carries passengers for remuneration or hire that begins and ends at the same aerodrome"</p> <p>to that published by ICAO:</p> <p>"An aircraft operation involving the transport of passengers, cargo or mail for remuneration or hire"</p> <p>'Remuneration' defined as: "money or other financial compensation"</p>

<b>172. Application of Part</b>		
This Part applies to a commercial air transport flight.		Deleted
<b>173. Commercial air transport – special rules for hire of aircraft</b>		
<p>(1) Subject to the provisions of this article and this Part, an aircraft in flight is to be taken to fly for the purpose of commercial air transport for the purposes of Part 3 and Part 4 (other than articles 32(2) and 34(2), if valuable consideration is given or promised for the primary purpose of conferring on a particular person the right to fly the aircraft on the flight.</p> <p>(2) Paragraph (1) does not apply to a single-seat aircraft that has a maximum total mass authorised of not more than 910kg otherwise than under a hire-purchase or conditional sale agreement.</p> <p>(3) Paragraph (1) does not apply if the only such valuable consideration is paid under a hire purchase or conditional sale agreement.</p> <p>(4) Notwithstanding that an aircraft may be flying for the purpose of commercial air transport by reason of paragraph (1), it is not flying for the purpose of the commercial air transport of passengers unless valuable consideration is given or promised for the carriage of the passengers.</p> <p>(5) A glider is not flying for the purpose of commercial air transport for the purposes of Part 3 and Part 4 by virtue of paragraph (1) if the valuable consideration given or promised for the primary purpose of conferring on a particular person the right to fly the glider on the flight is given or promised by a member of a flying club and the glider is owned or operated by the flying club.</p>		<p>Deleted as per the changes that have been made to the current UK Air Navigation Order.</p> <p>Article 173 is considered to be irrelevant as it in the main ensured the continued applicability of Parts 3 and 4 of the Order, yet these Parts did not discriminate between private and commercial air transport flights for aircraft registered in the Isle of man as such aircraft can only operate for private purposes.</p>

<p>(6) Notwithstanding the giving or promising of valuable consideration specified in paragraph (1) for the flight or the purpose of the flight, it is a private flight —</p> <p>(a) subject to sub-paragraph (b), for all purposes other than Part 3 and Part 4; and</p> <p>(b) for the purposes of articles 32(2) and 34(2).</p>		
<p><b>174. Commercial air transport – special rule for associations of persons</b></p>		
<p>(1) A transaction is effected in accordance with this paragraph if, under a transaction effected by or on behalf of a member of an association of persons on the one hand and the association of persons or any member of the association on the other hand, a person is carried in, or is given the right to fly, an aircraft in such circumstances that valuable consideration would be given or promised if the transaction were effected in a different manner.</p> <p>(2) If a transaction is effected in accordance with paragraph (1) valuable consideration is, for the purposes of this Order, to be taken to have been given or promised, notwithstanding any rule of law as to such transactions.</p>		<p>Deleted</p> <p>With the significant change to 'aerial work' and focus on "transport of passengers, cargo or mail for remuneration or hire" it is proposed that this is no longer relevant.</p>
<p><b>175. Commercial air transport – special rule for groups of companies</b></p>	<p><b>16. Commercial air transport – exceptions - groups of companies</b></p>	
<p>(1) In considering if valuable consideration is given or promised for a flight there is to be disregarded any valuable consideration given or promised for a flight or for the purpose of a flight by one company to another company that is—</p> <p>(a) its holding company;</p> <p>(b) its subsidiary; or</p> <p>(c) another subsidiary of the same holding company.</p>	<p>(1) A flight is not a commercial air transport flight where remuneration is given or promised for a flight or for the purpose of a flight by one company to another company that is —</p> <p>(a) its holding company;</p> <p>(b) its subsidiary; or</p> <p>(c) another subsidiary of the same holding company.</p>	<p>'Valuable consideration' changed to 'remuneration' to align with revised definition of commercial air transport</p> <p>Old para 2 deleted as per changes made to the UK Air Navigation Order</p>

<p>(2) For the purposes of this article two or more companies are to be treated as subsidiaries of the same holding company if one (and only one) individual is in such a relationship to them that, if that individual were a holding company, they would be subsidiaries of that company.</p> <p>(3) In this article “holding company” and “subsidiary” have the meanings respectively specified in section 1159 of the Companies Act 2006.</p>	<p>(2) In this article “holding company” and “subsidiary” have the meanings respectively specified in section 220 of the Companies Act 2006<sup>3</sup>.</p>	
<p><b>176. Commercial air transport and aerial work – exceptions – flying displays</b></p>		
<p>(1) A flight is, for the purposes of Part 7, a private flight if —</p> <ul style="list-style-type: none"> <li>(a) the flight is of a sort described in paragraph (2); and</li> <li>(b) the only valuable consideration for the flight or for the purpose of the flight is of a sort described in paragraph (3).</li> </ul> <p>(2) A flight is of a sort described in this paragraph if it is—</p> <ul style="list-style-type: none"> <li>(a) wholly or principally for the purpose of taking part in an aircraft race, contest or flying display;</li> <li>(b) for the purpose of positioning the aircraft for such a flight as is specified in sub-paragraph (a) and is made with the intention of carrying out such a flight; or</li> <li>(c) for the purpose of returning after such a flight as is specified in sub-paragraph (a) to a place at which the aircraft is usually based.</li> </ul> <p>(3) Valuable consideration is of a sort described in this paragraph if it is one or more of the following—</p> <ul style="list-style-type: none"> <li>(a) valuable consideration specified in article</li> </ul>		<p>Deleted due to the change in the definitions of “commercial air transport” and “aerial work”</p>

<sup>3</sup> 2006 AT 13.

<p>173(1);</p> <p>(b) in the case of an aircraft owned in accordance with article 180(2), valuable consideration which falls within article 180(3);</p> <p>(c) valuable consideration given or promised to the owner or operator of an aircraft taking part in such a race, contest or flying display and such valuable consideration is not more than the direct costs of the flight and a contribution to the annual costs of the aircraft which contribution must bear no greater proportion to the total annual costs of the aircraft than the duration of the flight bears to the annual flying hours of the aircraft; or</p> <p>(d) one or more prizes awarded to the pilot in command of an aircraft taking part in an aircraft race or contest to a value that must not exceed £500 for any one race or contest except with the permission of the Department granted to the organiser of the race or contest.</p> <p>(4) A prize falling within paragraph (3)(d) is to be taken for the purposes of this Order not to constitute remuneration for services as a pilot.</p>		
<p><b>177. Commercial air transport and aerial work – exceptions – charity flights</b></p>	<p><b>17. Commercial air transport – exceptions – charity flights</b></p>	
<p>(1) Subject to paragraph (2), a flight is a private flight if the only valuable consideration given or promised for the flight or the purpose of the flight is one or more of the following—</p> <p>(a) valuable consideration specified in article 173(1);</p> <p>(b) in the case of an aircraft owned in accordance with article 180(2), valuable consideration that falls within article 180(3); or</p>	<p>A flight is not a commercial air transport flight if the only remuneration given or promised by a person for the flight is limited to remuneration given or promised to a registered charity that is not -</p> <p>(a) a person who holds a legal or beneficial interest by way of ownership in the aircraft or a share in the aircraft;</p> <p>(b) the aircraft’s registered owner; or</p>	<p>(1)(a) and (2) deleted due to article 173 being deleted</p> <p>(1)(b) deleted as article 180 now replaced with new article 20 and the articles are able to stand alone</p> <p>Addition of charity not being a person with a legal or beneficial owner or the registered owner</p>

<p>(c) valuable consideration given or promised to a registered charity that is not the operator of the aircraft and the flight is made with the permission of the Department and in accordance with any conditions specified in it.</p> <p>(2) If valuable consideration specified in article 173(1) is given or promised the flight is a commercial air transport flight for the purposes of Part 3 and Part 4 (other than articles 32(2) and 34(2)).</p>	<p>(c) the aircraft operator, and the flight is made with the permission of the Department.</p>	<p>Conditions within a permission can be applied without being specified in the new Order</p>
<p><b>178. Commercial air transport and aerial work – exceptions – cost sharing</b></p>	<p><b>18. Commercial air transport – exceptions – sharing of direct costs</b></p>	
<p>(1) Subject to paragraph (4), a flight is a private flight if—</p> <p>(a) the only valuable consideration given or promised for the flight or the purpose of the flight is of a sort described in paragraph (2); and</p> <p>(b) the criteria in paragraph (3) are satisfied.</p> <p>(2) Valuable consideration is of a sort described in this paragraph if it is one or more of the following—</p> <p>(a) valuable consideration specified in article 173(1);</p> <p>(b) in the case of an aircraft owned in accordance with article 180(2), valuable consideration that falls within article 180(3); or</p> <p>(c) a contribution to the direct costs of the flight otherwise payable by the pilot in command.</p> <p>(3) The criteria in this paragraph are satisfied if —</p> <p>(a) no more than four persons (including the pilot)</p>	<p>(1) A flight is not a commercial air transport flight if –</p> <p>(a) the only remuneration given or promised by a person for the flight is limited to a contribution to the direct costs of the flight; and</p> <p>(b) all of the conditions in paragraph (2) are satisfied.</p> <p>(2) The conditions are -</p> <p>(a) the aircraft operated for the flight must not be a large and turbojet aircraft;</p> <p>(b) no more than six persons (including the pilot) may be carried;</p> <p>(c) the direct costs of the flight must be shared by all the occupants of the aircraft including the flight crew; and</p> <p>(d) no information about the flight must have been published or advertised before the commencement of the flight, other than by the flight crew who are members of a</p>	<p>Takes account of deletions and changes to other referenced articles</p> <p>Revised criteria to focus sharing of direct costs on non-complex aircraft and private individuals with a slightly increased number of persons sharing as per contemporary EASA and UK requirements</p> <p>Information sharing within a flying club restriction now enables contemporary media within that club</p> <p>See new definition of 'direct costs':</p> <p>"direct costs" means the costs (excluding any element of profit) directly incurred in relation to a flight</p>



<p>are carried;</p> <p>(b) the proportion that the contribution referred to in paragraph (2)(c) bears to the direct costs is not more than the proportion that the number of persons carried on the flight (excluding the pilot) bears to the number of persons carried (including the pilot);</p> <p>(c) no information has been published or advertised before the commencement of the flight other than, in the case of an aircraft operated by a flying club, advertising wholly within the premises of the flying club in which case all the persons carried on such a flight who are aged 18 years or over must be members of that flying club; and</p> <p>(d) no person acting as a pilot is employed as a pilot by, or is a party to a contract for the provision of services as a pilot with, the operator of the aircraft that is being flown.</p> <p>(4) If valuable consideration specified in article 173(1) is given or promised the flight is a commercial air transport flight for the purposes of Part 3 and Part 4 (other than articles 32(2) and 34(2)).</p>	<p>flying club to other members of that flying club and where all the persons carried on such a flight are members of that flying club.</p>	
<p><b>179. Commercial air transport and aerial work – exceptions – recovery of direct costs</b></p>	<p><b>19. Commercial air transport – exceptions – payment of operating costs</b></p>	
<p>(1) Subject to paragraphs (2) and (3), a flight is a private flight if the only valuable consideration given or promised for the flight or the purpose of the flight is one or more of the following—</p> <p>(a) valuable consideration specified in article 173(1);</p> <p>(b) in the case of an aircraft owned in accordance with article 180(2), valuable consideration that</p>	<p>(1) A flight is not a commercial air transport flight where remuneration is given or promised for a flight of the type specified in paragraph (2) given or promised by –</p> <p>(a) a person who holds a legal or beneficial interest by way of ownership in the aircraft or a share in the aircraft;</p> <p>(b) the aircraft’s registered owner; or</p>	<p>Significantly revised with the aim of capturing appropriate payment of costs for the operation of the aircraft made by the legal/beneficial or registered owner or made by the aircraft operator.</p> <p>See new definitions of ‘direct costs’ and ‘annual costs’:</p>

<p>falls within article 180(3);</p> <p>(c) the payment of the whole or part of the direct costs otherwise payable by the pilot in command by or on behalf of the employer of the pilot in command, or by or on behalf of a body corporate of which the pilot in command is a director.</p> <p>(2) Neither the pilot in command nor any other person who is carried is legally obliged, whether under a contract or otherwise, to be carried on the flight.</p> <p>(3) If valuable consideration specified in article 173(1) is given or promised the flight is a commercial air transport flight for the purposes of Part 3 and Part 4 (other than articles 37(2) and 39(2)).</p>	<p>(c) the aircraft operator.</p> <p>(2) The remuneration specified in paragraph (1) must be limited to either or both:</p> <p>(a) the direct costs of the flight;</p> <p>(b) the annual costs.</p>	<p>“annual cost” means, in relation to the ownership and operation of an aircraft, the cost (excluding any element of profit) of keeping, maintaining and operating the aircraft over the period of one year;</p> <p>“direct costs” means the costs (excluding any element of profit) directly incurred in relation to a flight</p>
<p><b>180. Commercial air transport and aerial work – exceptions – jointly owned aircraft</b></p>	<p><b>20. Commercial air transport – exceptions – jointly owned aircraft</b></p>	
<p>(1) A flight is a private flight if the aircraft falls within paragraph (2) and the only valuable consideration given or promised for the flight or the purpose of the flight falls within paragraph (3).</p> <p>(2) An aircraft falls within this paragraph if it is owned —</p> <p>(a) jointly by persons (each of whom is a natural person) who each hold not less than a 5% beneficial share and—</p> <p>(i) the aircraft is registered in the names of all the joint owners; or</p> <p>(ii) the aircraft is registered in the name or names of one or more of the joint owners as trustee or trustees for all the joint</p>	<p>(1) A flight is not a commercial air transport flight if the aircraft falls within paragraph (2) and the only remuneration given or promised for the flight or the purpose of the flight falls within paragraph (3).</p> <p>(2) An aircraft falls within this paragraph if it is owned —</p> <p>(a) jointly by persons (each of whom is a natural person) who each hold not less than a 20% beneficial share and —</p> <p>(i) the aircraft is registered in the names of all the joint owners; or</p> <p>(ii) the aircraft is registered in the name or names of one or more of the joint</p>	<p>The minimum share has been increased from 5 to 20%</p> <p>Elsewhere in the new Order the word ‘written’ is replaced with ‘made in a format acceptable to the Department’ - ‘written’ has been left in paragraph (2)(a)(ii) as it is more appropriate</p> <p>See new definitions of ‘direct costs’ and ‘annual costs’</p> <p>“annual cost” means, in relation to the ownership and operation of an aircraft, the cost (excluding any element of profit) of keeping, maintaining and operating the aircraft over the period of one year;</p>

<p>owners and written notice has been given to the Department of the names of all the persons beneficially entitled to a share in the aircraft; or</p> <p>(b) by a company in the name of which the aircraft is registered and the registered shareholders of which (each of whom is a natural person) each hold not less than 5% of the shares in that company.</p> <p>(3) Valuable consideration falls within this paragraph if it is given or promised by one or more of the joint owners of the aircraft or registered shareholders of the company that owns the aircraft and is either or both —</p> <p>(a) in respect of and no greater than the direct costs of the flight; or</p> <p>(b) in respect of the annual costs.</p>	<p>owners as trustee or trustees for all the joint owners and written notice has been given to the Department of the names of all the persons beneficially entitled to a share in the aircraft; or</p> <p>(b) by a company in the name of which the aircraft is registered and the registered shareholders of which (each of whom is a natural person) each hold not less than 20% of the shares in that company.</p> <p>(3) Remuneration falls within this paragraph if it is given or promised by one or more of the joint owners of the aircraft or registered shareholders of the company that owns the aircraft and is limited to either or both —</p> <p>(a) the direct costs of the flight;</p> <p>(b) the annual costs.</p>	<p>“direct costs” means the costs (excluding any element of profit) directly incurred in relation to a flight</p>
	<p><b>21. Commercial air transport – exceptions – demonstration flights</b></p>	
	<p>(1) Subject to paragraph (2) and (3), a flight is not a commercial air transport flight if the only remuneration given or promised by a person for the flight is limited to the direct costs of either or both –</p> <p>(a) a demonstration flight;</p> <p>(b) a necessary positioning flight to enable the demonstration flight to take place and a subsequent repositioning flight.</p> <p>(2) The aircraft operator must keep a record of the remuneration received under paragraph (1) including the relevant direct costs of the flight,</p>	<p>New article To allow for demonstration flights of transitional aircraft and when selling an aircraft.</p> <p>These requirements are based on the current policy and process to enable appropriate remuneration for necessary demonstration flights through use of exemption to the Air Navigation (Isle of Man) Order 2015</p> <p>See new definitions of ‘direct costs’</p> <p>“direct costs” means the costs (excluding any element of profit) directly incurred in relation to</p>

	<p>for one year or such longer period as the Department may in a particular case specify.</p> <p>(3) The aircraft operator must produce any documents required to be kept under paragraph (2) to the Department within 14 days after being so requested to do so or such longer period that has been agreed by the Department.</p>	a flight
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<p><b>11. Prohibition of use for commercial air transport or aerial work</b></p>	<p><b>22. Prohibition of use for aerial work</b></p>	
<p>Except in the case of a transfer of functions under Article 83 of the Chicago Convention, an aircraft registered in the Isle of Man must not fly on a flight for the purpose of commercial air transport or aerial work.</p>	<p>(1) Subject to paragraph (2), an aircraft registered in the Isle of Man must not be flown for the purpose of aerial work otherwise than in accordance with an approval granted by the Department.</p> <p>(2) Paragraph (1) does not apply to flights conducting aerial filming or imagery for which -</p> <p>(a) remuneration is not provided for the service; and</p> <p>(b) the filming or imagery equipment is hand held.</p>	<p>Provision for aerial work was incorporated in wording for commercial air transport in article 11 of the Air Navigation (Isle of Man) Order 2015</p> <p>Now its own article which provides for an approval to be granted by the Department</p> <p>The definition of aerial work in the current Air Navigation Order has been replaced with a definition based on that used by ICAO. This fundamentally changes the subject from 'receipt of valuable consideration' to the conduct of 'specialised operations':</p> <p>"aerial work" means an aircraft operation in which an aircraft is used for the purpose of providing specialised services including but not limited to mapping, surveying, photography, firefighting, advertising, glider towing, parachute jumping, inspection and surveillance, load carrying, observation, patrol, search and rescue, emergency services.</p>

		<p>Note - Article 141 of the ANO (Restriction on aerial photography, aerial survey and aerial work in aircraft registered elsewhere than in the Isle of Man) will also be deleted and the following article will be inserted into the Civil Aviation (Rules of the Air) Order 2021</p> <p>“1A Aerial work (1) Subject to paragraph (2), an aircraft must not fly over the Isle of Man for the purpose of aerial work unless it has the permission of the Department. (2) Paragraph (1) does not apply to: (a) any aircraft conducting aerial filming or imagery for which - (i) remuneration is not provided for the service; and (ii) the filming and/or imagery equipment is hand held; (b) an aircraft registered in the Isle of Man operating in accordance with an approval to conduct aerial work issue under the Civil Aviation (Registration and Marking) Order 2021; (c) an aircraft registered in the United Kingdom operating in accordance with the Air Operations Regulation as retained in UK law under the European Union (Withdrawal) Act 2018 as amended from time to time; (d) an aircraft registered in an European Economic Area (EEA) state or Switzerland operating in accordance with the Air Operations Regulation as amended from time to time.”.</p>
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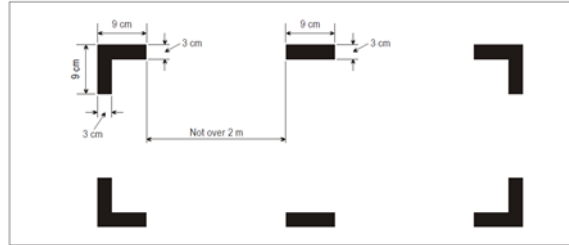
Existing legislation and/or	Proposed new legislation	Rationale for proposal
<b>Article 63 – Marking of break-in areas</b>	<b>Article 25. Marking of break-in areas</b>	
<p>(1) This article applies to aircraft registered in the Isle of Man.</p> <p>(2) An operator must ensure that, if areas of the fuselage suitable for break-in by rescue crews in emergency are marked on an aircraft, the areas are marked in accordance with this article.</p> <p>(3) The markings on the exterior surface of the fuselage must show the areas (in this article referred to as “break-in areas”) the can, for the purposes of rescue in an emergency, be most readily and effectively broken into by persons outside the aircraft.</p> <p>(4) The break-in areas must be marked by right angled corner markings, each arm of which must be nine centimetres in length along its outer edge and three centimetres in width.</p> <p>(5) If the corner markings of the break-in area are more than two metres apart, intermediate lines nine centimetres by three centimetres must be inserted so that there is no more than two metres between adjacent marks.</p> <p>(6) The colour of break-in markings must be red or yellow, and if necessary they must be outlined in white to contrast with the background.</p>	<p>An aircraft operator must ensure that, if areas of the fuselage suitable for break-in by rescue crews in emergency are marked on an aircraft, the areas are marked in accordance with Schedule 2 except in accordance with a permission granted by the Department.</p> <p><b>Schedule 2 Marking of break-in areas</b></p> <p>(1) The break-in areas shall be marked as shown in Figure 1.</p> <p>(2) The markings on the exterior surface of the fuselage must show the areas (in this Schedule referred to as “break-in areas”) the can, for the purposes of rescue in an emergency, be most readily and effectively broken into by persons outside the aircraft.</p> <p>(3) The colour of the markings shall be red or yellow, and if necessary, they shall be outlined in white to contrast with the background.</p> <p>(4) The markings required shall be —</p> <p>(a) painted, or affixed by other equally permanent means; and</p> <p>(b) kept clean and unobscured at all times.</p> <p>(5) If instructions are marked on the break-in areas, the words “Cut Here in Emergency” shall be marked across the centre of each break-in</p>	<p>The majority of the existing article 63 has been moved into Schedule 2.</p> <p>A diagram has replaced some of the wording from article 63.</p> <p>No substantial change – still has the same effect</p>

(7) If instructions are marked on the break-in areas, the words "Cut Here in Emergency" must be marked across the centre of each break-in area in capital letters.

(8) The markings required by this article must be—

- (a) painted, or affixed by other equally permanent means; and
- (b) kept clean and unobscured at all times.

area in capital letters.



## New articles

Proposed new legislation	Rationale for proposal
<p><b>Article 9 Appointment of Aircraft Operator</b></p>	
<p>(1) A person who wishes to register an aircraft in the Isle of Man must, prior to registration, inform the Department in a format acceptable to the Department of the appointment of a person who shall be known as 'the aircraft operator' who shall have accountability for the safe operation, management and control of the aircraft</p> <p>(2) The registered owner of an aircraft registered in the Isle of Man must inform the Department in a format acceptable to the Department, within 48 hours or such longer period that has been agreed by the Department, of a change to the information provided to the Department under paragraph (1).</p>	<p>This article is new however the requirement currently exists as Department policy</p> <p>It makes it a requirement for the registered owner to appoint an operator and requires details of a change to that appointment to be notified to the Department within 48 hours</p>

Proposed new legislation	Rationale for proposal
<p><b>Article 12 Aircraft subject to an international interest</b></p>	
<p>(1) This article applies to an aircraft —</p> <ul style="list-style-type: none"> <li>(a) which is the subject of a registered international interest within the meaning of the 2015 Regulations, and</li> <li>(b) in respect of which an irrevocable de-registration and export request authorisation is in force.</li> </ul> <p>(2) The Department must not, under article 10(4), cancel the registration of an aircraft to which this article applies, except in pursuance of an application made by a person who is recorded, in accordance with regulation 22 (de-registration and transfer of aircraft) of the 2015 Regulations, as the authorised party under an irrevocable de-registration and export request authorisation in respect of the aircraft.</p>	<p>The new article is consistent with the consequential amendment intended by SI 2015 No 912 when Cape Town was applied to the Island and mirrors an update in article 30 of the UK Air Navigation Order as we seek to stay aligned.</p>



(3) Expressions used in this article have the same meaning as in the 2015 Regulations.	
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<b>Proposed new legislation</b>	<b>Rationale for proposal</b>
<b>Article 23. Reservation of registration marks</b>	
<p>(1) An application for the reservation of an Isle of Man aircraft registration mark must be made in a format acceptable to the Department.</p> <p>(2) The Department may reserve a registration mark for a period of 12 months.</p>	<p>This article is new however the possibility to reserve a mark currently exists as Department policy.</p>



<b>Proposed new legislation</b>	<b>Rationale for proposal</b>
<b>Article 26. Marking of ballistic parachute recovery system</b>	
<p>An aircraft operator must ensure that, if a ballistic parachute recovery system is installed on the aircraft, danger placards are placed on the exterior of the aircraft close to the stored energy device exit point in accordance with Schedule 3, except in accordance with a permission granted by the Department.</p>	<p>Requirement puts in place the markings specified by UK CAP 482 Section 5 sub-section K and also the Light Aircraft Association specification TL 3.27.</p> <p>See <a href="#">Schedule 3</a> at the end of this document.</p>

Other changes		
Existing legislation	Proposed new legislation	Rationale for proposal
<b>Various articles. Offences</b>	<b>Article 27. Offences and penalties</b>	
	9(2) Must appoint & notify Dept £2,000 10(2) Must notify Dept £2,000 10(3) Must notify Dept £2,000 14 Must not fly commercial £10,000 or a fine and custody for up to 5 years 15 Must not offer a flight £10,000 or a fine and custody for up to 5 years 21(2) Must maintain records £2,000 21(3) Must produce records £2,000 22(1) Must not fly aerial work £10,000 or a fine and custody for up to 5 years 23(2) Must not display marks until assigned £5,000 24 Must not fly without marks, marks must comply and must not display if registration has been cancelled £5,000 25 Must mark break-in areas £5,000 26 Must mark parachute recovery system £5,000	
<b>Schedule 2</b>		
<b>Part 1 – Classification of aircraft</b>	<b>To go into the Civil Aviation (Miscellaneous Provisions) Order 2020</b>	Proposal to move the classification table into the Miscellaneous Provisions Order as that Order provides generally for the administration of aircraft.  For other amendments to the Miscellaneous Provisions Order please see below.

Other changes		
Existing legislation	Proposed new legislation	Rationale for proposal
<b>Part 2 – Conditions in aircraft dealer’s certificate</b>		To be removed. Aircraft dealers certificate no longer used.
<b>Part 3 - Nationality and registration marks of aircraft registered in the Isle of Man [article 10]</b>	<b>Schedule 1 - Nationality and registration marks of aircraft registered in the Isle of Man [article 25]</b>	
<p><b>1. General</b></p> <p>(1) The nationality mark of the aircraft is the capital letter “M” in Roman character.</p> <p>(2) The registration mark is a group of four capital letters in Roman character assigned by the Department on the registration of the aircraft.</p> <p>(3) The letters must be without ornamentation.</p> <p>(4) A hyphen must be placed between the nationality mark and the registration mark.</p> <p>(5) The nationality and registration marks must be displayed to the best advantage, taking into consideration the constructional features of the aircraft and must always be kept clean and visible.</p> <p>(6) The letters constituting each group of marks must—</p> <p>(a) be of equal height; and</p>	<p><b>1. Nationality and Registration Marks to be Used</b></p> <p>(1) The nationality mark and registration mark shall consist of a group of characters.</p> <p>(2) The nationality mark of the aircraft is the capital letter “M”.</p> <p>(3) The nationality mark shall precede the registration mark. The registration mark shall be preceded by a hyphen.</p> <p>(4) The registration mark shall be letters, numbers, or a combination of letters and numbers assigned by the Department on the registration of the aircraft.</p> <p>(5) The letters shall be capital letters in Roman characters without ornamentation. Numbers shall be Arabic numbers without ornamentation.</p> <p>(6) When letters are used for the registration mark, combinations shall not be used which might be confused with the five-letter combinations used in the</p>	<p>Wording changed to demonstrate that the new Order complies with ICAO requirements.</p> <p>We now provide for numbers to be included in registration marks and well as letters.</p> <p>Certain items are moved into subsequent article</p> <p>See new paragraph 4. Identification Plate at the end of this section for fire-proof metal plate.</p>

<p>(b) together with the hyphen, all be of the same single colour which must clearly contrast with the background on which they appear.</p> <p>(7) The nationality and registration marks must also be inscribed on a fire-proof metal plate affixed in a prominent position—</p> <p>(a) in the case of a microlight aeroplane, either on the fuselage or car or on the wing;</p> <p>(b) in the case of a balloon, on the basket or envelope;</p> <p>(c) in the case of any other aircraft on the fuselage or car.</p> <p>(8) The nationality and registration marks must be painted on the aircraft, or affixed to the aircraft by any other means ensuring a similar degree of permanence, in the manner specified in paragraphs 2, 3 and 4 of this Part.</p>	<p>International Code of Signals, Part II, the three-letter combinations beginning with Q used in the Q Code, and with the distress signal SOS, or other similar urgent signals, for example XXX, PAN and TTT.</p>	
<p><b>2. Position and size of marks – heavier than air aircraft</b></p> <p>(1) The position and size of marks on heavier than air aircraft (excluding kites) must be as specified in this paragraph.</p> <p>(2) On such aircraft having a fixed wing surface—</p> <p>(a) the marks must appear on the lower horizontal surface of the wing structure and on the port wing unless they extend across the whole surface of both wings;</p>	<p><b>2. Location of marks – heavier than air aircraft</b></p> <p>(1) General</p> <p>(a) The location and measurement of nationality and registration marks on heavier than air aircraft (excluding kites) must be as specified in this paragraph.</p> <p>(b) The nationality and registration marks must be painted on the aircraft, or affixed to the aircraft by any other means ensuring a similar degree of permanence. The marks must be displayed to the best advantage, taking into consideration the constructional</p>	

<p>(b) so far as is possible the marks must be located equidistant from the leading and trailing edges of the wings;</p> <p>(c) the tops of the letters of its marks must be towards the leading edge of the wing;</p> <p>(d) the height of the letters of its marks must be—</p> <p>(i) subject to sub-paragraph (ii), at least 500 millimetres;</p> <p>(ii) if the wings are not large enough for the marks to be 500 millimetres in height, of the greatest height practicable in the circumstances.</p> <p>(3) On the fuselage (or equivalent structure) and vertical tail surfaces of such aircraft—</p> <p>(a) the marks must also appear either—</p> <p>(i) on each side of the fuselage (or equivalent structure), and must, in the case of fixed wing aircraft be located between the wings and the horizontal tail surface; or</p> <p>(ii) on the vertical tail surfaces;</p> <p>(b) when located on a single vertical tail surface, the marks must appear on both sides;</p> <p>(c) when located on multi-vertical tail surfaces, the marks must appear on the outboard sides of the outer-surfaces;</p> <p>(d) subject to sub-paragraphs (f) and (g), the height of the letters constituting each group of marks must be at least 300 millimetres;</p> <p>(e) if one of the surfaces authorised for displaying the required marks is large enough for those marks to be 300 millimetres in height (whilst complying with sub-paragraph (g)) and the other is not, marks of 300 millimetres in height</p>	<p>features of the aircraft and must be kept clean and visible at all times.</p> <p>(c) The letters and numbers in each separate group of marks must be of equal height.</p> <p>(2) Wings</p> <p>(a) The marks must appear once on the lower surface of the wing structure. They must be located on the left half of the lower surface of the wing structure unless they extend across the whole of the lower surface of the wing structure. So far as is possible, the marks shall be located equidistant from the leading and trailing edges of the wings. The tops of the letters and numbers must be toward the leading edge of the wing.</p> <p>(b) The height of the marks on the wings must be at least 50 centimetres.</p> <p>(3) Fuselage (or equivalent structure) and vertical tail surfaces</p> <p>(a) The marks must appear either on each side of the fuselage (or equivalent structure) between the wings and the tail surface or on the upper halves of the vertical tail surfaces. When located on a single vertical tail surface, they must appear on both sides. When located on multivertical tail surfaces, they must appear on the outboard sides of the outer surfaces.</p> <p>(b) The height of the marks on the fuselage (or equivalent structure) and on the vertical tail surfaces must be at least 30 centimetres.</p> <p>(4) Special cases</p>	
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<p>must be placed on the largest authorised surface;</p> <p>(f) if neither authorised surface is large enough for marks of 300 millimetres in height (whilst complying with sub-paragraph (g)), marks of the greatest height practicable in the circumstances must be displayed on the larger of the two authorised surfaces;</p> <p>(g) marks on the vertical tail surfaces must be such as to leave a margin of at least 50 millimetres along each side of the vertical tail surface.</p> <p>(4) On rotary wing aircraft where owing to the structure of the aircraft the greatest height practicable for the marks on the side of the fuselage (or equivalent structure) is less than 300 millimetres —</p> <p>(a) the marks must also appear on the lower surface of the fuselage as close to the line of symmetry as practicable;</p> <p>(b) they must be placed with the tops of the letters towards the nose;</p> <p>(c) the height of the letters constituting each group of marks must be—</p> <p>(i) subject to sub-paragraph (ii), at least 500 millimetres; or</p> <p>(ii) if the lower surface of the fuselage is not large enough for the marks to be of 500 millimetres in height, of the greatest height practicable in the circumstances.</p> <p>(5) Wherever in this paragraph marks of the greatest height practicable in the circumstances are required, that height must be such as is consistent with compliance with paragraph 4 of this Part.</p>	<p>(a) If one of the surfaces authorised for displaying the required marks is large enough for those marks to be 30 centimetres in height (whilst complying with sub-paragraph (c)) and the other is not, marks of 30 centimetres in height must be placed on the largest authorised surface.</p> <p>(b) If neither authorised surface is large enough for marks of 30 centimetres in height (whilst complying with sub-paragraph (d)), marks of the greatest height practicable in the circumstances must be displayed on the larger of the two authorised surfaces;</p> <p>(c) Marks on the vertical tail surfaces must be such as to leave a margin of at least 50 centimetres along each side of the vertical tail surface.</p> <p>(d) On rotary wing aircraft where owing to the structure of the aircraft the greatest height practicable for the marks on the side of the fuselage (or equivalent structure) is less than 30 centimetres —</p> <p>(i) the marks must also appear on the lower surface of the fuselage as close to the line of symmetry as practicable;</p> <p>(ii) they must be placed with the tops of the letters towards the nose;</p> <p>(iii) the height of the letters constituting each group of marks must be —</p> <p>(aa) subject to sub-paragraph (bb), at least 50 centimetres; or</p> <p>(bb) if the lower surface of the fuselage is not large enough for the marks to be of 50 centimetres in height, of the</p>	
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	<p style="text-align: center;">greatest height practicable in the circumstances.</p> <p>(e) Wherever in this paragraph marks of the greatest height practicable in the circumstances are required, that height must be such as is consistent with compliance with paragraph 3 of this Schedule.</p>	
<p><b>3. Position and size of marks – airships and free balloons</b></p> <p>(1) The position and size of marks on airships and free balloons must be as specified in this paragraph.</p> <p>(2) In the case of airships the marks must be—</p> <p>(a) placed on each side of the airship; and</p> <p>(b) placed horizontally either on the hull near the maximum cross-section of the airship or on the lower vertical stabiliser.</p> <p>(3) In the case of free balloons, the marks must be in two places on diametrically opposite sides of the balloon.</p> <p>(4) In the case of both airships and free balloons—</p> <p>(a) the side marks must be so placed as to be visible from the sides and from the ground; and</p> <p>(b) the height of the letters must be at least 500 millimetres.</p>		<p>Not required</p>

<p><b>4. Width, spacing and thickness of marks</b></p> <p>(1) For the purposes of this paragraph—</p> <p>(a) “standard letter” means any letter other than the letters I, M and W;</p> <p>(b) the width of each standard letter and the length of the hyphen between the nationality mark and the registration mark must be two thirds of the height of a letter;</p> <p>(c) the width of the letters M and W must be neither less than two thirds of their height nor more than their height; and</p> <p>(d) the width of the letter I must be one sixth of the height of the letter.</p> <p>(2) The thickness of the lines comprising each letter and hyphen must be one sixth of the height of the letters forming the marks.</p> <p>(3) Each letter and hyphen must be separated from the letter or hyphen which it immediately precedes or follows by a space equal to either one quarter or one half of the width of a standard letter.</p> <p>(4) Each such space must be equal to every other such space within the marks.</p>	<p><b>3. Width, spacing and thickness of marks</b></p> <p>(1) For the purposes of this paragraph -</p> <p>(a) “standard character” means any letter other than the letters I, M and W and the number 1;</p> <p>(b) the width of each standard character and the length of hyphens must be two thirds of the height of a character;</p> <p>(c) the width of the letters M and W must be neither less than two thirds of their height nor more than their height; and</p> <p>(d) the width of the letter I and number 1 must be one sixth of the height of the letter.</p> <p>(2) The characters and hyphens must be formed by solid lines and must be of a single colour contrasting clearly with the background. The thickness of the lines must be one-sixth of the height of a character.</p> <p>(3) Each character must be separated from that which it immediately precedes or follows, by a space of not less than one-quarter of a character width. A hyphen shall be regarded as a character for this purpose.</p> <p>(4) Each such space must be equal to every other such space within the marks.</p>	
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<p><b>Schedule 2 Part 3 paragraph (7)</b></p> <p>(7) The nationality and registration marks must also be inscribed on a fire-proof metal plate affixed in a prominent position—</p> <p>(a) in the case of a microlight aeroplane, either on the fuselage or car or on the wing;</p> <p>(b) in the case of a balloon, on the basket or envelope;</p> <p>(c) in the case of any other aircraft on the fuselage or car.</p>	<p><b>4. Identification Plate</b></p> <p>(1) An aircraft must carry an identification plate inscribed with at least its nationality mark and registration mark.</p> <p>(2) The plate shall be made of fireproof metal or other fireproof material of suitable physical properties.</p> <p>(3) Subject to (4), the identification plate must be secured to the aircraft in a prominent position near the main entrance.</p> <p>(4) An aircraft registered in the Isle of Man prior to the commencement of this Order may continue to comply with the rule<sup>4</sup> that the nationality and registration marks must be inscribed on a fire-proof metal plate affixed in a prominent position on the fuselage or car.</p>	<p>The provisions relating to an Identification plate have been updated in line with ICAO however there is a reserved right included for those aircraft registered on the Isle of Man before the new Order comes into force.</p>
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Consequential amendments made to by Miscellaneous Provisions Order		
Existing legislation	Proposed new legislation	Rationale for proposal
Various	References to 'certificate' added throughout Order	To ensure certificate of registration is covered administratively. Currently covered by <a href="#">Civil Aviation (Procedure) Regulations 1991</a> . Once Registration & Marking provisions are moved out of the Air Navigation (Isle of Man) Order 2015 the Procedure Regulations no longer apply.

<sup>4</sup> Schedule 1 Part 3, paragraph (7) to the Air Navigation (Isle of Man) Order 2015 which was revoked by the Air Navigation (Isle of Man) (Amendment) Order 202x

	Definitions	Definitions in support of the Registration and Marking Order and the Classification of Aircraft table.
	References to 'cancel' added where necessary.	To ensure that the cancellation of a registration would be supported by administration legislation.
	Majority of reference to 'records' revoked	Most records fall under the definition of 'documents' under Manx law so there is no requirement to include 'record'. Some references have remained in the new Order where necessary.
	<b>Art 9A. Documents to be submitted in English Language</b>	
	<p>(1) All documentation, written communications and electronic data submitted to the Department by a person, in support of an application for registration, approval, permission, certificate or exemption must be in the English language.</p> <p>(2) If a submission requires the inclusion of a document that is in a foreign language, a person must ensure that the foreign language document is accompanied by a fair and accurate English translation which the applicant must certify as being, to the best of their knowledge and belief, a true translation.</p>	New provision to reflect current policy
	<b>Art 11A. Services withheld from outstanding debtors</b>	
	The Department may withhold the provision of services from outstanding debtors until such time as the debt has been settled.	New provision to comply with the Isle of Man's Financial Regulations.

	<b>Schedule - Classification of Aircraft</b>	<a href="#">See classification table below</a> The Table is a copy of the ICAO table in Annex 7 with some modifications.
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## Registration and Marking Order

### Schedule 3

#### Marking of ballistic parachute recovery system

(Article 26)

(1) Danger placards as shown in Figure 1 must be applied to permanent fixed parts of the aircrafts structure close to the stored energy device exit point.

(2) Danger placards must be placed in such a manner that at least one such placard remains visible regardless of the stationery attitude of the aircraft, which in the event of an emergency landing may include unusual and inverted attitudes.

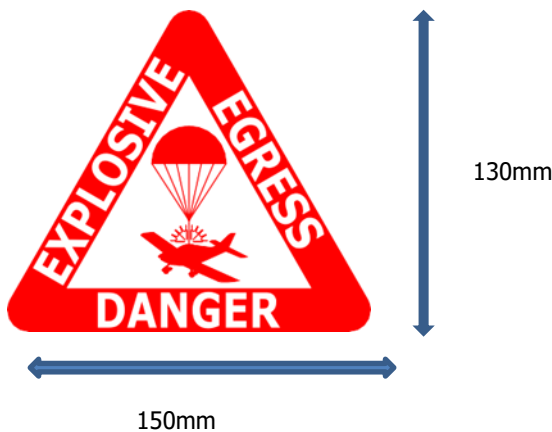


Figure 1 Sample danger placard. Dimensions given are the minimum acceptable

(3) Each danger placard as show in Figure 1 must be accompanied by a label, which provides contact information for rescue personnel to seek help from the manufacturer of the stored energy device in the event of an accident. A sample label with a danger placard is shown in Figure 2.



Figure 2 - Sample label with danger placard. Danger placard to be dimensioned in as defined in Figure

(4) The area through which the stored energy device exits the airframe when deployed must be outlined by a double offset black and yellow chequered line no less than 20mm in total width as shown in Figure 3.



Figure 3 - Sample marking of stored energy device exit area

(5) A danger placard as shown in Figure 4 must be applied directly on to the stored energy device, to warn rescue personnel of the potential hazard should the stored energy device become separated from the aircraft during the accident.

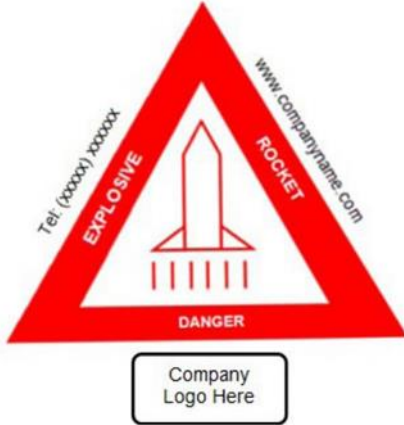


Figure 4 - Sample danger placard

(6) A warning placard with a text explanation label as shown in Figure 5 must be applied adjacent to the aircraft door(s) or where the occupant(s) enter the aircraft.

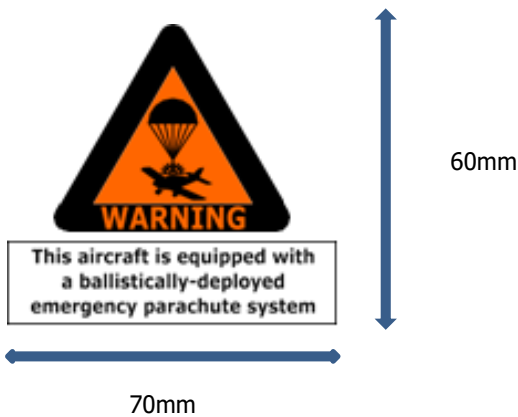


Figure 5 - Sample warning placard. Dimensions given are the minimum acceptable

(7) The markings required by this Schedule shall be —

- (a) painted, or affixed by other equally permanent means; and
- (b) kept clean and unobscured at all times.

## Miscellaneous Provisions Order

### Schedule – Classification of Aircraft

1. Aircraft shall be classified in accordance with the following table.

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	
AIRCRAFT	Lighter-than-air aircraft	Non-power-driven	Free balloon	Spherical free balloon		
				Non-spherical free balloon		
			Captive Balloon	Spherical captive balloon		
				Non-spherical captive balloon <sup>1</sup>		
		Power-driven	Airship	Rigid airship		
				Semi-rigid airship		
				Non-rigid airship		
		Heavier-than-air aircraft	Non-power-driven <sup>2</sup>	Glider <sup>3</sup>	Land glider	
					Sea glider <sup>6</sup>	
	Kite <sup>7</sup>					
	Power-driven		Aeroplane <sup>9</sup>	Landplane <sup>5</sup>		
				Seaplane <sup>6</sup>		
				Amphibian <sup>6</sup>		
				Self-launching motor glider <sup>8</sup>		
			Power lift	Tilt rotor		
				Direct thrust		
			Rotorcraft	Gyroplane	Land gyroplane <sup>5</sup>	
					Sea gyroplane <sup>6</sup>	
				Helicopter	Land helicopter <sup>5</sup>	
			Sea helicopter <sup>6</sup>			
			Amphibian helicopter <sup>6</sup>			
			Ornithopter	Land ornithopter <sup>5</sup>		
	Sea ornithopter <sup>6</sup>					
	Amphibian ornithopter <sup>6</sup>					

<sup>1</sup> Generally designated 'kite-balloon'.

<sup>2</sup> Heavier than air aircraft with power units designed only to sustain flight and that are not used to take off are categorised as "non-power driven"

<sup>3</sup> Includes "hang gliders", "self-sustaining gliders" and "self-propelled hang gliders"<sup>4</sup>

<sup>5</sup> Includes aircraft equipped with ski-type landing gear (substitute "ski" for "land")

<sup>6</sup> "Float" or "boat" may be added as appropriate

<sup>7</sup> For the purpose of completeness only

<sup>8</sup> Includes "touring motor gliders"

<sup>9</sup> Includes "microlight aeroplanes"

**Classification of Aircraft Table**

2. An unmanned aircraft having a mass of not more than 25 kilograms<sup>5</sup> shall be classified as a small unmanned aircraft.
3. All other aircraft intended to be operated with no pilot on board shall be further classified as unmanned.

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<sup>5</sup> Definition of 'small unmanned aircraft' Civil Aviation (Miscellaneous Provisions) Order 2020 SD No. 2020/0134