



*Airports and Civil Aviation Act 1987*

## **CIVIL AVIATION (AIRCRAFT REGISTRATION AND MARKING) ORDER 2022**

*Approved by Tynwald:*

*Coming into Operation:*

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The Department for Enterprise makes the following Order under section 11B and 11I of the Airports and Civil Aviation Act 1987.

### **PART 1 GENERAL PROVISIONS**

#### **1 Title**

This Order is the Civil Aviation (Aircraft Registration and Marking) Order 2022.

#### **2 Commencement**

If approved by Tynwald, this Order comes into operation on [*date to be confirmed*].

#### **3 Interpretation**

(1) In this Order -

“**the 2015 Regulations**” means the International Interests in Aircraft Equipment (Cape Town Convention) Regulations 2015<sup>1</sup> as applied to the Isle of Man by Aviation (Cape Town Convention) (No. 2) Order 2016<sup>2</sup>; and

“**unqualified person**” means a person that is not qualified to register an aircraft in the Isle of Man under article 6.

(2) A word or expression in this Order, unless otherwise defined in this Order, has the same meaning as that given in the Civil Aviation (Miscellaneous Provisions) Order 2020<sup>3</sup>.

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<sup>1</sup> SI 2015/912

<sup>2</sup> SD 2016/0229

<sup>3</sup> SD 2020/0134 amended by SD 2021/0184

## PART 2 REGISTRATION OF AIRCRAFT

### 4 Registration Authority

For the purposes of this Order the Department is the authority for the registration of aircraft in the Isle of Man.

### 5 Department to register aircraft in the Isle of Man

- (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, 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.
- (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 -
  - (a) the aircraft is registered outside the Isle of Man;
  - (b) an unqualified person holds a legal or beneficial interest by way of ownership in the aircraft or in a share in the aircraft;
  - (c) the aircraft could more suitably be registered with an alternative State of Registry; or
  - (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.
- (3) The Department must, at all reasonable times, make the aircraft register available for inspection by any person.

### 6 Who may register aircraft in the Isle of Man

- (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 -
  - (a) the Crown in right of the Isle of Man, the United Kingdom or any part of the United Kingdom;
  - (b) Commonwealth citizens;
  - (c) Nationals of any EEA State or Switzerland;
  - (d) British protected persons;
  - (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
  - (f) undertakings formed in accordance with the law of the Isle of Man, an EEA State or Switzerland and having their registered office, central administration or principal place of business within the Isle of Man, an EEA State or Switzerland.

- (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 -
  - (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);
  - (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).
- (3) The States or territories referred to in paragraph (2) are -
  - (a) Hong Kong (Special Administrative Region);
  - (b) Japan;
  - (c) People's Republic of China;
  - (d) United States of America.
- (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.
- (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.
- (6) Subject to this Part, an aircraft registered under paragraph (5) may remain registered during the continuation of the charter.

## **7 Application for registration**

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<sup>4</sup>.

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<sup>4</sup> Schedule to the Civil Aviation (Miscellaneous Provisions) Order 2020 SD 2020/0134

## **8 Registration and certificate of registration**

- (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.
- (2) The following particulars must be included in the aircraft register in respect of every aircraft registered therein -
  - (a) the number of the certificate of registration;
  - (b) the nationality and registration marks assigned to the aircraft by the Department;
  - (c) the manufacturer and the manufacturer's designation of the aircraft;
  - (d) the serial number of the aircraft;
  - (e) the name and address of every person who is entitled as owner to a legal interest in the aircraft or in a share in 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
  - (f) in the case of an aircraft registered under article 6(4) or (5), an indication that it is so registered.
- (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.
- (4) A certificate of registration remains valid for an indefinite duration.

## **9 Appointment of Aircraft Operator**

- (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.
- (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 in the information provided to the Department under paragraph (1).

## **10 Changes to the aircraft register**

- (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.

- (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 -
  - (a) a change in the information supplied to the Department under article 7;
  - (b) the destruction of the aircraft, or its permanent withdrawal from use; or
  - (c) in the case of an aircraft registered under article 6(5), the termination of the charter by demise.
- (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.
- (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 aircraft register, amend the register or cancel the registration of an aircraft.
- (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>5</sup> (within the meaning of the 2015 Regulations).

## **11 Aircraft that are entered in the Register of Aircraft Mortgages**

- (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.
- (2) Subject to regulation 51 (Transitional provision) of the 2015 Regulations, this article does not apply to an aircraft to which article 12 applies.

## **12 Aircraft subject to an international interest**

- (1) This article applies to an aircraft -
  - (a) which is the subject of a registered international interest within the meaning of the 2015 Regulations, and
  - (b) in respect of which an irrevocable de-registration and export request authorisation is in force.
- (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

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<sup>5</sup> Protocol to the Cape Town Convention on matters specific to Aircraft Equipment

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.

- (3) Expressions used in this article have the same meaning as in the 2015 Regulations.

### **13 General provisions concerning registration**

- (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.
- (2) 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.

## **PART 3 COMMERCIAL AIR TRANSPORT**

### **14 Prohibition of use for commercial air transport**

An aircraft registered in the Isle of Man must not be flown for the purpose of commercial air transport.

### **15 Offering commercial air transport flights**

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.

### **16 Commercial air transport – exceptions - groups of companies**

- (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 -
  - (a) its holding company;
  - (b) its subsidiary; or
  - (c) another subsidiary of the same holding company.
- (2) In this article “holding company” and “subsidiary” have the meanings respectively specified in section 220 of the Companies Act 2006<sup>6</sup>.

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<sup>6</sup> 2006 AT 13.

## **17 Commercial air transport – exceptions – charity flights**

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 -

- (a) a person who holds a legal or beneficial interest by way of ownership in the aircraft or a share in the aircraft;
- (b) the aircraft's registered owner; or
- (c) the aircraft operator,

and the flight is made with the permission of the Department.

## **18 Commercial air transport – exceptions – sharing of direct costs**

(1) A flight is not a commercial air transport flight if -

- (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
- (b) all of the conditions in paragraph (2) are satisfied.

(2) The conditions are -

- (a) the aircraft operated for the flight must not be a large and turbojet aircraft;
- (b) no more than six persons (including the pilot) may be carried;
- (c) the direct costs of the flight must be shared by all the occupants of the aircraft including the flight crew; and
- (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 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.

## **19 Commercial air transport – exceptions – payment of operating costs**

(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 -

- (a) a person who holds a legal or beneficial interest by way of ownership in the aircraft or a share in the aircraft;
- (b) the aircraft's registered owner; or
- (c) the aircraft operator.

(2) The remuneration specified in paragraph (1) must be limited to either or both -

- (a) the direct costs of the flight;
- (b) the annual costs.

## **20 Commercial air transport – exceptions – jointly owned aircraft**

- (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).
- (2) An aircraft falls within this paragraph if it is owned -
  - (a) jointly by persons (each of whom is a natural person) who each hold not less than a 20% beneficial share and -
    - (i) the aircraft is registered in the names of all the joint owners;  
or
    - (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 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
  - (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.
- (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 -
  - (a) the direct costs of the flight;
  - (b) the annual costs.

## **21 Commercial air transport – exceptions – demonstration flights**

- (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 -
  - (a) a demonstration flight;
  - (b) a necessary positioning flight to enable the demonstration flight to take place and a subsequent repositioning flight.
- (2) The aircraft operator must keep a record of the remuneration received under paragraph (1), including the relevant direct costs of the flight, for one year or such longer period as the Department may in a particular case specify.
- (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.



## **PART 4 AERIAL WORK**

### **22 Prohibition of use for aerial work**

- (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.
- (2) Paragraph (1) does not apply to flights conducting aerial filming or imagery for which -
  - (a) remuneration is not provided for the service; and
  - (b) the filming or imagery equipment is hand held.

## **PART 5 MARKING OF AIRCRAFT**

### **23 Reservation of registration marks**

- (1) An application for the reservation of an Isle of Man aircraft registration mark must be made in a format acceptable to the Department.
- (2) The Department may reserve a registration mark for a period of 12 months.

### **24 Nationality and registration marks**

- (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.
- (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.

### **25 Marking of break-in areas**

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.

### **26 Marking of ballistic parachute recovery system**

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.

## PART 6 SUPPLEMENTAL

### 27 Offences and penalties

- (1) Subject to paragraphs (2) and (3) a person who contravenes any of the requirements imposed -
  - (a) under article 9(2), 10(2) and (3), 21(2) & (3) commits an offence and is liable on summary conviction to a fine not exceeding level 3 on the standard scale;
  - (b) under article 24, 25, 26 commits an offence and is liable on summary conviction, to a fine not exceeding level 4 on the standard scale;
  - (c) under article 14, 15, 22(1) commits an offence and is liable -
    - (i) on summary conviction, to a fine not exceeding level 5 on the standard scale; or
    - (ii) on conviction on information, to a fine or to custody for a term not exceeding five years, or to both.
- (2) A person is not to be taken to have contravened a provision specified in paragraph (1) if the person proves that -
  - (a) the contravention occurred without the person's consent or connivance; and
  - (b) that the person exercised all due diligence to prevent the contravention.
- (3) If it is proved that an act or omission of a person that would otherwise have been a contravention by the person of a provision specified in paragraph (1) was due to any cause not avoidable by the exercise of reasonable care by the person, the act or omission is to be taken not to be a contravention by the person of the provision.

## SCHEDULE 1

### NATIONALITY AND REGISTRATION MARKS OF AIRCRAFT REGISTERED IN THE ISLE OF MAN

[Article 24]

#### **1 Nationality and Registration Marks to be Used**

- (1) The nationality mark and registration mark shall consist of a group of characters.
- (2) The nationality mark of the aircraft is the capital letter “M”.
- (3) The nationality mark shall precede the registration mark. The registration mark shall be preceded by a hyphen.
- (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.
- (5) The letters shall be capital letters in Roman characters without ornamentation. Numbers shall be Arabic numbers without ornamentation.
- (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 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.

#### **2 Location of marks – heavier than air aircraft**

- (1) General
  - (a) The location and measurement of nationality and registration marks on heavier than air aircraft (excluding kites) must be as specified in this paragraph.
  - (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 features of the aircraft and must be kept clean and visible at all times.
  - (c) The letters and numbers in each separate group of marks must be of equal height.
- (2) Wings
  - (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.

- (b) The height of the marks on the wings must be at least 50 centimetres.
- (3) Fuselage (or equivalent structure) and vertical tail surfaces
- (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.
  - (b) The height of the marks on the fuselage (or equivalent structure) and on the vertical tail surfaces must be at least 30 centimetres.
- (4) Special cases
- (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.
  - (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;
  - (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.
  - (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 -
    - (i) the marks must also appear on the lower surface of the fuselage as close to the line of symmetry as practicable;
    - (ii) they must be placed with the tops of the letters towards the nose;
    - (iii) the height of the letters constituting each group of marks must be -
      - (aa) subject to sub-paragraph (bb), at least 50 centimetres;  
or
      - (bb) if the lower surface of the fuselage is not large enough for the marks to be of 50 centimetres in height, of the greatest height practicable in the circumstances.

- (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.

### **3 Width, spacing and thickness of marks**

- (1) For the purposes of this paragraph -
  - (a) “standard character” means any letter other than the letters I, M and W and the number 1;
  - (b) the width of each standard character and the length of hyphens must be two thirds of the height of a character;
  - (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
  - (d) the width of the letter I and number 1 must be one sixth of the height of the letter.
- (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.
- (3) Each character must be separated from that which it immediately precedes or follows, by a space equal to either not less than one-quarter or one-half of a character width. A hyphen shall be regarded as a character for this purpose.
- (4) Each such space must be equal to every other such space within the marks.

### **4 Identification Plate**

- (1) An aircraft must carry an identification plate inscribed with at least its nationality mark and registration mark.
- (2) The plate shall be made of fireproof metal or other fireproof material of suitable physical properties.
- (3) Subject to (4), the identification plate must be secured to the aircraft in a prominent position near the main entrance.
- (4) An aircraft registered in the Isle of Man prior to the commencement of this Order may continue to comply with the rule<sup>7</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.

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<sup>7</sup> Schedule 1 Part 3, paragraph (7) to the Air Navigation (Isle of Man) Order 2015 which was revoked by the Civil Aviation (Miscellaneous Amendment) Order 2022 [SD No. 2022/xxx](#)

**SCHEDULE 2**  
**MARKING OF BREAK-IN AREAS**

[Article 25]

- (1) The break-in areas shall be marked as shown in Figure 1.
- (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.
- (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.
- (4) The markings required shall be -
  - (a) painted, or affixed by other equally permanent means; and
  - (b) kept clean and unobscured at all times.
- (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 area in capital letters.

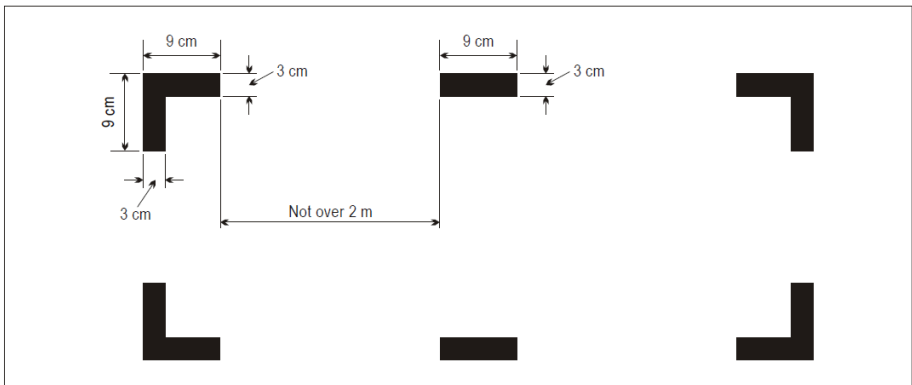


Figure 1 Break in areas

### 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.

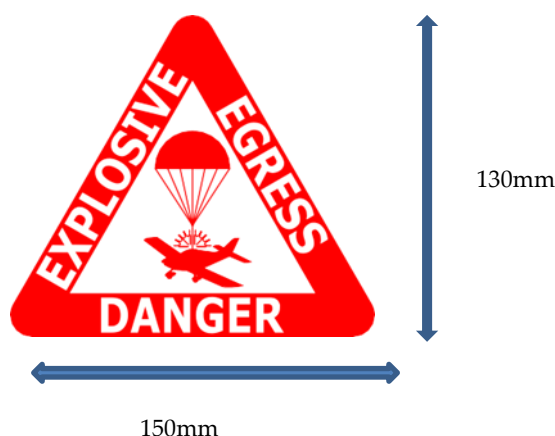


Figure 1 Sample danger placard. Dimensions given are the minimum acceptable

- (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 1

- (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.

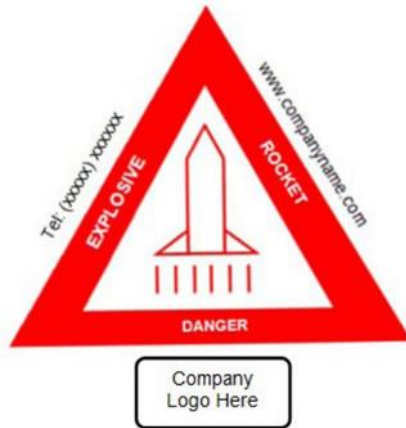


Figure 4 - Sample danger placard

- (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.

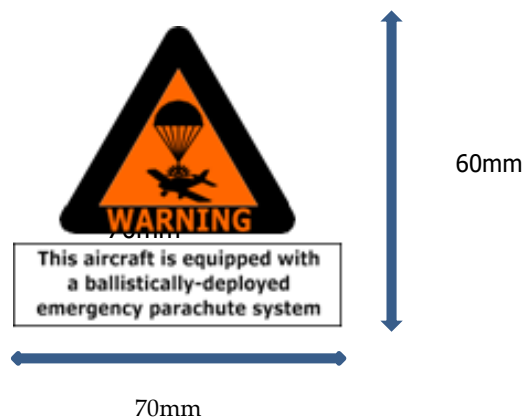


Figure 5 - Sample warning placard. Dimensions given are the minimum acceptable



- (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.