



Isle of Man
CIVIL AVIATION ADMINISTRATION



Adrian Tickle

Head of Flight Operations



Question...

**How do you enable
appropriate payment of operating costs
whilst appropriately protecting
the public from illegal public
transport?**

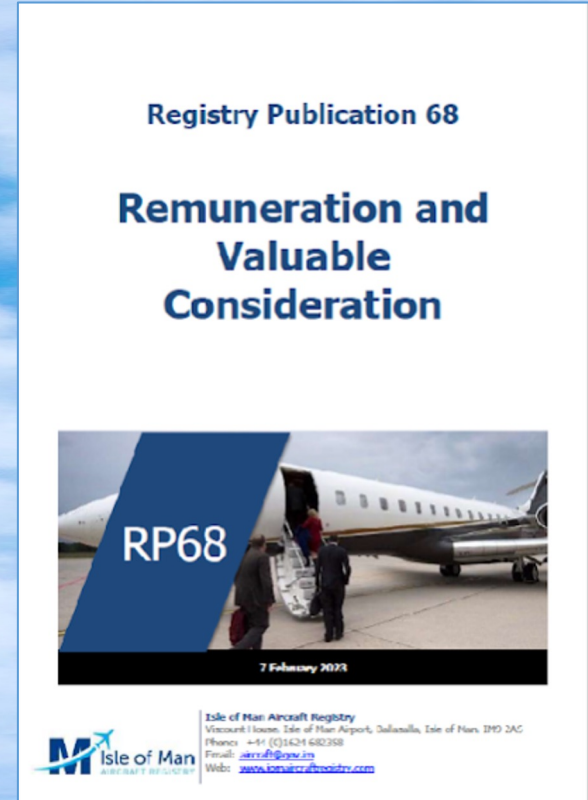
Illegal Public Transport

- Blight on the business aviation industry reputation
- Recent high profile events
- The IOM Aircraft Registry takes a robust stance



Registry Publication 68

- RP68 – legislation and guidance material
 - Updated legislation took effect 1 August 2022



Commercial Air Transport

- 'M' registered aircraft - prohibited from undertaking commercial air transport flights



Simple Definitions

- “**commercial air transport**” means an aircraft operation involving the transport of passengers, cargo or mail for hire, remuneration *or other valuable consideration*;

Simple Definitions

- “**remuneration**” means money or other financial compensation
- “**valuable consideration**” means a right, interest, profit or benefit, forbearance, detriment, loss or responsibility accruing, given, suffered or undertaken under an agreement that is of more than a nominal nature

Simple Definitions

- But that prohibits reasonable payments that business aviation need to make and which have no impact on public safety
- Explicit enablement provided for specific aspects....



Flying Training

- RP68 explicitly allows:
 - Valuable consideration or remuneration for flights undertaken solely for the purpose of flying training, examination or testing



Self Fly Hire

- RP68 allows:
 - remuneration or valuable consideration given by the pilot in commend for the self fly hire of an aircraft



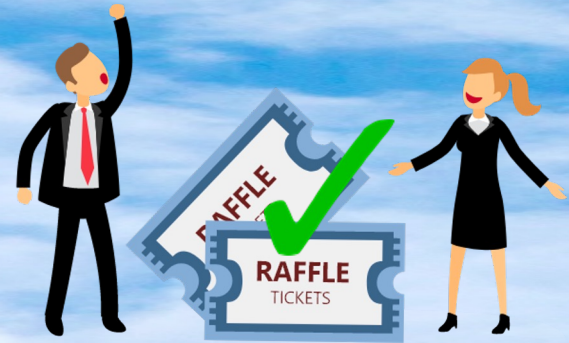
Groups of Companies

- RP68 allows
 - remuneration or valuable consideration given by one company to another company that is:
 - its holding company;
 - its subsidiary; or
 - another subsidiary of the same holding company.



Charity Flights

- RP68 allows
 - remuneration or valuable consideration given or promised to a registered charity that is not —
 - the aircraft legal owner
 - the aircraft's registered owner;
or
 - the aircraft operator,
 - and the flight is made with the permission of the IOM CAA



Sharing of Direct Costs

- RP68 allows 'cost sharing' for light aircraft
 - direct costs of the flight and
 - not a large and turbojet aircraft
 - no more than six persons (including the pilot) may be carried
 - direct costs of the flight must be shared by all the occupants of the aircraft including the flight crew; and
 - no information about the flight published or advertised before the commencement of the flight



Payment of Operating Costs

- RP68 allows remuneration or valuable consideration given or promised by
 - the aircraft's registered owner
OR
 - the aircraft operator
OR
 - a person contracted by the aircraft operator to deliver services for the operation, management and control of the aircraft on their behalf



Private Dry Leases

- RP68 allows remuneration or valuable consideration given or promised by
 - a lessee of the aircraft under a **private dry leasing arrangement** subject to the lessee having
 - **a right to possess the aircraft; and**
 - **control of the aircraft operator**
- “private dry leasing arrangement” means a leasing arrangement whereby **the aircraft is provided by a lessor who is not the operator of the aircraft to no more than 5 lessees without the provision of any flight crew or ground staff.**



“Short
~~term wet~~
lease”

Joint Ownership

- RP68 allows joint ownership
 - remuneration or valuable consideration given or promised by
 - not less than a 20% share of ownership



“Fractional”

Demonstration / Delivery Flights

- RP68 allows remuneration or valuable consideration given or promised for the direct costs of
 - a demonstration or pre-purchase inspection flight including positioning
 - a delivery flight necessary to facilitate an aircraft sale or lease



Fractional Ownership



- Multiple interpretations of ‘fractional ownership’ used across the aviation industry
- Phrase ‘fractional ownership’ is not used in our legislation or guidance
- See allowances for joint ownership and private dry leases

Answer...

How do you enable appropriate payment of operating costs whilst appropriately protecting the public?

By making the definition of CAT black and white

By clearly defining what exceptions are allowed

If it meets the definition of CAT and there is no exception - it's not allowed!

Thank You

Adrian.Tickle@gov.im
+44 (0) 7624 350880