



## **GENERAL EXEMPTION 2012/103**

### **Aviation (Bailiwick of Guernsey) Law, 2008**

#### **FOR FRENCH REGISTERED AIRCRAFT, OTHER THAN HOME-BUILT AIRCRAFT, IN RESPECT OF WHICH A NATIONAL PERMIT TO FLY IS IN FORCE**

1. In order to facilitate over-flights and visits to the Channel Islands by French registered aircraft, other than home-built aircraft, which do not hold ICAO compliant Certificates of Airworthiness, the Director of Civil Aviation for the Bailiwick of Guernsey, in exercise of his powers under section 6(1)(f) of the Aviation (Bailiwick of Guernsey) Law, 2008 (“the Aviation Law”) hereby exempts, subject to paragraph 3, any French registered aircraft falling within the definitions of paragraph 2 from the provisions of section 48(1) of the Aviation Law (“Certificate of airworthiness to be in force”).

#### **Qualifying Aircraft**

2. This exemption applies to:
  - a. Factory built microlight aeroplanes classified and operating under the ULM category in France;
  - b. Historic aircraft, as defined by the French DGAC, of civil design, and possessing a CNRAC airworthiness certificate; and
  - c. Civil aircraft classified and operating under a CDNR airworthiness certificate in France.

#### **Conditions of Exemption**

3. This Exemption is granted subject to the following conditions:
  - a. this Exemption shall only have effect within Bailiwick of Guernsey airspace;

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- b. the aircraft is registered in France and is flown under and in accordance with a valid airworthiness certificate (e.g. CDNR, CNRAC), Permit to Fly or equivalent document, e.g. Carte d'Identification (ULM) for the aircraft, issued by the French Direction Generale de l'Aviation Civile (DGAC);
  - c. the aircraft shall not fly for the purpose of public transport or aerial work, other than aerial work which consists of flights for the purpose of flying displays, associated practice, test and positioning flights or the exhibition or demonstration of the aircraft;
  - d. no person shall be carried during flights for the purpose of flying displays or demonstration flying except the minimum crew, except with the prior permission in writing of the Director of Civil Aviation;
  - e. a placard shall be fixed to the aircraft in accordance with section 49(7) of the Aviation Law;
  - f. the aircraft shall only be flown by day and in accordance with the Visual Flight Rules except with the prior permission in writing of the Director of Civil Aviation;
  - g. the owner of the aircraft shall ensure that the documents specified in Schedule 1 to this exemption are valid and available for inspection by the DCA on demand when the aircraft is in the Channel Islands;
  - h. Except for aircraft owned by residents of the Bailiwick of Guernsey, the aircraft must not remain in the Channel Islands pursuant to this exemption for a period of more than 28 consecutive days in any one visit without the prior permission of the DCA.
4. This exemption shall come into force on 27 May 2012 and remain valid until varied, suspended or revoked.
5. References to sections in the Aviation Law are references to the Aviation (Bailiwick of Guernsey) Law, 2008 and shall, on modification or replacement of that Law, be construed accordingly



F Woods  
Director of Civil Aviation

27 May 2012

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### NOTES:

- a. The exemption is only to one section of the Aviation (Bailiwick of Guernsey) Law, 2008 and, as such, only applies within the airspace of the Bailiwick of Guernsey. For the avoidance of doubt, it does not include the airspace of the Channel Islands Control Zone and the Jersey Control Zone.
- b. The exemption is limited to the specified section of the Aviation Law; all other sections apply unmodified.
- c. The carriage and operation of SSR transponder equipment is mandatory when flying within the Channel Islands Control Zone. UK AIP AD 2-EGJJ-1-10 refers.
- d. Civil design means an aircraft designed and certified against civil design codes, although historic aircraft may not have been issued with a civil type certificate at the time of manufacture. This can include civil types used in military service e.g DH Chipmunk.
- e. The ULM category means e.g. an aircraft complying with the definition of Article 2 of the French Order of 23 September 1988, relating to microlights (excluding gyroplanes).

### SCHEDULE 1

#### Documents to be made available for inspection by the DCA

Whenever a foreign registered non-ICAO compliant aircraft is visiting the Bailiwick of Guernsey under the terms of this exemption, the owner of the aircraft shall ensure that the documents specified as set out below, are valid and available for inspection by the DCA on demand:

- A valid registration document issued by the ECAC Member State or, if appropriate, the Provincial authority for French ULM aircraft;
- A valid airworthiness certificate issued by the State of Registry (e.g. CDNR, CNRAC), Permit to Fly or equivalent document, e.g. Carte d'Identification (ULM) for the aircraft
- A valid insurance certificate or document as appropriate that meets the requirements of European Regulation (EC) 785/2004, where necessary; and
- A valid radio station licence, if appropriate