

# Aviation Journal

## Channel Islands Director of Civil Aviation

This document is a reference for aviation stakeholders and the wider community in the Channel Islands<sup>1</sup>. It also serves as the vehicle for publication where under any law the DCA is required or has the power to publish requirements, notices, directions and other instruments.

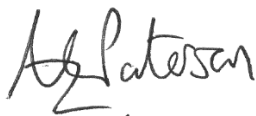
This document is arranged into chapters, sections and paragraphs. Each has a unique reference (hence 3-3.10 denotes chapter 3, section 3, paragraph 10) and if quoting this externally the reference should be prefixed with the letters “AJ”. The document is intended to be used electronically as a single PDF file; hence there are no page numbers or blank facing pages and any printed copy should be treated as uncontrolled.

The document is in three chapters. Chapter 1 contains general statements and explains interactions with external parties. Chapter 2 contains specific policy and detailed requirements. Chapter 3 is the gazette of opinions, decisions, submissions and notices.

### Current Edition

This edition of the document was published July 15<sup>th</sup>, 2016. Readers can verify the current edition at [www.gov.gg/dca](http://www.gov.gg/dca).

The document will be updated on a regular basis and will be re-issued in its entirety on each occasion as a single PDF file. Particular reference should be made to Chapter 3.



Gus Paterson  
Director of Civil Aviation for Jersey and for Guernsey  
July 15<sup>th</sup>, 2016

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<sup>1</sup> The term ‘Channel Islands’ is used as a collective description of the Bailiwick of Guernsey (including Alderney and Sark) and the Bailiwick of Jersey.

## Revision History

This is edition 4, published July 15<sup>th</sup>, 2016. The changes from edition 3 are as follows:

1. Updated list of aviation permit holders
2. Removed the “gazette” section as superfluous
3. Added the requirement to use an application form for Aviation Permit requests and noted that permits are public
4. Updated the occurrence reporting requirements to use ECCAIRS
5. Updated contact details for the Jersey Aircraft Registry
6. Minor typographical updates and corrections

Edition 3 was published June 22<sup>nd</sup>, 2016. The changes from edition 2 were as follows:

1. Revised email address for the DCA
2. Updated permissions for holders of UK issued IR(R) or IMC ratings
3. New permissions for private pilots operating in non-Jersey and Guernsey registered aircraft with foreign licences
4. Minor typographical updates and corrections

The previous edition 2, published April 7<sup>th</sup>, 2016 had the following changes from edition 1:

1. Changes to the table of Aviation Permits to clarify which aerial work permissions are for UAV (“drone”) use
2. Notice published regarding the introduction of Single European Rules of the Air
3. Addition of text in the preamble to clarify publications by the DCA
4. Minor typographical updates and corrections

The initial version 1 of the document was published March 15<sup>th</sup>, 2016.

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# Chapter 1

## **1-1 General Provisions**

- 1-1.1 Throughout this document any reference to a written communication includes communication by email and by facsimile.
- 1-1.2 Where submissions are invited they must be made to one of the addresses listed below.
- dca@gov.je
- gus.paterson@cidca.aero
- Director of Civil Aviation, Terminal Building, Guernsey Airport, La Villiaze, Forest, Guernsey, GY8 0DS.
- 1-1.3 Where the DCA is permitted or required to publish any notice, standard or direction the publication will take place by means of an entry in this document. Interested parties may be notified separately, however the authoritative version in any dispute will always be that published here.

## **1-2 Office of the Director of Civil Aviation**

- 1-2.1 In common with many small jurisdictions, the Bailiwicks of Jersey and Guernsey have a statutory aviation regulator called the Director of Civil Aviation. The offices are established separately as a “corporation sole” in each Bailiwick under the respective laws and have been shared by a single post-holder since 2009.
- 1-2.2 The duties and powers are set out in Part 1 of ABG 2008 for Guernsey and Part 2 of CAJ 2008 for Jersey. In summary, the DCA has statutory responsibility to ensure the safety of aerodromes and air traffic, to ensure the security of aerodromes, passengers and goods carried by air, to licence aerodromes and to approve licensed aviation personnel. The DCA also has responsibilities to regulate the operation of CIA and meteorological services for aviation therein. An annual report must be submitted in each Bailiwick.
- 1-2.3 The investigation of air accidents falls outside the remit of the DCA as discussed in paragraph 1-4 below.
- 1-2.4 The DCA also tenders advice to the States of Guernsey, Government of Jersey, relevant Ministers and committees and other government bodies in each Bailiwick.
- 1-2.5 The concept of regulation is to validate and approve where possible and to contract specialist support for ab-initio licensing. The methods employed in each subject area are described in chapter 2 and a summary table of the standards employed is provided at 1-2.6 below.
- 1-2.6 The DCA has delegated all powers in each Bailiwick to the Deputy DCA who has full authority to act on all matters his absence. Certain tasks and duties are delegated to contracted parties (see 2-1).

## 1-2.7 Overview of Regulatory Standards Applied:

Subject Area	General Standards	Acceptable Alternative Standards
Airworthiness and Environmental Protection	Type Certificates and subsidiary maintenance requirements of the FAA, EASA, Transport Canada, ANAC	Applications considered on a case-by-case basis. Other countries following or adopting the General Standards will normally be acceptable
Flight Crew Licensing	FAA, EASA, Transport Canada, ANAC	Applications considered on a case-by-case basis
Licensed Aircraft Engineer	FAA, EASA, Transport Canada, ANAC	Applications considered on a case-by-case basis
Air Traffic Controllers	EASA <sup>2</sup>	None
Aerodromes and Rescue and Firefighting Services	EASA <sup>3</sup>	Up to and including July 31 <sup>st</sup> 2017, CAA. Variances will be considered on a case-by-case basis
Aviation Meteorological Services	ICAO	
Air Navigation Service Providers	EASA <sup>4</sup>	Up to and including July 31 <sup>st</sup> 2017, CAA. Variances will be considered on a case-by-case basis
Aviation Security	EU base line standards	Currently the UK “more stringent measures” are applied

## 1-2.8 For definitive statements in each area see the appropriate section in Chapter 2.

<sup>2</sup> See 2-7.6

<sup>3</sup> At present the UK standards articulated in CAA document CAP168 are applied to aerodrome regulation

<sup>4</sup> At present the UK standards articulated in CAA document CAP670 are applied to ANSP regulation

### **1-3 ICAO (International Civil Aviation Organization)**

- 1-3.1 The laws of Jersey<sup>5</sup> and Guernsey<sup>6</sup> each require the DCA to ensure that the jurisdictions comply so far as possible with the 1944 Chicago Convention. For brevity the requirement is referred to in this document as “ICAO compliance”.
- 1-3.2 The aviation laws of each Bailiwick have been drafted with the aim of ICAO compliance. Where this is not possible, a difference will be filed.
- 1-3.3 The United Kingdom represents the Bailiwicks of Guernsey and Jersey at ICAO and provides regular updates, briefing and analysis through the CAA’s ICAO “Focal Point”. This includes forwarding communications from ICAO that are generally of the following types:
- State Letters
  - Surveys
  - Bulletins
  - Reports on the sessions of the general assembly and technical groups
- State letters are the normal vehicle for disseminating proposed changes to ICAO annexes. Where a response is required the Focal Point will collate comments and provide a consolidated response from the UK, including comments from Guernsey and Jersey noting any differences from the UK if appropriate.
- 1-3.4 Where consultation is necessary, the DCA will forward the appropriate documents to interested stakeholders. The current stakeholders in each area are listed in the table at 1-3.8 below. Stakeholders are required to make a written submission to the DCA which will be taken into consideration in providing a formal response to the UK.
- 1-3.5 Parties wishing to join the stakeholders list should make a written request to the DCA.
- 1-3.6 It is the policy of the DCA to submit a joint response for the Channel Islands, but where necessary the DCA will submit separate responses for Jersey and Guernsey.
- 1-3.7 Consolidated responses from the Channel Islands are published in Chapter 3.

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<sup>5</sup> Article 10 of CAJ 2008

<sup>6</sup> s5 of ABG 2008



1-3.8 Table of stakeholders for ICAO matters:

Subject Area	Stakeholders
<b>Annex 1</b> Personnel Licensing	Ports of Jersey Guernsey Airport 2-REG JAR
<b>Annex 2</b> Rules of the Air	Ports of Jersey Guernsey Airport 2-REG JAR
<b>Annex 3</b> Meteorological Services	Ports of Jersey Guernsey Airport Jersey Meteorological Department Guernsey Meteorological Department
<b>Annex 4</b> Aeronautical Charts	Ports of Jersey Guernsey Airport
<b>Annex 5</b> Units of Measurement	Ports of Jersey Guernsey Airport 2-REG JAR Jersey Meteorological Department Guernsey Meteorological Department
<b>Annex 6</b> Operation of Aircraft	Ports of Jersey Guernsey Airport 2-REG JAR
<b>Annex 7</b> Nationality and Registration Marks	2-REG JAR
<b>Annex 8</b> Airworthiness of Aircraft	2-REG JAR
<b>Annex 9</b> Facilitation	Ports of Jersey Guernsey Airport
<b>Annex 10</b> Aeronautical Telecommunications	Ports of Jersey Guernsey Airport 2-REG JAR
<b>Annex 11</b> Air Traffic Services	Ports of Jersey Guernsey Airport

(Continued below)

1-3.8 Table of stakeholders for ICAO matters (continued):

Subject Area	Stakeholders
<b>Annex 12</b> Search and Rescue	Ports of Jersey Guernsey Airport Guernsey Harbours
<b>Annex 13</b> Aircraft Accident and Incident Investigation	Ports of Jersey Guernsey Airport 2-REG JAR
<b>Annex 14</b> Aerodromes	Ports of Jersey Guernsey Airport
<b>Annex 15</b> Aeronautical Information Services	Ports of Jersey Guernsey Airport
<b>Annex 16</b> Environmental Protection	Ports of Jersey Guernsey Airport 2-REG JAR
<b>Annex 17</b> Security and Unlawful Interference	Ports of Jersey Guernsey Airport 2-REG JAR Guernsey Air Services OceanAir Handling
<b>Annex 18</b> Dangerous Goods	Ports of Jersey Guernsey Airport 2-REG JAR Guernsey Freight Services OceanAir Handling
<b>Annex 19</b> Safety Management Systems	Ports of Jersey Guernsey Airport 2-REG JAR Jersey Meteorological Department Guernsey Meteorological Department

## **1-4 Air Accident Investigation**

- 1-4.1 In line with the requirements of ICAO Annex 13, the laws of Jersey<sup>7</sup> and Guernsey<sup>8</sup> have established a statutory separation between the aviation regulator and the body charged with investigation of accidents involving aircraft.
- 1-4.2 This body is currently the United Kingdom Air Accidents Investigation Branch (part of the UK Department for Transport).
- 1-4.3 There are two distinct situations where the AAIB may be called upon to conduct an investigation: where an accident occurs within the Channel Islands (as state of occurrence); and where an accident involving a locally-registered aircraft occurs over the high seas (i.e. where there is no state of occurrence) and responsibility falls to the state of registration. AAIB may also be called upon to assist with an investigation by a third country the subject of which is a Guernsey or Jersey registered aircraft.
- 1-4.4 Where an accident occurs within any of the Channel Islands' territories, responsibility for notifying the AAIB and appointing an inspecting officer rests with the appropriate Bailiff.
- 1-4.5 Where an accident occurs over the high seas involving a locally-registered aircraft, responsibility for notifying the AAIB rests with the aircraft operator (or the DCA where this is not possible).

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<sup>7</sup> Civil Aviation (Investigation of Air Accidents and Incidents) (Jersey) Order 2000

<sup>8</sup> The Civil Aviation (Investigation of Accidents) (Guernsey) Order 1972

## **1-5 Channel Islands Aviation Legislation, Requirements and Circulars**

### **1-5.1 Guernsey and Bailiwick Legislation<sup>9</sup>**

#### *Air Navigation (Guernsey) Order 1972*

Extends certain provision of the UK Civil Aviation Act 1972 to the Bailiwick.

#### *Air Navigation (Bailiwick of Guernsey) Law 2012*

The main contemporary regulatory instrument laying down technical requirements.

#### *Air Transport Licensing (Guernsey) Law 1995*

Deals with the economic licensing of air services to and from Guernsey. These requirements are not within the DCA remit and are managed by the air route licensing authorities. Users may contact the DCA in the first instance and enquiries will be passed on.

#### *Airport Service Charge (Guernsey) Law 1958*

Lays out the charging regime for Guernsey airport. Outside the DCA remit.

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

Establishes the Office of the DCA and lays out the statutory duties and powers.

#### *Aviation Registry (Guernsey) Law 2013*

Establishes the Guernsey Aircraft Registry (2-REG). Lays out the powers of the Registrar.

#### *Carriage by Air (Non-International Carriage) (Channel Islands) Order 1961*

Provisions pertaining to civil actions in respect of deaths aboard aircraft where carriage by air is not international as defined in the Warsaw Convention 1929.

#### *Carriage by Air (Channel Islands) Order 1961*

Provisions pertaining to civil actions in respect of deaths aboard aircraft in international carriage.

#### *Civil Aviation Act 1971 (Channel Islands) Order 1972*

Extends certain provisions of the UK Civil Aviation Act 1971 to Guernsey.

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<sup>9</sup> This is a summary and should not be treated as authoritative; for a maintained list and to read the full documents, see <http://www.guernseylegalresources.gg/article/91215/Aviation-and-Airports>

*Civil Aviation (Investigation of Accidents) (Guernsey) Order 1972*

See section 1-4.

*Civil Aviation (Licensing) Act 1960 (Channel Islands) Order 1972*

Extends certain provisions of the UK Civil Aviation (Licensing) Act 1960 to Guernsey.

*Detention of Aircraft (Guernsey and Alderney) Law 1994*

Provides powers for the appropriate authority to detain aircraft in respect of unpaid fees.

*Loi relative au Marquange des Obstructions se trouvant aux Alentours de Terre Possedees ou Occupees par les Etats pour les besoins d'un Aerodrome [1938]*

Provides powers to compel marking of physical obstructions in the vicinity of aerodromes.

*Protection of Aircraft (Guernsey) Order 1973*

Extends certain provision of the UK Protection of Aircraft Act 1973 to Guernsey.

*The Aviation Security (Bailiwick of Guernsey) Direction 2012*

Covers aviation security – see section 2-15.

1-5.2 Guernsey Aviation Requirements<sup>10</sup> (GARS)

GAR-1	Definitions, abbreviations and units of measurement
GAR-13	Occurrence Reporting
GAR-21	Certification of Aircraft
GAR-36	Aircraft Environmental Standards
GAR-39	Continuing Airworthiness Requirements
GAR-43	General Maintenance Requirements
GAR-47	Aircraft Registration and Marking
GAR-61	Pilot Licenses and Ratings
GAR-66	Aircraft Maintenance Personnel Licensing
GAR-91/125	General Operating Instructions and Complex GA
GAR-91/121/135	Commercial Air Transport
GAR 119	Air Operator Certification
GAR-145	Aircraft Maintenance Organisation Approval

1-5.3 Guernsey Aviation Circulars<sup>11</sup> (GACS)

GAC 39-1	Technical Co-ordinator
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<sup>10</sup> See <http://www.gov.gg/gars>

<sup>11</sup> See <http://www.gov.gg/gacs>

GAC GEN 1 Public Inspection of the Registers  
GAC GEN 3 Guidance on Private Flight Definition

1-5.4 Jersey Legislation<sup>12</sup>

*Aerodromes (Administration) (Jersey) Law 1952*

Requires there to be an Airport Director and sets out their powers.

*Aerodromes (Jersey) Regulations 1965*

Establishes the powers of the Minister or Airport Director to deal with objects, vehicles and aircraft.

*Rules of the Air (Jersey) Order 2000*

Sets out the Rules of the Air currently in force in Jersey.

*Air Navigation (General) (Jersey) Regulations 1972*

Extends certain UK requirements for weight and balance and performance calculations to Jersey.

*Air Navigation Acts (Extension to the Channel Islands) Order 1939*

Extends certain UK procedural provisions to Jersey.

*Air Navigation (Jersey) Law 2014*

The main contemporary regulatory instrument laying down technical requirements.

*Airport Dues (Jersey) Law 1956*

Lays down obligations to pay dues for aircraft using Jersey Airport.

*Airports Act 1986 (Jersey) Order 2000*

Extends a provision of the UK Airports Act 1986 to Jersey.

*Aviation Security (Jersey) Order 1993*

Extends provisions of the UK Aviation Security Act 1982 to Jersey.

*Carriage By Air (Jersey) Order 1967*

Extends provisions of the UK Carriage by Air Act 1961 to Jersey.

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<sup>12</sup> This is a summary and should not be treated as authoritative; for a maintained list and to read the full documents, see <http://www.jerseylaw.je/Laws/Chapter/3#>

*Carriage By Air (Sterling Equivalents) Order 1999*

Establishes a statutory exchange rate for the Act above.

*Carriage By Air Acts (Application of Provisions) (Jersey) Order 1967*

*Civil Aviation (Investigation of Air Accidents and Incidents) (Jersey) Order 2000*

See section 1-4.

*Civil Aviation (Jersey) Law 2008*

Establishes the Office of the DCA and lays out the statutory duties and powers.

*Civil Aviation (Licensing) Act 1960 (Channel Islands) Order 1961*

Extends certain UK air route licensing provisions to Jersey.

*Civil Aviation (Licensing) Regulations 1964*

Extends certain UK air route licensing provisions to Jersey.

*Civil Aviation (Supplementary Provisions) (Jersey) Law 1955*

Provides for the purchase of and control over land for the interests of civil aviation.

*Civil Aviation Act 1980 (Jersey) Order 1984*

Modifies certain provisions of the UK Civil Aviation Act 1980 as extended.

*Civil Aviation Act 1982 (Jersey) Order 1990*

Extends provisions of the UK Civil Aviation Act 1982 to Jersey.

*Civil Aviation Authority Regulations 1972*

Extends certain provisions of the UK CAA Regulations to Jersey.

*The Aviation Security (Jersey) Direction 2012*

Covers aviation security – see section 2-15.

*Aircraft Registration (Jersey) Law 2014*

Establishes the Jersey Aircraft Registry. Lays out the powers of the Registrar.

1-5.5 No requirements or circulars are presently published in Jersey.

## **1-6 The Aviation Permit System**

- 1-6.1 Where any permission, exemption or approval is required under the law an “aviation permit” will be issued. In order to maintain consistency permits are issued in a common format; during the course of 2016 all legacy instruments remaining in force will be re-issued under the aviation permit system.
- 1-6.2 Applications for permits must be submitted on the application form provided by the DCA. This can be found online<sup>13</sup> or is available on request from the DCA.
- 1-6.3 The relevant section of the AJ should be consulted prior to submitting an application.
- 1-6.4 A list of the permits currently in force is published in Chapter 3. Applicants agree to publication of their permit.
- 1-6.5 Permits are not numbered sequentially.
- 1-6.6 No charge is currently made for permits.

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<sup>13</sup> See [www.gov.gg/aj](http://www.gov.gg/aj)



1-7

**Glossary**

2-REG	Aircraft Registry of Guernsey
AAIB	United Kingdom Air Accidents Investigation Branch
ANAC	Brasil Agência Nacional de Aviação Civil
ANSP	Air Navigation Service Provider
ATS	Air Traffic Services
ATP/ATPL	Air(line) Transport Pilot Licence
CAA	United Kingdom Civil Aviation Authority
CAAi	CAA International (the corporate arm of the UK CAA)
CAT	Commercial Air Transport
CIA	Channel Islands Airspace (a collective term for the CTR and TMA)
CNS	Communications, Navigation and Surveillance
CTR	Control Zone
DCA	Director of Civil Aviation (for the Bailiwicks of Jersey and Guernsey unless otherwise specified)
DfT	United Kingdom Department for Transport
EASA	European Aviation Safety Agency
ECCAIRS	European Co-ordination Centre for Accident and Incident Reporting Systems
EU	European Union
FAA	United States Federal Aviation Administration
GAC	Guernsey Aviation Circular
GAR	Guernsey Aviation Requirements
ICAO	International Civil Aviation Organization
JAR	Jersey Aircraft Registry
LAPL	Light Aircraft Pilot Licence
NPPL	National Private Pilot Licence
MOR	Mandatory Occurrence Report
PPL	Private Pilot Licence
SeMS	Security Management System
SERA	Standardized European Rules of the Air
SMS	Safety Management System
TMA	Terminal Control Area

*Abbreviations used for Bailiwick of Guernsey (including Guernsey only) Legislation*

ANL 2012	The Air Navigation (Bailiwick of Guernsey) Law 2012
ABG 2008	Aviation (Bailiwick of Guernsey) Law 2008

*Abbreviations used for Bailiwick of Jersey Legislation*

ANL 2014	The Air Navigation (Jersey) Law 2014
CAJ 2008	Civil Aviation (Jersey) Law 2008
ROA 2000	Rules of the Air (Jersey) Order 2000

## Chapter 2

### 2-1 The Aircraft Registries and Airworthiness

2-1.1 Separate aircraft registries are established in Jersey (known as the Jersey Aircraft Registry or “JAR”) and Guernsey (known as 2-REG Aircraft Registry). Both registries have a statutory registrar with responsibility for the legal formalities in registering aircraft. The DCA has regulatory oversight of both registries under ANJ 2014 in Jersey and ANL 2012 in Guernsey.

2-1.2 Primary requirements relating to airworthiness of aircraft are found mainly in the respective air navigation laws. These measures are published with the aim of ensuring ICAO compliance. Each registry has drawn up its own system for meeting these standards which is in turn approved by the DCA. Authority for certificate issue remains with the DCA in all cases; the right is reserved to vary any registry policy and where this is considered appropriate an entry will be made in Chapter 3.

2-1.3 In Guernsey, 2-REG was established in 2013 and is operated as a public-private partnership by the States of Guernsey and SGI Guernsey, the latter being a wholly-owned subsidiary of SGI Aviation Services B.V., established in the Netherlands. Although the DCA is also the registrar in Guernsey the first point of contact for registry issues is:

Dominic Kaines  
Registry Officer, SGI Guernsey, Terminal Building, Guernsey Airport, Forest,  
GY8 0DS

[dkaines@2-reg.com](mailto:dkaines@2-reg.com)

+44 (0)330 828 0875

2-1.4 The Jersey Aircraft Registry was established in 2014 and is operated by the Government of Jersey Economic Development Department. Technical support is provided by Avis Aviation Services. The first point of contact is the registrar:

Bob Commander  
Registrar, Jersey Aircraft Registry, Cyril Le Marquand House,  
The Parade, St. Helier, JE4 8UL

[b.commander@jar.je](mailto:b.commander@jar.je)

+44 (0)7739 644226

2-1.5 It should be noted that at present the Guernsey and Jersey registry requirements are separate and no reciprocal or recognition arrangements exists between them.

## **2-2 Flight Crew Licensing**

- 2-2.1 The requirements for Jersey are set out in ANJ2014<sup>14</sup>. These include the general requirements for aircraft operating in Bailiwick airspace as well as those specific to Jersey-registered aircraft.
- 2-2.2 The requirements for Guernsey are set out in ANL2012<sup>15</sup>. These include the general requirements for aircraft operating in Bailiwick airspace as well as those specific to Guernsey-registered aircraft.
- 2-2.3 The DCA has statutory authority to issue licences, however at present this is not exercised as no framework to do so exists in Guernsey or Jersey.
- 2-2.4 At the request of each aircraft registry, the DCA approves licence “validations”. These require a host licence from an acceptable jurisdiction and once issued allow the holder to exercise all of his privileges when acting as a member of crew aboard locally registered aircraft.
- 2-2.5 Specific, detailed information for Guernsey can be found in GAR-61.
- 2-2.6 In Guernsey, a licence validation permits the holder to operate as a member of crew on any 2-REG aircraft in accordance with his ratings and endorsements.
- 2-2.7 In Jersey, a licence validation is specific to an individual aircraft.
- 2-2.8 Attention is drawn to 2-1.5.
- 2-2.9 For private flights conducted within CIA using an aircraft not registered in either Jersey or Guernsey, a licence issued by either an EASA state or the FAA is hereby considered to be an appropriate licence rendered valid under Jersey<sup>16</sup> or Guernsey<sup>17</sup> law.
- 2-2.10 Holders of UK IR(R) or IMC ratings may exercise the privileges of those ratings in CIA.

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<sup>14</sup> Part 4

<sup>15</sup> Chapter 3

<sup>16</sup> Article 24 (b) ANJ 2014

<sup>17</sup> Section 18 (3)(b) ANL 2012

- 2-3 Aircraft in Flight (including balloons, kites, gliders, airships, parascending and parachuting) and Flying Displays**
- 2-3.1 Rules of the Air are published in Jersey<sup>18</sup> and Guernsey<sup>19</sup>.
- 2-3.2 The DCA has agreed with stakeholders that the Standardized European Rules of the Air (SERA)<sup>20</sup> will be implemented in the Jersey and Guernsey in due course. Legislation is currently being prepared and it is expected that SERA will be adopted during 2016.
- 2-3.3 Each Bailiwick has specific, independent provisions relating to balloon flights <sup>21</sup>. There is presently no additional DCA policy.
- 2-3.4 Organizers of flying displays require permission from the DCA<sup>22</sup>. Such permissions will generally be granted, taking into account the applicant's previous conduct and experience and organization, staffing and other arrangements. There is presently no additional DCA policy.
- 2-3.5 There are no additional DCA policies for kites, gliders, airships, parascending and parachuting.

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<sup>18</sup> ROA 2000

<sup>19</sup> ANL2012, Schedule 4

<sup>20</sup> Commission Implementing Regulation (EU) 923/2012

<sup>21</sup> Article 49 ANJ 2014 in Jersey and Section 36 ANL 2012 in Guernsey

<sup>22</sup> Article 48 ANJ 2014 in Jersey and Section 29 ANL 2012 in Guernsey

**2-4                    Operation of Aircraft**

2-4.1                In Jersey, no specific policy presently published; operators are referred to the relevant air navigation laws.

2-4.2                In Guernsey, refer to the GARs as outlined at 1-5.2 above.

## 2-5 Commercial Use of Aircraft (including commercial air transport, aerial work and specialized operations)

2-5.1 For simplicity the DCA deems all flights to fall within one of three categories.

2-5.2 Table showing interpretation of commercial air transport, aerial work and private flights:

		Provisions in <b>Guernsey</b> (see section 138 ANL 2012 for full description)	Provisions in <b>Jersey</b> (see article 156 ANJ 2014 for full description)
Commercial Air Transport	Does <b>not</b> include: Inter-company payments (including subsidiaries and holding companies) Recovery of direct costs (e.g. during demonstration flights) Cost sharing	Any carriage of passengers and/or cargo for reward	Any carriage of passengers and/or cargo where valuable consideration is given or promised <sup>23</sup>
Aerial Work	Paid work in aircraft falling short of CAT  <b>Includes:</b> Inter-company payments (including subsidiaries and holding companies) Demonstration flights Corporate flights where pilots are remunerated	Any purpose for which an aircraft is flown for reward	Any purpose for which an aircraft is flown if valuable consideration is given or promised in respect of the flight or the purpose of the flight
Private Flights	Any flight not falling within either CAT or aerial work  <b>Includes:</b> Recovery of direct costs (e.g. demonstration flights) Cost sharing	None	None

<sup>23</sup> Application may be made to the Minster for External Relations to have any given flight classified as a private flight

- 2-5.3 This table is intended as a general statement; if any doubt arises an opinion should be sought from the DCA.
- 2-5.4 For the avoidance of doubt, definitions from other jurisdictions are not applicable in the Channel Islands.

## **2-6 General Aviation**

2-6.1 No specific policy presently published.

2-6.2 Under both Jersey<sup>24</sup> and Guernsey<sup>25</sup> law, there is no requirement for exemptions for holders of NPPL, LAPL or similar licences. Pilots are required only to ensure that they comply with the national regulations of the State of registration.

2-6.3 The DCA retains the power to direct that additional crewmembers be carried in any given case.

2-6.4 Operators should note that in both Jersey and Guernsey ICAO Annex 6, part 2 is fully implemented. In practice this means that aircraft registered in either jurisdiction should be EASA “part-NCC” compliant; however, it should be noted that in any case it is for EASA to make this determination.

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<sup>24</sup> Article 24 ANJ 2014

<sup>25</sup> Section 18(3) ANL 2012



- 2-7 Air Traffic Services (including licensing of air traffic controllers)**
- 2-7.1 Routine oversight of ATS is provided by CAAi under contract to the DCA. Inspectors from the CAA conduct a programme of audits in line with that undertaken in the UK with findings reported to the DCA.
- 2-7.2 In general, the EU common requirements<sup>26</sup> for ANSPs are applied, as are the supporting UK regulatory requirements.
- 2-7.3 Applications may be made to the DCA to vary or amend these requirements.
- 2-7.4 It has been agreed with Ports of Jersey that Jersey ANSP will move to direct EASA oversight (under a memorandum of understanding between EASA and the DCA) from August 1<sup>st</sup>, 2017. A transition programme commenced during the second quarter of 2016.
- 2-7.5 The DCA has statutory authority to issue licences, however at present this is not exercised as no framework to do so exists in Jersey or Guernsey.
- 2-7.6 Only licences issued by an EU member state under CR (EU) 2015/340 (and predecessors) are acceptable to the DCA.

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<sup>26</sup> See Commission Implementing Regulation (EU) No 1035/2011 of 17 October 2011 laying down common requirements for the provision of air navigation services and amending Regulations (EC) No 482/2008 at: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32011R1035>

## **2-8 Aerodromes**

- 2-8.1 Routine oversight of aerodromes is provided by CAAi under contract to the DCA. Inspectors from the CAA conduct a programme of audits in line with that undertaken in the UK with findings reported to the DCA.
- 2-8.2 The UK requirements contained in CAP168<sup>27</sup> and supporting documents are applied.
- 2-8.3 Applications may be made to the DCA to vary or amend these requirements.
- 2-8.4 Ports of Jersey and Guernsey Airport have each agreed to move towards EASA-based aerodrome oversight with a provisional goal to complete the transition by 2020.

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<sup>27</sup> See <http://publicapps.caa.co.uk/docs/33/CAP%20670%2023%20May%202014.pdf>

## **2-9 Occurrence Reporting**

- 2-9.1 Jersey<sup>28</sup> and Guernsey<sup>29</sup> have specific requirements for occurrence reporting.
- 2-9.2 Jersey and Guernsey each participate in the European Commission's ECCAIRS scheme under commercial arrangements with CAAi. Reports made through this scheme are deemed to have been made to the DCA.
- 2-9.3 Reports should be filed through the online portal<sup>30</sup>. When submitting a report, the UK should be selected as the national authority. The UK will forward reports to the DCA.
- 2-9.4 The DCA is evaluating a standalone ECCAIRS-based system in place of the current arrangements.
- 2-9.5 User feedback is encouraged; please contact the DCA with any comments.

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<sup>28</sup> Part 21 ANJ 2014

<sup>29</sup> Section 124 ANL 2012

<sup>30</sup> See <http://www.aviationreporting.eu>

## **2-10 Unmanned Aircraft**

- 2-10.1 Jersey<sup>31</sup> and Guernsey<sup>32</sup> have each adopted laws that regulate the operation of small unmanned aircraft or SUA (colloquially known as “drones”). Aircraft with surveillance or data gathering capability (most commonly a camera) are subjected to more stringent rules.
- 2-10.2 Comprehensive guides for SUA operators are published by both Jersey<sup>33</sup> and Guernsey<sup>34</sup> airports. Operators are strongly urged to make use of these resources.
- 2-10.3 Private use of SUA is permitted subject to the primary statutory requirements referenced above. Attention is drawn to the requirements for operators to ensure that SUA are operated in a safe manner at all times in Jersey<sup>35</sup> and Guernsey<sup>36</sup>.
- 2-10.4 Non-private use of SUAs requires an aerial work permit. For the avoidance of doubt, non-private use is any use of an SUA in the course of a business, club, association, charity, governmental body or where any transaction is effected or promised in respect of the flight – this includes where materials obtained during the flight (such as photographs or video recordings) are used by a commercial or charitable undertaking.
- 2-10.5 Operators wishing to obtain an aerial work permit should apply to the DCA in writing. Permits are issued under the Aviation Permit system<sup>37</sup>. A list of those persons holding permits can be found at 3-2.1.
- 2-10.6 Operators will be required to submit evidence of a pilot qualification, an operations manual (which must include an elementary safety management process including flight risk assessments) and proof of insurance cover.
- 2-10.7 Temporary or short-term operations by non-Channel Islands-based operators will be permitted where the operator can provide evidence of appropriate certification from an acceptable jurisdiction. In such cases a temporary permit will be issued by the DCA.
- 2-10.8 All SUA operators holding long-term permissions are required to be audited at their own expense by a body approved by the DCA. Such audits will be required at least once during the term of any permit and may additionally be required whenever the DCA deems appropriate or necessary. Audits are currently carried out by Coppolo and Coyde and are charged at a fixed fee of £385.

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<sup>31</sup> Article 52 ANJ 2014

<sup>32</sup> Section 37 ANL 2012

<sup>33</sup> See [www.jerseyairport.com/about/Pages/Drones.aspx](http://www.jerseyairport.com/about/Pages/Drones.aspx)

<sup>34</sup> See [www.airport.gg/guidance-use-unmanned-aeronautical-systems-and-model-aircraft-guernsey-and-alderney](http://www.airport.gg/guidance-use-unmanned-aeronautical-systems-and-model-aircraft-guernsey-and-alderney)

<sup>35</sup> Article 147 ANJ 2014

<sup>36</sup> Section 114 ANL 2012

<sup>37</sup> See 1-6 above

**2-11 Aviation Meteorological Services**

2-11.1 To be completed.

## **2-12 Powers, Notices and Enforcement**

- 2-12.1 In Jersey<sup>38</sup>, ANJ 2014 provides that the DCA may prohibit or restrict flying in certain circumstances.
- 2-12.2 In Guernsey<sup>39</sup>, ANL 2012 provides that the DCA may prohibit or restrict flying in certain circumstances.
- 2-12.3 Where notices or directions are issued under any provision they are published in Chapter 3.

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<sup>38</sup> Articles 47 and 166

<sup>39</sup> Sections 35 and 126

## **2-13 Medical Standards for Licensed Personnel**

- 2-13.1 Licence holders must ensure that they adhere to the required medical standards of the issuing jurisdiction and maintain a current medical certificate.

**2-14            Aeronautical Information Management**

2-14.1            No specific policy presently published.



**2-15 Security**

- 2-15.1 Jersey and Guernsey are recognised by the EU<sup>40</sup> as applying security standards equivalent to the EU common basic standards<sup>41</sup>.
- 2-15.2 In addition the UK “More Stringent Measures” are voluntarily applied to maintain UK “domestic airport status” for matters of aviation security.
- 2-15.3 Oversight of security standards is provided by the CAA through memorandums of understanding between each of the Bailiwicks and the DfT. Inspectors from the CAA conduct a programme of audits and provide advice as required in line with that undertaken in the UK.

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<sup>40</sup> Commission Regulation (EU) No. 185/2010.

<sup>41</sup> Regulation (EC) 300/2008 and related implementing instruments

## Chapter 3

### **3-1 Decisions**

To appear here.

## 3-2 Notices (after 3-2.4 listed with most recent first)

### 3-2.1 Table of current Aviation Permits

Number:	Issued to:	Start Date:	Expiry Date:	Type:
2015-CI-027	Colin Ferbrache (Channel Islands Air Search)	01-08-2015	31-07-2017	Aerial Work
2015-CI-035	Arena Aviation	28-08-2015	27-08-2017	Aerial Work
2015-CI-041	Syd Bowsher	07-09-2015	06-09-2016	Aerial Work
2015-CI-043	Simon Robertson	18-09-2015	30-09-2016	Aerial Work (UAS)
2015-CI-049	Skytrax Aviation Limited	18-09-2015	30-09-2016	Aerial Work
2015-CI-051	Kevin Lajoie (trading as "Aerial-I")	25-09-2015	24-09-2017	Aerial Work (UAS)
2015-CI-053	West Air Sweden AB	21-10-2015	31-10-2016	Foreign Aircraft
2015-GY-057	Trinity House	01-10-2017	31-03-2018	R095 Access
2015-CI-059	Itv News	23-11-2015	30-11-2017	Aerial Work (UAS)
2015-JE-063	Stephen Driscoll	04-12-2015	31-12-2017	Aerodrome Certification
2015-CI-067	Skydive Jersey	01-01-2016	31-12-2016	Paradropping
2016-CI-069	Eagle Eye Photography	12-01-2016	11-01-2018	Aerial Work (UAS)
2016-JE-073	Peter Wilkinson	13-01-2016	12-01-2018	Aerial Work (UAS)
2016-CI-075	Stephen Baudains	01-02-2016	31-01-2018	Aerial Work (UAS)
2016-CI-081	High Level Photography	18-02-2016	17-02-2018	Aerial Work
2016-GY-093	Colin Le Ray	09-06-2016	30-06-2018	Aerodrome Certification
2016-JE-095	Gama Aviation	16-06-2016	15-06-2017	Licence Validation
2016-CI-097	Pixair Survey	23-06-2016	21-03-2017	Aerial Work
2016-CI-099	MBA Aviation Ltd	28-06-2016	27-06-2018	Aerial Work
2016-GY-101	The Helicopter Girls	01-07-2016	31-07-2016	Aerial Work (UAS)
2016-CI-103	IMAO	01-07-2016	30-06-2018	Aerial Work
2016-CI-105	Nathan Woodland (trading as "Peregrine Pov")	04-07-2016	08-02-2018	Aerial Work (UAS)
2016-CI-109	Bertrand Duquenne	11-07-2016	31-08-2016	Aerial Work
2016-CI-111	Hansjörg Lingg	11-07-2016	10-07-2018	Permit to Fly
2016-CI-113	Roland Aeschbacher	11-07-2016	10-07-2018	Permit to Fly

### 3-2.2 *REPEAL OF "ODCAP 01" – Aviation Safety Regulation* March 15<sup>th</sup>, 2016

By virtue of the publication of the Aviation Journal, ODCAP 01 is hereby repealed.

### 3-2.3 *REPEAL OF "JNot 01" – ATC Licensing* March 15<sup>th</sup>, 2016

By virtue of the publication of the Aviation Journal, JNot 01 is hereby repealed.

### 3-2.4 REPEAL of the exemptions listed below in Jersey and Guernsey respectively. March 15<sup>th</sup>, 2016

2012/100 – ECAC registered home built aircraft  
2012/101 – UK Permit to Fly Aircraft  
2012/102 – Irish Permit to Fly Aircraft  
2012/103 – French Permit to Fly Aircraft  
2012/104 – NPPL/LAPL Exemption  
2012/107 – IMC/IR(R) Rating General Permission

By virtue of publication of the Aviation Journal, these instruments are hereby repealed.

### 3-2.6 **UK IR(R) and IMC Ratings**

*June 22<sup>nd</sup>, 2016*

By virtue of the inclusion of updated provisions at 2-2.10, Exemption 2014/107 (Guernsey) and Exemption 2014/012 (Jersey) are hereby repealed.

### 3-2.5 **Single European Rules of the Air (“SERA”)**

*April 7<sup>th</sup>, 2016*

Further to the policy statement at 2-3.2, the DCA has now concluded consultations and has provisionally agreed with the law officers in both Bailiwicks that SERA will come into force across the Channel Islands at 0001 UTC on December 8<sup>th</sup>, 2016. This date will coincide with the publication of UK AIRAC Cycle 1613. A further notice will be published in due course setting out the legislative timetable.

**3-3                    Directions**

3-3.1                None presently published.