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MONDAY 20TH MAY, 2024

THE OFFICIAL GAZETTE 20TH MAY, 2024
LEGAL SUPPLEMENT — B

GUYANA No. 13 of 2024

REGULATIONS

Made under

THE CIVIL AVIATION ACT 2018

(No. 21 of 2018)

IN EXERCISE OF THE POWERS CONFERRED UPON ME BY SECTIONS 46(2), 49, 140(1)(h), 142 AND 147 OF THE CIVIL AVIATION ACT 2018, I MAKE THE FOLLOWING REGULATIONS:-

ARRANGEMENT OF REGULATIONS

Regulation

1. Citation.
2. Interpretation.
3. Registration of aircraft.
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5. Eligibility of aircraft for registration.
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Citation.

1. These Regulations may be cited as the Civil Aviation (Registration of Civil Aircraft) Regulations 2024.

Interpretation.

2. In these Regulations –

"registered owner" means the owner of an aircraft in whose name the aircraft is registered;

"Requirements of the Authority" means requirements prescribed by the Authority pursuant to section 142 in respect of registration and marking of civil aircraft; and

"State of Design" means the state having jurisdiction over the organisation responsible for the type design of an aircraft, aircraft engine or aircraft propeller.

Registration of aircraft.

3. (1) A person shall not operate, or cause or authorise to be operated, an aircraft in or over Guyana unless that aircraft is registered –

(a) in Guyana, with the Authority, in accordance with these Regulations and the Requirements of the Authority;

(b) in a Contracting State; or

(c) in a State that is a party to an agreement with Guyana which provides for the acceptance of registration of aircraft of each other.

(2) A person who contravenes subregulation (1) commits an offence and is liable on summary conviction to a fine of three million dollars and to imprisonment for two years.

Application for registration of aircraft.

4. A person seeking the registration of an aircraft in Guyana shall submit an application to the Authority, in the form set out on Guyana Civil Aviation Authority's website, and shall include in the application -

(a) a description of the aircraft in accordance with these Regulations and the requirements of the Authority;

(b) such particulars and evidence relating to the aircraft and the ownership, chartering, leasing or hire purchase of the aircraft as the Authority may require.

Eligibility of aircraft for registration.

5. An aircraft is eligible for registration in Guyana if –

(a) the owner of the aircraft, including an owner of a legal or beneficial interest in the aircraft, is –

(i) a citizen of Guyana;

(ii) a citizen of another State lawfully admitted for permanent residence in Guyana;

(iii) a corporation lawfully organised and doing business under the laws of Guyana; or

(iv) a Government entity; and

(b) the aircraft is not registered under the laws of any other State.

Restriction on registration in public interest.

6. The Authority shall not register an aircraft or maintain the registration of an aircraft if it appears to the Director-General that it would be detrimental to the public interest.

Approval of application for registration.

7. (1) If the Authority approves the registration of an aircraft, the Director-General shall furnish to the registered owner a Certificate of Registration including the particulars referred to in regulation 4 and the date on which the certificate was issued.

(2) Where the Authority first enters on its register an aircraft of a particular type for which it is not the State of Design, the Director-General shall advise the State of Design that the Authority has entered such an aircraft on its register.

Content of Register.

8. The Director-General shall keep in the Register the particulars specified in regulation 4.

Registered owner responsible for compliance.

9. The registered owner of an aircraft registered in Guyana shall be responsible for compliance with these Regulations and any relevant requirements of the Authority and shall as soon as practicable inform the Authority in writing of –

(a) any change in the particulars which were furnished to the Authority upon application for the registration of the aircraft;
(b) the destruction of, or serious damage to, the aircraft, if it occurs; and
(c) the permanent withdrawal of the aircraft from use.

Transfer of registration.

10. A registered owner of an aircraft registered in Guyana who wishes to transfer the ownership and the registration of the aircraft to the name of another person listed in regulation 5(1) shall –

(a) settle all accounts, fees or charges owed to the Authority;
(b) at least one month before the date of the intended transfer, and in writing, request from the Authority the transfer of registration to the name of that other person; and
(c) furnish the Authority with proof of the transfer of ownership within one month after the date of the transfer.

Nationality and registration marks.

11. (1) A person shall not fly a registered aircraft in or over Guyana unless it bears painted on the aircraft or affixed by any other means ensuring a similar degree of permanency in a clean and clearly visibly manner as required by the law of the country in which the aircraft is registered, the nationality and registration marks required by that law and has affixed in a prominent position near the main entrance of the

aircraft an identification plate inscribed at least with the nationality and registration marks of the aircraft.

(2) The registered owner of an aircraft registered in Guyana shall cause the aircraft to carry, in accordance with the relevant requirements of the Authority –

(a) the nationality mark of an aircraft registered in Guyana which shall be "8R"; and

(b) the registration mark consisting of three characters as assigned by the Authority.

(3) A person shall not cause an aircraft to bear any mark which –

(a) purports to indicate that the aircraft –

(i) is registered in a country in which it is not in fact registered;

(ii) is a State aircraft of a particular country unless the appropriate authority of that country has approved in writing the bearing of that mark on that aircraft;

(b) might be confused with –

(i) the five-letter combinations used in Part II of the International Code of Signals;

(ii) the three-letter combinations beginning with Q used in the Q Code; or

(iii) the distress signal SOS or other similar urgent signals, such as XXX, PAN, and TTT.

(4) A person who contravenes this regulation commits an offence and is liable on summary conviction to a fine of three million dollars and to imprisonment for two years.

De-registration.

12. (1) The Authority may remove an aircraft from the Register if –

(a) the registered owner of the aircraft notifies the Director-General that the owner no longer wishes the aircraft to be registered in Guyana;

(b) the aircraft is destroyed or damaged beyond economical repair;

(c) the Director-General declares the aircraft derelict; or

(d) the registered owner of the aircraft no longer meets the eligibility criteria under regulation 5.

(2) Where the Authority removes an aircraft from the Register, the Authority shall issue to the owner of the aircraft a Certificate of Aircraft De-registration in the form prescribed in requirements of the Authority.

General penalty.

13. A person who contravenes a provision of these Regulations or the Requirements of the Authority for which no penalty is prescribed shall be liable on summary conviction to a fine of three million dollars and to imprisonment for two years, and the suspension or revocation of any related aviation document.

Made this 18th day of May, 2024.

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Hon. Bishop Juan A. Edghill, M.P.
Minister of Public Works