
STATUTORY INSTRUMENTS

2013 No. 2870

The Air Navigation (Overseas Territories) Order 2013

PART 24

INTERPRETATION OF COMMERCIAL AIR TRANSPORT

Commercial air transport – exception for jointly owned aircraft

200.—(1) A flight is deemed to be a private flight if the aircraft falls within paragraph (2) and the only valuable consideration given or promised in respect of 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 5% 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 Governor 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 5% of the shares in that company.

(3) Valuable consideration falls within this paragraph if it is either—

(a) in respect of and is no greater than the direct costs of the flight and is given, or promised by one or more of the joint owners of the aircraft or registered shareholders of the company which owns the aircraft; or

(b) in respect of the annual costs and given by one or more of such joint owners or shareholders.