



How should you choose which is the right aircraft registry for your needs?

Six aviation lawyers explain where to start the search for an aircraft registry.



“Is your operator persuading you to choose based on their current operations? Remember: it’s your aircraft! Get advice based on what you want to do rather than what benefits others.”

HEATHER GORDON MARTYN FIDDLER

Finding the perfect partner is not always easy; it can take time and sometimes involves a break-up before finding ‘the one’. Our top tips are:

Goals and mission: what works for you? Will charter feature? What flexibility do you want? Is your operator persuading you to choose based on their current operations? Remember: it’s your aircraft! Get advice based on what you want to do rather than what benefits others. Reputation, values and communication: think online dating! Check reviews and how they sit against their peers. Do you share the same values or are there red flags? International bodies such as ICAO audit aircraft registries and their findings are helpful. Ask questions and get the benefit of hindsight from trusted advisors. Divorce: breaking up is never nice but some are easier than others. Check out how to leave a registry before you are bedded in – some can be difficult (and costly) to leave.



JOHN FARRISH, INFLIGHT LAW

An owner’s aircraft registry selection should be primarily based on the intended location and of its use, and the nature of its use to a lesser extent. Some countries require a local registration if the aircraft will be primarily based there, particularly for commercial operations within that country. If you are obtaining local financing, many banks will require a local registration. If you will be maintaining the aircraft locally, the maintenance facilities will likely be certified by the local registry, making it easier to accomplish maintenance. However, this is less important for some larger facilities with multiple certifications.



ERIC LEWIN AIC GLOBAL SOLUTIONS

The aircraft owner should start by asking these two questions: First, does the aircraft registry permit or frustrate the aircraft’s mission profile? Then, consider both the cost of compliance and the administrative burden it brings. Second, how can the owner qualify to use that registry?



“An owner should make their decision based on tailored advice ... a registry appropriate for one owner may not be the best choice for others.”

STUART MILLER CLYDE & CO

Choosing an aircraft registry is an important decision. There’s no ‘one size fits all’ registry, and a registry appropriate for one owner may not be the best choice for others. An owner should make their decision based on tailored advice and a thoughtful analysis of the relative advantages and disadvantages of each registry in the context of their own circumstances.

For example, it’s important to consider: the relative merits of (i) ‘owner’ and ‘operator’ registries, and of (ii) ‘on-shore’ and ‘off-shore’ registries; whether the owner qualifies for registration at a proposed registry, and if any ownership or operational structure is required. If so, is the structure efficient and suitable for the owner’s personal circumstances?; whether the owner’s intended use of the aircraft will be permitted under the proposed registration. For example: whether operation is solely for private use or might include commercial use (including any occasional third-party chartering) will trigger different registration considerations and the expected flight mission requirements may be subject to different operating restrictions in different jurisdictions. When choosing an aircraft registry an owner should seek to be aware of the relative practical “pros” and “cons” of each registry when applied to their own individual circumstances.



DAVID HERNANDEZ, VEDDER PRICE

First, the owner needs to determine whether the registry permits commercial and non-commercial operations if desired. Second, the owner must determine whether the registry requires a presence in the jurisdiction. Third, the registry should be efficient and be able to register and deregister aircraft as expeditiously as possible. Registration and deregistration delays often significantly frustrate transactions and financings. Fourth, a registry must have a strong commitment to customer service and a great industry reputation. Finally, owners should compare costs and services.



DAVID MAYER, SHACKELFORD, BOWEN, MCKINLEY & NORTON,

An aircraft must be registered in only one jurisdiction in the name of the owner or operator. Certain documents can be registered at the “International Registry” (an electronic aircraft registry for all signatory nations) created under the Cape Town Convention. National aircraft registries exist globally that provide differing services, document filings, technology tools and legal requirements. Owners should retain experts in each jurisdiction to ensure correct and timely filings and consider efficiency, cost and some other factors.