

STATUTORY INSTRUMENTS

S.I. No. 634 of 2005

IRISH AVIATION AUTHORITY

(NATIONALITY AND REGISTRATION OF AIRCRAFT) ORDER, 2005

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IRISH AVIATION AUTHORITY
(NATIONALITY AND REGISTRATION OF AIRCRAFT) ORDER, 2005

S.I. No. 634 of 2005

The Irish Aviation Authority, in exercise of the powers conferred on it by sections 5, 58, 59, 60, 67 and 75 of the Irish Aviation Authority Act, 1993 (No. 29 of 1993), as amended, hereby orders as follows:

PART I

Preliminary and General

Title

1. This Order may be cited as the Irish Aviation Authority (Nationality and Registration of Aircraft) Order, 2005.

Commencement

2. This Order shall come into operation on the 12th day of October, 2005.

Interpretation and Applicability

3. (1) In this Order:

“the Act” means the Irish Aviation Authority Act, 1993 (No. 29 of 1993) as amended;

“the Acts” means the Air Navigation and Transport Acts, 1936 to 1998 and the Irish Aviation Authority Act, 1993 (No. 29 of 1993) as amended;

“the Authority” means The Irish Aviation Authority;

“aerial work aircraft” means an aircraft, not being a commercial transport aircraft, which is being flown for payment required to be made or promised to the operator of the aircraft in respect of the flight or of the purpose for which the flight is made;

“the appropriate fee” means the fee for the time being prescribed for the purpose by the Authority by an Order under the Act;

“Air Operator's Certificate” means a certificate granted to an aircraft operator in accordance with the Irish Aviation Authority (Air Operator Certificates) Order, 1999 (S.I. No. 420 of 1999);

“aircraft” means any machine that can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the earth's surface;

“authorised officer of the company” means an authorised officer of the company as defined in section 2 of the Act;

“Chicago Convention” has the meaning assigned to it by the Act;

“commercial transport aircraft” means an aircraft used or intended to be used by the operator for the purpose of carrying passengers or cargo for which purpose payment is required to be made or promised to the operator or, in a case where the carriage is effected by an air transport undertaking, whether for payment or not;

“contracting state” means a state which is for the time being a party to the Chicago Convention;

“fireproof material” means a material capable of withstanding heat as well as or better than steel when the dimensions in both cases are appropriate for the specific purpose;

“international operating agency” means an agency envisaged by Article 77 of the Chicago Convention;

“the Minister” means the Minister for Transport or the Minister for the time being with responsibility for civil aviation, if different;

“operator”, in relation to an aircraft, means a person engaged or proposing to engage in the operation of an aircraft and who is for the time being responsible for the management of the aircraft;

“registered owner” means the person or persons in whose name an aircraft is registered and includes, where any such person is deceased, such person's legal personal representative or, in the case of a company, the successor in title of the company;

“state of registry” means the state on whose register the aircraft is entered in accordance with Annex 7 to the Chicago Convention;

“undertaking” means any natural person, any legal person, whether profit-making or not, or any official body whether having its own legal personality or not.

- (2) In this Order references to an interest in an aircraft do not include references to an interest in an aircraft to which a person is entitled only by virtue of membership of a flying club.
- (3) The provisions of this Order shall not apply to kites, captive balloons not in use for carrying passengers, pilot balloons used exclusively for meteorological purposes or to unmanned free balloons without a payload or to gliders with a maximum structural mass of 80 kilograms or less flown within the territory or airspace of the State and not in use for commercial transport or to small aircraft as defined in Article 2 of the Irish Aviation Authority (Rockets and Small Aircraft) Order, 2000 (S.I. No. 25 of 2000).

Revocations and consequential provisions

4. (1) The Irish Aviation Authority (Nationality and Registration of Aircraft) Order, 2004 (S.I. No. 857 of 2004) is hereby revoked.
- (2) Notwithstanding paragraph (1) of this Article, every certificate of registration granted or a direction made under the Order specified in paragraph (1) and in force at the commencement of this Order shall continue in force and shall have effect for the purposes of this Order as if it had been granted thereunder.

PART II

Nationality and Registration of Aircraft

Nationality of Aircraft

5. An aircraft shall possess the nationality of the state in which it is registered in accordance with Annexe 7 to the Chicago Convention.

Registration Authority

6. The Authority shall be the sole authority for the registration of aircraft in the State.

Aircraft that may be Registered

7. (1) Subject to paragraphs (3) and (4) of this Article, an aircraft shall not be registered or continue to be registered in the State unless it is wholly owned by:
 - (a) a citizen of Ireland or a citizen of a member state of the European Union having a place of residence or business in the State, or
 - (b) a company registered in and having a place of business in the State and having its principal place of business in the State or in another member state of the European Union, whereof not less than two thirds of the directors are citizens of Ireland or of member states of the European Union,or by such citizen and company in combination.
- (2) An aircraft may be registered in the State subject to the condition that it be managed and operated from a place within the State and based therein or that it be managed and operated by an air transport undertaking holding an Air Operator Certificate issued by the Authority.
- (3) An aircraft shall not be registered in the State:
 - (a) if it appears to the Authority that it is registered in another state, or

- (b) if it appears to the Authority that any applicable requirements under the Acts or of Orders, Regulations or Directions thereunder or under EU Regulations, relating to the safety of the operation or the airworthiness of that aircraft, cannot be complied with, or
 - (c) if it is not compliant with any applicable statutory aircraft registration conditions in an EU Regulation or in an Order or Regulation made or effective under the European Communities Act, 1972 (No. 27 of 1972) in respect of aircraft noise or exhaust gas emissions.
- (4) An aircraft, the ownership of which does not comply with paragraph (1) of this Article, but which is chartered by demise, leased or on hire to, or in course of being acquired under a lease-purchase or a hire-purchase agreement by, a citizen or company such as is referred to in that paragraph, or by such citizen and company in combination, may be registered in the State but such registration shall be subject to any conditions the Authority may deem fit to impose.
- (5) If:
- (a) a person who is not a citizen of Ireland or of a member state of the European Communities and who resides or has a place of business in the State, or
 - (b) a company which is not a company such as is referred to in paragraph (1) of this Article and which has a place of business in the State,
- is entitled as owner to a legal or beneficial interest in an aircraft or a share therein, the aircraft, if it may otherwise be properly registered in the State, may be so registered, but such registration may be made subject to a condition that the aircraft, while it is registered in pursuance of this paragraph, shall not be used as a commercial transport or aerial work aircraft and to any other conditions which the Authority may deem fit to impose.
- (6) A condition imposed under paragraph (2), (4) or (5) of this Article shall be complied with by the person or company to whom it is addressed.
- (7) An aircraft shall not continue to be registered in the State if it appears to the Authority that such aircraft does not or has ceased to comply with any safety requirements which apply to that aircraft or, generally, to aircraft of a particular class or description which includes that aircraft as specified by the Authority in an applicable Order, Regulation or Direction under the Act or as specified in the applicable EU Regulations.
- (8) An aircraft shall not be registered in the State or shall not continue to be registered in the State where it is the subject of a direction to the Authority from the Minister under section 66 of the Act.

Application for registration

8. (1) An application for the registration of an aircraft in the State shall be made in writing to the Authority and shall contain such particulars relating to the aircraft and the ownership thereof and also such evidence in support of those particulars as the Authority may require.
- (2) (a) The Authority may require the applicant to make a declaration verifying the truth of the particulars set out in the application;
- (b) The Statutory Declarations Act, 1938 (No. 37 of 1938), shall apply to a declaration made under this paragraph.

Registration in the Aircraft Register

9. (1) Upon receiving an application for the registration of an aircraft and being satisfied that the aircraft may properly be registered, the Authority shall, subject to paragraph (2) of this Article, register that aircraft in a register which it shall cause to be maintained and which shall be called and known as the aircraft register.
- (2) Nothing in this Order shall require the registration or continued registration of an aircraft if it appears to the Authority that it would be inexpedient in the public interest for the aircraft to be or continue to be so registered in the State.
- (3) The following particulars shall be included in the aircraft register in respect of every aircraft registered therein:
 - (a) the name and address of the registered owner of the aircraft, that is, every person who is entitled as owner to a legal interest in the aircraft or a share therein or, in the case of an aircraft which is the subject of a charter by demise or a lease contract or a hire purchase agreement, the name and address of the person or undertaking to whom the aircraft is chartered, leased or hired and in whose name the aircraft is registered;
 - (b) the nationality and registration marks assigned to the aircraft by the Authority;
 - (c) the name of the manufacturer of the aircraft and its designation;
 - (d) the serial number of the aircraft;
 - (e) the number of the certificate of registration;
 - (f) in the case of an aircraft which is registered under paragraph (4) or paragraph (5) of Article 7 of this Order an indication that it is so registered; and
 - (g) such other particulars as may be required by the Authority.
- (4) The aircraft register or a copy thereof may, upon payment of the appropriate fee, be inspected by any person in such place and at such times and subject to such conditions as the Authority may specify.

- (5) A copy of an entry in the aircraft register may, subject to such conditions as the Authority may require, be furnished on request to any person upon payment of the appropriate fee.

Certificate of registration

10. (1) The Authority shall, upon payment to it of the appropriate fee, furnish to the person or persons in whose name an aircraft is registered a certificate of registration which shall contain the particulars required by subparagraphs (a) to (e) of paragraph (3) of Article 9 of this Order to be entered in the aircraft register and the date on which the certificate was issued.
- (2) (a) A certificate of registration shall remain in force for such period as may be specified therein, or indefinitely if no such period is specified, and may be revalidated by the Authority from time to time for a further period but it shall become void if the registration of the aircraft to which it relates has been cancelled;
- (b) An aircraft to which a certificate of registration relates shall not be flown by or on behalf of the registered owner or the operator of that aircraft, if that certificate is not in force but its registration shall remain valid while the particulars of that aircraft remain entered in the aircraft register and its registration has not been cancelled by the Authority.
- (3) A certificate of registration shall not be transferable and, if it becomes void, shall, unless accidentally destroyed, be returned without delay to the Authority by the person having custody or possession thereof.
- (4) The person having custody or possession of a certificate of registration shall within a reasonable time after a demand by the Authority surrender that certificate to an authorised officer of the company.
- (5) The Authority may, if satisfied that the original of any certificate of registration has been lost or destroyed, issue a copy of the certificate to the person entitled thereto upon payment by that person of the appropriate fee.
- (6) If at any time after an aircraft has been registered in the State by a company which no longer meets the requirements of the Companies Act of 1963 (No. 33 of 1963) as amended, the registration of the aircraft shall thereupon become void and the certificate of registration shall forthwith be returned to the Irish Aviation Authority.

Nationality and Registration Marks of aircraft registered in the State

11. (1) The nationality mark of an aircraft registered in the State shall be the capital letters "EI" and the registration mark of every such aircraft shall be a group of three capital letters.
- (2) The nationality mark shall precede the registration mark and the registration mark shall be preceded by a hyphen.

- (3) The nationality and registration marks shall be those assigned by the Authority and shall:
- (a) be painted on the aircraft or affixed thereto in the manner provided in the Schedule to this Order, and
 - (b) be inscribed on a plate of fireproof material secured to the aircraft in a prominent position near the main entrance, or in the case of an unmanned free balloon, affixed conspicuously to the exterior of the payload.
- (4) The Authority may, at its sole discretion, on receipt of an application to register an aircraft, assign or reserve a registration mark in respect of the aircraft with the serial number concerned.

A registration mark issued or reserved pursuant to this paragraph will be cancelled if the aircraft concerned is not registered within 12 months of the day on which the mark was assigned or reserved.

A registration mark that is reserved for an aircraft shall not be displayed on the aircraft by any person before that mark is assigned to that aircraft.

A registration mark once assigned to an aircraft will not be changed by the Authority otherwise than for one of the following reasons as determined by the Authority:

- (a) there is evidence that the mark may give rise to a safety hazard in the operation of that aircraft;
- (b) a confusion of aircraft identity for air traffic purposes may reasonably be considered likely to occur;
- (c) there is evidence of a security risk to any party arising from the continued use of a particular mark;
- (d) the use or continued use of a particular registration mark may reasonably be considered to give rise to embarrassment to any party, including the State, another contracting state or the Authority itself.

Use of marks

12. (1) An aircraft shall not be permitted or caused to fly by or on behalf of its registered owner or an operator or by any other person while it bears a mark or sign appropriated for use by state aircraft.
- (2) An aircraft shall not be permitted or caused to fly by or on behalf of its registered owner, an operator or by any other person while it bears a mark purporting to indicate that it is registered in a state in which it is not registered.

- (3) Paragraphs (1) and (2) of this Article shall have effect in relation to:
- (a) an aircraft registered in the State wherever such aircraft may be, and
 - (b) any other aircraft when in or over the State.
- (4) In this Article “state aircraft” means aircraft of any country including the State used in military, customs or police services.

Prohibition on aircraft flying unregistered or without appropriate marks

13. (1) A person, including a pilot, an aircraft owner and an aircraft operator shall not, subject to paragraphs (3) and (4) of this Article, permit or cause an aircraft to fly within the territory of the State unless:
- (a) it is properly registered in or by:
 - (i) the State, in accordance with Article 7 of the Order, or
 - (ii) a contracting state, or
 - (iii) a state with which an arrangement has been made by or on behalf of the State in accordance with Article 83 of the Chicago Convention and is in force,or
 - (iv) the registration authority of an international operating agency established in accordance with Article 77 of the Chicago Convention;and
 - (b) it bears painted thereon or affixed thereto its appropriate registration marks in the manner required by Annexe 7 to the Chicago Convention and by the law of the state in which it is registered or by other applicable international legislation;
- and
- (c) there is inscribed on a plate of fireproof material affixed to the aircraft its appropriate registration marks in the manner required by Annexe 7 to the Chicago Convention where required by the law of the state in which it is registered.
- (2) Paragraph (1) of this Article shall have effect in relation to:
- (a) an aircraft registered in the State wherever such aircraft may be, and
 - (b) any and all other aircraft in or over the State.

- (3) (a) The Authority may, in such circumstances and subject to such conditions or limitations as it may think fit, temporarily exempt from any or all of the provisions of paragraph (1) of this Article an aircraft belonging to a class of aircraft which is registered in a state which is not the State, a contracting state or a state referred to in clause (iii) of subparagraph (a) of that paragraph.
 - (b) The registered owner, the pilot in command and the aircraft operator of an aircraft exempted under subparagraph (a) of this paragraph shall ensure that the aircraft carries a certificate granted either by the Authority or by the competent authority of a contracting state certifying that the aircraft is so exempted and stating any conditions or limitations subject to which the exemption was granted.
 - (c) Where an aircraft is exempted under subparagraph (a) of this paragraph and the exemption is subject to conditions or limitations, such conditions or limitations shall be complied with by the registered owner, the pilot in command and the operator of that aircraft.
- (4) The Authority may at its sole discretion give special permission in writing to the pilot in command or the operator of an aircraft which is not registered for a flight or series of flights within the State by that aircraft but, in every such case, the aircraft shall be flown by the pilot in command in accordance with such conditions or limitations as may be specified in the permission and the permission shall be carried in the aircraft.
- (5) The registered owner, the pilot in command and the operator of an aircraft registered in a state with which such an arrangement as is referred to in clause (iii) of subparagraph (a) of paragraph (1) of this Article is in force shall, in addition to complying with this Order, also comply with the conditions of the arrangement.

Power to prevent aircraft flying

14. (1) If it appears to the Authority or to an authorised officer of the company that an aircraft is intended to be or is likely to be flown from any place within the State and that there would be a contravention of any provision of this Order or a contravention of the Act or any Orders or Directions thereunder if that aircraft were to be so flown, the Authority or an authorised officer of the company may direct the registered owner, the pilot in command or the operator of that aircraft or the person designated by the registered owner or operator thereof to act as pilot in command of that aircraft or any other person acting or purporting to act as pilot-in-command of that aircraft, with or without the permission of the registered owner or the legitimate operator of that aircraft, that he or she is not to permit or cause the aircraft to make the flight and the Authority or an authorised officer of the company may take such steps as are necessary to detain that aircraft.
- (2) For the purpose of paragraph (1) of this Article the Authority or an authorised officer of the company may enter upon and inspect an aircraft.

- (3) In this Order:

“pilot in command” means the pilot responsible for the operation and safety of the aircraft during the total time from the moment the aircraft first moves under its own power from the loading point for the purpose of taking off until the moment it comes to rest at the unloading point at the end of the flight.

Change of Registered Ownership

15. (1) Where a change takes place in the ownership of an aircraft registered in the State or the requirements of Article 7 of this Order for registration in the State cease to be fulfilled in respect of such an aircraft, the registered owner at the time of that change or cesser shall forthwith notify the Authority of the change or cesser.
- (2) A person who becomes the owner of an aircraft registered in the State shall forthwith notify the Authority of that fact.
- (3) Upon receipt of a notification under paragraph (1) or (2) of this Article or if, at any time, the Authority is satisfied that a change or cesser such as is referred to in the said paragraph (1) has occurred or that any person has become the owner of an aircraft registered in the State, the Authority may, as it thinks fit, either cause the registration of the aircraft to be cancelled or, on receipt of an appropriate application form and on payment to it of the appropriate fee, cause the relevant particulars entered in the register in respect of the aircraft to be altered.

Destruction or withdrawal from use of aircraft

16. (1) The registered owner of an aircraft registered in the State which is destroyed or permanently withdrawn from use shall, forthwith upon such destruction or withdrawal, notify the Authority thereof and return or cause to be returned to the Authority the certificate of registration of the aircraft unless such certificate has been accidentally destroyed.
- (2) On being notified under paragraph (1) of this Article or otherwise becoming aware of the destruction or permanent withdrawal from use of an aircraft, the Authority may cause the registration of that aircraft to be cancelled.
- (3) If it appears to the Authority that the registered owner of an aircraft has failed to comply with a requirement of paragraph (1) of this Article, it may require the registered owner to furnish within thirty days a statement in writing as to whether or not the aircraft has been destroyed or permanently withdrawn from use and, if such statement is not received by the Authority within the thirty days, it may cause the registration of that aircraft to be cancelled and take any other action which it considers appropriate.
- (4) The owner of an aircraft, where registered to a company in accordance with Article 7, which no longer complies with the requirements of the Companies Act, 1963 (No. 33 of 1963), as amended, shall notify the Authority thereof and shall return or cause to be returned to the Authority the certificate of registration of the aircraft.

Forgery or Falsification of Certificates

17. A person shall not:

- (1) forge or fraudulently alter or procure to be forged or fraudulently altered or assist in forging or fraudulently altering a certificate of registration of an aircraft, or
- (2) make, procure to be made or assist in making any false representations for the purpose of procuring either for him or herself or any other person the issue of such a certificate, or
- (3) fraudulently use any such certificate to which he or she is not entitled, or
- (4) fraudulently use any such certificate which has been forged, altered, or become void, or
- (5) fraudulently lend any such certificate to any person or fraudulently allow or permit any such certificate to be used by any other person.

Cancellation of Registration

18. (1) In addition to the cases specified in the preceding provisions of this Order in which the Authority may cause the registration of an aircraft registered in the State to be cancelled, the Authority may also cause such registration to be cancelled or altered at any time:

- (a) if it is established to its satisfaction that:
 - (i) the ownership of the aircraft is not as stated in the application for registration,

or
 - (ii) the aircraft was, at the time of its registration in the State, registered in another state,

or
 - (iii) at any time after an aircraft has been registered in the State, a person or company, other than a person or a company referred to in subparagraph (a) or (b), as the case may be, of paragraph (1) of Article 7 of this Order, becomes entitled to a legal or beneficial interest by way of ownership in the aircraft, or a share therein;
- (b) if it is satisfied that the circumstances warrant its so doing and it is established to its satisfaction that:
 - (i) a person has, in relation to the aircraft, contravened or failed to comply with any relevant provision of this Order or of any other Order made under the Acts,

- (ii) a person has, in respect of the aircraft, been convicted by a court of competent jurisdiction of any offence against the law relating to Customs for the time being in force in the State or in a contracting state and the law against which such offence was committed is in accordance with the provisions of the Standards and Recommended Practices of the International Civil Aviation Organisation in relation to Customs for the time being in force;
 - (c) at the written request of the registered owner or the lawful representative of the registered owner with the appropriate power of attorney to act therefor under the provisions of the Powers of Attorney Act, 1996 (No.12 of 1996);
 - (d) in any case where it appears that an aircraft does not, or has ceased to, comply with a safety requirement specified by the applicable EU Regulations or by the Authority in an Order, Regulation or Direction under the Act in relation to that aircraft or generally to aircraft of a particular class or description which includes that aircraft;
 - (e) in any case where it is satisfied that it is inexpedient in the public interest that the aircraft should remain registered in the State;
 - (f) in any case where the registered owner fails to respond within thirty days to a written request by the Authority for information relating to the registration, airworthiness or operational control of the aircraft.
- (2) Nothing in this Article shall require the Authority to cancel the registration of an aircraft if in its opinion it would be inexpedient in the public interest to do so.
 - (3) Where the Authority makes a determination under a provision of this Order to cancel the registration of an aircraft, the registered owner of that aircraft shall be advised of the determination and the reason therefor. In the event that the Authority makes such a determination but is unable to contact the registered owner, having taken reasonable measures to do so, it shall publish the subject determination in the *Iris Oifigiúil*.

Directions and exemptions

- 19. (1) The Authority may give directions in respect of such matters to which this Order and the Schedule thereto relate, for the purposes of carrying out the Order.
- (2) An aircraft in respect of which or person in respect of whom the Authority gives a direction for the purpose of this Article shall be subject to such requirements, conditions or limitations as may be specified in the direction.
- (3) The Authority may give a direction for the purpose of this Article exempting an aircraft or a person from such provisions of this Order as are specified in the direction, subject to such requirements, conditions or limitations as may be also specified in that direction.

- (4) A direction under this Order may be promulgated on the Authority website by an Aeronautical Notice, an Aeronautical Information Circular or by individual notice sent by post or otherwise delivered directly to the address of the person concerned.

SCHEDULE

Article 11

Affixing and Location of Nationality and Registration Marks

1. In this Schedule:

“airship” means a power-driven, lighter-than-air aircraft;

“balloon” means a non-power-driven lighter-than-air aircraft;

“glider” means a heavier-than-air aircraft deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight;

“heavier-than-air aircraft” means any aircraft deriving its lift in flight chiefly from aerodynamic forces;

“lighter-than-air aircraft” means any aircraft supported chiefly by its buoyancy in the air;

“rotorcraft” means a heavier than air aircraft supported in flight by the reactions of the air on one or more rotors.

2. Subject to the provisions of paragraph 4 of this Schedule the affixing and location of nationality and registration marks on aircraft shall be as follows:

(a) **General**

The nationality and registration marks shall be painted on the aircraft or shall be affixed thereto by any other means ensuring a similar degree of permanence. The marks shall be kept clean and visible at all times.

(b) **Lighter-than-air aircraft**

(i) Airships. The marks on an airship shall appear either on the hull, or on the stabiliser surfaces. Where the marks appear on the hull, they shall be located lengthwise on each side of the hull and also on its upper surface on the line of symmetry. Where the marks appear on the stabiliser surfaces, they shall appear on the horizontal and on the vertical stabilisers; the marks on the horizontal stabiliser shall be located on the right half of the upper surface and on the left half of the lower surface, with the tops of the letters and numbers towards the leading edge; the marks on the vertical stabiliser shall be located on each side of the bottom half stabiliser, with the letters and numbers placed horizontally.

(ii) Spherical balloons. The marks on a spherical balloon shall appear in two places diametrically opposite. They shall be located near the maximum horizontal circumference of the balloon.

- (iii) Non-spherical balloons. The marks on a non-spherical balloon shall appear on each side. They shall be located near the maximum cross-section of the balloon immediately above either the rigging band or the points of attachment of the basket suspension cables.
- (iv) All lighter-than-air aircraft. The side marks on all lighter-than-air aircraft shall be visible both from the sides and from the ground.
- (v) Unmanned free balloons. The marks shall appear on the identification plate affixed in accordance with Article 11(3)(b) of the Order.

(c) **Heavier-than-air aircraft**

- (i) Wings. On heavier-than-air aircraft the marks shall appear once on the lower surface of the wing structure. They shall be located on the left half of the lower surface of the wing structure unless they extend across the whole of the lower surface of the wing structure. So far as is possible the marks shall be located equidistant from the leading and trailing edges of the wings. The tops of the letters and numbers shall be toward the leading edge of the wing.
- (ii) Fuselage (or equivalent structure) and vertical surfaces. On heavier-than-air aircraft the marks shall appear either on each side of the fuselage (or equivalent structure) between the wings and the tail surface, or on the upper halves of the vertical tail surfaces. When located on a single vertical tail surface they shall appear on both sides. When located on multivertical tail surfaces they shall appear on the outboard sides of the outer surfaces.
- (iii) If pods or other appurtenances are located on the area aft of the wing trailing edge and are an integral part of the fuselage side surfaces, the marks may appear on those pods or appurtenances.
- (iv) Rotorcraft and special cases. If a heavier-than-air aircraft does not possess parts corresponding to those mentioned in paragraphs 2(c)(i) and (ii), the marks shall appear in a manner such that the aircraft can be identified readily.

3. Subject to the provisions of paragraph 4 of this Schedule the measurement of nationality and registration marks on aircraft shall be as follows:

(a) **General**

The letters and numbers in each separate group of marks shall be of equal height.

(b) **Lighter-than-air aircraft**

- (i) The height of the marks on lighter-than-air aircraft other than unmanned free balloons shall be 50 centimetres.
- (ii) The measurements of the marks related to unmanned free balloons shall be determined by the Authority taking into account the size of the payload to which the identification plate is affixed.

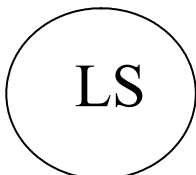
(c) **Heavier-than-air aircraft**

- (i) Wings. The height of the marks on the wings of heavier-than-air aircraft shall be at least 50 centimetres.
- (ii) Fuselage (or equivalent structure), vertical tail surfaces or other structure. The marks on the fuselage (or equivalent structure) and on the vertical tail surfaces or other structure of heavier-than-air aircraft shall be at least 30 centimetres.
- (iii) Rotorcraft and special cases. If a heavier-than-air aircraft does not possess parts corresponding to those in paragraphs 3(c)(i) and (ii), the measurements of the marks shall be such that the aircraft can be identified readily.

4. The type of characters for nationality and registration marks shall be as follows:

- (a) The letters shall be capital letters in Roman characters without ornamentation.
- (b) The width of each character (except the letter “I”) and the length of hyphens shall be two-thirds of the height of a character.
- (c) The characters and hyphens shall be formed by solid lines and shall be of a colour contrasting clearly with the background. The thickness of the lines shall be one-sixth of the height of a character.
- (d) Each character shall be separated from that which it immediately precedes or follows by a space of not less than one-quarter of a character width. A hyphen shall be regarded as a character for this purpose.

**Given under the common seal of the Irish Aviation Authority this
5th day of October, 2005.**



A Lait Director

J Jameson Director

EXPLANATORY NOTE

(This Note is not part of the Order and does not purport to be a legal interpretation)

This Order revokes and replaces with minor changes, the Irish Aviation Authority (Nationality and Registration of Aircraft) Order, 2004 to take account of EU Regulations and the Standards in Annex 7 to the Chicago Convention on International Civil Aviation and editorial amendments. The principal changes effected by this Order include:

- (a) redefinition of references to an “authorised officer” as an “authorised officer of the company”;
- (b) a provision concerning application of the Order to tethered balloons carrying personnel or passengers in Article 3;
- (c) inclusion of a reference to EU Regulations in Article 7;
- (d) incorporation of a provision in Article 14 to allow detention of an aircraft being used without the permission of the registered owner;
- (e) inclusion of a reference to power of attorney to act on behalf of a registered owner in Article 18.