



Miscellaneous

No: 1523

UK SI 2009 No. 41, The Operation of Air Services in the Community Regulations 2009: Regulation 17(1)

Publication date: 31 December 2021

UK Regulation (EU) No. 965/2012
General Approval

General Approval for Leasing Agreements Entered into by a UK Air Carrier

Background

- 1) The purpose of this General Approval is to enable UK Air Carriers to enter into leasing agreements of United Kingdom registered aircraft or an aircraft from a Community Air Carrier when the aircraft is registered in the EEA or Switzerland.

Additionally, it provides guidance on the notification requirements for such leasing agreements and the documentation required to be presented to the UK CAA, prior to commencement of these agreements.

Interpretation

- 2) In this Approval, references to EU regulations are to those regulations as retained and amended in UK domestic law under the European Union (Withdrawal) Act 2018 and are referenced hereafter as “UK Regulation (EU) year/number” or “UK Regulation (EU) No. number/year”.
- 3) For the purposes of these approvals: -
 - a. “UK Air Carrier” means an Air Carrier holding an operating licence granted by the CAA;
 - b. “Community Air Carrier” means an operator from an EASA Member State who holds an air operator certificate and operating licence granted by its competent authority; and
 - c. “dry lease agreement” and “wet lease agreement” have the same meanings as in UK Regulation (EU) No. 965/2012.

General Approval

- 4) **Dry Lease-in agreement of a United Kingdom Registered Aircraft (G-REG) to a UK Air Carrier**

The Civil Aviation Authority (the CAA) approves, in accordance with Regulation 17(1) of the Operation of Air Services in the Community Regulation 2009 and as required by Regulation 17(2)(b), any dry lease agreement of a United Kingdom registered aircraft under which the aircraft is to be operated by another UK Air Carrier subject to the following conditions:

- a) that there is a valid written lease agreement in place between the Air Carriers;

- b) that prior notification of the lease to the CAA is made in accordance with paragraphs 8 (a), (b) and (c) below; and

5) **Wet Lease by a UK Air Carrier of a United Kingdom Registered Aircraft (G-REG) from another UK Air Carrier**

The CAA approves, in accordance with Regulation 17(1) of the Operation of Air Services in the Community Regulation 2009 and as required by Regulation 17(2)(c), any wet lease agreement of a United Kingdom registered aircraft by a UK Air Carrier from another UK Air Carrier subject to the following conditions:

- a) that there is a valid written lease agreement in place between the Air Carriers;
- b) that prior notification of the lease to the CAA is made in accordance with paragraphs 8 (a), and (c) below.

6) **Dry Lease-out agreement of a United Kingdom Registered Aircraft (G-REG) to a UK Air Carrier**

The Civil Aviation Authority (the CAA) approves, in accordance with subpart ARO.OPS.110(a)(3) of UK Regulation (EU) No. 965/2012, any dry lease agreement of a United Kingdom registered aircraft to another UK Air Carrier subject to the following conditions:

- a) that there is a valid written lease agreement in place between the Air Carriers;
- b) that prior notification of the lease to the CAA is made in accordance with paragraphs 8 (a), (b) and (c) below.

7) **Wet Lease by a UK Air Carrier of an aircraft registered in the EEA or in Switzerland from a Community Air Carrier**

The CAA approves, in accordance with subpart ARO.OPS.110(a)(2) of UK Regulation (EU) No. 965/2012, any wet lease agreement of an aircraft registered in the EEA or in Switzerland by a UK Air Carrier from a Community Air Carrier, subject to the following conditions:

- a) that there is a valid written lease agreement in place between the Air Carriers;
- b) the lease-in complies with the requirements of subpart ORO.AOC.110 of UK Regulation (EU) No. 965/2012;
- c) that the aircraft must not be operated under the lease for more than 3 days cumulative and in total in any period of 12 consecutive months provided that the 3 day limit may be reset by the UK Air Carrier for exceptional reasons and on a case by case basis on application to, and subject to prior approval by, the UK Air Carrier's CAA Flight Operations Inspector or CAA FOMs¹;
- d) that prior notification of the lease to the CAA is made in accordance with paragraphs 8 (a) and (c) below;
- e) that the CAA's Inspecting Officer (Leasing) has received prior notification from the UK Air Carrier using this CAA wet leasing online form ([Notify the CAA about a Wet Lease-in from an EASA member state](#)), submitted at least 30 minutes before the commencement of the wet lease of the specified aircraft; and
- f) that the lessee Air Carrier complies with Annex A of this General Approval.

¹ Flight Operations Manager

8) Required CAA Notifications for Use of this Approval

- a) UK Air Carriers must notify their CAA assigned Flight Operations Inspector of all leases entered into pursuant to this approval, prior to the commencement of the lease.
 - b) UK Air Carriers must notify their CAA assigned Airworthiness Surveyor of all leases entered into pursuant to paragraph 4) of this approval, prior to the commencement of the lease.
 - c) All dry and wet lease-in agreements entered into pursuant to paragraphs 4), 5), 6) and 7) of this General Approval are to be reported to the CAA's Inspecting Officer (Leasing) by e-mail to Aircraft.Letting@caa.co.uk, prior to the commencement of the lease, with:
 - i) details of the circumstances which led to the lease;
 - ii) for Paragraph 7) a copy of the required documentation listed in Annex A, page 4 of this General Approval (AMC1 ORO.AOC.110). This documentation must be accompanied by a statement signed by the United Kingdom Air Carrier that the parties to the lease agreement fully understand their respective responsibilities under the applicable requirements;
 - iii) the routes to be flown;
 - iv) in the case of a wet lease-in, the name of the operator of the leased aircraft; and
 - v) the operator's full contact details.
- 7) This approval supersedes the approval published in the Official Record Series 4 No.1456, which is revoked.

Date in Force

- 8) This approval has effect from 01 January 2022 until 30 June 2022, both dates inclusive, unless previously revoked.

J Hanafin

for the Civil Aviation Authority

Date: 31 December 2021

¹ Flight Operations Manager

ANNEX A – for wet leases under Paragraph 4) above

Extract of AMC1 ORO.AOC.110, Leasing agreement (General) from Regulation (EU) No. 965/2012

The operator intending to lease-in an aircraft should provide the competent authority with the following information:

- (a) the aircraft type, registration markings and serial number;
- (b) the name and address of the registered owner;
- (c) a copy of the valid certificate of airworthiness;
- (d) a copy of the lease agreement or description of the lease provisions, except financial arrangements;
- (e) duration of the lease; and
- (f) in case of wet lease-in, a copy of the AOC of the third country operator and the areas of operation.

The information mentioned above should be accompanied by a statement signed by the lessee that the parties to the lease agreement fully understand their respective responsibilities under the applicable regulations.