

## Brexit Checklist for Business aviation operators

This checklist has been created to help Business aviation operators consider the changes that the end of the transition period may bring to their operations.

**Disclaimer:** *This list doesn't aim at being exhaustive considering the variety of potential situations, if you have any doubts about how to handle the end of the transition period, we would advise you to contact your national authorities and/or legal counsels as soon as possible. Your chamber of commerce might also provide you with 'general' advice for all type of companies and businesses.*

[EBAA terms and conditions](#) apply.

Elements to consider	Continental operators	UK operators
<p><b>Traffic rights &amp; TCO</b></p>	<p>Continental operators become third countries after 1 January 2021, so they will need a UK TCO. The CAA wishes to ensure that the minimum possible regulatory burden is placed on these operators in bringing in this requirement. While each application will be considered individually, the CAA will be prepared in principle to grant a UK TCO to any EU27/EFTA operator that holds a valid EASA AOC for all of the aircraft that it intends to operate in the UK.</p> <p>The UK Part TCO application form and guidance can be found <a href="#">here</a>.</p> <p>UK Block Permit Scheme can be found <a href="#">here</a>.</p>	<p>EASA announced that it would accept TCO applications from UK AOC holders and has adopted a streamlined process for UK operators.</p> <p>Details on that process and a link to the application form are available <a href="#">here</a>.</p> <p>More information can be found <a href="#">here</a>.</p>

<p><b>AOC</b></p>	<p>Applying for a foreign carrier permit.</p> <p>The different types of foreign carrier permits can be found <a href="#">here.</a></p>	<p>Applying for a foreign carrier permit.</p> <p>The different types of foreign carrier permits can be found <a href="#">here.</a></p>
<p><b>Crew &amp; individual licences</b></p>	<p>Commercial pilots (Part-FCL licence): <a href="#">here.</a></p> <p>Cabin crew (attestation): <a href="#">here.</a></p> <p>Aircraft maintenance engineers (Part 66 licence): <a href="#">here.</a></p> <p>Approved and declared flight training organisations: <a href="#">here.</a></p> <p>Engineering training organisations (Part 147): <a href="#">here.</a></p> <p>Engineers: it is intended that a licensed engineer with an EU license (non-UK) would be able to continue to work on UK-registered aircraft for up to two years after the end of the transition period. Personnel working in organisations approved by the CAA who are based in the UK would need to obtain a UK CAA issued Part 66 licence after this point in time.</p>	<p>Commercial pilots (Part-FCL licence): <a href="#">here.</a></p> <p>Further guidance on State of Licence Issue transfers: <a href="#">here.</a></p> <p>Cabin crew (attestation): <a href="#">here.</a></p> <p>Aircraft maintenance engineers (Part 66 licence): <a href="#">here.</a></p> <p>Approved and declared flight training organisations: <a href="#">here.</a></p> <p>Engineering training organisations (Part 147): <a href="#">here.</a></p> <p>Engineers : licensed engineers would not be able to continue to release EU-registered aircraft to service.</p> <p>If an engineer wishes to continue to release EU-registered aircraft to service he/she would need to transfer his/her licence to the National Aviation Authority of another EASA member state before the end of the transition period. Licensed engineers are advised to have a discussion with the relevant NAA as soon as possible about their process and timetable for transfers.</p>
<p><b>Other certifications</b></p>	<p>Aerospace maintenance organisations: <a href="#">here.</a></p> <p>Continued Airworthiness Management Organisations: <a href="#">here.</a></p>	<p>Aerospace maintenance organisations: <a href="#">here.</a></p> <p>Continued Airworthiness Management Organisations: <a href="#">here.</a></p>

<p><b>Ownership &amp; Control</b></p>	<p>To obtain and keep an EU 27 operating licence and benefit from the intra-EU air traffic rights, operators must comply at all times with the conditions under Article 4 of Regulation (EC) No 1008/2008 on air services.</p> <p>The conditions include the need to be majority owned and effectively controlled by EU Member States and/or nationals of EU Member States. If these conditions are no longer fulfilled because of the UK leaving EU, the Operating Licence at issue would no longer be valid.</p>	<p>Nationality restrictions would no longer be part of the Operating Licence but would be governed through a Route Licence: <a href="#">here</a>.</p> <p>Should operators not meet the UK nationality test, then the Secretary of State has the power to grant or approve the retention of such a licence.</p> <p>To obtain and keep an EU 27 operating licence and benefit from the intra-EU air traffic rights, UK operators must comply at all times with the conditions under Article 4 of Reg. 1008/2008 on air services: namely the need to be majority owned and effectively controlled by EU MS or nationals of EU MS. If this condition is no longer fulfilled because of the UK leaving the EU, then the Operating License is no longer valid.</p>
<p><b>Part -FCL</b></p>	<p>Private pilots: <a href="#">here</a>.</p>	<p>Private pilots: <a href="#">here</a>.</p>
<p><b>NCC</b></p>	<p>Part NCC : <a href="#">here</a>.</p>	<p>Part NCC : <a href="#">here</a>.</p>
<p><b>VAT</b></p>	<p>Martyn Fiddler Aviation paper: "Be Prepared for 31<sup>st</sup> Dec 2020" <a href="#">here</a>.</p>	<p>Martyn Fiddler Aviation paper: "Be Prepared for 31<sup>st</sup> Dec 2020" <a href="#">here</a>.</p>
<p><b>Immigration (passengers &amp; staff)</b></p>	<p>Visiting the UK from 1 January 2021: <a href="#">here</a>.</p>	<p>Visit Europe from 1 January 2021: <a href="#">here</a>.</p> <p>Take out appropriate travel insurance with health cover before travelling to the EU: <a href="#">here</a>.</p>

		<p>Employing workers from outside the UK: <a href="#">here.</a></p> <p>Check if you need a visa or work permit and meet the professional requirements to travel to the EU, Switzerland, Norway, Iceland or Liechtenstein for work: <a href="#">here.</a></p> <p>Find out your right to live, work or study in the Common Travel Area if you're an Irish or UK national: <a href="#">here.</a></p>
<b>GDPR</b>	<p>Have I taken the necessary steps to ensure compliance with EU rules if I transfer personal data to the UK? <a href="#">here.</a></p> <p>More information on Information Commissioner's Office website: <a href="#">here.</a></p>	<p>What action you need to take regarding data protection and data flows with the EU/EEA after the end of the transition period: <a href="#">here.</a></p> <p>More information on EC website: <a href="#">here.</a></p> <p>More information on Information Commissioner's Office website: <a href="#">here.</a></p>
<b>Wet Lease</b>	<p>Regulation (EC) No 1008/2008 on air services concerning the use of 'third country' registered aircraft means EU aircraft operators intending to wet-lease aircraft registered in the United Kingdom would be bound by the corresponding provisions relating to such aircraft.</p> <p>Operators should consider the impact of this change on their operations. Operators are advised to contact the CAA's Airline Licensing Team for further advice: <a href="#">here.</a></p>	<p>The legislation translating EU law into UK law under the EU (Withdrawal) Act 2018 provides continuity for approving wet leases of aircraft from the EU and from the rest of the world.</p>