



AIR NAVIGATION (ISLE OF MAN) ORDER 2015 TRANSITIONAL AIRCRAFT

1. Subject to the conditions listed at paragraph 3 a-c, the Department for Enterprise (“the Department”), in exercise of its powers under Article 156 of the Air Navigation (Isle of Man) Order 2015 (“the Order”) exempts operators of “transitional aircraft” (as defined at paragraph 3) from the following requirements of the Order:
 - a. Article 99B – that the operator of an aircraft must prepare and ensure that a company operations manual (COM) is in force in respect of the aircraft.
 - b. Article 99E – that the operator of an aircraft must establish and implement a fatigue risk management programme and include the programme in the COM in respect of the aircraft.
 - c. Article 99M – that the operator of an aircraft of a type that has a master minimum equipment list (MMEL) established must prepare and ensure that a minimum equipment list (MEL) for the aircraft is approved by the Department and to include the details of the MEL procedures in the COM.
2. Subject to the conditions at paragraph 3b and c, the Department, pursuant to Article 35(2) of the Order, permits transitional aircraft registered in the Isle of Man to commence a flight in specified circumstances, even though a specified item of equipment that must by or under the Order be carried in the circumstances of the intended flight is not carried or is not in a fit condition for use.
3. The conditions are:
 - a. Such flights shall not carry passengers or cargo.
 - b. The operator of the aircraft shall use the MMEL approved by the national aviation authority which approved the Type Certificate of the aircraft to defer defects, whilst complying with the conditions and limitations contained within the MMEL.
 - c. A copy of Schedule 3 (Aircraft Equipment) and Schedule 4 (Radio Communication and Radio Navigation Equipment of Aircraft) of the Order shall be carried and used in conjunction with the MMEL when deferring defects relating to operational and emergency equipment.
4. For the purposes of this document:
 - a. “transitional aircraft” means an aircraft which is awaiting a commercial lease during which time it is only flown for the purposes of a maintenance check flight, demonstration flight or ferry flight purposes and which has been recorded by the Department as being such an aircraft.
 - b. “Maintenance check flight” means a flight of an aircraft with an airworthiness certificate or with a permit to fly which is carried out for troubleshooting purposes or to check the functioning of one or more systems, parts or appliances after maintenance, if the functioning of the systems, parts or appliances cannot be established during ground checks and which is carried out in any of the following situations:
 - (i) as required by the aircraft maintenance manual or any other maintenance data issued by a design approval holder being responsible for the continuing airworthiness of the aircraft;

- (ii) after maintenance, as required by the operator or proposed by the organisation responsible for the continuing airworthiness of the aircraft;
 - (iii) as requested by the maintenance organisation for verification of a successful defect rectification;
 - (iv) to assist with fault isolation or troubleshooting;
- c. “Demonstration flight” means a flight for the purpose of demonstrating an aircraft's capabilities or characteristics to a prospective customer, potential lessee, or their agent.
- d. “Ferry flight” means a flight to a location necessary to enable the refurbishment, maintenance, delivery, entry into storage, demonstration, or inspection of the aircraft.

5. This Exemption and Permission shall have immediate effect until revoked or suspended.

Signed:



Date: 24 March 2021

Colin Gill
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Note:

This exemption does not absolve the operator or crew of the aircraft (as applicable) from compliance with all other requirements as specified in the Order, including (of note): Article 99C (checklists to be used) and Articles 81 and 82 (fatigue of crew and flight times).