

Notice No.

AWN-02-2022

Date:

10th August 2022**Repatriation of sanctioned aircraft, under license from the Government of Bermuda****1 Introduction**

1.1 This notice to stakeholders provides information on requirements and sanction relief, regarding Bermuda registered aircraft affected by Government of Bermuda sanctions on persons in, or connected with, the Russian Federation.

2 Background

2.1 The Government of Bermuda introduced The Russia (Sanctions) (Overseas Territories) (Amendment) Order 2022 on the 14th April 2022, via Schedule 1 of the Bermuda International Sanctions Regulations 2013. This had the effect of implementing within Bermuda, the sanctions provisions of The Russia (Sanctions) (EU Exit) Regulations 2019¹, as amended.

2.2 The impact of this law on the Bermuda Civil Aviation Authority (BCAA), was the requirement to withdraw its technical support for maintenance and continuing airworthiness management approvals and any other aircraft related airworthiness activities, where those activities were conducted within the Russian Federation, or associated with Russian persons. In consequence, aircraft of the Bermuda Aircraft Registry presently in Russia (whether or not illegally dual-registered in Russia), no longer have the support of approved maintenance organisations, or continuing airworthiness management organisations, recognised by their State of Registry.

3 Guidance

3.1 To support non-Russian owners in recovery of their aircraft from Russia, the BCAA advises that relief from sanctions is now required, in accordance with The Russia (Sanctions) (EU Exit) Regulations 2019, prior to the BCAA engaging in efforts to support organisations and persons in Russia, with the recovery of aircraft.

3.2 On 4th August 2022 the Bermuda Government provided the BCAA with a license of limited privilege, providing some relief from trade sanctions, to facilitate repatriation of aircraft from Russia. On the basis of this license the BCAA may provide individual approvals to legal or natural persons and special flight permits to aircraft, but only where this technical assistance facilitates recovery of those aircraft from the Russian Federation, to a place outside of the Russian Federation, on behalf of non-Russian owners.

3.3 Those legal and natural persons outside of Russia, wishing to recover aircraft from Russian persons affected by international sanctions requirements, should also seek to obtain any

relevant permissions and licenses, in respect of those sanctions directly affecting themselves, or their assets.

- 3.4 Subject to an application which in the view of the BCAA demonstrates control being exercised by the lessor/owner and clear intent to repatriate aircraft, the BCAA will engage with Russian persons, subject to the limitations of its license privileges and may, once satisfied, grant individual approvals and permits in accordance with OTAR requirements and existing technical procedures.

Note: OTAR 43.153(b) requires that aircraft being released on a Special Flight Permit have maintenance arrangements in accordance with OTAR Part 145 and airworthiness management arrangements in compliance with OTAR Part 39. See also OTAC 21-10.

4 Records

- 4.1 Those wishing to make use of this facility acknowledge and accept that the BCAA will be required to request, hold on record and share with the Bermuda Government such personal information as is necessary to fulfill the requirements of the License. The BCAA will hold and manage these records for a period of 4 years beyond the end of the calendar year in which the record was created, on the basis of compliance with its legal obligations.

5 Enquiries

- 5.1 Enquiries regarding the content of this Notice should be made to the Bermuda Civil Aviation Authority and may be sent by email to; info@bcaa.bm

Ref: ¹ [S.I. 2019 No 855](#)


Thomas Dunstan, Director General

