

AIRCRAFT REGISTRATION: CHOOSE WISELY BEFORE YOU BUY

购买飞机前的明智决策起于飞机注册



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The decision on where to register an aircraft is perhaps as important as which aircraft to buy. There is quite simply no 'best' or 'one size fits all' registration. What will work for one owner will not work for another. What is important to one owner will not be of great concern to another. Owners are often asked two fundamental questions; the answers they provide become key pointers in helping advise on the right jurisdiction for registration. These two questions are: How will the aircraft be used? and where will it operate?

If an owner intends to make the aircraft available to third parties, this counts as commercial use and is not permitted by most offshore registries including the Isle of Man. On the other hand, some jurisdictions such as Malta actively promote the registration of aircraft to be used for 'hire and reward' and indeed encourages the establishment of such commercial

飞机注册地的选择与购买何种机型的决定几乎同样重要。简单说来，并没有“最佳”或是“通用型”注册。适用于某位机主的注册不一定适用于其他机主。某位机主看重的问题也不一定是其他机主最为关心的。机主经常会被问及两个基本问题，他们所给出的回答对获取正确注册管辖区的建议起到关键作用。这两个问题是：飞机将用于何种用途？飞机将在哪里运营？

如果机主的飞机允许第三方使用，这将被视为商业用途，无法在包括马恩岛在内的大多数离岸注册地注册。另一方面，一些司法管辖区，比如马耳他，都在积极推进飞机注册的发展，用于“出租和受酬”，促进了此类商业运作的实现。同样地，包括中国在内的许多国家对外国注册的飞机实行严格的管理以及经济性惩罚运营限制。如果机主的预期运营范围是在国内，那么，在国内注册切实可行。

目前为止，全球最大的公务机市场是美国。对于部分机主而言，拥有一架美国注册的飞机可以获得一系列优势，包括成熟的转售市场、便捷的流程以及广为接受的技术规格。尽管按照官方规定，仅限美国公民在美国注册飞机，但是外国购买者可以通过与金融机构签订信用协议来拥有飞机。而许多选择性因素对于其他顾客来说更为重要。



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operations. Similarly, some countries (including China) place challenging and financially punitive operating restrictions on foreign registered aircraft. If the owner's intended sphere of operation is domestic, there is a strong argument to register 'at home'.

By far the largest corporate aircraft market is that of the USA. To some owners, having a US registered aircraft offers the advantage of a ready resale market, ease of process and wide acceptability of technical specifications. Although officially only open to US citizens, foreign buyers can own by way of a trust arrangement with a financial institution. To other clients, there are alternative factors which are more important.

Most owners will look for flexibility from a registry. The willingness of authorities to accept US and European technical specifications, maintenance arrangements and crew licences can avoid costly modifications and re-training. In addition, the weight and age of the aircraft may not be acceptable in certain registries. Political neutrality, ease of operation, initial and ongoing costs, levels of customer service and simply being in the same time zone are all factors which need to be considered. The acceptability of a particular corporate structure to own the aircraft, the availability of fiduciary services, security of the asset, the reputation and international acceptability of a jurisdiction and the ability to register a mortgage are also factors important to clients and their lenders. Finally, some registries, both onshore and offshore, promote potential tax neutrality or tax advantages in placing an aircraft on certain marks.

Jurisdiction of registration can be changed down the line, but again this is a choice which can involve considerable time and expenditure. It is best to make the right decision at the outset. ■



大多数机主在选择注册地时，非常看重其所具备的灵活性。如果当局愿意接受美国和欧洲的技术规格、维修安排以及机组牌照，那将大大减少改装和二次培训费用。另外，某些注册地对飞机的重量以及使用年限有所限制。还有许多需要考虑的因素，包括政治中立性、操作便捷性、初始和持续成本、客户服务水平以及时区等。对于客户及其贷款方而言，还会考虑拥有飞机的特定公司结构的可接受性、信托服务的有效性、资产安全性、管辖区的声誉和国际认可度以及抵押贷款登记能力等各种重要因素。最后，某些注册地，不管陆地或离岸，都会通过为飞机贴上某些标记来促进潜在的税收中立性或税收优势。

注册管辖权地可以进行改变，但这是一个需要花费大量时间和费用的选择。最好还是一开始就深思熟虑，做出明智的选择。■

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