

29 September 2015
Reference: F0002473

Dear XXXX

I am writing in respect of your recent request of 11 September 2015 for the release of information held by the Civil Aviation Authority (CAA).

Your request:

Please can you provide me with the actual registered owners of all current AW139 that show on the G- register as 'chartered' (an example would be G-CGIJ)?

Our response:

Having considered your request in line with the provisions of the Freedom of Information Act 2000 (FOIA), while we hold the information requested we are unable to provide it to you.

Under article 6(1) of the Air Navigation Order 2009 (ANO), an application for the registration of an aircraft in the UK must include evidence relating to the ownership and chartering of the aircraft.

The information that must appear in the UK Register of Civil Aircraft is defined in article 6(2), and includes *the name and address of every person who is entitled as owner to a legal interest in the aircraft or a share of the aircraft or, in the case of an aircraft which is the subject of a charter by demise, the name and address of the charterer by demise.*

Article 9(2) states *In this Part and in Part B of Schedule 3 'the registered owner' means the person in whose name the aircraft is registered in accordance with article 6(2).*

Therefore, in accordance with the above, where an aircraft is registered in the name of the charterer by demise details of other parties who may hold an ownership interest in the aircraft are not contained in the UK Register of Civil Aircraft.

The UK Register of Civil Aircraft is required by the Civil Aviation Authority Regulations 1991 to be made available to the public. Regulation 8 states that *The Authority shall, at all reasonable times and upon payment to it of any applicable charge under section 11 of the Act for inspecting the register, make the register of aircraft available for inspection by any person.*

Civil Aviation Authority

Aviation House Gatwick Airport South Gatwick RH6 0YR. www.caa.co.uk

Telephone: 01293 768512. foi.requests@caa.co.uk

In relation to information that is not contained in the UK Register of Civil Aircraft, under section 44(1)(a) of the FOIA information is exempt information if its disclosure is prohibited by, or under, any enactment. Under Section 23 of the Civil Aviation Act 1982, information which relates to a particular person (which includes a company or organisation) and has been supplied to the CAA pursuant to an Air Navigation Order is prohibited from disclosure.

In summary, information provided to the CAA pursuant to the ANO for the purposes of registering an aircraft, that is not contained in the UK Register of Civil Aircraft (and therefore publicly available), is exempt from disclosure under section 44(1)(a) of the FOIA. A copy of this exemption can be found below.

If you are not satisfied with how we have dealt with your request in the first instance you should approach the CAA in writing at:-

Caroline Chalk
Head of External Information Services
Civil Aviation Authority
Aviation House
Gatwick Airport South
Gatwick
RH6 0YR

caroline.chalk@caa.co.uk

The CAA has a formal internal review process for dealing with appeals or complaints in connection with Freedom of Information requests. The key steps in this process are set in the attachment.

Should you remain dissatisfied with the outcome you have a right under Section 50 of the FOIA to appeal against the decision by contacting the Information Commissioner at:-

Information Commissioner's Office
FOI/EIR Complaints Resolution
Wycliffe House
Water Lane
Wilmslow
SK9 5AF

www.ico.gov.uk/complaints.aspx

If you wish to request further information from the CAA, please use the form on the CAA website at <http://www.caa.co.uk/application.aspx?catid=286&pagetype=65&appid=24>.

Yours sincerely



Mark Stevens
External Response Manager

CAA INTERNAL REVIEW & COMPLAINTS PROCEDURE

- The original case to which the appeal or complaint relates is identified and the case file is made available;
- The appeal or complaint is allocated to an Appeal Manager, the appeal is acknowledged and the details of the Appeal Manager are provided to the applicant;
- The Appeal Manager reviews the case to understand the nature of the appeal or complaint, reviews the actions and decisions taken in connection with the original case and takes account of any new information that may have been received. This will typically require contact with those persons involved in the original case and consultation with the CAA Legal Department;
- The Appeal Manager concludes the review and, after consultation with those involved with the case, and with the CAA Legal Department, agrees on the course of action to be taken;
- The Appeal Manager prepares the necessary response and collates any information to be provided to the applicant;
- The response and any necessary information is sent to the applicant, together with information about further rights of appeal to the Information Commissioners Office, including full contact details.

Freedom of Information Act: Section 44

(1) Information is exempt information if its disclosure (otherwise than under this Act) by the public authority holding it-

- (a) is prohibited by or under any enactment,
- (b) is incompatible with any Community obligation, or
- (c) would constitute or be punishable as a contempt of court.

(2) The duty to confirm or deny does not arise if the confirmation or denial that would have to be given to comply with section 1(1)(a) would (apart from this Act) fall within any of paragraphs (a) to (c) of subsection (1).