



Information concerning the registration and certification of aircraft

1. Introduction

The following legal provisions, requirements and procedures must be observed for the registration of aircraft in the Swiss Aircraft Register and the issuance of an operating permit.

2. Registration procedure

2.1. Reservation of aircraft markings

Prospective aircraft owners/operators should request “Application for the reservation of aircraft markings”, form from the registrations office of the Swiss Federal Office of Civil Aviation (FOCA). Submitted applications will then be examined by the relevant section of the FOCA to confirm they are complete and comply with the applicable legal provisions. If the application is approved, the requested reservation will be confirmed in writing. Telephone reservations cannot be accepted.

Together with the confirmation of the reservation, applicants will receive the Swiss registration mark, the forms for registering the aircraft, and a checklist of the required administrative and technical documentation.

2.2. Registration

Applications to register of aircraft in the Swiss Aircraft Register must be accompanied by the following documents:

- 2.2.1. Application for registration of an aircraft in the Swiss Aircraft Register
- 2.2.2. Documents that provide evidence of the applicant’s ownership of the aircraft from the date of purchase or from date of last entry in the register. For this purpose, either a proof of ownership (FOCA Form) or an unconditional transfer of title signed by the last registered owner (bill of sale), may be used. Receipts cannot be used as proof of ownership.
- 2.2.3. Registered companies are required to enclose an extract of the most recent entry in the commercial register: <http://www.zefix.ch>
- 2.2.4. Associations are required to provide proof that at least two-thirds of their members, as well as their committee and chairperson, are domiciled in Switzerland, are Swiss citizens or foreign nationals who have a status similar to that of Swiss citizens on the basis of international agreements. For this purpose they are required to submit the “Anhang für Vereine” form (Annex for associations – only available in German or French) together with a list of members, the statutes and (if applicable) a copy of the entry in the commercial register.
- 2.2.5. Natural persons are required to provide proof of Swiss citizenship.
- 2.2.6. Foreign citizens are required to submit official confirmation from the relevant authorities that they hold a residence permit for Switzerland (category B or C). Furthermore, they are obliged to submit a declaration to the effect that the aircraft concerned will normally be operated from within Switzerland. This requirement can only be met if the home base of the aircraft concerned is in fact in Switzerland. In the



event of shared ownership and/or a community of operators, all owners/operators must be listed, and one of these must be designated as the officially responsible owner/operator. The relevant forms are provided for this purpose.

- 2.2.7. Before an aircraft can be registered in the Swiss Aircraft Register, an official confirmation must be provided to the effect that the aircraft concerned has either never been entered in the aircraft register in the country of residence of the predecessor (in title) of the applicant (certificate of non-registration), or that it has been deleted from the aircraft register in the country in which it was last registered (certificate of cancellation of registration).
- 2.2.8. If applicable, evidence has to be provided to the effect that the aircraft has either never been entered in the liens record in the country in which it was last registered, or that any such entry has been deleted (lien certificate).
- 2.2.9. In the case of a used aircraft, evidence must be provided to show that it has been properly maintained.
- 2.2.10. As a rule, the inspection is initiated at the earliest two weeks after receipt of the complete documentation and after the aircraft has been entered in the Swiss aircraft register. On written request, the FOCA may grant exceptions from this procedure. If documents are not submitted by the relevant deadline, this will result in delays.
- 2.2.11. In the case of an application for a ferry flight of the aircraft under a Swiss registration mark, further information may be obtained from www.bazl.admin.ch - Portal for Specialists – Aircraft - Airworthiness - Permit to Fly.
- 2.2.12. Any registration of the aircraft in the Swiss Aircraft Register where its owner is a foreign national (Article 3, paragraph 2, Civil Aviation Ordinance (SR 748.01) requires an application to be submitted by the Swiss commercial aviation company (holder) explaining why the aircraft should be registered under foreign ownership.

The registration of an aircraft does not automatically permit its operation.

2.3. Reasons for refusal of an application

An application for registration in the Swiss Aircraft Register may be refused if:

- the aircraft concerned clearly does not meet the specified airworthiness requirements of the FOCA;
- the aircraft concerned does not comply with the provisions of the “Ordinance on aircraft emissions” and is still unable to do so even after modifications have been carried out;
- the applicant is unable to provide evidence of proper maintenance;
- the applicant fails to meet the requirements relating to ownership (Art. 4, Civil Aviation Ordinance) – for requirements relating to foreign owners/operators, see section 2.2.13.

3. Certification procedure

3.1. Transfer of aircraft to Switzerland for the purpose of import

In the event of the transfer of an aircraft to Switzerland for the purpose of import, a permit to fly will be issued upon application, if:

- the aircraft concerned has been entered in the Swiss Aircraft Register;
- the applicant is able to produce evidence of third-party liability insurance cover in the name of the operator;



- a valid export certificate of airworthiness or an equal certificate (EASA Form 15a/b or EASA Form 52) recognised by the FOCA has been issued;
- the FOCA/EASA approved application for Part 21 Permit to Fly is available (Form 21, including Form 18b, see section 2.2.12).

For aircraft that are temporarily approved for operation, the FOCA specifies in each specific case which certificates and documents have to be carried on board (Article 22 of the Ordinance on the Airworthiness of Aircraft; SR 748.215.1).

A period of at least five working days should be allowed for processing an appropriate request. The aircraft concerned may not be operated during this period.

A permit to fly issued by the FOCA is only valid for flights under conditions listed on the permit (for example, one transfer flight from the country of origin to the specified location in Switzerland).

After the arrival of the aircraft in Switzerland, an additional permit to fly may only be issued if the FOCA has received all the required documentation, and the processing of the documents pertaining to the operation of the aircraft has been completed. This additional airworthiness certificate covers the period until the initial conformity inspection has been carried out.

For all flights carried out with a permit to fly issued by the FOCA, a valid certificate of third-party liability insurance must be carried on board, and the Swiss registration mark must be displayed on the aircraft in accordance with the applicable regulations.

Note: Permits to fly (EASA Form 20a/b) are valid for flights to and within all EASA member states.

National permits to fly (for non-EASA aircraft) are solely valid for flights in Swiss air space. Permits to fly do **not** authorise commercial carriage.

3.2. Technical certification for operation

The Airworthiness Section Zurich (STLZ) is responsible for the technical certification of large aircraft for operation and the Airworthiness Section Bern (STLB) is responsible for the technical certification of all other aircraft (General Aviation). For contact details, see section 6.

Aircraft entered in the Swiss Aircraft Register that are used for private purposes and have an MTOM of more than 5.7 t, and multi-engine helicopters that are used for private purposes, must meet the requirements of M. A. 201 (f) of Part M (Appendix I to Commission Regulation [EC] No. 1321/2014).

3.3. Registration for commercial operations

If an **aircraft** is to be used for commercial operations, the relevant statutory requirements must be met. For further information, see:

www.bazl.admin.ch > Portal for Specialists > Air Transport > Economic viability

3.4. Evidence of liability insurance cover

All holders of aircraft entered in the Swiss Aircraft Register are required to submit a certificate of insurance as evidence of liability insurance cover. The certificate must comply



with the relevant legal provisions and be issued and signed by a registered insurance company.

4. Regulations for aircraft that are excluded from the scope of application of the EASA

For the registration and certification of aircraft that do not fall under the scope of application of EASA Regulation (EU) No 2018/1139 (non-EASA aircraft), certain other procedures apply. While the registration procedure is unchanged, certification is decided on a case-by-case basis.

5. Legal bases

A variety of both national regulations and directives based on international agreements apply in the civil aviation sector.

5.1. National legislation

The Swiss Federal Civil Aviation Act of 21 December 1948 (SR 748.0) forms the general legislative framework. It is enforced in accordance with the provisions of the Swiss Federal Civil Aviation Ordinance of 14 November 1973 (SR 748.01) and various other ordinances (see: www.bazl.admin.ch – Policies – Legal bases for flight operations).

The most important Swiss ordinances are as follows:

- Ordinance of 28 September 2007 on Fees charged by the Federal Office of Civil Aviation (GebV-BAZL; SR 748.112.11),
- Ordinance of 18 September 1995 on the Airworthiness of Aircraft (VLL; SR 748.215.1),
- Ordinance of 15 April 1970 on the Inspection of Aircraft (SR 748.215.2)
- Ordinance of 26 June 2009 on Aircraft Emissions (VEL; SR 748.215.3)
- Ordinance of 6 September 1984 on Aircraft Markings (VKZ; SR 748.216.1),
- Federal Act of 7 October 1959 on Aircraft Log Books (SR 748.217.1),
- Ordinance of 2 September 1960 on the Enforcement of the Federal Act on Aircraft Log books (SR 748.217.11),
- Ordinance of 22 January 1960 on the Rights and Obligations of Aircraft Captains (SR 748.225.1)

5.2. International legislation

The Convention of 7 December 1944 on International Civil Aviation (SR 0.748.0), together with its technical annexes, forms the main legislative framework for international civil aviation. It was ratified by Switzerland on 6 February 1947, and also forms the basis for Swiss civil aviation legislation.

At European level, on the basis of its bilateral civil aviation agreement with the European Community (SR 0.748.127.192.68), Switzerland has adopted the relevant European rules relating to civil aviation. The appendix to the bilateral civil aviation agreement contains a complete list of regulations and directives that have been adopted by Switzerland. Below is a selection of the most important regulations:

- Regulation (EU) No 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency (...);



- Commission Regulation (EU) No 748/2012 of 3 August 2012 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations;
- Commission Regulation (EC) No 1321/2014 of 26 November 2014 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks;
- Council Regulation (EEC) No 3922/91 of 16 December 1991 on the harmonisation of technical requirements and administrative procedures in the field of civil aviation;
- Regulation (EC) No 1008/2008 of the European Parliament and of the Council of 24 September 2008 on common rules for the operation of air services in the Community.

This list of some of the main legal sources is for information purposes only and has no legal effect. The FOCA accepts no liability for the list being accurate, complete or up to date. Only the texts published in the Official Journal of the European Union and available on EUR-Lex online are binding. An overview can be found at <https://www.easa.europa.eu/regulations>.

6. Some useful FOCA addresses

Safety Division – Aircraft ST:

- Technical Organisations section STOB (Bern)
- Technical Organisations section STOZ (Zurich), both 3003 Bern
- Standardisation, Enforcement and Registry section STSS, 3003 Bern
- Airworthiness Engineering STIL, 3003 Bern
- Airworthiness section STLZ (Zurich)
- Airworthiness section STLB (Bern), both 3003 Bern

Safety Division - Flight Operations SB:

- Operation of Complex Airplanes section SBOC, 3003 Bern
- Helicopter Flight Operations section SBHE, 3003 Bern

Aviation Policy and Strategy Division

- Legal and International Affairs section (LERI), 3003 Bern

7. Links

- EASA (European Aviation Safety Agency) <http://www.easa.eu>
- ICAO (International Civil Aviation Organisation) <http://www.icao.int/>
- CFA (Swiss Federal Customs Administration) <http://www.ezv.admin.ch/>