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Phone: +357 24802925		Effective Date: 31-MAY-2010
Fax: +357 22404189		Publication Date: 01-MAY-2010
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INSURANCE REQUIREMENTS FOR AIR CARRIERS AND AIRCRAFT OPERATORS

GENERAL

Regulations (EC) No. 785/2004 and 285/2010 of the European Parliament defines the minimum insurance requirements to cover passengers, baggage, cargo and third parties for air carriers and aircraft operators flying within, into, out of, or over the territory of a Member State, including its territorial waters.

REQUIREMENTS

These regulations apply to all carriers and to all aircraft operators flying within, into, out of, or over the territory of Cyprus.

INSURANCE IN RESPECT OF LIABILITY FOR PASSENGERS, BAGGAGE AND CARGO

1. For liability in respect of passengers, the minimum insurance cover shall be 250000 SDRs per passenger. However, in respect of non-commercial operations by aircraft with a MTOM of 2700 kg or less, Member States may set a lower level of minimum insurance cover, provided that such cover is at least 100000 SDRs per passenger.
2. For liability in respect of baggage, the minimum insurance cover shall be 1131 SDRs per passenger in commercial operations.
3. For liability in respect of cargo, the minimum insurance cover shall be 19 SDRs per kilogram in commercial operations.

Paragraphs 1, 2 and 3 shall not apply with respect to flights over the territory of the Member States carried out by non-Community air carriers and by aircraft operators using aircraft registered outside the Community which do not involve a landing on, or take-off from, such territory.

THIRD PARTY LIABILITY

In respect of liability for third parties, the minimum insurance cover per accident, for each and every aircraft, shall be:

Category	MTOM (Kg)	Minimum Insurance (million SDRs)
1	<500	0,75
2	<1000	1,5
3	<2700	3
4	<6000	7
5	<12000	18
6	<25000	80
7	<50000	150
8	<200000	300
9	<500000	500
10	≥500000	700

DEFINITIONS

For the purposes of this Regulation:

1. Air carrier means an air transport undertaking with a valid Operating Licence.
2. Aircraft operator means the person or entity, not being an air carrier, who has continual effective disposal of the use or operation of the aircraft; the natural or legal person in whose name the aircraft is registered shall be presumed to be the operator, unless that person can prove that another is the operator.
3. Passenger means any person who is on a flight with the consent of the air carrier or the aircraft operator, excluding on-duty member of both the flight crew and the cabin crew.
4. SDR means a Special Drawing Right as defined by the International Monetary Fund.
5. MTOM means the Maximum Take Off Mass, which corresponds to a certified amount specific to all aircraft types, as stated in the certificate of airworthiness of the aircraft.

EXEMPTIONS

State aircraft as referred to in Article 3 (b) of the Convention on International Civil Aviation, signed at Chicago on 7 December, 1944;

- a. model aircraft with an MTOM of less than 20 kg;
- b. foot-launched flying machines (including powered para gliders and hang gliders);
- c. captive balloons;
- d. kites;
- e. parachutes, (including parascending parachutes);
- f. aircraft including gliders, with a MTOM of less than 500 kg, and microlights, which:

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1. are used for non-commercial purposes,
 2. are used for local flight instruction which does not entail the crossing of international borders.

FURTHER INFORMATION

Full information on this subject can be found in original text of EC Regulations 785/2004 and 285/2010.

NOTE: In case of differences between this AIC and the EC Regulations 785/2004 and 285/2010, the authentic text of the Regulation shall prevail.

This AIC cancels and replaces AIC A03/2005 dated 5 October.

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