

Your Company Name is Part of Your Certificate

As an air operator you need to be aware that your certificate is issued to your company as registered with the Companies Office. If you wish to change its name, or sell your company, you need to know the implications for your operator certificate.

“The certificate is issued to the company,” says Jeanette Lusty, the CAA’s Acting Manager, Special Flight Operations and Recreational Aviation.

“If a company wants to change its name, it’s usually pretty straightforward if the company itself doesn’t change. The CAA just needs to be notified of the change within that company and there are forms for such amendments.”

But if a new company is formed, the situation is quite different.

“If a new company number is issued by the Companies Office, that changes our records, and it becomes a new certification.”

Jeanette says a recent case highlights there is some confusion.

“We had a company that wanted to start a whole new company for various reasons. A new company is a new legal entity. They didn’t realise they needed to apply for a new air operator certificate (AOC).

“Even if the new company has the same shareholders as the old one, it’s a different legal entity once it has been issued with

a new Companies Office number. If a company name is used on an aircraft certificate of registration, that will also need to be re-issued.

“There’s a good reason for this. Someone could buy a company with an AOC and circumvent the certification process. We need to be confident that the people involved are fit and proper, and resources are available. We have to ensure the integrity of the AOC.

“Also remember, that in cases where your Senior Persons change, you need to go through a process for that with the CAA,” says Jeanette.

This will not affect sole traders or partnerships – only registered companies. Registered companies sometimes use “trading as” for a branding name – these will not be affected *unless* they are used on your certificate or are in your exposition.

For more information, see “Keeping your Exposition Relevant” in the May/June 2013 *Vector*. ■