EU Temporary Admission of Aircraft – Busting Myths

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Our friends at OPMAS have put together this useful myth-busting guide to Temporary Admission (TA) for aircraft operating within the EU.

TA is one of those topics that always causes confusion – including for us! There are still plenty of myths about when TA can be used, who it applies to, and what the rules actually say. Some are basially just wrong, and others are based on outdated info or misunderstandings. In this guide, OPMAS busts eight of the most common myths.

But first… what's Temporary Admission?

TA is an EU customs thing that **allows non-EU aircraft to operate within the EU without having to permanently import the aircraft** or pay import duties and VAT.

In general the aircraft must be **owned, registered, operated, and based outside the EU** to qualify. If all those conditions are met, TA lets operators move around the EU for a limited time.

That's the super short version. For the slightly longer explanation, check here.

Now, onto the myths!

Myth #1: Temporary Admission cannot be used when carrying EU passport holders as passengers

This myth is busted because:

- The EU Commission has – numerous times – stated that these restrictions are not meant to restrict having EU residents onboard as passengers. The restrictions are meant for the pilots who are, in customs terms, seen as the real user of the aircraft, meaning that there are no

restrictions for carrying EU passengers. Thus, there is no need to appoint a main passenger or have a so-called authorization letter onboard.

- The idea of a main passenger, authorization letter, and other strange demands when using TA has no foundation in the Union Customs Code. It is based on a wrong interpretation or outdated information.

Myth #2: Temporary Admission cannot be used for commercial flights

This myth is busted because:

- The EU Commission approved commercial group charters as correct use of TA in 2014.
- Internal traffic was also removed as a restriction for TA in 2016 with the introduction of the Union Customs Code (UCC). The paragraph was originally intended to limit commercial traffic but has been removed for many years now.
- The requirement for *Traffic rights* (also called charter permits) is often mentioned as another obstacle when using TA, yet *traffic rights* have absolutely nothing to do with the process of obtaining TA or full importation. It is strictly an aviation regulator issue.
- Aircraft flying commercially may need to obtain *traffic rights* on some internal EU legs, but this is independent of the TA or full importation status. Any fully EU-imported commercial aircraft will also need to obtain the exact same *traffic rights.* Having a fully EU-imported aircraft instead of a TA aircraft will not improve the situation. Full importation does not grant an aircraft "better" traffic rights than aircraft flying under TA or EU-registered aircraft.

Myth #3: The owner must be onboard or present within the EU

This myth is busted because:

- It has earlier been clarified that the owner does not need to be present onboard or within the EU in the typical Part 91/135 scenario when flying within the EU. This paragraph in the Union Customs Code is meant to regulate a completely different scenario.
- This issue can, however, be a bit tricky as aviation structures are complicated and not always easily or correctly understood by customs on the ramp, so operators should always ask a competent customs agency to approve the structure in advance and outline the correct understanding in the specific case.

Myth #4: Aircraft flying under Temporary Admission will most likely have problems when flying to Cannes, Nice, or Paris-Le Bourget

This myth is busted because:

- Numerous aircraft are flying to these airports and other "dangerous" airports every day using TA and are ramp checked without having any problems because the crew onboard are well-prepared and able to explain and document why the aircraft is eligible to use the TA procedure. We have supported many of these operations, so we know how it works and what it takes.
- Some aircraft encounter problems at these airports, but all known cases are based on

operators either not being TA compliant or simply not prepared to prove compliance. These aircraft can remain on the ramp for hours or weeks and sometimes result in a full VAT payment.

Myth #5: Temporary Admission is a fully paperless procedure

This myth is busted because:

- Only the entry and exit are paperless processes.
- When used correctly, TA suspends all EU taxes and duties – but only if the operator fully meets the preconditions and respects the limitations.
- Customs authorities perform random ramp checks to confirm compliance, which means that supporting paperwork to prove TA compliance must always be available onboard.
- Most operators are already prepared for SAFA inspections and have a ready-to-use SAFA binder onboard. A similar portfolio of documentation should be kept ready for customs checks within the EU, which can carry far greater consequences than SAFA violations. The fine for a SAFA violation is peanuts compared to a customs violation, so everyone should be well-prepared.

Myth #6: Temporary Admission is only relevant for internal EU flights

This myth is busted because:

- The Union Customs Code states that TA is activated every time an unimported aircraft crosses the outer EU border, whether knowingly or not. TA is terminated when the same aircraft crosses the EU's outer border on the way to a non-EU destination. Thus, the bare act of crossing the outer EU border counts as a customs declaration.
- This means TA compliance is always required, even for itineraries with just a single stop within the EU.
- While feedback shows that customs inspections are less common for one-stop EU flights, the legal obligations and risks remain the same if documentation is lacking.

Myth #7: Temporary Admission is only required if EU citizens or residents are onboard

This myth is busted because:

- There is no provision anywhere in the Union Customs Code or in any other working paper.
- TA compliance is required regardless of who is onboard – crew or passengers, EU citizens or not.
- No exception exists anywhere in the Union Customs Code that exempts an aircraft for using TA in such a scenario.

Myth #8: Commercial aircraft do not have to bother with EU customs procedures as these aircraft are always exempt

This myth is busted because:

- There is no provision anywhere in the Union Customs Code or in any other working paper to support this statement.
- Commercial aircraft are VAT-exempt in some cases, but this does not mean that it is customs-exempt. These are two different things.
- Commercial aircraft must always somehow come under EU customs control using either full importation or TA. If applied incorrectly, the consequences could be severe.

Thanks to OPMAS for this article! If you have a TA related question that isn't covered here, or need advice on your own operation, OPMAS are the people to ask – they specialise in EU Temporary Admission, aircraft importation, and customs procedures. You can contact them here. They've also built a huge library of info on TA over the years, which you can check out here.