

Havana Dreams: Making Your Cuban Trip a Reality

Wednesday, October 11, 2017 | 3:00 p.m. – 4:30 p.m.

PRESENTED BY: James Meyer, Harper Meyer

Fareed Ramjohn, Gama Aviation



Embargo

- At present, the embargo which limits travel to Cuba, is still in effect.
- The embargo is administered under the Cuban Assets Control Regulations (“CACR”) (31 CFR Part 515)
- CACR is managed by the Office of Foreign Assets Control (“OFAC”), which is involved in:
 - Implementing trade embargoes against specific target countries and individuals
 - Enforcing and administering economic and trade sanctions.

Cuba Policy Summary

Prior policy of encouraging Interaction vs. New policy discouraging relations

- Prior policies included more relaxed export control and general authorizations for acquiring license, particularly in the category of civil aviation.
- On June 16, 2017 President Trump announced changes to the Cuba sanctions program intended to discourage relations with Cuba and enhance compliance the ban on tourism to Cuba. The announced changes will not take effect until new regulations are issued.

New Policy and Amendments to OFAC

December 17, 2014

- Policy measures announced to “further engage and empower the Cuban people“
- Facilitated travel to Cuba for Americans

January 16, 2015

- BIS and OFAC published changes to licensing policy and license exceptions in the EAR

September 21, 2015

- Facilitated travel to Cuba for Americans who visit their relatives in Cuba.
- BIS increased the number of license exception provisions
- Created a new Cuba licensing policy to help ensure the safety of civil aviation and the safe operation of commercial passenger aircraft

New Policy and Amendments to OFAC

January 27, 2016

- Facilitated carrier service by air and with Cuban airlines
- Expanded authorizations within existing travel categories to facilitate travel to Cuba

January 6, 2017

- Further expanded travel regulation to facilitate travel to Cuba. Individual People-to-People travel allowed without tour guide (self-reporting approved).
- Removed requirement for a specific license from OFAC for U.S. persons providing carrier services to, from, or within Cuba
- Removed temporary sojourn license requirement for aircraft remaining in Cuba for less than seven days

June 16, 2017 (Announced by White House Pending Issuance of Amended Regulation)

- Will enhance travel restrictions to better enforce the statutory ban on United States tourism to Cuba.
- Will eliminate individual People-to-People travel. Travel for non-academic educational purposes will be limited to group travel through a licensed tour company and travelers must be accompanied by a company representative.
- OFAC will be required to regularly audit travel to Cuba to ensure that travelers are complying with relevant statutes and regulations.

Flights to and From the U.S.

Cuban Assets Control Regulations, 31 CFR Part 515

- 12 Categories of authorized (non-tourist) travel for which no OFAC license is required
 - President Trump has instructed the Treasury to issue regulations that will end individual people-to-people travel. Group people-to-people travel is still authorized through a licensed tour company and travelers must be accompanied by a company representative.

BIS Export Administration Regulations (“EAR”)

- No export License required for temporary sojourn to Cuba, unless Aircraft will remain in Cuba for more than 7 days.

Memorandum of Understanding Between U.S. and Cuba

- Reestablished schedule air services between U.S. and Cuba.

Export Control

Part 91 Operations

- No license from OFAC required if travel is authorized under general license
- No license from BIS required unless aircraft will remain in Cuba for more than 7 days
- Review loan documentation and insurance policies
- Alternate insurance options

Part 135 Operations

- No license from OFAC required if Part 135 operations are in connection with authorized travel
- No license from BIS required unless aircraft will remain in Cuba for more than 7 days.
- Compliance with requirements of Cuba Aviation Authority

Part 91 Operators and Part 135 Operators must retain records relating to travel to Cuba for 5 years.

Gama Aviation

Fareed Ramjohn, Sr. Account Manager

CUBA



CONTACTS

- INSTITUTO de AERONAUTICA CIVIL de CUBA (IACC)
 - Contact:
 - gppv@ppv.iacc.avianet.cu (send landing permit/ overfly permit requests)
 - +53 7 838 1126
- HANDLERS
 - Contact:
 - handling@ecasa.avianet.cu (send gendecs, departure flight plans)
 - opshav@hav.ecasa.avianet.cu (just another email, cc them)

EXAMPLE: DAY TRIP LAS-HAV-JFK

- Email IACC for Cuba landing permit
 - In the request, include purpose of travel, and who your contact or travel agent/tour guide will be (without doing so there may be a delay in the issuing of the permit while they confirm your purpose of travel)
 - In that email, attach:
 - Flight itinerary
 - General declarations
 - Aircraft documents (registration, airworthiness, insurance, and the last maintenance inspection for that aircraft, NOT AN AML, the last actual maintenance logbook entry).

EXAMPLE: DAY TRIP LAS-HAV-JFK

- What a request may look like:
 - GAJXXX(Callsign) N(reg) BE35(type) 10SEP(date) LAS/HAV/JFK (citys dep/arr) ETA/ETD HAV (ZULU times arr/dep cuba) 1600/1700
 - For a company with one or many aircraft, in case things changes, your best bet is to request your permit with a callsign no one would use, this way if any changes occur in tail number, it would be a simple update on their end.
 - If you make changes, just refer to that callsign and permit number they issue you. In your flight plan **INCLUDE THAT PERMIT NUMBER IN THE REMARKS SECTION AND MAKE SURE YOU FILE UNDER THAT CALLSIGN IT WAS ARRANGED FOR.**

If you had multiple trips for that same client instead of a day trip, then just add another line to your request as needed.

GAJXXX(Callsign) N(reg) BE35(type) 10SEP(date) LAS/HAV (citys dep/arr) ETA HAV (ZULU times arr/dep cuba) 1600
 GAJXXX(Callsign) N(reg) BE35(type) 15SEP(date) HAV/JFK (citys dep/arr) ETD HAV (ZULU times arr/dep cuba) 1700

(if you didn't want to overnight your aircraft in Cuba, then just add the position leg to your request as if it were day trips for each leg)

Day of trip handlers might email you to ask you for the general declarations and the return flight plan (departing Cuba), you can send that to the handlers email on the CONTACTS slide.

CUBA OVERFLIGHT PERMIT

- VALID for 24hrs
- What the IACC will need to issue a Cuba OVF permit:
 - Callsign/tailnumber
 - PIC name
 - Schedule, pax count
 - Entry/Exit point and Zulu times at those points
 - (rough estimate is fine)
 - Must update permit if city pairs change/tail change

CUBA OVERFLIGHT PERMIT

- **EXAMPLE OF WHAT A REQUEST MAY LOOK LIKE:**

TAIL NUMBER: N(REG)

CALLSIGN: GAJXXX

AUG 15

2330Z MIA-MWCR 0200Z – 0 PASSENGERS

AUG 16

1500Z MWCR-PBI 1700Z – 2 PASSENGERS.

- **ENTRY/EXIT POINTS**

AUG 15: URSUS 0030Z/PUTUL 0140Z

AUG 16: PUTUL 1520Z/ URSUS 1600Z

- **PILOTS:**

JOHN DOUGH



