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SCOTTISH STATUTORY INSTRUMENTS

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**2011 No. 367**

**CIVIL AVIATION**

**The Highlands and Islands Air Services (Scotland)  
Act 1980 Amendment Regulations 2011**

*Made* - - - - 25th October 2011  
*Laid before the Scottish  
Parliament* - - - - 27th October 2011  
*Coming into force* - - 1st December 2011

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972<sup>(1)</sup> and all other powers enabling them to do so.

**Citation and commencement**

1. These Regulations may be cited as the Highlands and Islands Air Services (Scotland) Act 1980 Amendment Regulations 2011 and come into force on 1st December 2011.

**Amendments to the Highlands and Islands Air Services (Scotland) Act 1980**

2.—(1) Section 3 of the Highlands and Islands Air Services (Scotland) Act 1980<sup>(2)</sup> is amended in accordance with paragraphs (2) and (3).

(2) In the definition of “air services”, for paragraph (b) substitute—

“(b) in exercise of traffic rights permitted by virtue of Chapter III of Regulation (EC) No. 1008/2008 of the European Parliament and of the Council of 24th September 2008 on common rules for the operation of air services in the Community<sup>(3)</sup>”.

(3) The definition of “EEA Agreement” is omitted.

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(1) 1972 c.68. Section 2(2) was amended by the Scotland Act 1998 (c.46) (“the 1998 Act”), Schedule 8, paragraph 15(3) (which was amended by section 27(4) of the Legislative and Regulatory Reform Act 2006 (c.51) (“the 2006 Act”). Section 2(2) was also amended by section 27(1)(a) of the 2006 Act and by the European Union (Amendment) Act 2008 (c.7), Schedule, Part 1. The functions conferred upon the Minister of the Crown under section 2(2), insofar as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the 1998 Act.

(2) 1980 c.19; section 3 was relevantly amended by S.I. 1993/3040 and 1994/1731.

(3) OJ L 293, 31.10.2008, p.3.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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St Andrew's House,  
Edinburgh  
25th October 2011

*KEITH BROWN*  
Authorised to sign by the Scottish Ministers

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations amend the Highlands and Islands Air Services (Scotland) Act 1980 (“the 1980 Act”) which makes provision for assistance by way of grants or loans in connection with air services serving the Highlands and Islands.

The Regulations amend section 3 of the 1980 Act by substituting a new paragraph (b) in the definition of “air services” so as to take account of the replacement of Council Regulation 2408/92 by Regulation (EC) No 1008/2008.

These Regulations also remove from section 3 of the 1980 Act the definition of “EEA Agreement” (which is no longer required).