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DRAFT STATUTORY INSTRUMENTS

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**2019 No.**

**The Aviation Safety (Amendment  
etc.) (EU Exit) Regulations 2019**

**PART 3**

Amendment of principal EU Regulations

**CHAPTER 5**

Amendment of Regulation (EU) No 2018/1139

*SECTION 4*

*Certification, oversight and enforcement system – Chapter 4 of Regulation (EU) No 2018/1139*

**Amendment of Article 62 of Regulation (EU) No 2018/1139**

- 139.**—(1) Article 62 (certification, oversight and enforcement) is amended as follows.
- (2) In paragraph 1—
- (a) for the words from the start to “system” substitute “The Secretary of State and the CAA must cooperate”;
  - (b) for the words from “the delegated” to the end substitute “regulations made under it”.
- (3) In paragraph 2—
- (a) for the words from “the delegated”, the first time they occur, to “authorities” substitute “regulations made under it, the CAA”;
  - (b) in point (a), in both places the word occurs, for “them” substitute “the CAA”;
  - (c) in point (c), for the words from “the delegated” to the end substitute “regulations made under it”;
  - (d) in point (d), for “them” substitute “the CAA”;
  - (e) in point (f), for “their” substitute “CAA”.
- (4) Omit paragraph 3.
- (5) In paragraph 4—
- (a) omit the first six subparagraphs;
  - (b) in the seventh subparagraph, for the words from the start to “referred to in” substitute “Where regulations made under”.
- (6) Omit paragraph 5.
- (7) In paragraph 6, for “Agency and national competent authorities” substitute “CAA”.
- (8) Omit paragraph 7.
- (9) In paragraph 8—

- (a) for “Agency” substitute “CAA”;
  - (b) omit “, exchange”.
- (10) Omit paragraphs 9, 10 and 11.
- (11) In paragraph 12, for “Agency and the national competent authorities” substitute “CAA”.
- (12) Omit paragraph 13.
- (13) In paragraph 14—
- (a) in the first subparagraph—
    - (i) omit “the uniform implementation of and”;
    - (ii) for “paragraphs 2 to 9” substitute “paragraphs 2, 4, 6 and 8”;
    - (iii) for “national competent authorities” substitute “the CAA”;
    - (iv) for “Commission” substitute “Secretary of State”;
    - (v) for “adopt implementing acts” substitute “make regulations”;
    - (vi) in point (a), for “national competent authority” substitute “CAA”;
    - (vii) in point (b)—
      - (aa) for “national competent authority” substitute “CAA”;
      - (bb) for the words from “the delegated” to the end substitute “regulations made under it”;
    - (viii) omit point (d);
    - (ix) in point (e), for “national competent authority” substitute “CAA”;
  - (b) omit the second subparagraph.
- (14) In paragraph 15—
- (a) in the first subparagraph—
    - (i) omit “the uniform implementation of and”;
    - (ii) for “paragraphs (2) to (9)” substitute “paragraphs 2, 4, 6 and 8”;
    - (iii) for “Agency and national competent authorities” substitute “CAA”;
    - (iv) for “Commission” substitute “Secretary of State”;
    - (v) for “adopt implementing acts” substitute “make regulations”;
    - (vi) omit point (a);
    - (vii) in point (b), for “the Agency and national competent authorities” substitute “CAA”;
    - (viii) in point (c), for “Agency and national competent authorities” substitute “CAA”;
  - (b) omit the second subparagraph.

#### **Amendment of Articles 63 to 67 of Regulation (EU) No 2018/1139**

- 140.** Omit the following—
- (a) Article 63 (pool of European aviation inspectors);
  - (b) Article 64 (reallocation of responsibility upon request of Member States);
  - (c) Article 65 (reallocation of responsibility upon request of organisations operating in more than one Member State);
  - (d) Article 66 (oversight support mechanism);
  - (e) Article 67 (validity and recognition of certificates and declarations).

### **Amendment of Article 68 of Regulation (EU) No 2018/1139**

- 141.**—(1) Article 68 (acceptance of third country certification) is amended as follows.
- (2) In paragraph 1—
- (a) for the words from the start to “authorities” substitute “The CAA”;
  - (b) for the words from “the delegated” to “thereof” substitute “regulations made under it”;
  - (c) in point (a)—
    - (i) for “Union” substitute “United Kingdom”;
    - (ii) at the end insert “or”;
  - (d) in point (b)—
    - (i) for the words from the start to “basis of” substitute “regulations made under”;
    - (ii) at end omit “or”;
  - (e) omit point (c).
- (3) In paragraph 2, in both places the word occurs, for “Agency” substitute “CAA”.
- (4) In paragraph 3, for the words from the start to “Article 128” substitute “The Secretary of State may make regulations”.

### **Amendment of Article 69 of Regulation (EU) No 2018/1139**

- 142.**—(1) Article 69 (qualified entities) is amended as follows.
- (2) In paragraph 1—
- (a) in the first subparagraph—
    - (i) for the words from the start to “tasks” substitute “The CAA may allocate its tasks”;
    - (ii) for the words from “the delegated acts” to “the implementing acts referred to in” substitute “regulations made under”;
  - (b) in the second subparagraph, for the words from the start to “entities” substitute “The CAA”;
  - (c) omit the third subparagraph.
- (3) In paragraph 2—
- (a) for the words from the start to “applicable” substitute “The CAA”;
  - (b) omit “that they granted”.
- (4) In paragraph 3—
- (a) for the words from the start to “grant it” substitute “The CAA may grant a qualified entity”;
  - (b) for the words “Agency or the national competent authority” substitute “CAA”.
- (5) Omit paragraphs 4 and 5.

### **Amendment of Article 70 of Regulation (EU) No 2018/1139**

- 143.**—(1) Article 70 (safeguard provisions) is amended as follows
- (2) In paragraph 1—
- (a) in the first subparagraph—
    - (i) for the words from “delegated acts” to “thereof” substitute “regulations made under it”;
    - (ii) for “a Member State” substitute “the CAA”;

- (iii) in point (a), for “that Member State” substitute “the CAA”;
- (iv) in point (b)—
  - (aa) for “Member State” substitute “CAA”;
  - (bb) for the words from “the delegated acts” to the end substitute “regulations made under it”;
- (b) omit the second subparagraph.
- (3) Omit paragraphs 2, 3 and 4.

**Amendment of Article 71 of Regulation (EU) No 2018/1139**

- 144.**—(1) Article 71 (flexibility provisions) is amended as follows.
- (2) In paragraph 1—
    - (a) in the first subparagraph—
      - (i) for “Member States” substitute “The CAA”;
      - (ii) for “the delegated or implementing acts adopted on the basis of” substitute “regulations made under”;
      - (iii) in point (c), for “Member State” substitute “CAA”;
    - (b) omit the second subparagraph.
  - (3) Omit paragraphs 2 and 3.

**Amendment of Articles 72 to 74 of Regulation (EU) No 2018/1139**

- 145.** Omit the following—
- (a) Article 72 (information gathering, exchange and analysis);
  - (b) Article 73 (protection of the source of information);
  - (c) Article 74 (repository of information).