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 STATUTORY INSTRUMENTS
 

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1983 No. 1833

## CIVIL AVIATION

**The Civil Aviation (Joint Financing) (Amendment) Regulations  
1983**

<i>Made - - - -</i>	<i>8th December 1983</i>
<i>Laid before Parliament</i>	<i>13th December 1983</i>
<i>Coming into Operation</i>	<i>1st January 1984</i>

The Secretary of State, in exercise of his powers under sections 73 and 74 of the Civil Aviation Act 1982 (a) and of all other powers enabling him in that behalf, and with the consent of the Treasury, hereby makes the following Regulations:—

1. These Regulations may be cited as the Civil Aviation (Joint Financing) (Amendment) Regulations 1983 and shall come into operation on 1st January 1984.

2. The Civil Aviation (Joint Financing) Regulations 1982 (b) shall be amended by substituting for Regulation 4 thereof the following new Regulation—

“4.—(1) In respect of each crossing between Europe and North America by an aircraft, wherever registered, in the course of which the aircraft is at any time north of the 45th parallel North between the meridians of 15° West and 50° West, the operator of the aircraft shall, upon completion of the crossing, pay to the Authority a charge of £41.37 computed as follows:—

in respect of air navigation services provided by the Government of Denmark for such crossings £12.11;

in respect of air navigation services provided by the Government of Iceland for such crossings £29.26.

(2) If an aircraft, wherever registered, without making a crossing between Europe and North America, makes one of the following crossings, that is to say between Greenland and Canada, Greenland and the United States of America, Greenland and Iceland or Iceland and Europe, the operator of the aircraft shall pay to the Authority in respect of each crossing upon completion thereof, one third of the amount of the charges specified in paragraph (1).

(3) If an aircraft, wherever registered, without making a crossing between Europe and North America, makes one of the following crossings, that is to say between Greenland and Europe, Iceland and Canada or Iceland and the United States of America, the operator of the aircraft shall pay to the Authority in respect of each crossing upon completion thereof, two thirds of the amount of the charges specified in paragraph (1).

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(a) 1982 c.16; section 73(4) was amended by section 3(2) of the Civil Aviation (Eurocontrol) Act 1983 (c.11).  
(b) S.I. 1982/1784.

(4) If an aircraft, wherever registered, without making a crossing for which a charge is specified in paragraph (1), (2) or (3), makes a crossing:—

- (a) between any point and Europe, or
- (b) between any point and Iceland

in the course of which the aircraft does not cross the coast of North America but does cross the meridian of 30° West north of the 45th parallel North, the operator shall pay to the Authority in respect of each such crossing upon completion thereof, one third of the amount of the charges specified in paragraph (1).

(5) If the Authority is unable, after taking reasonable steps, to ascertain who is the operator, it may give notice to the owner of the aircraft that it will treat him as the operator until he establishes to the reasonable satisfaction of the Authority that some other person is the operator; and from the time when the notice is given the Authority shall be entitled, for so long as the owner is unable to establish as aforesaid that some other person is the operator, to treat the owner as if he were the operator, and for that purpose the provisions of these Regulations (other than this paragraph) shall apply to the owner as if he were the operator.

(6) For the purposes of this Regulation—

- (a) a crossing shall be counted whether or not the aircraft takes off or lands in the areas mentioned;
- (b) “Europe” shall not include Iceland or the Azores.”

*Nicholas Ridley,*  
Secretary of State for Transport.

8th December 1983.

We consent to the making of these Regulations.

*Ian B. Lang,*  
*T. Garel-Jones,*  
Lords Commissioners of Her  
Majesty's Treasury.

8th December 1983.

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations amend the Civil Aviation (Joint Financing) Regulations 1982.

The following changes are made:—

(1) The charge payable by operators of aircraft to the Civil Aviation Authority in respect of crossings between Europe and North America is increased by a decision of the Council of the International Civil Aviation Organisation. The element of the charge payable in respect of air navigation services provided by the Government of Denmark is increased from £9.00 to £12.11. The element of the charge payable in respect of air navigation services provided by the Government of Iceland is increased from £28.86 to £29.26. The total charge is thus increased from £37.86 to £41.37.

(2) If the Authority is unable to ascertain who is the operator it may give notice to the owner of the aircraft that it will treat him as the operator until he establishes to the reasonable satisfaction of the Authority that some other person is the operator. From the time when the notice is given the Authority is entitled to treat the owner as the operator for as long as the owner is unable to establish that some other person is the operator.

The charges are payable in pursuance of the Agreements on the Joint Financing of certain Air Navigation Services respectively in Greenland and the Faroe Islands and in Iceland, opened for signature in Geneva on 25th September 1956 (Cmnd. Nos. 677 and 678) as amended by the Protocols opened for signature at Montreal on 3rd November 1982 (Cmnd. Nos. 8844 and 8845).

The charges are required by the Regulations to be remitted to the Governments of Denmark and Iceland subject to the deduction of a fee not exceeding 5 per cent for the Authority's expenses in billing and collection.

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