
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Airport Charges Regulations 2011 (“the 2011 Regulations”). In part they are made in exercise of the powers conferred by section 8 of the European Union (Withdrawal) Act 2018 in order to address failures of retained EU law to operate effectively and other deficiencies (in particular under section 8(2)(a)) arising from the withdrawal of the United Kingdom from the European Union.

Regulation 3, which comes into force 22 days after the day on which these Regulations are laid, is made under section 2(2) of the European Communities Act 1972.

Regulation 3(1) reflects the repeal and replacement of [Commission Regulation \(EC\) No. 1794/2006](#) of 6th December 2006 laying down a common charging scheme for air navigation services (OJ L 341, 7th December 2006, p.3), as amended by [Commission Regulation \(EU\) No. 1191/2010](#) of 16th December 2010 (OJ L 333, 17th December 2010, p.6) and by Commission Implementing Regulation (EU) No. 391/2013 of 3rd May 2013 (OJ L 128, 9th May 2013, p. 31).

Regulation 3(2) revises regulation 33(1)(b) of the 2011 Regulations by providing that service of a notice on any person can be effected by leaving it at that person’s proper address. This corrects a drafting error in the 2011 Regulations and these Regulations are being issued free of charge to all known recipients of the 2011 Regulations.

Regulation 4, which comes into force on exit day, is made in exercise of the powers conferred by section 8 of the European Union (Withdrawal) Act 2018 in order to address deficiencies arising from the withdrawal of the United Kingdom from the European Union. It removes provision requiring the Civil Aviation Authority to have regard to statistics compiled by Eurostat, the statistical office of the European Union

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

An Explanatory Memorandum is published alongside the instrument on www.legislation.gov.uk.