

SCHEDULE 1

Regulation 4

Amendment of the Operation of Air Services in the Community Regulations 2009

1. The Operation of Air Services in the Community Regulations 2009 are amended as follows.

Commencement Information

I1 Sch. 1 para. 1 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

2. In the title and in regulation 1 omit “in the Community”.

Commencement Information

I2 Sch. 1 para. 2 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

3. In regulation 3—

- (a) in paragraph (1), after the definition of “the EC Regulation”, insert—
““Official Record” means a document of that name published on the website of the CAA;
and”;
- (b) in paragraph (2)—
(i) for ““Community air carrier”” substitute ““UK air carrier””, and
(ii) after ““operating licence””, insert ““qualifying air carrier”, ”.

Commencement Information

I3 Sch. 1 para. 3 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

4. In regulation 5—

- (a) the existing regulation becomes paragraph (1);
(b) in that paragraph, for “, 14 and 15(3)” substitute “ and 14 ”; and
(c) after that paragraph insert—
“(2) The CAA must publish annually in its Official Record a list of its decisions to grant, suspend or revoke operating licences.”.

Commencement Information

I4 Sch. 1 para. 4 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

5. For regulation 8(1) substitute—

“(1) Where the CAA revokes or suspends an operating licence that it has granted on the application of the holder, unless otherwise specified by the CAA the revocation or suspension has effect on and from the day after the date on which the holder is notified of the decision.”.

Commencement Information

I5 Sch. 1 para. 5 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

Changes to legislation: There are currently no known outstanding effects for the The Operation of Air Services (Amendment etc.) (EU Exit) Regulations 2018, SCHEDULE 1. (See end of Document for details)

6. Omit regulation 9(2) and (3).

Commencement Information

I6 Sch. 1 para. 6 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

7. In regulations 10(1) and 12 for “Community air carrier” substitute “ UK air carrier ”.

Commencement Information

I7 Sch. 1 para. 7 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

8. Omit regulation 14.

Commencement Information

I8 Sch. 1 para. 8 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

9. In regulation 17—

(a) in paragraph (2)(c)—

(i) after “registered in” insert “ the United Kingdom or ”, and

(ii) before “Community air carrier” insert “ UK air carrier or a ”;

(b) after paragraph (2) insert—

“(2A) In paragraph (2)(c), “Community air carrier” has the meaning given by Article 2(11) of Regulation (EC) 1008/2008^{M1} of the European Parliament and of the Council of 24th September 2008 on common rules for the operation of air services in the Community, as it has effect in EU law.”; and

(c) in paragraph (3), for the words from “Annex III” to the end, substitute “ Annex II of Commission Regulation (EU) No 965/2012 ^{M2} of 5th October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council ”.

Commencement Information

I9 Sch. 1 para. 9(c) in force at 9.1.2019 and Sch. 1 para. 9 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)(3)

Marginal Citations

M1 OJ No L 293, 31.10.2008, p.3.

M2 OJ No L 296, 25.10.2012, p.1.

10. In regulation 18—

(a) in paragraph (1), for “according to the decision of the Secretary of State under regulation 14”, substitute “ in the United Kingdom ”; and

(b) in paragraph (2) for “Community air carrier” substitute “ UK air carrier ”.

Commencement Information

I10 Sch. 1 para. 10 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

11. Omit regulation 22.

Commencement Information

I11 Sch. 1 para. 11 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

12. In regulation 23—

(a) in paragraph (1)—

(i) for “Article 16, 17 or 18” substitute “ Article 16 or 17 ”,

(ii) in sub-paragraph (b) omit “EU”, and

(iii) for “Community air carriers” substitute “ qualifying air carriers ”;

(b) in paragraph (2), for “Community air carrier” substitute “ qualifying air carrier ”; and

(c) in paragraph (5)(a), for “Article 16, 17 or 18” substitute “ Article 16 or 17 ”.

Commencement Information

I12 Sch. 1 para. 12 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

13. In regulation 24 for “Community air carrier” substitute “ qualifying air carrier ”.

Commencement Information

I13 Sch. 1 para. 13 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

14. In regulation 25—

[^{F1}(a) for “Community air carrier” substitute “qualifying air carrier”];

(b) in sub-paragraph (a), omit “or between the United Kingdom and another Member State”; and

(c) omit sub-paragraph (b).

Textual Amendments

F1 Sch. 1 para. 14(a) substituted (31.1.2020) by The Civil Aviation (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/687), regs. 1(3), 5(3); 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

I14 Sch. 1 para. 14 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

15. Omit regulations 26 and 27.

Changes to legislation: There are currently no known outstanding effects for the The Operation of Air Services (Amendment etc.) (EU Exit) Regulations 2018, SCHEDULE 1. (See end of Document for details)

Commencement Information

I15 Sch. 1 para. 15 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

16. In Schedule 2—

(a) for paragraph 1 substitute—

“1. When the CAA provides to a person having a right of appeal written notification of its decision to refuse, revoke or suspend an operating licence, the notification must specify the date on which the decision takes effect.”; and

(b) in paragraph 9, for “the Official Journal of the European Union” substitute “ its Official Record ”.

Commencement Information

I16 Sch. 1 para. 16 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

17. In Schedule 4, paragraph 1(1), in the definition of “lease approval”, for paragraph (b) substitute—

“(b) under ARO.OPS.110 of Annex II of Commission Regulation (EU) No 965/2012 of 5th October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council.”.

Changes to legislation:

There are currently no known outstanding effects for the The Operation of Air Services (Amendment etc.) (EU Exit) Regulations 2018, SCHEDULE 1.