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STATUTORY INSTRUMENTS

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**1993 No. 3040**

**CIVIL AVIATION**

**The Access for Community Air Carriers to  
Intra-Community Air Routes (Amendment  
and Other Provisions) Regulations 1993**

*Made* - - - - *6th December 1993*  
*Laid before Parliament* *10th December 1993*  
*Coming into force* - - *1st January 1994*

The Secretary of State for Transport, being Minister designated<sup>(1)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(2)</sup> in relation to matters relating to air transport, in exercise of the powers conferred by that section hereby makes the following Regulations:—

1. These Regulations may be cited as the Access for Community Air Carriers to Intra-Community Air Routes (Amendment and Other Provisions) Regulations 1993 and shall come into force on 1st January 1994.

2. The Access for Community Air Carriers to Intra-Community Air Routes Regulations 1992<sup>(3)</sup> shall be amended as follows:

- (a) In regulation 2(1), in the definition of “the Council Regulation”, after the word “routes” there shall be inserted the words “(as that Regulation has effect in accordance with Council Decision [93/453/EEC](#) concerning the amendment of the Agreement between the European Economic Community, the Kingdom of Norway and the Kingdom of Sweden on civil aviation)<sup>(4)</sup>”;
- (b) In regulation 5(a) after the word “airports” there shall be inserted the words “situated in the territory of Svalbard or airports”.

3. At the end of paragraph (1) of article 88 of the Air Navigation Order 1989<sup>(5)</sup> there shall be inserted the words—

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(1) S.I. 1993/2661.

(2) 1972 c. 68.

(3) S.I. 1992/2993.

(4) O.J. No. L 212, 23.8.93, p. 17. The original Agreement is attached to Council Decision [92/384/EEC](#) (O.J. No. L 200, 18.7.92, p. 20).

(5) S.I. 1989/2004, the relevant amending instrument is S.I. 1992/2993.

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*Status: This is the original version (as it was originally made).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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“(as that Regulation has effect in accordance with Council Decision [93/453/EEC](#) concerning the amendment of the Agreement between the European Economic Community, the Kingdom of Norway and the Kingdom of Sweden on civil aviation).”.

4. In section 3 of the Highlands and Islands Air Services (Scotland) Act 1980<sup>(6)</sup> for the definition of “air services” there shall be substituted the following definition—

““air services” means air transport services, other than international air services, operating—

- (a) in accordance with a licence granted under section 22 of the Civil Aviation Act 1971<sup>(7)</sup> or section 65 of the Civil Aviation Act 1982 or under the authority of an instrument made under section 21(2) of the said Act of 1971 or section 64(2) of the said Act of 1982, or
- (b) in exercise of traffic rights permitted by virtue of Council Regulation 2408/92 on access for Community air carriers to intra-Community air routes<sup>(8)</sup> (as that Regulation has effect in accordance with Council Decision [93/453/EEC](#) concerning the amendment of the Agreement between the European Economic Community, the Kingdom of Norway and the Kingdom of Sweden on civil aviation).”.

Signed by authority of the Secretary of State for Transport

6th December 1993

*Caithness*  
Minister of State,  
Department of Transport

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(6) [1980 c. 19](#). The definition “air services” was amended by paragraph 24 of Schedule 15 to the Civil Aviation Act 1982 ([1982 c. 16](#)).

(7) [1971 c. 75](#).

(8) O.J. No. L 240, 24.8.92, p. 8.

## EXPLANATORY NOTE

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

These Regulations further amend the Access for Community Air Carriers to Intra-Community Air Routes Regulations 1992 so as to take into account the coming into force of Council Decision 93/453 concerning the amendment of the Agreement between the European Economic Community, the Kingdom of Norway and the Kingdom of Sweden on civil aviation. (Regulation 2).

These Regulations also further amend article 88(1) of the Air Navigation Order 1989 so as to disapply the requirement for a permission under that article for Community Air Carriers exercising traffic rights on routes to or from Norway or Sweden in consequence of Council Decision 93/453. (Regulation 3).

Lastly these Regulations also amend the definition of “air services” in the Highlands and Islands Air Services (Scotland) Act 1980 to include services performed by virtue of Council Regulation [\(EEC\) No. 2408/92](#) and in consequence of the coming into force of Council Decision 93/453. (Regulation 4).