

STATUTORY INSTRUMENTS

2019 No. 1098

The Aviation Safety (Amendment etc.) (EU Exit) (No. 2) Regulations 2019

PART 3

Amendment of EU implementing Regulations

CHAPTER 1

Amendment of Commission Regulation on operation of balloons

13. Commission Regulation (EU) 2018/395 of 13 March 2018 laying down detailed rules for the operation of balloons [^{F1}as well as for the flight crew licensing for balloons pursuant to [Regulation \(EU\) 2018/1139](#)] of the European Parliament and of the Council is amended in accordance with regulations 14 to 19.

F1 Words in reg. 13 substituted (31.12.2020 immediately before IP completion day) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(3), **48**

Commencement Information

I1 Reg. 13 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

Amendment of Article 3 of Commission Regulation (EU) 2018/395

14. In Article 3 (air operations), in paragraph 2—

- (a) [^{F2}in the first subparagraph, and in the second subparagraph] in point (b), for “competent authority” substitute “CAA”;
- (b) in the [^{F3}second] subparagraph, in points (c) and (d), for “a Member State” substitute “the United Kingdom”.

F2 Words in reg. 14(a) substituted (31.12.2020 immediately before IP completion day) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(3), **49(a)**

F3 Word in reg. 14(b) substituted (31.12.2020 immediately before IP completion day) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(3), **49(b)**

Commencement Information

I2 Reg. 14 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

Amendment of Article 4 of Commission Regulation (EU) 2018/395

15. In Article 4 (transitional provisions)—

- (a) in the first subparagraph—
 - (i) for “Member States” substitute “ the CAA ”;
 - (ii) for “national law” substitute “ any other relevant enactment ”;
- (b) in the second subparagraph, for “Member States” substitute “ the CAA ”.

Commencement Information

- I3** Reg. 15 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Further amendment of Commission Regulation (EU) 2018/395

16. After Article 5 (entry into force and application), omit the sentence which begins “This Regulation shall be binding”.

Commencement Information

- I4** Reg. 16 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Amendment of Annex 1 to Commission Regulation (EU) 2018/395

17. Annex 1 (definitions) is amended as follows—

- (a) in points 1 and 2, for “Agency” substitute “ CAA ”;
- (b) in point 16, for the words from “period between” to the end substitute “ time from half an hour after sunset until half an hour before sunrise (both times inclusive), sunset and sunrise being determined at surface level ”.

Commencement Information

- I5** Reg. 17 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Amendment of Annex 2 to Commission Regulation (EU) 2018/395

18.—(1) Annex 2 (balloon air operations) is amended as follows.

- (2) Omit point BOP.BAS.005.
- (3) In point BOP.BAS.010, in point (a), for [^{F4}the words from “competent authority” to “No 965/2012”] substitute “ CAA ”.
- (4) In point BOP.BAS.020—
 - (a) in point (a), for “competent authority” substitute “ CAA ”;
 - (b) in point (b), for “Agency” substitute “ CAA ”.
- (5) In points BOP.BAS.030, BOP.BAS.050, BOP.BAS.055 and BOP.ADD.010, in each place the words occur, for “competent authority” substitute “ CAA ”.

- (6) In point BOP.ADD.010, at the end, for “Agency” substitute “ CAA ”.
- (7) In points BOP.ADD.015, BOP.ADD.020, BOP.ADD.025, BOP.ADD.035, BOP.ADD.105 and BOP.ADD.115, in each place the words occur, for “competent authority” substitute “ CAA ”.
- (8) In point BOP.ADD.300, in point (e)(3), for the words from “the national” to “business” substitute “ any relevant enactment ”.
- (9) In point BOP.ADD.400, in point (b), for the words from “the national” to “business” substitute “ any relevant enactment ”.
- (10) In point BOP.ADD.435, in point (c), for “competent authority” substitute “ CAA ”.

F4 Words in reg. 18(3) substituted (31.12.2020 immediately before IP completion day) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(3), **50**

Commencement Information

I6 Reg. 18 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Amendment of Appendix to Commission Regulation (EU) 2018/395

19. In the Appendix (declaration), in the fifth statement commencing “The operator will notify”, in both places the words occur, for “competent authority” substitute “ CAA ”.

Commencement Information

I7 Reg. 19 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

CHAPTER 2

Amendment of Commission Implementing Regulation on operation of sailplanes

20. Commission Implementing Regulation (EU) 2018/1976 of 14 December 2018 laying down detailed rules for the operation of sailplanes [^{F5}as well as for the flight crew licensing for sailplanes] pursuant to Regulation (EU) 2018/1139 of the European Parliament and of the Council is amended in accordance with regulations 21 to 25.

F5 Words in reg. 20 inserted (31.12.2020 immediately before IP completion day) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(3), **51**

Commencement Information

I8 Reg. 20 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Amendment of Article 3 of Commission Implementing Regulation (EU) 2018/1976

- 21.** In Article 3 (air operations), in paragraph 2—
 - (a) in the first subparagraph, and in the second subparagraph in point (b), for “competent authority” substitute “ CAA ”;

- (b) in the second subparagraph, in points (c) and (d), for “a Member State” substitute “ the United Kingdom ”.

Commencement Information

- I9** Reg. 21 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Further amendment of Commission Implementing Regulation (EU) 2018/1976

- 22.** After Article 4 (entry into force and application), omit the sentence which begins “This Regulation shall be binding”.

Commencement Information

- I10** Reg. 22 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Amendment of Annex 1 to Commission Implementing Regulation (EU) 2018/1976

- 23.** Annex 1 (definitions) is amended as follows—
- (a) in points 1 and 2, for “Agency” substitute “ CAA ”;
 - (b) in point 13, for the words from “period between” to the end substitute “ time from half an hour after sunset until half an hour before sunrise (both times inclusive), sunset and sunrise being determined at surface level ”.

Commencement Information

- I11** Reg. 23 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Amendment of Annex 2 to Commission Implementing Regulation (EU) 2018/1976

- 24.—**(1) Annex 2 (sailplane air operations) is amended as follows.
- (2) Omit point SAO.GEN.105.
 - (3) In point SAO.GEN.110, for “competent authority” substitute “ CAA ”.
 - (4) In point SAO.GEN.120—
 - (a) in point (a), for “competent authority” substitute “ CAA ”;
 - (b) in point (b), for “Agency” substitute “ CAA ”.
 - (5) In points SAO.GEN.130, SAO.GEN.155, SAO.DEC.100 and SAO.DEC.105, in each place the words occur, for “competent authority” substitute “ CAA ”.

Commencement Information

- I12** Reg. 24 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Amendment of Appendix to Commission Implementing Regulation (EU) 2018/1976

25. In the Appendix (declaration), in the box commencing “The operator will notify”, in both places the words occur, for “competent authority” substitute “CAA”.

Commencement Information

I13 Reg. 25 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Aviation Safety (Amendment etc.) (EU Exit) (No. 2) Regulations 2019, PART 3.