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STATUTORY INSTRUMENTS

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**2019 No. 1130**

**CIVIL AVIATION**

**The Air Traffic Services (Exemption) Order 2019**

*Made* - - - - - *15th July 2019*  
*Laid before Parliament* *18th July 2019*  
*Coming into force* - - - *31st December 2019*

The Secretary of State for Transport makes this Order in exercise of the powers conferred by section 4 of the Transport Act 2000<sup>(1)</sup>.

The Civil Aviation Authority has been consulted in accordance with section 103(7) of that Act.

**Citation, commencement and application**

1.—(1) This Order may be cited as the Air Traffic Services (Exemption) Order 2019 and comes into force on 31st December 2019.

(2) This Order applies in relation to managed areas<sup>(2)</sup>.

**Interpretation**

2. In this Order, “area control centre” and “area control service” have the same meaning as in the Air Navigation Order 2016<sup>(3)</sup>.

**Exemption authorising the provision of air traffic services**

3.—(1) Subject to paragraph (2), the provision of air traffic services<sup>(4)</sup> in respect of a managed area is authorised.

(2) Paragraph (1) does not authorise the provision of an area control service from an area control centre or the provision of air traffic services by the holder of a licence granted under section 5 of the Transport Act 2000.

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(1) 2000 c. 38.

(2) See section 40(3) of the Transport Act 2000 for the definition of “managed areas”.

(3) S.I. 2016/765. See Schedule 1 for the definitions of “area control centre” and “area control service”.

(4) See section 98 of the Transport Act 2000 for the definition of “air traffic services”.

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**Status:** This is the original version (as it was originally made).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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### **Duration of Exemption**

4. The exemption granted by article 3 of this Order continues in force until the end of 31st December 2029.

### **Revocation**

5. The Air Traffic Services (Exemption) Order 2011(5) is revoked.

Signed by authority of the Secretary of State for Transport

15th July 2019

*Vere*  
Parliamentary Under Secretary of State  
Department for Transport

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## EXPLANATORY NOTE

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

Section 3 of the Transport Act 2000 (c. 38) makes it an offence for a person to provide air traffic services in respect of a managed area without an authorisation to do so by virtue of either an exemption granted under section 4 or a licence granted under section 5. See section 40(3) for the definition of “managed areas” and section 98 setting out the general interpretation of “air traffic services”.

Article 3 of this Order authorises the provision of air traffic services, other than area control services provided from an area control centre. See Schedule 1 to the Air Navigation Order 2016 for the definitions of “area control service” and “area control centre”. The authorisation does not extend to services provided by the holder of a licence granted under section 5. The authorisation will expire at the end of 31st December 2029. Article 5 revokes the Air Traffic Services (Exemption) Order 2011 (S.I. 2011/425), which contained a similar exemption until 31st December 2019.

An impact assessment has not been produced for this order as no, or no significant, impact on the private, voluntary or public sector is foreseen. An Explanatory Memorandum is available alongside this instrument on [www.legislation.gov.uk](http://www.legislation.gov.uk).