

STATUTORY INSTRUMENTS

2019 No. 600

**The Republic of Belarus (Sanctions)
(EU Exit) Regulations 2019**

[^{F1}PART 5A

Aircraft

Textual Amendments

- F1** Pt. 5A inserted (14.10.2021 at noon) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1146\)](#), regs. 1(2), **21**

Movement of aircraft

29A.—[

^{F2}(A1) A Belarusian aircraft must not—

- (a) overfly the United Kingdom, or
- (b) land in the United Kingdom.

(A2) Paragraph (A1) is subject to Part 6 (Exceptions and licences).]

(1) The Secretary of State may direct the CAA to—

- (a) refuse permission under article 250 of the ANO in respect of Belarusian aircraft;
- (b) refuse permission under article 252 of the ANO in respect of Belarusian aircraft;
- (c) suspend or revoke any permission granted under article 250 of the ANO in respect of Belarusian aircraft;
- (d) suspend or revoke any permission granted under article 252 of the ANO in respect of Belarusian aircraft.

(2) Air traffic control may direct the operator or pilot in command of a Belarusian aircraft—

- (a) not to enter the airspace over the United Kingdom;
- (b) to leave the airspace over the United Kingdom by a specified route.

(3) The Secretary of State may direct air traffic control to give directions under paragraph (2).

[^{F3}(4) An airport operator may direct the operator or pilot in command of a Belarusian aircraft—

- (a) not to take off, or not to permit the aircraft to take off, from an airport the operator manages,
- (b) to take off, or to require the aircraft to take off, from an airport the operator manages, or
- (c) not to land, or not to permit the aircraft to land, at an airport the operator manages.

(5) The Secretary of State may direct an airport operator to—

- (a) give a direction under paragraph (4),

- (b) secure the detention of a Belarusian aircraft at an airport, or
 - (c) secure the movement of a Belarusian aircraft to an airport specified in the direction.
- (6) An airport operator giving a direction under paragraph (4)(a) must take such steps as are reasonably practicable to detain the aircraft.
- (7) In this regulation “Belarusian aircraft” means an aircraft—
- (a) owned, chartered or operated by—
 - (i) a designated person, or
 - (ii) a person connected with Belarus, or
 - (b) registered in Belarus.
- (8) In paragraph (7), a “designated person” means a person who is designated under regulation 5 (power to designate persons) for the purposes of this regulation.]

Textual Amendments

- F2** Reg. 29A(A1)(A2) inserted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **22(a)**
- F3** Reg. 29A(4)-(8) substituted for reg. 29A(4)(5) (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **22(b)**

Directions under regulation 29A

29B.—(1) Paragraphs (3) to (5) apply in relation to a direction given under regulation 29A (movement of aircraft).

(2) A direction under regulation 29A(5) may be given to any airport operator or to airport operators generally.

(3) A person to whom a direction is given has a duty to comply with it.

(4) A direction may be of indefinite duration or a defined duration.

(5) A person who gives a direction may vary, revoke or suspend it at any time.

[
^{F4}(6) Any directions made by the Secretary of State under regulation 29A may make different provision for different purposes.

(7) Any directions in regulation 29A(1) to (5) are subject to the exceptions in regulation 31H (aircraft: exceptions relating to safety of persons or aircraft).]

Textual Amendments

- F4** Reg. 29B(6)(7) inserted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **23**

Directions under regulation 29A: supplementary

29C.—(1) Where a direction is given under regulation 29A(1)(c) or (d)—

(a) to the extent that the direction conflicts with the requirements of article 255 of the ANO (revocation etc. of permissions), those requirements are to be disregarded, and

(b) article 255(4) of the ANO does not apply in relation to the [^{F5}suspension or] revocation which is the subject of the direction.

(2) Where a direction is given under regulation 29A which conflicts with a permission under article 250 of the ANO, the permission is to be disregarded.

(3) In so far as a direction under regulation 29A conflicts with the requirements of section 93 of the Transport Act 2000 or of an order under section 94 of that Act, the direction is to be disregarded.

(4) In so far as a direction under regulation 29A conflicts with the requirements of an enactment other than section 93 of the Transport Act 2000 or an order under section 94 of that Act, the requirements are to be disregarded.

(5) The Secretary of State may notify a person that the existence, any part of the content of a direction under regulation 29A, or anything done under the direction, is to be treated as confidential.

(6) A person must not disclose any information which the Secretary of State has notified that person under paragraph (5) is to be treated as confidential.

Textual Amendments

F5 Words in [reg. 29C\(1\)\(b\)](#) inserted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **24**

[^{F6}Registration of an aircraft in the United Kingdom

29CA.—(1) The CAA must refuse to register an aircraft if, on the basis of the information given to the CAA by the applicant, the Secretary of State or a third person, the aircraft appears to be a relevant aircraft.

(2) The Secretary of State may direct the CAA to terminate the registration of a relevant aircraft.

(3) In so far as a direction under paragraph (2) conflicts with the provisions of Part 3 (Registration and marking) of the ANO, those provisions are to be disregarded.

(4) For the purposes of this regulation “relevant aircraft” means—

- (a) an aircraft owned or operated by a designated person, or
- (b) an aircraft chartered by demise by a designated person.

(5) Any reference in this regulation to registering an aircraft is a reference to registering an aircraft in the register kept by the CAA.

(6) In this regulation, a “designated person” means a person who is designated under regulation 5 (power to designate persons) for the purposes of this regulation.]

Textual Amendments

F6 [Reg. 29CA](#) inserted (5.7.2022) by [The Republic of Belarus \(Sanctions\) \(EU Exit\) \(Amendment\) Regulations 2022 \(S.I. 2022/748\)](#), regs. 1(2), **25**

Offences

29D.—[

^{F7}(A1) If a prohibition in regulation 29A(A1) (movement of aircraft) is contravened by the flight or landing of a Belarusian aircraft, the operator and pilot in command of the aircraft commit an offence.]

(1) It is an offence for an airport operator to fail, without reasonable excuse, to comply with a direction given by the Secretary of State under regulation 29A(5) (directions to airport operators).

(2) It is an offence for a person to whom a direction is given under regulation 29A(4) (direction by airport operator to operator or pilot of aircraft) to fail to comply with the direction.

(3) It is an offence for a person to whom a direction is given under regulation 29A(2) (direction by air traffic control to operator or pilot of Belarusian aircraft) to fail to comply with the direction.

(4) A person who contravenes the prohibition in regulation 29C(6) (disclosure of confidential information) commits an offence.

[^{F8}(5) In paragraph (A1), “Belarusian aircraft” has the same meaning as in regulation 29A.]

Textual Amendments

- F7** Reg. 29D(A1) inserted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **26(a)**
- F8** Reg. 29D(5) inserted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **26(b)**

Interpretation of Part 5A

29E.—(1) In this Part—

“air traffic control” means a person who holds a licence under Chapter 1 of Part 1 of the Transport Act 2000 (air traffic services);

“the ANO” means the Air Navigation Order 2016;

“beneficial interest” means any beneficial interest, however arising (whether held by trustee or nominee or arising under a contract or otherwise), other than an interest held by any person as mortgagee;

^{F9} ...

“specified” means specified in a direction under regulation 29A.

(2) For the purposes of [^{F10}this Part], an aircraft is “owned” by a person if—

- (a) the legal title to the aircraft, or to any share in the aircraft, is vested in the person, or
- (b) the person has a beneficial interest in the aircraft or in any share in the aircraft,

and the reference to a legal title or other interest includes one held jointly with any other person or persons.

(3) Any expression used in this Part and in section 6 of the Act (aircraft sanctions) has the same meaning in this Part as it has in that section.]

Textual Amendments

- F9** Words in reg. 29E(1) omitted (5.7.2022) by virtue of The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **27(a)**
- F10** Words in reg. 29E(2) substituted (5.7.2022) by The Republic of Belarus (Sanctions) (EU Exit) (Amendment) Regulations 2022 (S.I. 2022/748), regs. 1(2), **27(b)**

Changes to legislation:

There are currently no known outstanding effects for the The Republic of Belarus (Sanctions) (EU Exit) Regulations 2019, PART5A.