

2022 No. 435

CIVIL AVIATION

**The Air Navigation (Restriction of Flying) (Russian Aircraft)
(Amendment) (No. 2) Regulations 2022**

Made - - - - at 8.49 p.m. on 5th April 2022

Coming into force with immediate effect

The Secretary of State has previously decided it is necessary in the public interest to restrict aircraft flying in the area specified in regulation 2 by aircraft which are owned, chartered or operated by a person connected with Russia, or which are registered in Russia, and now considers it necessary in the public interest to extend that restriction.

The Secretary of State makes the following Regulations in exercise of the powers conferred by article 239 of the Air Navigation Order 2016^(a).

Citation, commencement and extent

1. These Regulations may be cited as the Air Navigation (Restriction of Flying) (Russian Aircraft) (Amendment) (No. 2) Regulations 2022 and they come into force with immediate effect.

Amendment of the Regulations

2. For regulation 2 of the Air Navigation (Restriction of Flying) (Russian Aircraft) Regulations 2022^(b) substitute—

“2.—(1) Subject to paragraph (2), no aircraft which is—

- (a) owned, chartered or operated by a person connected with Russia,
- (b) registered in Russia, or
- (c) flying in accordance with a flight plan filed after 8.49 p.m. on 5th April 2022 which includes an aerodrome in Russia,

shall fly in United Kingdom airspace, including in the airspace above the United Kingdom’s territorial sea^(c).

(2) Paragraph (1) does not apply to any aircraft flying in accordance with the permission of—

- (a) the Secretary of State, or
- (b) the air traffic control unit at Swanwick or Prestwick.

(a) S.I. 2016/765, to which there are amendments not relevant to these Regulations.
(b) S.I. 2022/183 as amended by S.I. 2022/192.
(c) Under section 1 of the Territorial Sea Act 1987 (c. 49) the territorial sea adjacent to the United Kingdom extends up to 12 nautical miles measured from the baselines established by Order in Council. Section 1 was extended by S.I. 1989/482, 1998/2564, 2013/3164, and 2014/1353.

(3) In this regulation—

- (a) “a person connected with Russia” is to be construed in accordance with regulation 57O(3) of the Russia (Sanctions) (EU Exit) Regulations 2019^(a),
- (b) “operated”, in relation to an aircraft, is to be construed in accordance with article 4(1) of the Air Navigation Order 2016^(b), and
- (c) “owned”, in relation to an aircraft, is to be construed in accordance with regulation 57O(2) of the Russia (Sanctions) (EU Exit) Regulations 2019.”.

Signed by authority of the Secretary of State for Transport

Robert Courts
Parliamentary Under Secretary of State
Department for Transport

At 8.49 p.m. on 5th April 2022

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Air Navigation (Restriction of Flying) (Russian Aircraft) Regulations 2022 (S.I. 2022/183, as amended by S.I. 2022/192). The amendment extends the restriction of flying to prevent any aircraft from flying in UK airspace if it is flying in accordance with a flight plan that includes an aerodrome in Russia.

Full details of this Statutory Instrument will be promulgated by Notice to Aviation (NOTAM).

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(a) S.I. 2019/855, amended by S.I. 2022/123, S.I. 2022/194, S.I. 2022/195, S.I. 2022/203, S.I. 2022/205.
(b) S.I. 2016/765, amended by S.I. 2019/645.

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