

**2025 No. 629**

**CIVIL AVIATION**

**The Transport Act 2000 (Air Traffic Services) (Amendment)  
Order 2025**

<i>Made</i>	- - - -	<i>28th May 2025</i>
<i>Laid before Parliament</i>		<i>2nd June 2025</i>
<i>Coming into force</i>	- -	<i>15th August 2025</i>

The Secretary of State makes this Order in exercise of the powers conferred by sections 98(2) and 103(1) and (2) of the Transport Act 2000<sup>(a)</sup> (“the Act”), having consulted with the Civil Aviation Authority in accordance with section 103(8) of the Act.

**Citation, commencement, extent and interpretation**

- 1.—(1) This Order may be cited as the Transport Act 2000 (Air Traffic Services) (Amendment) Order 2025 and comes into force on 15th August 2025.
- (2) This Order extends to England and Wales, Scotland and Northern Ireland.
- (3) In this Order, “the Act” means the Transport Act 2000.

**Amendment of the meaning of “air traffic services”**

- 2.—(1) Section 98 of the Act (air traffic services) is amended as follows.
- (2) In subsection (1), after paragraph (e) insert—
- “*(f) making an airspace change proposal to the CAA, or developing such a proposal with a view to making it to the CAA.*”.
- (3) After subsection (1) insert—
- “(1A) In paragraph (1)(f), “airspace change proposal” means a proposal—
- (a) to change—
- (i) airspace structures within the London, Scottish or Shanwick Oceanic flight information regions, or
- (ii) the flight procedures to be followed in those regions or any part of them, and
- (b) which is of a type that the CAA is required to develop procedures for dealing with by directions given under section 66 of this Act (air navigation: directions).”.

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<sup>(a)</sup> 2000 c. 38.

Signed by authority of the Secretary of State for Transport

*Mike Kane*  
Parliamentary Under Secretary of State  
Department for Transport

28th May 2025

## EXPLANATORY NOTE

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

Section 98(1) of the Transport Act 2000 (“the Act”) lists activities that are “air traffic services” for the purposes of Part 1 of the Act.

Section 98(2) of the Act enables the Secretary of State to amend the meaning of air traffic services for the purposes of Part 1. This Order is made in exercise of that power.

Article 2 of this Order amends section 98 of the Act by inserting a new paragraph (f) into subsection (1), and a new subsection (1A) after that subsection. The effect of the amendments is to bring the activity of developing and making an airspace change proposal to the Civil Aviation Authority (“CAA”) into the scope of air traffic services. Subsection 1A specifies the geographic application of the new category of air traffic services by ensuring that it relates only to airspace in the three UK Flight Information Regions for which the UK provides air traffic services. A definition of “flight information region” is provided in Article 2(23) of Regulation (EC) No 549/2004 (framework for creation of the single European sky).

This Order follows from a joint consultation by the Department for Transport and the CAA on Airspace Modernisation(a) which sets out proposals for NATS (En Route) Plc (the holder of a licence issued by the Secretary of State under section 5 of the Act) to provide an airspace design service to develop proposals for changes to airspace design (airspace change proposals) in an area determined by the Secretary of State from time to time. The process for this is set out in the Air Navigation Directions 2023(b), which provide for the CAA to make changes to the design of UK airspace following receipt by the CAA of an airspace change proposal.

Once this Order comes into force, persons carrying out the defined activity in the inserted section 98(1)(f), otherwise than pursuant to a licence granted under section 5 of the Act, will benefit from the general exemption granted by the Air Traffic Services (Exemption) Order 2019 (S.I. 2019/1130) which continues in force until 31st December 2029. The CAA will additionally be able to specify a charge under section 73 of the Act in respect of that activity in relation to the specified areas.

A full Impact Assessment has not been produced for this instrument as it is not expected to have significant impact on the private, public or voluntary sectors. Instead a de minimis assessment has been prepared as this instrument is likely to entail some costs for businesses, but the net impact is estimated to be below £10 million per year.

An Explanatory Memorandum and the de minimis assessment have been published alongside this Order on [www.legislation.gov.uk](http://www.legislation.gov.uk).

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- (a) Airspace modernisation: consultation on a UK Airspace Design Service (CAP 3029). To inspect a hard copy at CAA premises email [OGCMailbox@caa.co.uk](mailto:OGCMailbox@caa.co.uk) or write to The CAA, Legal Department, Aviation House, Beehive Ring Road, Crawley, West Sussex, RH6 0YR or The CAA, Legal Department, Westferry Circus, Canary Wharf, London E14 4HD.
- (b) The Civil Aviation Authority (Air Navigation) Directions 2023. A copy is available at <https://www.caa.co.uk/media/lzrl3drs/caa-air-navigation-directions-2023.pdf>. A hard copy is available for inspection at the CAA Legal Department at the above addresses.



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<http://www.legislation.gov.uk/id/uksi/2025/629>

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