

Regulation (EC) No 549/2004 of the European Parliament and of the Council
of 10 March 2004 laying down the framework for the creation of the single
European sky (the framework Regulation) (Text with EEA relevance)

Article 13

Safeguards

This Regulation shall not prevent the application of measures by a Member State to the extent to which these are needed to safeguard essential security or defence policy interests. Such measures are in particular those which are imperative:

- for the surveillance of airspace that is under its responsibility in accordance with ICAO Regional Air Navigation agreements, including the capability to detect, identify and evaluate all aircraft using such airspace, with a view to seeking to safeguard safety of flights and to take action to ensure security and defence needs,
- in the event of serious internal disturbances affecting the maintenance of law and order,
- in the event of war or serious international tension constituting a threat of war,
- for the fulfilment of a Member State's international obligations in relation to the maintenance of peace and international security,
- in order to conduct military operations and training, including the necessary possibilities for exercises.

Changes to legislation:

There are outstanding changes not yet made to Regulation (EC) No 549/2004 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Art. 13 words inserted by S.I. 2019/459 reg. 15(2)(a)
- Art. 13 words omitted by S.I. 2019/459 reg. 15(2)(b)
- Art. 13 words substituted by S.I. 2019/459 reg. 15(3)
- Art. 13 words substituted by S.I. 2019/459 reg. 15(4)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Signature words omitted by S.I. 2019/459 reg. 18
- Art. 2(14a) inserted by S.I. 2019/459 reg. 4(2)
- Art. 2(15) words substituted by S.I. 2019/459 reg. 4(3)
- Art. 2(17) word inserted by S.I. 2019/459 reg. 4(4)(a)
- Art. 2(17) words omitted by S.I. 2019/459 reg. 4(4)(b)
- Art. 2(17)(a)-(h) and words inserted by S.I. 2019/459 reg. 4(4)(c)
- Art. 2(18) words substituted by S.I. 2019/459 reg. 4(5)
- Art. 2(19) words inserted by S.I. 2019/459 reg. 4(6)
- Art. 2(28) words inserted by S.I. 2019/459 reg. 4(7)(b)
- Art. 2(28) words substituted by S.I. 2019/459 reg. 4(7)(a)
- Art. 2(32) words inserted by S.I. 2019/459 reg. 4(8)
- Art. 2(36) words inserted by S.I. 2019/459 reg. 4(9)(a)
- Art. 2(36) words substituted by S.I. 2019/459 reg. 4(9)(b)
- Art. 2(39a) inserted by S.I. 2019/459 reg. 4(10)
- Art. 2(41) word substituted by S.I. 2019/459 reg. 4(11)(b)
- Art. 2(41) words substituted by S.I. 2019/459 reg. 4(11)(a)