

Regulation (EC) No 550/2004 of the European Parliament and of the Council
of 10 March 2004 on the provision of air navigation services in the single
European sky (the service provision Regulation) (Text with EEA relevance)

CHAPTER II

RULES FOR THE PROVISION OF SERVICES

Article 7

Certification of air navigation service providers

1 The provision of all air navigation services within the Community shall be subject to certification by Member States.

2 Applications for certification shall be submitted to the national supervisory authority of the Member State where the applicant has its principal place of operation and, if any, its registered office.

3 National supervisory authorities shall issue certificates to air navigation service providers where they comply with the common requirements referred to in Article 6. Certificates may be issued individually for each type of air navigation service as defined in Article 2 of the framework Regulation, or for a bundle of such services, *inter alia*, where a provider of air traffic services, whatever its legal status, operates and maintains its own communication, navigation and surveillance systems. The certificates shall be checked on a regular basis.

4 Certificates shall specify the rights and obligations of air navigation service providers, including non-discriminatory access to services for airspace users, with particular regard to safety. Certification may be subject only to the conditions set out in Annex II. Such conditions shall be objectively justified, non-discriminatory, proportionate and transparent.

5 Notwithstanding paragraph 1, Member States may allow the provision of air navigation services in all or part of the airspace under their responsibility without certification in cases where the provider of such services offers them primarily to aircraft movements other than general air traffic. In those cases, the Member State concerned shall inform the Commission and the other Member States of its decision and of the measures taken to ensure maximum compliance with the common requirements.

[^{F16} Without prejudice to Articles 8 and 9, the issue of certificates shall confer on air navigation service providers the possibility of offering their services to Member States, other air navigation service providers, airspace users and airports within the Community.

7 National supervisory authorities shall monitor compliance with the common requirements and with the conditions attached to the certificates. Details of such monitoring shall be included in the annual reports to be submitted by Member States pursuant to Article 12(1) of the framework Regulation. If a national supervisory authority finds that the holder of a certificate no longer satisfies such requirements or conditions, it shall take appropriate measures while ensuring continuity of services on condition that safety is not compromised. Such measures may include the revocation of the certificate.]

Changes to legislation: There are outstanding changes not yet made to Regulation (EC) No 550/2004 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. (See end of Document for details) [View outstanding changes](#)

8 A Member State shall recognise any certificate issued in another Member State in accordance with this Article.

9 In exceptional circumstances, Member States may postpone compliance with this Article beyond the date resulting from Article 19(2) by six months. Member States shall notify the Commission of such postponement, giving their reasons therefor.

Textual Amendments

- F1** Substituted by [Regulation \(EC\) No 1070/2009](#) of the European Parliament and of the Council of 21 October 2009 amending Regulations (EC) No 549/2004, (EC) No 550/2004, (EC) No 551/2004 and (EC) No 552/2004 in order to improve the performance and sustainability of the European aviation system (Text with EEA relevance).

Changes to legislation:

There are outstanding changes not yet made to Regulation (EC) No 550/2004 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.

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Changes and effects yet to be applied to :

- Art. 7(1) words substituted by [S.I. 2019/459 reg. 25\(2\)\(a\)](#)
- Art. 7(1) words substituted by [S.I. 2019/459 reg. 25\(2\)\(b\)](#)
- Art. 7(2) words omitted by [S.I. 2019/459 reg. 25\(3\)](#)
- Art. 7(3) words substituted by [S.I. 2019/459 reg. 25\(4\)](#)
- Art. 7(5) words omitted by [S.I. 2019/459 reg. 25\(5\)\(c\)](#)
- Art. 7(5) words substituted by [S.I. 2019/459 reg. 25\(5\)\(a\)](#)
- Art. 7(5) words substituted by [S.I. 2019/459 reg. 25\(5\)\(b\)](#)
- Art. 7(6) omitted by [S.I. 2019/459 reg. 25\(6\)](#)
- Art. 7(7) words omitted by [S.I. 2019/459 reg. 25\(7\)\(b\)](#)
- Art. 7(7) words substituted by [S.I. 2019/459 reg. 25\(7\)\(a\)](#)
- Art. 7(7) words substituted by [S.I. 2019/459 reg. 25\(7\)\(c\)](#)
- Art. 7(8) substituted by [S.I. 2019/459 reg. 25\(8\)](#)
- Art. 7(9) omitted by [S.I. 2019/459 reg. 25\(9\)](#)

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

- Signature words omitted by [S.I. 2019/459 reg. 42](#)
- Annex 1 word omitted by [S.I. 2019/459 reg. 43\(a\)](#)
- Annex 1 words omitted by [S.I. 2019/459 reg. 43\(b\)](#)
- Annex 2 Point 1(a) omitted by [S.I. 2019/459 reg. 44](#)
- Art. 6(1) Art. 6 renumbered as Art. 6(1) by [S.I. 2019/459 reg. 24\(2\)](#)
- Art. 6(1) words substituted by [S.I. 2019/459 reg. 24\(3\)](#)
- Art. 6(2)(3) inserted by [S.I. 2019/459 reg. 24\(4\)](#)