

Commission Regulation (EU) No 1254/2009 of 18 December 2009 setting criteria to allow derogation from the basic standards on civil aviation security and to adopt alternative security measures (Text with EEA relevance)

Article 1

[^{F1}[^{F2}The appropriate authority] may derogate from the ^{F3}... basic standards referred to in Article 4(1) of Regulation (EC) No 300/2008 and adopt alternative security measures that provide an adequate level of protection on the basis of a risk assessment approved by the appropriate authority at airports or demarcated areas of airports where traffic is limited to one or more of the following categories:]

1. aircraft with a maximum take-off weight of less than 15 000 kilograms;
2. helicopters;
3. [^{F1}state, military and law enforcement flights;]
4. fire suppression flights;
5. flights for medical services, emergency or rescue services;
6. research and development flights;
7. flights for aerial work;
8. humanitarian aid flights;
9. flights operated by air carriers, aircraft manufacturers or maintenance companies, transporting neither passengers and baggage, nor cargo and mail;
10. [^{F1}flights with aircraft with a maximum take-off weight of less than 45 500 kilograms, owned by a company for the carriage of own staff and non-fare-paying passengers and goods as an aid to the conduct of company business;
11. flights with aircraft with a maximum take-off weight of less than 45 500 kilograms, chartered or leased in its entirety by a company from an aircraft operator with which it has a written agreement for the carriage of own staff and non-fare-paying passengers and goods as an aid to the conduct of company business;
12. flights with aircraft with a maximum take-off weight of less than 45 500 kilograms, for the carriage of the owner of the aircraft and of non-fare-paying passengers and goods.]

[^{F4}For flights covered under points 10, 11 and 12, but with a maximum take-off weight of 45 500 kilograms or more, the appropriate authority may in exceptional cases, and based on a risk assessment for each individual case, derogate from the weight limitation laid down in these categories. ^{F5}...]

Textual Amendments

- F1** Substituted by [Commission Regulation \(EU\) 2016/2096 of 30 November 2016 amending Regulation \(EU\) No 1254/2009 as regards certain criteria to allow Member States to derogate from the common basic standards on civil aviation security and to adopt alternative security measures \(Text with EEA relevance\)](#).
- F2** Words in Art. 1 substituted (31.12.2020) by [The Aviation Security \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/547\)](#), regs. 1, [49\(a\)\(i\)](#); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: This version of this Regulation was derived from EUR-Lex on IP completion day (31 December 2020 11:00 p.m.). It has not been amended by the UK since then. Find out more about legislation originating from the EU as published on legislation.gov.uk. (See end of Document for details)

- F3** Word in Art. 1 omitted (31.12.2020) by virtue of The Aviation Security (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/547), regs. 1, **49(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Inserted by Commission Regulation (EU) 2016/2096 of 30 November 2016 amending Regulation (EU) No 1254/2009 as regards certain criteria to allow Member States to derogate from the common basic standards on civil aviation security and to adopt alternative security measures (Text with EEA relevance).
- F5** Words in Art. 1 omitted (31.12.2020) by virtue of The Aviation Security (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/547), regs. 1, **49(b)**; 2020 c. 1, Sch. 5 para. 1(1)

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