

Commission Implementing Regulation (EU) No 1079/2012 of
16 November 2012 laying down requirements for voice channels
spacing for the single European sky (Text with EEA relevance)

Article 6

Requirements on 8,33 kHz conversions

1 Member States shall ensure that for sectors with a lower level at or above FL 195 all voice frequency assignments are converted to 8,33 kHz channel spacing.

2 If under exceptional circumstances it is not possible to comply with paragraph 1, Member States shall communicate the reasons to the Commission.

[^{F13} Member States listed in Annex I shall implement, by 31 December 2014 at the latest, a number of new 8,33 kHz channel spacing conversions equivalent to at least 25 % of the total number of the 25 kHz frequency assignments in the central register and allocated to area control centres ('ACC') in the Member State. These conversions shall not be limited to ACC frequency assignments and shall not include operational control communication frequency assignments.]

4 The total number of State 25 kHz ACC frequency assignments identified in paragraph 3 shall not take into account:

- a frequency assignments where 25 kHz offset carrier operation is utilised;
- b frequency assignments that stay in 25 kHz as a result of a safety requirement;
- c 25 kHz frequency assignments used to accommodate State aircraft.

5 Member States listed in Annex I shall communicate to the Commission, by 31 December 2013 at the latest, the number of conversions which can be achieved pursuant to paragraph 3.

6 If the 25 % target identified in paragraphs 3 and 4 cannot be achieved, the Member State shall provide, in its communication to the Commission, the justification for not having achieved the 25 % target and shall propose an alternative date by when those conversions shall be performed.

7 The communication to the Commission shall also identify the frequency assignments for which conversion is not feasible and shall state the reasons why the conversion is not feasible.

8 Member States listed in Annex I shall ensure that from 1 January 2015, all operational control communication frequency assignments in the central register are 8,33 kHz channel spacing frequency assignments.

9 Where, due to technical reasons, compliance with paragraph 8 can not be ensured, the Member States shall communicate to the Commission, by 31 December 2014 at the latest, the operational control communication frequency assignments which will not be converted and shall provide the justification for not making the conversions.

10 Member States shall ensure that, by 31 December 2018 at the latest, all frequency assignments are converted to 8,33 kHz channel spacing with the exception of:

- a frequency assignments that stay in 25 kHz as a result of a safety requirement;
- b 25 kHz frequency assignments used to accommodate State aircraft.

Changes to legislation: There are outstanding changes not yet made to Commission Implementing Regulation (EU) No 1079/2012. 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](#)

Textual Amendments

- F1** Substituted by [Commission Implementing Regulation \(EU\) No 657/2013 of 10 July 2013 amending Implementing Regulation \(EU\) No 1079/2012 laying down requirements for voice channels spacing for the single European sky \(Text with EEA relevance\)](#).

Changes to legislation:

There are outstanding changes not yet made to Commission Implementing Regulation (EU) No 1079/2012. 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. 6(1) words substituted by S.I. 2019/459 reg. 314(2)
- Art. 6(2) word substituted by S.I. 2019/459 reg. 314(3)(b)
- Art. 6(2) words substituted by S.I. 2019/459 reg. 314(3)(a)
- Art. 6(3)-(7) omitted by S.I. 2019/459 reg. 314(4)
- Art. 6(8) words omitted by S.I. 2019/459 reg. 314(5)(b)
- Art. 6(8) words substituted by S.I. 2019/459 reg. 314(5)(a)
- Art. 6(9) word substituted by S.I. 2019/459 reg. 314(6)(a)
- Art. 6(9) words substituted by S.I. 2019/459 reg. 314(6)(b)
- Art. 6(10) words omitted by S.I. 2019/459 reg. 314(7)(b)
- Art. 6(10) words substituted by S.I. 2019/459 reg. 314(7)(a)

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

- Signature words omitted by S.I. 2019/459 reg. 324
- Annex 1 words omitted by S.I. 2019/459 reg. 325(4)
- Annex 1 heading words substituted by S.I. 2019/459 reg. 325(2)
- Annex 1 words substituted by S.I. 2019/459 reg. 325(3)
- Annex 3 Point 4 word omitted by S.I. 2019/459 reg. 326(2)
- Annex 3 Point 5 words substituted by S.I. 2019/459 reg. 326(3)
- Annex 3 Point 6 words substituted by S.I. 2019/459 reg. 326(3)
- Annex 3 Point 9 words substituted by S.I. 2019/459 reg. 326(4)
- Art. 3(6) words inserted by S.I. 2019/459 reg. 311
- Annex 4 Pt. C Point 7 word omitted by S.I. 2019/459 reg. 327(3)(a)
- Annex 4 Pt. D Point 9 word omitted by S.I. 2019/459 reg. 327(4)(c)(i)
- Annex 4 Pt. B Point 2 word substituted by S.I. 2019/459 reg. 327(2)(b)(iii)
- Annex 4 Pt. B Point 2 word substituted by S.I. 2019/459 reg. 327(2)(b)(v)
- Annex 4 Pt. B Point 3 word substituted by S.I. 2019/459 reg. 327(2)(c)(ii)
- Annex 4 Pt. C Point 7 word substituted by S.I. 2019/459 reg. 327(3)(b)
- Annex 4 Pt. D Point 6 word substituted by S.I. 2019/459 reg. 327(4)(b)
- Annex 4 Pt. D Point 7 word substituted by S.I. 2019/459 reg. 327(4)(b)
- Annex 4 Pt. D Point 8 word substituted by S.I. 2019/459 reg. 327(4)(b)
- Annex 4 Pt. D Point 9 word substituted by S.I. 2019/459 reg. 327(4)(c)(ii)
- Annex 4 Pt. B Point 1 words inserted by S.I. 2019/459 reg. 327(2)(a)(i)
- Annex 4 Pt. B Point 2 words inserted by S.I. 2019/459 reg. 327(2)(b)(iv)
- Annex 4 Pt. B Point 5 words inserted by S.I. 2019/459 reg. 327(2)(d)
- Annex 4 Pt. B Point 1 words substituted by S.I. 2019/459 reg. 327(2)(a)(ii)
- Annex 4 Pt. B Point 2 words substituted by S.I. 2019/459 reg. 327(2)(b)(i)
- Annex 4 Pt. B Point 2 words substituted by S.I. 2019/459 reg. 327(2)(b)(ii)
- Annex 4 Pt. B Point 3 words substituted by S.I. 2019/459 reg. 327(2)(c)(i)
- Annex 4 Pt. D Point 5 words substituted by S.I. 2019/459 reg. 327(4)(a)