

Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (Text with EEA relevance)

CHAPTER I

PRINCIPLES

Article 1

Subject matter and objectives

1 The principal objective of this Regulation is to establish and maintain a high ^{F1}... level of civil aviation safety in the [^{F2}United Kingdom].

2 This Regulation further aims to:

- a contribute to the wider [^{F3}United Kingdom] aviation policy and to the improvement of the overall performance of the civil aviation sector;
- b [^{F4}provide a level playing field for all actors in the United Kingdom aviation market, and improve the competitiveness of the United Kingdom's aviation industry];
- c contribute to a high ^{F5}... level of environmental protection;
- d facilitate, in the fields covered by this Regulation, the movement of goods, services and personnel worldwide, by establishing appropriate cooperation with third countries and their aviation authorities, and by promoting the mutual acceptance of certificates and other relevant documents;
- e promote cost-efficiency, by, inter alia, avoiding duplication, and promoting effectiveness in regulatory, certification and oversight processes as well as an efficient use of related resources at ^{F6}... national level;
- f contribute, in the fields covered by this Regulation, to establishing and maintaining a high ^{F7}... level of civil aviation security;
- g assist [^{F8}the United Kingdom], in the fields covered by this Regulation, in [^{F9}exercising its rights and fulfilling its obligations] under the Chicago Convention ^{F10}...;
- ^{F11}h
- i promote research and innovation, inter alia, in regulatory, certification and oversight processes;
- j promote, in the fields covered by this Regulation, technical and operational interoperability and the sharing of administrative best practices;
- k support passenger confidence in a safe civil aviation.

3 The objectives set out in paragraphs 1 and 2 shall be achieved by, inter alia:

- a the preparation, [^{F12}making] and ^{F13}... application of all necessary [^{F14}regulations];
- b the taking of measures to improve safety standards;

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d the development, with the involvement of standardisation and other industry bodies, of detailed technical standards to be used as a means of compliance with this Regulation, and with the ^{F16}regulations made under it], where appropriate;
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f the ^{F18}... implementation of all necessary acts by [^{F19}the Secretary of State and the CAA], within their respective areas of responsibility;
g the gathering, analysis and exchange of information to support evidence-based decision making;
h the undertaking of awareness and promotion initiatives, including training, communication and dissemination of relevant information.

Textual Amendments

- F1** Word in Art. 1(1) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **83(2)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in Art. 1(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **83(2)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in Art. 1(2)(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **83(3)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F4** Art. 1(2)(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **83(3)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F5** Word in Art. 1(2)(c) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **83(3)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F6** Words in Art. 1(2)(e) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **83(3)(d)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F7** Word in Art. 1(2)(f) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **83(3)(e)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F8** Words in Art. 1(2)(g) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **83(3)(f)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F9** Words in Art. 1(2)(g) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **83(3)(f)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F10** Words in Art. 1(2)(g) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **83(3)(f)(iii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F11** Art. 1(2)(h) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **83(3)(g)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F12** Word in Art. 1(3)(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **83(4)(a)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

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- F13** Word in Art. 1(3)(a) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **83(4)(a)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F14** Word in Art. 1(3)(a) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **83(4)(a)(iii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F15** Art. 1(3)(c) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **83(4)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F16** Words in Art. 1(3)(d) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **83(4)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F17** Art. 1(3)(e) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **83(4)(d)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F18** Word in Art. 1(3)(f) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **83(4)(e)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F19** Words in Art. 1(3)(f) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **83(4)(e)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 2

Scope

- 1 This Regulation shall apply to:
- a the design and production of products, parts and equipment to control aircraft remotely by a natural or legal person under the oversight of [^{F20}the CAA], to the extent not covered by point (b);
 - b the design, production, maintenance and operation of aircraft, as well as their engines, propellers, parts, non-installed equipment and equipment to control aircraft remotely, where the aircraft is or will be:
 - (i) registered in [^{F21}the United Kingdom], unless and to the extent that [^{F22}the United Kingdom] has transferred its responsibilities pursuant to the Chicago Convention to a third country and the aircraft is operated by a third country aircraft operator;
 - (ii) registered in a third country and operated by an aircraft operator established, residing or with a principal place of business in the [^{F23}United Kingdom];
 - (iii) an unmanned aircraft, that is registered neither in [^{F24}the United Kingdom] nor in a third country and that is operated within the [^{F25}United Kingdom] by an aircraft operator established, residing or with a principal place of business within [^{F26}the United Kingdom];
 - c the operation of aircraft into, within, or out of the [^{F27}United Kingdom] by a third country aircraft operator;
 - d the design, production, maintenance and operation of safety-related aerodrome equipment used or intended for use at the aerodromes referred to in point (e) and the provision of groundhandling services and AMS at those aerodromes;

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- e the design, maintenance and operation of aerodromes, including the safety-related equipment used at those aerodromes, located in the [^{F28}United Kingdom], which:
 - (i) are open to public use;
 - (ii) serve commercial air transport; and
 - (iii) have a paved instrument runway of 800 metres or more, or exclusively serve helicopters using instrument approach or departure procedures;
 - f without prejudice to ^{F29}... national law on environment and land-use planning, the safeguarding of surroundings of the aerodromes referred to in point (e);
 - g the provision of ATM/ANS in [^{F30}United Kingdom] airspace, and the design, production, maintenance and operation of systems and constituents used in the provision of those ATM/ANS;
 - [^{F31}h the design of airspace structures].
- 2 This Regulation shall also apply to the personnel and organisations involved in the activities referred to in paragraph 1.
- 3 This Regulation shall not apply to:
- a aircraft, and their engines, propellers, parts, non-installed equipment and equipment to control aircraft remotely, while carrying out military, customs, police, search and rescue, firefighting, border control, coastguard or similar activities or services under the control and responsibility of [^{F32}the United Kingdom], undertaken in the public interest by or on behalf of a body vested with the powers of a public authority, and the personnel and organisations involved in the activities and services performed by those aircraft;
 - b aerodromes or parts thereof, as well as equipment, personnel and organisations, that are controlled and operated by the military;
 - c ATM/ANS, including systems and constituents, personnel and organisations, that are provided or made available by the military;
 - d the design, production, maintenance and operation of aircraft the operation of which involves low risk for aviation safety, as listed in Annex I, and to the personnel and organisations involved therein, unless the aircraft has been issued, or has been deemed to have been issued, with a certificate in accordance with Regulation (EC) No 216/2008.

As regards point (a), [^{F33}the CAA in relation to civil aviation, and the Secretary of State in relation to military aviation] shall ensure that activities and services performed by the aircraft referred to in that point are carried out with due regard to the safety objectives of this Regulation. [^{F34}The CAA or the Secretary of State (as the case may be)] shall also ensure that, where appropriate, those aircraft are safely separated from other aircraft.

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- 4 By derogation from point (d) of the first subparagraph of paragraph 3, this Regulation, and the [^{F36}regulations made under it], shall apply to the design, production and maintenance of an aircraft type falling within the scope of points (e), (f), (g), (h), or (i) of point 1 of Annex I and to the personnel and organisations involved in those activities, where:
- a the organisation responsible for the design of that aircraft type has applied for a type certificate to the [^{F37}CAA] in accordance with Article 11 or, if applicable, has made a declaration to the [^{F37}CAA] in accordance with point (a) of Article 18(1) in respect of that aircraft type;
 - b that aircraft type is intended for serial production; and
 - c the design of that aircraft type has not been previously approved in [^{F38}the United Kingdom].

This Regulation, and [^{F39}regulations made under it], shall apply with respect to the aircraft type concerned from the date on which the type certificate is issued or, if applicable, from the date on which the declaration is made. However, the provisions regarding the assessment of the application for the type certificate and the issuance of the type certificate by the [^{F40}CAA] shall apply from the date at which the application is received.

5 Without prejudice to national security and defence requirements, [^{F41}the Secretary of State] shall ensure that:

- a the facilities referred to in point (b) of the first subparagraph of paragraph 3 of this Article that are open to public use; and
- b the ATM/ANS referred to in point (c) of the first subparagraph of paragraph 3 of this Article that are provided to air traffic to which Regulation (EC) No 549/2004 applies,

offer a level of safety and interoperability with civil systems that is as effective as that resulting from the application of the essential requirements set out in Annexes VII and VIII to this Regulation.

6 [^{F42}The Secretary of State] may decide to apply any, or any combination, of Section I, II, III, or VII of Chapter III, to some or all activities referred to in point (a) of the first subparagraph of paragraph 3 and to the personnel and organisations involved in those activities, [^{F43}where the Secretary of State considers] that, in light of the characteristics of the activities, personnel and organisations in question and the purpose and content of the provisions concerned, those provisions can be effectively applied.

From the date specified in that decision, the activities, personnel and organisations concerned shall be solely regulated by the provisions of the Section, or Sections, concerned and by the provisions of this Regulation related to the application of those sections.

The [^{F44}Secretary of State] shall without delay notify [^{F45}the CAA] of [^{F46}a decision] and shall [^{F47}provide the CAA] with all relevant information, in particular:

- a the Section or Sections concerned;
- b the activities, personnel and organisations concerned;
- c the reasons for [^{F48}the decision]; and
- d the date from which that decision applies.

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[^{F50}The Secretary of State] may also at any time decide to modify or revoke the earlier decision referred to in the first subparagraph of this paragraph. ^{F51}...

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7 [^{F53}The CAA] may decide to exempt from this Regulation the design, maintenance and operation of an aerodrome, and the safety-related equipment used at that aerodrome, where that aerodrome handles no more than 10 000 commercial air transport passengers per year and no more than 850 movements related to cargo operations per year, and provided that ^{F54}... such exemption does not endanger compliance with the essential requirements referred to in Article 33.

From the date specified in that exemption decision, the design, maintenance and operation of the aerodrome concerned and the safety-related equipment and

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groundhandling services and AMS at that aerodrome shall no longer be regulated by this Regulation and by the ^{F55}regulations made under it].

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^{F57}The CAA] shall, on an annual basis, examine the traffic figures of the aerodromes that ^{F58}it has exempted] pursuant to this paragraph or Article 4(3b) of Regulation (EC) No 216/2008. Where that examination demonstrates that, over three consecutive years, one of those aerodromes handles more than 10 000 commercial air transport passengers per year or more than 850 movements related to cargo operations per year, ^{F59}the CAA] shall revoke the exemption of that aerodrome. ^{F60} ...

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8 ^{F62}The CAA] may decide to exempt from this Regulation the design, production, maintenance and operation activities in respect of one or more of the following categories of aircraft:

- a aeroplanes, other than unmanned aeroplanes, which have no more than two seats, measurable stall speed or minimum steady flight speed in landing configuration not exceeding 45 knots calibrated air speed and a maximum take-off mass (MTOM), as recorded by the ^{F63}CAA], of no more than 600 kg for aeroplanes not intended to be operated on water or 650 kg for aeroplanes intended to be operated on water;
- b helicopters, other than unmanned helicopters, which have no more than two seats and a MTOM, as recorded by the ^{F64}CAA], of no more than 600 kg for helicopters not intended to be operated on water or 650 kg for helicopters intended to be operated on water;
- c sailplanes, other than unmanned sailplanes, and powered sailplanes, other than unmanned powered sailplanes, which have no more than two seats and a MTOM, as recorded by the ^{F65}CAA], of no more than 600 kg.

However, as regards the categories of aircraft referred to in the first subparagraph ^{F66}the CAA] may not take such a decision concerning aircraft in respect of which a certificate has been issued, or has been deemed to have been issued, in accordance with Regulation (EC) No 216/2008 or with this Regulation, or in respect of which a declaration has been made in accordance with this Regulation.

9 An exemption decision taken by ^{F67}the CAA] pursuant to paragraph 8 shall not prevent an organisation with a principal place of business in ^{F68}the United Kingdom] from deciding to carry out its design and production activities in respect of aircraft covered by that decision in accordance with this Regulation and with ^{F69}regulations made under it]. Where such an organisation takes such a decision it shall inform the ^{F70}CAA] thereof. In such cases, the exemption decision taken by the ^{F71}CAA] pursuant to paragraph 8 shall not apply to those design and production activities or to the aircraft designed and produced as a result of those activities.

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Any certificate that is issued in respect of aircraft to which an exemption decision taken pursuant to paragraph 8 applies shall clearly indicate that that certificate is issued not under this Regulation but under ^{F73}the Air Navigation Order 2016].

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11 Any [^{F74}enactment] regulating the design, production, maintenance and operation activities of the aircraft to which [^{F75}an exemption decision under paragraph 8] applies shall be proportionate to the nature and risk of the activity concerned and shall take account of the objectives and principles set out in Articles 1 and 4 respectively.

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[^{F77}The CAA] may decide to modify or revoke an exemption decision that it has taken pursuant to paragraph 8. ^{F78}...

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An exemption decision taken by [^{F80}the CAA] pursuant to paragraph 8 shall also apply to the organisations and personnel involved in the design, production, maintenance and operation activities to which that decision applies.

Textual Amendments

- F20** Words in Art. 2(1)(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **84(2)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F21** Words in Art. 2(1)(b)(i) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **84(2)(b)(i)(aa)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F22** Words in Art. 2(1)(b)(i) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **84(2)(b)(i)(bb)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F23** Words in Art. 2(1)(b)(ii) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **84(2)(b)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F24** Words in Art. 2(1)(b)(iii) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **84(2)(b)(iii)(aa)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F25** Words in Art. 2(1)(b)(iii) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **84(2)(b)(iii)(bb)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F26** Words in Art. 2(1)(b)(iii) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **84(2)(b)(iii)(cc)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F27** Words in Art. 2(1)(c) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **84(2)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F28** Words in Art. 2(1)(e) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **84(2)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F29** Words in Art. 2(1)(f) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **84(2)(d)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F30** Words in Art. 2(1)(g) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **84(2)(e)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F31** Art. 2(1)(h) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **84(2)(f)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

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- F32** Words in Art. 2(3)(a) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(3)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F33** Words in Art. 2(3) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(3)(b)(i)(aa)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F34** Words in Art. 2(3) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(3)(b)(i)(bb)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F35** Words in Art. 2(3) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(3)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F36** Words in Art. 2(4) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(4)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F37** Word in Art. 2(4)(a) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(4)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F38** Words in Art. 2(4)(c) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(4)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F39** Words in Art. 2(4) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(4)(d)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F40** Word in Art. 2(4) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(4)(d)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F41** Words in Art. 2(5) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(5)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F42** Words in Art. 2(6) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(6)(a)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F43** Words in Art. 2(6) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(6)(a)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F44** Words in Art. 2(6) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(6)(b)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F45** Words in Art. 2(6) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(6)(b)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F46** Words in Art. 2(6) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(6)(b)(iii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F47** Words in Art. 2(6) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(6)(b)(iv)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F48** Words in Art. 2(6)(c) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(6)(b)(v)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

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- F49** Words in Art. 2(6) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(6)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F50** Words in Art. 2(6) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(6)(d)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F51** Words in Art. 2(6) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(6)(d)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F52** Words in Art. 2(6) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(6)(e)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F53** Words in Art. 2(7) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(7)(a)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F54** Words in Art. 2(7) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(7)(a)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F55** Words in Art. 2(7) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(7)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F56** Words in Art. 2(7) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(7)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F57** Words in Art. 2(7) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(7)(d)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F58** Words in Art. 2(7) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(7)(d)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F59** Words in Art. 2(7) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(7)(d)(iii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F60** Words in Art. 2(7) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(7)(d)(iv)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F61** Words in Art. 2(7) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(7)(e)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F62** Words in Art. 2(8) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(8)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F63** Word in Art. 2(8)(a) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(8)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F64** Word in Art. 2(8)(b) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(8)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F65** Word in Art. 2(8)(c) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(8)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

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- F66** Words in Art. 2(8) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(8)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F67** Words in Art. 2(9) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(9)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F68** Words in Art. 2(9) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(9)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F69** Words in Art. 2(9) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(9)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F70** Word in Art. 2(9) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(9)(d)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F71** Word in Art. 2(9) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(9)(e)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F72** Words in Art. 2(10) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(10)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F73** Words in Art. 2(10) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(10)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F74** Word in Art. 2(11) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(11)(a)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F75** Words in Art. 2(11) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(11)(a)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F76** Words in Art. 2(11) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(11)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F77** Words in Art. 2(11) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(11)(c)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F78** Words in Art. 2(11) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(11)(c)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F79** Words in Art. 2(11) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(11)(d)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F80** Words in Art. 2(11) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **84(11)(e)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 3

Definitions

For the purposes of this Regulation, the following definitions apply:

- (1) ‘oversight’ means the verification, by or on behalf of the [F81CAA], on a continuous basis that the requirements of this Regulation and of [F82regulations made under it], on the basis of which a certificate has been issued or in respect of which a declaration has been made, continue to be complied with;
- (2) ‘Chicago Convention’ means the Convention on International Civil Aviation and the Annexes thereto, signed in Chicago on 7 December 1944;
- (3) ‘product’ means an aircraft, an engine or a propeller;
- (4) ‘part’ means any element of a product, as defined by that product's type design;
- (5) ‘ATM/ANS’ means air traffic management and air navigation services and covers all of the following: the air traffic management functions and services as defined in point (10) of Article 2 of Regulation (EC) No 549/2004; the air navigation services as defined in point (4) of Article 2 of that Regulation, including the network management functions and services referred to in Article 6 of Regulation (EC) No 551/2004, as well as services which augment signals emitted by satellites of core constellations of GNSS for the purpose of air navigation; flight procedures design; and services consisting in the origination and processing of data and the formatting and delivering of data to general air traffic for the purpose of air navigation;
- (6) ‘ATM/ANS constituent’ means tangible objects such as hardware and intangible objects such as software upon which the interoperability of the EATMN depends;
- (7) ‘ATM/ANS system’ means the aggregation of airborne and ground-based constituents, as well as space-based equipment, that provides support for air navigation services for all phases of flight;
- (8) F83 ...
- (9) ‘certification’ means any form of recognition in accordance with this Regulation, based on an appropriate assessment, that a legal or natural person, product, part, non-installed equipment, equipment to control unmanned aircraft remotely, aerodrome, safety-related aerodrome equipment, ATM/ANS system, ATM/ANS constituent or flight simulation training device complies with the applicable requirements of this Regulation and of [F84regulations made under it], through the issuance of a certificate attesting such compliance;
- (10) ‘declaration’ means any written statement made in accordance with this Regulation under the sole responsibility of a legal or natural person subject to this Regulation and which confirms that the applicable requirements of this Regulation and of [F85regulations made under it] relating to a legal or natural person, product, part, non-installed equipment, equipment to control unmanned aircraft remotely, safety-related aerodrome equipment, ATM/ANS system, ATM/ANS constituent or flight simulation training device are complied with;
- (11) ‘qualified entity’ means an accredited legal or natural person which may be charged with certain certification or oversight tasks under this Regulation by and under the control and the responsibility of the [F86CAA];
- (12) ‘certificate’ means any certificate, approval, licence, authorisation, attestation or other document issued as the result of a certification attesting compliance with the applicable requirements;
- (13) ‘aircraft operator’ means any legal or natural person operating or proposing to operate one or more aircraft;

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- (13a) [^{F87}‘UK operator’ means any aircraft operator established, residing or with a principal place of business in the United Kingdom;]
- (14) ‘aerodrome operator’ means any legal or natural person operating or proposing to operate one or more aerodromes;
- (15) ‘flight simulation training device’ means any type of device in which flight conditions are simulated on the ground, including flight simulators, flight training devices, flight and navigation procedures trainers and basic instrument training devices;
- (16) ‘aerodrome’ means a defined area, on land or on water, on a fixed, fixed offshore or floating structure, including any buildings, installations and equipment thereon, intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft;
- (17) ‘safety-related aerodrome equipment’ means any instrument, equipment, mechanism, apparatus, appurtenance, software or accessory that is used or intended to be used to contribute to the safe operation of aircraft at an aerodrome;
- (18) ‘apron’ means a defined area of an aerodrome intended to accommodate aircraft for purposes of loading or unloading passengers, baggage, mail or cargo, fuelling, parking or maintenance;
- (19) ‘apron management service (AMS)’ means a service provided to regulate the activities and the movement of aircraft and vehicles on an apron;
- (20) ‘flight information service’ means a service provided for the purpose of giving advice and information useful for the safe and efficient conduct of flights;
- (21) ‘general air traffic’ means all movements of civil aircraft and state aircraft carried out in conformity with the procedures of the International Civil Aviation Organization (‘ICAO’);
- (22) ‘international standards and recommended practices’ means the international standards and recommended practices adopted by ICAO in accordance with Article 37 of the Chicago Convention;
- (23) ‘groundhandling service’ means any service provided at aerodromes comprising safety -related activities in the areas of ground supervision, flight dispatch and load control, passenger handling, baggage handling, freight and mail handling, apron handling of aircraft, aircraft services, fuel and oil handling, and loading of catering; including the case where aircraft operators provide those groundhandling services to themselves (self-handling);
- (24) ‘commercial air transport’ means an aircraft operation to transport passengers, cargo or mail for remuneration or other valuable consideration;
- (25) ‘safety performance’ means the [^{F88}United Kingdom’s] or an organisation’s safety achievement, as defined by its safety performance targets and safety performance indicators;
- (26) ‘safety performance indicator’ means a parameter used for monitoring and assessing safety performance;
- (27) ‘safety performance target’ means a planned or intended objective for complying with safety performance indicators over a given period of time;

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- (28) ‘aircraft’ means any machine that can derive support in the atmosphere from the reactions of the air other than reactions of the air against the earth’s surface;
- (29) ‘non-installed equipment’ means any instrument, equipment, mechanism, apparatus, appurtenance, software or accessory carried on board of an aircraft by the aircraft operator, which is not a part, and which is used or intended to be used in operating or controlling an aircraft, supports the occupants’ survivability, or which could impact the safe operation of the aircraft;
- (30) ‘unmanned aircraft’ means any aircraft operating or designed to operate autonomously or to be piloted remotely without a pilot on board;
- (31) ‘remote pilot’ means a natural person responsible for safely conducting the flight of an unmanned aircraft by operating its flight controls, either manually or, when the unmanned aircraft flies automatically, by monitoring its course and remaining able to intervene and change the course at any time;
- (32) ‘equipment to control unmanned aircraft remotely’ means any instrument, equipment, mechanism, apparatus, appurtenance, software or accessory that is necessary for the safe operation of an unmanned aircraft, which is not a part, and which is not carried on board of that unmanned aircraft;
- (33) F89 ...
- (34) [F90“the CAA’ means the Civil Aviation Authority;]
- (35) [F91“third country’ means any country or territory other than the United Kingdom, except that British overseas territories, and the Channel Islands and the Isle of Man, are not within the meaning of third country for the purposes of [Commission Regulation \(EU\) No 452/2014](#) of 29 April 2014 laying down technical requirements and administrative procedures related to air operations of third country operators pursuant to [Regulation \(EC\) No 216/2008](#) of the European Parliament and of the Council.]

Textual Amendments

- F81** Word in Art. 3(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **85(2)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F82** Words in Art. 3(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **85(2)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F83** Art. 3(8) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **85(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F84** Words in Art. 3(9) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **85(4)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F85** Words in Art. 3(10) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **85(5)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F86** Word in Art. 3(11) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **85(6)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

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- F87** Art. 3(13a) inserted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **85(7)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F88** Words in Art. 3(25) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **85(8)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F89** Art. 3(33) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **85(9)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F90** Art. 3(34) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **85(10)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F91** Art. 3(35) inserted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **85(11)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 4

Principles for measures under this Regulation

1 When taking measures under this Regulation [^{F92}the Secretary of State and the CAA] shall:

- a reflect the state of the art and best practices in the field of aviation, and take into account worldwide aviation experience and scientific and technical progress in the respective fields;
- b build on the best available evidence and analysis;
- c allow for immediate reaction to established causes of accidents, serious incidents and intentional security breaches;
- d take into account interdependencies between the different domains of aviation safety, and between aviation safety, cyber security and other technical domains of aviation regulation;
- e lay down, where possible, requirements and procedures in a manner which is performance-based and focuses on objectives to be achieved, while allowing different means of achieving compliance with those performance-based objectives;

^{F93}f

- g take non-binding measures, including safety promotion actions, where possible;
- h take into account the international rights and obligations in the field of civil aviation of the [^{F94}United Kingdom], including those under the Chicago Convention.

2 The measures taken under this Regulation shall correspond and be proportionate to the nature and risk of each particular activity to which they relate. In preparing and enacting such measures, [^{F95}the Secretary of State and the CAA] shall take into account, as appropriate for the activity concerned:

- a whether persons other than flight crew are carried on board, and in particular whether the operation is open to members of the public;
- b to what extent third parties or property on the ground could be endangered by the activity;
- c the complexity, performance and operational characteristics of the aircraft involved;
- d the purpose of the flight, the type of aircraft and type of airspace used;

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- e the type, scale, and complexity of the operation or activity, including, where relevant, the size and type of the traffic handled by the responsible organisation or person;
- f the extent to which the persons affected by the risks involved in the operation are able to assess and exercise control over those risks;
- g the results of past certification and oversight activities.

Textual Amendments

- F92** Words in Art. 4(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **86(2)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F93** Art. 4(1)(f) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **86(2)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F94** Words in Art. 4(1)(h) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **86(2)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F95** Words in Art. 4(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **86(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

CHAPTER II

AVIATION SAFETY MANAGEMENT

^{F96}Article 5

European Aviation Safety Programme

Textual Amendments

- F96** Art. 5 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **87** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

^{F97}Article 6

European Plan for Aviation Safety

Textual Amendments

- F97** Art. 6 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **88** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

Article 7

State Safety Programme

1 [F98The Secretary of State must, in consultation with the CAA and other relevant stakeholders], establish and maintain a State safety programme for the management of civil aviation safety in relation to the aviation activities under [F99the responsibility of the Secretary of State] (the ‘State Safety Programme’). That programme shall be commensurate with the size and the complexity of those activities F100....

2 The State Safety Programme shall include at least the elements related to State safety management responsibilities described in the international standards and recommended practices.

3 The State Safety Programme shall specify, taking into account the objectives set out in Article 1 F101..., the level of safety performance to be achieved at national level in respect of the aviation activities under the responsibility of the [F102Secretary of State].

Textual Amendments

- F98** Words in Art. 7(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **89(2)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F99** Words in Art. 7(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **89(2)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F100** Words in Art. 7(1) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **89(2)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F101** Words in Art. 7(3) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **89(3)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F102** Words in Art. 7(3) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **89(3)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 8

State Plan for Aviation Safety

1 The State Safety Programme shall include or be accompanied by a State Plan for Aviation Safety. Based on the assessment of relevant safety information, [F103the Secretary of State, in consultation with the CAA and other relevant stakeholders], shall identify in that plan the main safety risks affecting [F104the] national civil aviation safety system and shall set out the necessary actions to mitigate those risks.

F1052

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

Textual Amendments

- F103** Words in Art. 8(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **90(2)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F104** Word in Art. 8(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **90(2)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F105** Art. 8(2) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **90(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

CHAPTER III

SUBSTANTIVE REQUIREMENTS

SECTION I

Airworthiness and environmental protection

Article 9

Essential requirements

1 Aircraft referred to in points (a) and (b) of Article 2(1), other than unmanned aircraft, and their engines, propellers, parts and non-installed equipment shall comply with the essential requirements for airworthiness set out in Annex II to this Regulation.

2 As regards noise and emissions, those aircraft and their engines, propellers, parts and non-installed equipment shall comply with the environmental protection requirements contained in [^{F106}Amendment 14 of Volume I,] in [^{F107}Amendment 11 of Volume II,] and [^{F108}in Amendment 2 of Volume III] of Annex 16 to the Chicago Convention.

The essential requirements for environmental compatibility set out in Annex III to this Regulation shall apply to products, parts and non-installed equipment to the extent that the provisions of the Chicago Convention referred to in the first subparagraph of this paragraph do not contain environmental protection requirements.

Organisations involved in the design, production and maintenance of products referred to in points (a) and (b) of Article 2(1) shall comply with point 8 of Annex III to this Regulation.

Textual Amendments

- F106** Words in Art. 9(2) substituted (19.4.2024) by [The Civil Aviation \(Environmental Protection\) \(Amendment\) Regulations 2024 \(S.I. 2024/413\)](#), regs. 1(1), **2(a)**
- F107** Words in Art. 9(2) substituted (19.4.2024) by [The Civil Aviation \(Environmental Protection\) \(Amendment\) Regulations 2024 \(S.I. 2024/413\)](#), regs. 1(1), **2(b)**

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

F108 Words in Art. 9(2) substituted (19.4.2024) by [The Civil Aviation \(Environmental Protection\) \(Amendment\) Regulations 2024 \(S.I. 2024/413\)](#), regs. 1(1), 2(c)

Article 10

Compliance

1 As regards aircraft referred to in point (a) of Article 2(1), other than unmanned aircraft, and their engines, propellers and parts, compliance with Article 9 shall be ensured in accordance with Articles 11 and 12 and Article 15(1).

2 As regards aircraft referred to in point (b)(i) of Article 2(1), other than unmanned aircraft, and their engines, propellers, parts and non-installed equipment, compliance with Article 9 shall be ensured in accordance with Articles 11 to 16.

Article 11

Design of products

The design of a product shall be subject to certification and shall be issued with a type certificate. Changes to that design shall also be subject to certification and shall result in the issuance of a certificate of changes, including of supplemental type certificates. Repair designs shall be subject to certification and shall be issued with an approval.

An approval shall be issued in respect of the operational suitability data associated with a type design. That approval shall be included in the type certificate or the restricted type certificate referred to in point (b) of Article 18(1), as applicable.

That type certificate, that certificate of changes, that approval of repair designs and that approval of the operational suitability data shall be issued upon application when the applicant has demonstrated that the design of the product complies with the certification basis established in accordance with [F109 regulations] referred to in point (b)(i) and (ii) of Article 19(1), as applicable, and that the design of the product has no feature or characteristic making it environmentally incompatible or unsafe for operation.

That type certificate, that certificate of changes, that approval of repair design and that approval of the operational suitability data may also be issued without such application, by an organisation approved in accordance with Article 15 which has been granted the privilege to issue those certificates or approvals in accordance with [F110 regulations] referred to in point (k) of Article 19(1), when that organisation has determined that the design of the product complies with the conditions established in the third subparagraph of this paragraph.

No separate type certificate shall be required for the design of engines and propellers that have been certified as part of the design of an aircraft in accordance with this Article.

Textual Amendments

F109 Word in Art. 11 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, 91(a) (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

F110 Word in Art. 11 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **91(b)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 12

Design of parts

Unless otherwise established by [^{F111}regulations] referred to in Article 19, the design of parts shall be subject to certification and shall be issued with a certificate.

That certificate shall be issued upon application, when the applicant has demonstrated that the design of the part complies with the certification basis established in accordance with [^{F112}regulations] referred to in point (b)(iii) of Article 19(1).

That certificate may also be issued without such application, by an organisation approved in accordance with Article 15 which has been granted a privilege to issue those certificates in accordance with [^{F113}regulations] referred to in point (k) of Article 19(1), when that organisation has determined that the design of the part complies with the certification basis established in accordance with [^{F114}regulations] referred to in point (b)(iii) of Article 19(1).

No separate certificate shall be required for the design of parts that have been certified as part of the design of a product in accordance with Article 11.

Textual Amendments

- F111** Word in Art. 12 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **92(a)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F112** Word in Art. 12 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **92(b)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F113** Word in Art. 12 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **92(c)(i)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F114** Word in Art. 12 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **92(c)(ii)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 13

Design of non-installed equipment

Where [^{F115}regulations] referred to in Article 19 so provide, the design of non-installed equipment shall be subject to certification and shall be issued with a certificate.

That certificate shall be issued upon application, when the applicant has demonstrated that the design of non-installed equipment complies with the certification basis established in accordance with [^{F115}regulations] referred to in point (b)(iii) of Article 19(1).

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That certificate may also be issued without such application, by an organisation approved in accordance with Article 15 which has been granted a privilege to issue those certificates in accordance with [F116 regulations] referred to in point (k) of Article 19(1), when that organisation has determined that the design of the non-installed equipment complies with the certification basis established in accordance with [F117 regulations] referred to in point (b)(iii) of Article 19(1).

Textual Amendments

- F115** Word in Art. 13 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **93(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F116** Word in Art. 13 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **93(b)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F117** Word in Art. 13 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **93(b)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 14

Individual aircraft

1 Individual aircraft shall be subject to certification and shall be issued with a certificate of airworthiness and, where [F118 regulations] referred to Article 19 so provide, a noise certificate.

Those certificates shall be issued upon application, when the applicant has demonstrated that the aircraft is in conformity with the design certified in accordance with Article 11, and that the aircraft is in condition for safe and environmentally compatible operation.

2 The certificates referred to in paragraph 1 of this Article shall remain valid as long as the aircraft and its engines, propellers, parts and non-installed equipment are maintained in accordance with [F119 regulations] related to continuing airworthiness referred to in Article 17 and are in condition for safe and environmentally compatible operation.

Textual Amendments

- F118** Word in Art. 14(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **94(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F119** Word in Art. 14(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **94(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 15

Organisations

1 Unless otherwise established by [F120 regulations made under] Article 19, organisations responsible for the design and production of products, parts and non-installed equipment shall be subject to certification and shall be issued with an approval. That approval shall be issued upon

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application, when the applicant has demonstrated that it complies with the rules established by [F¹²⁰regulations made under] Article 19 for ensuring compliance with the essential requirements referred to in Article 9. That approval shall specify the privileges granted to the organisation and the scope of the approval.

- 2 An approval shall also be required in respect of:
- a organisations responsible for the maintenance and continuing airworthiness management of products, parts and non-installed equipment, and
 - b organisations involved in the training of the personnel responsible for the release of a product, a part or non-installed equipment after maintenance.

However, the first subparagraph shall not apply to situations in which, as a result of [F¹²¹regulations made under] point (b) of Article 17(1), taking into account the objectives and principles set out in Articles 1 and 4, and in particular the nature and risk of the activity concerned, such approvals are not required.

The approvals referred to in this paragraph shall be issued upon application, when the applicant has demonstrated that it complies with [F¹²²regulations made under] Article 17^{F123} ... to ensure compliance with the essential requirements referred to in Article 9.

- 3 The approvals referred to in paragraph 2 of this Article shall specify the privileges granted to the organisation. Those approvals may be amended to add or remove privileges, in accordance with [F¹²⁴regulations made under] point (b) of Article 17(1).

- 4 The approvals referred to in paragraph 2 of this Article may be limited, suspended or revoked when the holder no longer complies with the rules and procedures for issuing and maintaining such approval, in accordance with [F¹²⁵regulations made under] point (b) of Article 17(1).

- 5 When as a result of [F¹²⁶regulations made under] point (b) of Article 17(1), taking into account the objectives and principles set out in Articles 1 and 4, and in particular the nature and risk of the activity concerned, an approval referred to in paragraph 2 of this Article is not required, [F¹²⁷regulations made under] Article 17 may still require the organisation concerned to declare its capability, and the availability to it of the means, to discharge its responsibilities associated with the activities that it performs in compliance with those [F¹²⁸regulations].

Textual Amendments

- F120** Words in Art. 15(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **95(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F121** Words in Art. 15(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **95(3)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F122** Words in Art. 15(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **95(3)(b)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F123** Word in Art. 15(2) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **95(3)(b)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F124** Words in Art. 15(3) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **95(4)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

- F125** Words in Art. 15(4) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **95(4)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F126** Words in Art. 15(5) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **95(5)(a)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F127** Words in Art. 15(5) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **95(5)(b)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F128** Word in Art. 15(5) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **95(5)(c)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 16

Personnel

1 Personnel responsible for the release of a product, a part or non-installed equipment after maintenance shall be required to hold a licence, except for situations in which, as a result of ^{F129}[regulations made under] point (d) of Article 17(1), taking into account the objectives and principles set out in Articles 1 and 4, and in particular the nature and risk of the activity concerned, such licences are not required.

That licence shall be issued upon application, when the applicant has demonstrated that he or she complies with ^{F130}[regulations made under] Article 17 ^{F131}... to ensure compliance with the essential requirements referred to in Article 9.

2 The licence referred to in paragraph 1 of this Article shall specify the privileges granted to the personnel. The licence may be amended to add or remove privileges, in accordance with ^{F132}[regulations made under] point (d) of Article 17(1).

3 The licence referred to in paragraph 1 of this Article may be limited, suspended or revoked when the holder no longer complies with the rules and procedures for issuing and maintaining such licence, in accordance with ^{F133}[regulations made under] point (d) of Article 17(1).

Textual Amendments

- F129** Words in Art. 16(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **96(2)(a)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F130** Words in Art. 16(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **96(2)(b)(i)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F131** Word in Art. 16(1) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **96(2)(b)(ii)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F132** Words in Art. 16(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **96(3)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

F133 Words in Art. 16(3) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **96(3)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 17

[^{F134}Regulations] as regards airworthiness

1 In order to ensure ^{F135}... compliance with the essential requirements referred to in Article 9, for the aircraft referred to in points (a) and (b) of Article 2(1), other than unmanned aircraft, and their engines, propellers, parts and non-installed equipment, the [^{F136}Secretary of State] shall, on the basis of the principles set out in Article 4 and with a view to achieving the objectives set out in Article 1, [^{F137}make regulations] laying down detailed provisions concerning:

- a the rules and procedures for maintaining the certificates referred to in Article 14 and in point (a) of the first subparagraph of Article 18(2);
- b the rules and procedures for issuing, maintaining, amending, limiting, suspending or revoking the approvals referred to in Article 15(2) and for the situations in which such approvals are not to be required;
- c the rules and procedures for declarations referred to in Article 15(5), and for the situations in which such declarations are to be required;
- d the rules and procedures for issuing, maintaining, amending, limiting, suspending or revoking the licences referred to in Article 16, and for the situations in which such licences are not to be required;
- e the privileges and responsibilities of the holders of the approvals and licences issued pursuant to Articles 15(2) and 16, and of the organisations making declarations in accordance with Article 15(5);
- f the rules and procedures for the maintenance of products, parts and non-installed equipment;
- g the rules and procedures for the continuing airworthiness management of aircraft;
- h additional airworthiness requirements for products, parts and non-installed equipment, the design of which has already been certified, needed to support continuing airworthiness and safety improvements.

^{F138} ...

2 [^{F139}When making those regulations, the Secretary of State] shall ensure compliance with the essential requirements referred to in Article 9 and take due account of the international standards and recommended practices, in particular those set out in Annexes 1, 6 and 8 to the Chicago Convention.

Textual Amendments

F134 Word in Art. 17 heading substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **97(2)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F135 Words in Art. 17(1) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **97(3)(a)(i)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

- F136** Words in Art. 17(1) substituted (31.12.2020) by *The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/645), regs. 1, **97(3)(a)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F137** Words in Art. 17(1) substituted (31.12.2020) by *The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/645), regs. 1, **97(3)(a)(iii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F138** Words in Art. 17(1) omitted (31.12.2020) by virtue of *The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/645), regs. 1, **97(3)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F139** Words in Art. 17(2) substituted (31.12.2020) by *The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/645), regs. 1, **97(4)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 18

Derogations

- 1 By way of derogation from Articles 9 to 13, as appropriate:
 - a the compliance with the applicable essential requirements referred to in Article 9 of the design of products, of parts and of non-installed equipment may be assessed without the issuance of a certificate, where [F140regulations made under] point (d)(i) of Article 19(1) so provide. In that case, [F140regulations made under] point (j) of Article 19(1) are to define the conditions and procedures for such assessment. [F140Regulations made under] point (d)(i) of Article 19(1) might provide that the organisation responsible for the design and production of those products, parts and non-installed equipment is to be allowed to declare the compliance of their design with those essential requirements and with the detailed specifications established in accordance with [F140regulations made under] point (i) of Article 19(1) ^{F141}... to ensure compliance of those designs with those essential requirements;
 - b when the design of an aircraft does not comply with the essential requirements referred to in Article 9, a restricted type certificate may be issued. In that case, that certificate shall be issued upon application, when the applicant has demonstrated that the design of the aircraft complies with the certification basis established in accordance with [F142regulations made under] point (b)(i) and (ii) of Article 19(1) and that the design of the aircraft is adequate, as regards airworthiness and environmental compatibility, in light of the intended use of the aircraft.
- 2 By way of derogation from Articles 9, 10 and 14, as appropriate:
 - a in accordance with [F143regulations made under] Article 19, a restricted certificate of airworthiness or a restricted noise certificate shall be issued for aircraft the design of which has either been subject to a declaration in accordance with point (a) of paragraph 1 or for which a restricted type certificate has been issued in accordance with point (b) of paragraph 1. In that case, those certificates shall be issued upon application, when the applicant has demonstrated that the aircraft conforms to that design and that the aircraft is in condition for safe and environmentally compatible operation;
 - b in accordance with [F144regulations made under] Article 19, a permit to fly may be issued to allow the operation of an aircraft which does not have a valid certificate of airworthiness or valid restricted certificate of airworthiness. In that case, such a permit to fly shall be issued, upon application, when the applicant has demonstrated that the aircraft is capable of safely performing a basic flight.

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

The permit to fly may also be issued without such applications, by an organisation approved in accordance with Article 15 which has been granted a privilege to issue those permits to fly in accordance with [F145 regulations made under] point (k) of Article 19(1) or [F146 regulations made under] point (e) of Article 17(1), provided that that organisation has determined that the aircraft is capable of performing safely a basic flight.

The permit to fly shall be subject to appropriate limitations, provided for in [F147 regulations made under] point (f) of Article 19(1), and in particular to limitations to protect the safety of third parties.

Textual Amendments

- F140** Words in Art. 18(1)(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **98(2)(a)(i)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F141** Word in Art. 18(1)(a) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **98(2)(a)(ii)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F142** Words in Art. 18(1)(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **98(2)(b)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F143** Words in Art. 18(2)(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **98(3)(a)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F144** Words in Art. 18(2)(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **98(3)(a)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F145** Words in Art. 18(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **98(3)(b)(i)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F146** Words in Art. 18(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **98(3)(b)(ii)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F147** Words in Art. 18(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **98(3)(c)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 19

Delegated powers

1 For the aircraft referred to in points (a) and (b) of Article 2(1), other than unmanned aircraft, and their engines, propellers, parts and non-installed equipment, [F148 the Secretary of State may make regulations], laying down detailed rules with regard to:

- a detailed environmental protection requirements for products, parts and non-installed equipment, in situations referred to in the second subparagraph of Article 9(2);
- b the conditions for establishing and notifying to an applicant by the [F149 CAA] in accordance with Article 77:
 - (i) the type-certification basis applicable to a product for the purposes of the type-certification referred to in Article 11 and point (b) of Article 18(1);

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

- (ii) the certification basis applicable to a product for the purposes of the approval of operational suitability data referred to in Article 11 including:
 - the minimum syllabus of maintenance certifying staff type rating training;
 - the minimum syllabus of pilot type rating and the reference data for the objective qualification of associated simulators;
 - the master minimum equipment list, as appropriate;
 - aircraft type data relevant to cabin crew;
 - additional specifications to ensure compliance with Section III;
- (iii) the certification basis applicable to a part or non-installed equipment, including safety-related equipment and instruments referred to in Article 30(7), for the purposes of the certification referred to in Articles 12 and 13;
- c the specific conditions for compliance of aircraft referred to in point (b)(ii) of Article 2(1) with the essential requirements referred to in Article 9;
- d the conditions for issuing, maintaining, amending, limiting, suspending or revoking the certificates referred to in Articles 11, 12, 13 and point (b) of Article 18(1), including:
 - (i) the conditions for situations in which, with a view to achieving the objectives set out in Article 1 and while taking account of the nature and risk of the particular activity concerned, such certificates are to be required or are not to be required, or declarations are to be permitted, as applicable;
 - (ii) the conditions concerning the duration of those certificates and concerning the renewal of those certificates where their duration is limited;
- e the conditions for the issuing, amending, limiting, suspending or revoking of the certificates of airworthiness and noise certificates referred to in Article 14(1), as well as restricted certificates of airworthiness and restricted noise certificates referred to in point (a) of the first subparagraph of Article 18(2);
- f the conditions for the issuing, maintaining, amending, limiting, suspending, revoking and use of the permits to fly referred to in point (b) of the first subparagraph of Article 18(2);
- g the conditions for issuing, maintaining, amending, limiting, suspending or revoking the approvals referred to in Article 15(1), and for the situations in which, with a view to achieving the objectives set out in Article 1 and while taking account of the nature and risk of the particular activity concerned, such approvals are to be required or are not to be required or declarations are to be permitted, as applicable;
- h the privileges and responsibilities of the holders of the certificates issued pursuant to Articles 11, 12, 13, Articles 14(1), 15(1), point (b) of Article 18(1) and Article 18(2) and of the organisations that made declarations in accordance with point (a) of Article 18(1) and point (g) of this paragraph;
- i the conditions for establishing the detailed specifications applicable to the design of products, design of parts and design of non-installed equipment which are subject to a declaration in accordance with point (a) of Article 18(1);
- j the conditions and procedures to assess, in accordance with point (a) of Article 18(1), the airworthiness and environmental compatibility of the design of products, the design of parts, and the design of non-installed equipment without the need to issue a certificate, including the conditions and limitations for operations;
- k the conditions for organisations that have been issued with an approval in accordance with Article 15(1) to be granted the privilege to issue the certificates referred to in Articles 11, 12, 13 and point (b) of the first subparagraph of Article 18(2).

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

2 As regards the airworthiness and environmental compatibility of aircraft referred to in points (a) and (b) of Article 2(1), other than unmanned aircraft, and their engines, propellers, parts and non-installed equipment, [^{F150}Secretary of State may make regulations], to amend Annexes II and III, where necessary for reasons of technical, operational or scientific developments or evidence in the field of airworthiness or environmental compatibility, in order and to the extent required to achieve the objectives set out in Article 1.

3 As regards the environmental compatibility of aircraft referred to in points (a) and (b) of Article 2(1), other than unmanned aircraft, and their engines, propellers, parts and non-installed equipment, [^{F151}Secretary of State may make regulations], to amend the references to the provisions of the Chicago Convention referred to in the first subparagraph of Article 9(2), in order to update them in light of subsequent amendments to those provisions which enter into force after 4 July 2018 and which become applicable in [^{F152}the United Kingdom], in so far as such adaptations do not broaden the scope of this Regulation.

Textual Amendments

- F148** Words in Art. 19(1) substituted (31.12.2020) by *The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/645), regs. 1, **99(2)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F149** Word in Art. 19(1)(b) substituted (31.12.2020) by *The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/645), regs. 1, **99(2)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F150** Words in Art. 19(2) substituted (31.12.2020) by *The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/645), regs. 1, **99(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F151** Words in Art. 19(3) substituted (31.12.2020) by *The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/645), regs. 1, **99(4)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F152** Words in Art. 19(3) substituted (31.12.2020) by *The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/645), regs. 1, **99(4)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

SECTION II

Aircrew

Article 20

Essential requirements

Pilots and cabin crew involved in the operation of aircraft referred to in point (b) of Article 2(1), other than unmanned aircraft, as well as flight simulation training devices, persons and organisations involved in the training, testing, checking or medical assessment of those pilots and cabin crew, shall comply with the essential requirements set out in Annex IV.

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

Article 21

Pilots

1 Pilots shall be required to hold a pilot licence and a pilot medical certificate appropriate to the operation to be performed, except for situations in which, as a result of the adoption of [F153regulations made under] point (c)(i) of Article 23(1), taking into account the objectives and principles set out in Articles 1 and 4, and in particular the nature and risk of the activity concerned, such licences or medical certificates are not required.

2 The pilot licence referred to in paragraph 1 of this Article shall be issued upon application, when the applicant has demonstrated that he or she complies with [F153regulations made under] Article 23 adopted to ensure compliance with the essential requirements referred to in Article 20.

3 The pilot medical certificate referred to in paragraph 1 of this Article shall be issued upon application, when the applicant has demonstrated that he or she complies with [F153regulations made under] Article 23 adopted to ensure compliance with the essential requirements referred to in Article 20.

4 The pilot licence and the pilot medical certificate referred to in paragraph 1 of this Article shall specify the privileges granted to the pilot.

The pilot licence and pilot medical certificate may be amended to add or remove privileges, in accordance with [F153regulations made under] point (c) of Article 23(1).

5 The pilot licence or the pilot medical certificate referred to in paragraph 1 of this Article may be limited, suspended or revoked when the holder no longer complies with the rules and procedures for issuing and maintaining a licence or a medical certificate in accordance with [F153regulations made under] point (c) of Article 23(1).

6 Training and experience on aircraft not subject to this Regulation may be recognised for the purpose of obtaining the pilot licence referred to in paragraph 1 of this Article, in accordance with [F153regulations made under] point (c)(iv) of Article 23(1).

Textual Amendments

F153 Words in Art. 21 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **100** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 22

Cabin crew

1 Cabin crew involved in commercial air transport operations shall be required to hold an attestation.

2 Taking into account the objectives and principles set out in Articles 1 and 4, and in particular the nature and risk of the activity concerned, cabin crew involved in operations other than commercial air transport may also be required to hold an attestation, in accordance with [F154regulations made under] point (a) of Article 23(2).

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

3 The attestations referred to in paragraphs 1 and 2 of this Article shall be issued upon application, when the applicant has demonstrated that he or she complies with [F154regulations made under] Article 23 adopted to ensure compliance with the essential requirements referred to in Article 20.

4 The attestations referred to in paragraphs 1 and 2 of this Article shall specify the privileges granted to the cabin crew. The attestations may be amended to add or remove privileges, in accordance with [F154regulations made under] point (a) of Article 23(2).

5 The attestations referred to in paragraphs 1 and 2 of this Article may be limited, suspended or revoked when the holder no longer complies with the rules and procedures for issuing or maintaining such attestation, in accordance with [F154regulations made under] point (a) of Article 23(2).

6 Before exercising their privileges, and at regular intervals thereafter, cabin crew shall be subject to a medical fitness assessment to ensure compliance with the essential requirements referred to in Article 20 on medical fitness, in accordance with [F154regulations made under] point (b) of Article 23(2).

Textual Amendments

F154 Words in Art. 22 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **101** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 23

[F155Regulations] as regards pilots and cabin crew

1 In order to ensure [F156compliance with] the essential requirements referred to in Article 20 in respect of pilots who are involved in the operation of aircraft referred to in point (b) of Article 2(1), other than unmanned aircraft, the [F157Secretary of State] shall, on the basis of the principles set out in Article 4 and with a view to achieving the objectives set out in Article 1, [F158make regulations] laying down detailed provisions concerning:

- a the different categories of pilot licences and pilot medical certificates referred to in Article 21, as well as the different ratings for such pilot licences adequate for the different types of activities performed;
- b the privileges and responsibilities of the holders of pilot licences, ratings and pilot medical certificates;
- c the rules and procedures for issuing, maintaining, amending, limiting, suspending or revoking pilot licences, ratings and pilot medical certificates, including:
 - (i) the rules and procedures for situations in which such licences, ratings and medical certificates are not to be required;
 - (ii) the rules and procedures for the conversion of national pilot licences and national pilot medical certificates into the pilot licences and pilot medical certificates referred to in Article 21(1);
 - (iii) the rules and procedures for the conversion of national flight engineer licences into the pilot licences referred to in Article 21(1);

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- (iv) the rules and procedures for the recognition of training and experience on aircraft not subject to this Regulation for the purposes of obtaining pilot licences referred to in Article 21(1).

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[^{F160}When making those regulations, the Secretary of State] shall ensure compliance with the essential requirements referred to in Article 20 of this Regulation and shall take due account of the international standards and recommended practices, in particular those set out in Annex 1 to the Chicago Convention.

Those [^{F161}regulations] shall include, where appropriate, provisions for the issuance of all types of pilot licenses and ratings required under Annex 1 to the Chicago Convention. Those [^{F161}regulations] may also include provisions for the issuance of other types of pilot licences and ratings.

2 In order to ensure [^{F162}compliance with] the essential requirements referred to in Article 20 in respect of cabin crew who are involved in the operation of aircraft referred to in point (b) of Article 2(1), other than unmanned aircraft, the [^{F163}Secretary of State] shall, on the basis of the principles set out in Article 4 and with a view to achieving the objectives set out in Article 1, [^{F164}make regulations] laying down detailed provisions concerning:

- a the rules and procedures for issuing, maintaining, amending, limiting, suspending or revoking cabin crew attestations and for the situations in which such attestations are to be required for cabin crew involved in operations other than commercial air transport;
- b the rules and procedures for the medical fitness assessment of cabin crew referred to in Article 22;
- c the privileges and responsibilities of the holders of cabin crew attestations referred to in Article 22.

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Textual Amendments

F155 Word in Art. 23 heading substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **102(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F156 Words in Art. 23(1) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **102(3)(a)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F157 Words in Art. 23(1) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **102(3)(a)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F158 Words in Art. 23(1) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **102(3)(a)(iii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F159 Words in Art. 23(1) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **102(3)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F160 Word in Art. 23(1) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **102(3)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

- F161** Word in Art. 23(1) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **102(3)(d)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F162** Words in Art. 23(2) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **102(4)(a)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F163** Words in Art. 23(2) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **102(4)(a)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F164** Words in Art. 23(2) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **102(4)(a)(iii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F165** Words in Art. 23(2) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **102(4)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 24

Training organisations and aero-medical centres

- 1 An approval shall be required in respect of aero-medical centres.
- 2 An approval shall be required in respect of pilot training organisations and cabin crew training organisations, except for situations in which, as a result of [F166]regulations made under] point (a) of Article 27(1), taking into account the objectives and principles set out in Articles 1 and 4, and in particular the nature and risk of the activity concerned, such approvals are not required.
- 3 The approvals referred to in paragraphs 1 and 2 of this Article shall be issued upon application, when the applicant has demonstrated that it complies with [F167]regulations made under] Article 27 adopted to ensure compliance with the essential requirements referred to in Article 20.
- 4 The approvals referred to in paragraphs 1 and 2 of this Article shall specify the privileges granted to the organisation. Those approvals may be amended to add or remove privileges, in accordance with [F167]regulations made under] point (a) of Article 27(1).
- 5 The approvals referred to in paragraphs 1 and 2 of this Article may be limited, suspended or revoked when the holder no longer complies with the rules and procedures for issuing and maintaining such approval, in accordance with [F167]regulations made under] point (a) of Article 27(1).
- 6 When as a result of [F168]regulations made under] point (a) of Article 27(1), taking into account the objectives and principles set out in Articles 1 and 4, and in particular the nature and risk of the activity concerned, an approval referred to in paragraph 2 of this Article is not required in respect of a pilot training organisation or a cabin crew training organisation, [F169]regulations made under] point (b) of Article 27(1) may still require the organisation concerned to declare its capability, and the availability to it of the means, to discharge its responsibilities associated with the activities that it performs in compliance with those [F170]regulations].

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

Textual Amendments

- F166** Words in Art. 24(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **103(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F167** Words in Art. 24(3)-(5) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **103(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, **Sch. 5 para. 1(1)**
- F168** Words in Art. 24(6) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **103(4)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F169** Words in Art. 24(6) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **103(4)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F170** Word in Art. 24(6) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **103(4)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 25

Flight simulation training devices

1 A certificate shall be required in respect of each flight simulation training device used for the training of pilots, except for situations in which, as a result of [F171regulations made under] point (a) of Article 27(1), taking into account the objectives and principles set out in Articles 1 and 4, and in particular the nature and risk of the activity concerned, such certificates are not required.

2 The certificate referred to in paragraph 1 of this Article shall be issued upon application, when the applicant has demonstrated that the applicant and the device comply with [F172regulations made under] Article 27 adopted to ensure compliance with the essential requirements referred to in Article 20.

3 The certificate referred to in paragraph 1 of this Article shall specify the functionalities of the device. The certificate may be amended to reflect changes to those functionalities, in accordance with [F172regulations made under] point (a) of Article 27(1).

4 The certificate referred to in paragraph 1 of this Article may be limited, suspended or revoked when the holder or the device no longer complies with the rules and procedures for issuing and maintaining such certificate, in accordance with [F172regulations made under] point (a) of Article 27(1).

5 Where [F172regulations made under] Article 27 so provide, the organisation responsible for the operation of the flight simulation training device shall be required to declare the compliance of the device with the essential requirements referred in Article 20 and with the detailed specifications established in accordance with [F172regulations made under] point (b) of Article 27(1).

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

Textual Amendments

- F171** Words in Art. 25(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **104(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F172** Words in Art. 25(2)-(5) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **104(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, **Sch. 5 para. 1(1)**

Article 26

Instructors and examiners

1 Persons responsible for providing flight training, flight simulation training, or for assessing pilots' skills, as well as aero-medical examiners, shall be required to hold a certificate, except for situations in which, as a result of [^{F173}regulations made under] point (a) of Article 27(1), taking into account the objectives and principles set out in Articles 1 and 4, and in particular the nature and risk of the activity concerned, such certificates are not required.

2 Taking into account the objectives and principles set out in Articles 1 and 4, and in particular the nature and risk of the activity concerned, persons responsible for providing cabin crew training or for assessing cabin crew skills may be required to hold a certificate, in accordance with [^{F174}regulations made under] point (a) of Article 27(1).

3 The certificates referred to in paragraphs 1 and 2 of this Article shall be issued upon application, when the applicant has demonstrated that he or she complies with [^{F174}regulations made under] Article 27 adopted to ensure compliance with the essential requirements referred to in Article 20.

4 The certificates referred to in paragraphs 1 and 2 of this Article shall specify the privileges granted.

Those certificates may be amended to add or remove privileges, in accordance with [^{F174}regulations made under] point (a) of Article 27(1).

5 The certificates referred to in paragraphs 1 and 2 of this Article may be limited, suspended or revoked when the holder no longer complies with the rules and procedures for issuing and maintaining such certificates, in accordance with [^{F174}regulations made under] point (a) of Article 27(1).

Textual Amendments

- F173** Words in Art. 26(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **105(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F174** Words in Art. 26(2)-(5) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **105(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, **Sch. 5 para. 1(1)**

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

Article 27

[^{F175}Regulations] as regards training, testing, checking and medical assessment

1 In order to ensure ^{F176}... compliance with the essential requirements referred to in Article 20, for flight simulation training devices, and for persons and organisations involved in the training, testing, checking or medical assessment of pilots and cabin crew, the [^{F177}Secretary of State] shall, on the basis of the principles set out in Article 4 and with a view to achieving the objectives set out in Article 1, [^{F178}make regulations] laying down detailed provisions concerning:

- a the rules and procedures for issuing, maintaining, amending, limiting, suspending or revoking approvals and certificates referred to in Articles 24, 25, 26, and for the situations in which such approvals and certificates are or are not to be required;
- b the rules and procedures for the declarations by pilot training organisations, and cabin crew training organisations referred to in Article 24(6) and by operators of flight simulation training devices referred to in Article 25(5), and for the situations in which such declarations are to be required;
- c the privileges and responsibilities of the holders of approvals and certificates referred to in Articles 24, 25 and 26, and of the organisations making declarations in accordance with Articles 24(6) and 25(5).

^{F179} ...

2 [^{F180}When making those regulations, the Secretary of State] shall ensure compliance with the essential requirements referred to in Article 20 and shall take due account of the international standards and recommended practices, in particular those set out in Annexes 1 and 6 to the Chicago Convention.

Textual Amendments

- F175** Word in Art. 27 heading substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **106(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F176** Words in Art. 27(1) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **106(3)(a)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F177** Words in Art. 27(1) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **106(3)(a)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F178** Words in Art. 27(1) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **106(3)(a)(iii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F179** Words in Art. 27(1) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **106(3)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F180** Words in Art. 27(2) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **106(4)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

Article 28

Delegated powers

1 As regards pilots and cabin crew involved in the operation of aircraft referred to in point (b) of Article 2(1), other than unmanned aircraft, as well as flight simulation training devices, persons and organisations involved in the training, testing, checking or medical assessment of those pilots and cabin crew, [^{F181}Secretary of State may make regulations], to amend Annex IV, where necessary for reasons of technical, operational or scientific developments or safety evidence related to aircrew, in order and to the extent required to achieve the objectives set out in Article 1.

2 The rules referred to in paragraph 1 shall include, where appropriate, provisions for the issuance of all types of pilot licences and ratings required under the Chicago Convention. Those rules may also include provisions for the issuance of other types of licences and ratings.

Textual Amendments

F181 Words in Art. 28 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **107** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

SECTION III

Air operations

Article 29

Essential requirements

The operation of aircraft referred to in point (b) of Article 2(1), other than unmanned aircraft, shall comply with the essential requirements set out in Annex V and, if applicable, Annexes VII and VIII.

Article 30

Aircraft operators

1 In order to ensure compliance with the essential requirements referred to in Article 29, and taking into account the objectives and principles set out in Articles 1 and 4, and in particular the nature and risk of the activity concerned, aircraft operators established, residing or with a principal place of business in the [^{F182}United Kingdom] may be required, in accordance with [^{F183}regulations made under] points (b) and (c) of the first subparagraph of Article 31(1), to:

- a declare their capability, and the availability to them of the means, to discharge the responsibilities associated with the operation of aircraft in compliance with those [^{F184}regulations]; or
- b hold a certificate.

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

2 The certificate referred to in paragraph 1 of this Article shall be issued upon application, when the applicant has demonstrated that it complies with [F185regulations made under] Article 31 adopted to ensure compliance with the essential requirements referred to in Article 29.

3 The certificate referred to in paragraph 1 of this Article shall specify the privileges granted to the aircraft operator. The certificate may be amended to add or remove privileges, in accordance with [F185regulations made under] point (b) of the first subparagraph of Article 31(1).

4 The certificate referred to in paragraph 1 of this Article may be limited, suspended or revoked, when the holder no longer complies with the rules and procedures for issuing and maintaining such certificate, in accordance with [F185regulations made under] point (b) of the first subparagraph of Article 31(1).

5 Taking into account the objectives and principles set out in Articles 1 and 4, and in particular the nature and risk of the activity concerned, the aircraft operators referred to in paragraph 1 of this Article may be required, in accordance with [F185regulations made under] Article 31, to:

- a meet specific requirements, when entering into code sharing agreements or lease agreements;
- b meet specific requirements when operating an aircraft which is registered in a third country;
- c establish a Minimum Equipment List (MEL) or equivalent document providing for the operation of the aircraft, under specified conditions, with particular instruments, items of equipment or functions inoperative at the commencement of the flight.

6 [F186The Secretary of State] shall ensure that the operation of aircraft into, within, or out of the [F187United Kingdom] by an aircraft operator established, residing or with a principal place of business outside [F188the United Kingdom but in a territory for which the United Kingdom carries] out the functions and duties of the state of operator under the Chicago Convention, as well as the personnel and organisations involved in those operations, meet a level of safety which is equivalent to that established by this Regulation.

7 Where [F189regulations made under] point (g) of the first subparagraph of Article 31(1) so provide, aircraft shall be equipped with the necessary safety-related equipment and instruments, certified where required in accordance with [F190regulations made under] point (b) (iii) of Article 19(1), including some or all of the following:

- a flight recorders;
- b means to track the position of the aircraft;
- c means to recover flight recorder data in a timely manner in case of aircraft in distress by relying on real-time electronic communication or other appropriate technical solutions.

Textual Amendments

F182 Words in Art. 30(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **108(2)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F183 Words in Art. 30(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **108(2)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F184 Word in Art. 30(1)(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **108(2)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

- F185** Words in art. 30(2)-(5) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **108(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F186** Words in Art. 30(6) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **108(4)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F187** Words in Art. 30(6) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **108(4)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F188** Words in Art. 30(6) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **108(4)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F189** Words in Art. 30(7) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **108(5)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F190** Words in Art. 30(7) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **108(5)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 31

[^{F191}Regulations] as regards air operations

1 In order to ensure ^{F192}... compliance with the essential requirements referred to in Article 29, for the operation of aircraft referred to in point (b) of Article 2(1), other than unmanned aircraft, the [^{F193}Secretary of State] shall, on the basis of the principles set out in Article 4 and with a view to achieving the objectives set out in Article 1, [^{F194}make regulations] laying down detailed provisions concerning:

- a the specific rules and procedures for the operation of aircraft in compliance with the essential requirements referred to in Article 29;
- b the rules and procedures for issuing, maintaining, amending, limiting, suspending or revoking the certificates referred to in point (b) of Article 30(1), and for the situations in which such certificates are to be required;
- c the rules and procedures for the declaration by aircraft operators referred to in point (a) of Article 30(1), and for the situations in which such declarations are to be required;
- d the privileges and responsibilities of the holders of the certificates referred to in point (b) of Article 30(1) and of the aircraft operators making declarations referred to in point (a) of Article 30(1);
- e the additional requirements necessary to ensure compliance with the essential requirements referred to in Article 29 applicable to aircraft operators established, residing or with a principal place of business in the [^{F195}United Kingdom] when those operators enter into code sharing agreements or lease agreements or when they operate an aircraft which is registered in a third country;
- f the rules and procedures for the aircraft operators referred to in Article 30(1) regarding the establishment of a MEL or an equivalent document, and for the situations in which it is required;
- g the rules and procedures in accordance with which an aircraft is to be equipped with the necessary safety-related equipment and instruments, including the flight recorders and/or means referred to in Article 30(7), and the rules and procedures for the preservation, protection, use and, where applicable, secure transmission of the data concerned.

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

F196 ...

2 [F197When making regulations, the Secretary of State] shall ensure compliance with the essential requirements referred to in Article 29 of this Regulation and shall take due account of the international standards and recommended practices, in particular those set out in Annex 6 to the Chicago Convention.

Textual Amendments

- F191** Word in Art. 31 heading substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **109(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F192** Words in Art. 31(1) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **109(3)(a)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F193** Words in Art. 31(1) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **109(3)(a)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F194** Words in Art. 31(1) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **109(3)(a)(iii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F195** Words in Art. 31(1)(e) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **109(3)(a)(iv)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F196** Words in Art. 31(1) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **109(3)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F197** Words in Art. 31(2) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **109(4)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 32

Delegated powers

1 For the operation of aircraft referred to in point (b) of Article 2(1), other than unmanned aircraft, the [F198Secretary of State may make regulations], laying down detailed rules with regard to:

- a the conditions to be met by the operators referred to in Article 30(1) and their aircrew members with regard to flight and duty time limitations, as well as rest requirements for aircrew members;
- b the conditions and procedures necessary to ensure compliance with the essential requirements referred to in Article 29 regarding the approval by [F199the CAA] of individual flight time specification schemes ^{F200}....

2 As regards the operation of aircraft referred to in point (b) of Article 2(1), other than unmanned aircraft [F201the Secretary of State may make regulations], to amend Annex V and, if applicable, Annexes VII and VIII, where necessary for reasons of technical, operational or scientific developments or safety evidence related to air operations, in order and to the extent required to achieve the objectives set out in Article 1.

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

Textual Amendments

- F198** Words in Art. 32(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **110(2)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F199** Words in Art. 32(1)(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **110(2)(b)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F200** Words in Art. 32(1)(b) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **110(2)(b)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F201** Words in Art. 32(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **110(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

SECTION IV

Aerodromes

Article 33

Essential requirements

Aerodromes, safety-related aerodrome equipment, the operation of aerodromes and the provision of groundhandling services and AMS at aerodromes referred to in point (e) of Article 2(1) shall comply with the essential requirements set out in Annex VII and, if applicable, Annex VIII.

Article 34

Aerodrome certification

1 A certificate shall be required in respect of aerodromes. That certificate shall cover the aerodrome and its safety-related equipment, unless that safety-related equipment is covered by a declaration or certificate referred to in points (a) and (b) respectively of Article 35(1).

2 The certificate referred to in paragraph 1 of this Article shall be issued upon application, when the applicant has demonstrated that the aerodrome:

- a complies with the [F202regulations] referred to in Article 36 and with the aerodrome certification basis set out in paragraph 5 of this Article; and
- b has no feature or characteristic making it unsafe for operation.

3 The certificate referred to in paragraph 1 of this Article may be amended to include changes to the aerodrome or its safety-related equipment, in accordance with the [F202regulations] referred to in point (c) of Article 36(1).

4 The certificate referred to in paragraph 1 of this Article may be limited, suspended or revoked when the aerodrome or its safety-related equipment no longer complies with the rules and procedures for issuing and maintaining such certificate, in accordance with the [F202regulations] referred to in point (c) of Article 36(1).

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

- 5 The certification basis for an aerodrome shall consist of the following:
- a the applicable certification specifications related to the type of aerodromes;
 - b those provisions of the applicable certification specifications for which an equivalent level of safety has been accepted;
 - c the special detailed technical specifications necessary when the design features of a particular aerodrome or the experience in operation render any of the certification specifications referred to in point (a) of this paragraph inadequate or inappropriate to ensure conformity with the essential requirements referred to in Article 33.

Textual Amendments

F202 Word in Art. 34 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **111** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 35

Safety related aerodrome equipment

1 Taking into account the objectives and principles set out in Articles 1 and 4, and in particular the nature and risk of the activity concerned, [^{F203}regulations made under] Article 36 may require organisations involved in the design, production and maintenance of safety related aerodrome equipment used or intended for use at aerodromes subject to this Regulation to:

- a declare that such equipment complies with the detailed specifications established in accordance with [^{F204}regulations made under] Article 36; or
- b hold a certificate in respect of that safety-related aerodrome equipment.

2 The certificate referred to in point (b) of paragraph 1 of this Article shall be issued upon application, when the applicant has demonstrated that the equipment complies with the detailed specifications established in accordance with [^{F205}regulations made under] Article 36 adopted to ensure compliance with the essential requirements referred to in Article 33.

3 The certificate referred to in point (b) of paragraph 1 of this Article shall specify the functionalities of the equipment. That certificate may be amended to reflect the changes to those functionalities, in accordance with [^{F206}regulations made under] point (d) of Article 36(1).

4 The certificate referred to in point (b) of paragraph 1 of this Article may be limited, suspended or revoked, when the equipment no longer complies with the rules and procedures for issuing and maintaining such certificate, in accordance with [^{F207}regulations made under] point (d) of Article 36(1).

Textual Amendments

F203 Words in Art. 35(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **112(2)(a)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F204 Words in Art. 35(1)(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **112(2)(b)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

- F205** Words in Art. 35(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **112(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F206** Words in Art. 35(3) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **112(4)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F207** Words in Art. 35(4) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **112(4)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 36

[^{F208}Regulations] as regards aerodromes and safety-related aerodrome equipment

1 In order to ensure ^{F209}... compliance with the essential requirements referred to in Article 33, for aerodromes and safety-related aerodrome equipment, the [^{F210}Secretary of State] shall, on the basis of the principles set out in Article 4 and with a view to achieving the objectives set out in Article 1, [^{F211}make regulations] laying down detailed provisions concerning:

- a the rules and procedures for establishing and notifying to an applicant, on the basis of Article 34(5), the certification basis applicable to an aerodrome for the purposes of certification in accordance with Article 34(1);
- b the rules and procedures for establishing and notifying to an applicant the detailed specifications applicable to safety-related aerodrome equipment for the purposes of certification in accordance with Article 35(1);
- c the rules and procedures for issuing, maintaining, amending, limiting, suspending or revoking the aerodrome certificates referred to in Article 34, including operating limitations related to the specific design of the aerodrome;
- d the rules and procedures for issuing, maintaining, amending, limiting, suspending or revoking the certificates for safety-related aerodrome equipment referred to in Article 35(1), and for the situations in which such certificates are to be required;
- e the rules and procedures for establishing the detailed specifications applicable to safety-related aerodrome equipment which is subject to a declaration in accordance with Article 35(1);
- f the rules and procedures for the declaration, in accordance with Article 35(1), in respect of safety-related aerodrome equipment, and for the situations in which such declarations are to be required;
- g the privileges and responsibilities of the holders of the certificates referred to in Articles 34 and 35(1), and of the organisations making declarations in accordance with Article 35(1);

^{F212}h

^{F213} ...

2 [^{F214}When making regulations under subparagraph 1, the Secretary of State] shall ensure compliance with the essential requirements referred to in Article 33 of this Regulation and shall take due account of the international standards and recommended practices, in particular those set out in Annex 14 to the Chicago Convention.

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

Textual Amendments

- F208** Word in Art. 36 heading substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **113(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F209** Words in Art. 36(1) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **113(3)(a)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F210** Words in Art. 36(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **113(3)(a)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F211** Words in Art. 36(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **113(3)(a)(iii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F212** Art. 36(1)(h) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **113(3)(a)(iv)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F213** Words in Art. 36(1) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **113(3)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F214** Words in Art. 36(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **113(4)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 37

Organisations

1 Organisations responsible for the operation of aerodromes shall be subject to certification and shall be issued with a certificate. That certificate shall be issued upon application, when the applicant has demonstrated that it complies with [^{F215}regulations made under] Article 39 adopted to ensure compliance with the essential requirements referred to in Article 33.

The certificate shall specify the privileges granted to the certified organisation and the scope of the certificate.

2 Organisations responsible for the provision of groundhandling services and AMS at aerodromes subject to this Regulation shall declare their capability, and the availability to them of the means, to discharge the responsibilities associated with the services provided in compliance with the essential requirements referred to in Article 33.

Textual Amendments

- F215** Words in Art. 37 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **114** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

Article 38

Protection of aerodrome surroundings

1 ^{F216}The Secretary of State and the CAA] shall take the necessary measures to ensure that aerodromes located in ^{F217}the United Kingdom] are safeguarded against activities and developments in their surroundings which may cause unacceptable risks to aircraft using the aerodrome.

2 The organisations referred to in Article 37(1) shall monitor activities and developments which may cause unacceptable safety risks to aviation in the surroundings of the aerodrome for the operation of which they are responsible. They shall take the necessary measures to mitigate those risks in as far as this lies within their control and, where that is not the case, bring those risks to the attention of ^{F218}the CAA].

3 In order to ensure the uniform application of this Article, the ^{F219}Secretary of State may], on the basis of the principles set out in Article 4 and with a view to achieving the objectives set out in Article 1, ^{F220}make regulations] laying down detailed provisions. ^{F221}...

Textual Amendments

- F216** Words in Art. 38(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **115(2)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F217** Words in Art. 38(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **115(2)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F218** Words in Art. 38(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **115(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F219** Words in Art. 38(3) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **115(4)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F220** Words in Art. 38(3) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **115(4)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F221** Words in Art. 38(3) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **115(4)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 39

Delegated powers

1 For the operation of aerodromes and the provision of groundhandling services and AMS at aerodromes, the ^{F222}Secretary of State may make regulations] laying down detailed rules with regard to:

- a the specific conditions for the operation of aerodromes in compliance with the essential requirements referred to in Article 33;

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- b the conditions for issuing, maintaining, amending, limiting, suspending or revoking the certificates referred to in Article 37(1);
- c the privileges and responsibilities of the holders of the certificates referred to in Article 37(1);
- d the conditions and procedures for the declaration by organisations providing groundhandling services and by organisations providing AMS in accordance with Article 37(2), including recognition, without further verification, by the operators, of those declarations;
- e the privileges and responsibilities of the organisations providing groundhandling services and by organisations providing AMS which have made declarations in accordance with Article 37(2).

2 As regards aerodromes, safety-related aerodrome equipment, the operation of aerodromes, and groundhandling services and AMS the [^{F223}Secretary of State may make regulations], to amend Annex VII and, if applicable, Annex VIII, where necessary for reasons of technical, operational or scientific developments or safety evidence related to the aerodromes, in order and to the extent required to achieve the objectives set out in Article 1.

Textual Amendments

F222 Words in Art. 39(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **116(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F223 Words in Art. 39(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **116(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

SECTION V

ATM/ANS

Article 40

Essential requirements

1 The provision of ATM/ANS referred to in point (g) of Article 2(1) shall comply with the essential requirements set out in Annex VIII and, if applicable, Annex VII.

2 Aircraft operating in [^{F224}United Kingdom] airspace, except those engaged in activities referred to in point (a) of Article 2(3), shall comply with the essential requirements set out in point 1 of Annex VIII.

Textual Amendments

F224 Words in Art. 40(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **117** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

Article 41

ATM/ANS providers

- 1 Providers of ATM/ANS shall be required to hold a certificate.
- 2 The certificate referred to in paragraph 1 of this Article shall be issued upon application, when the applicant has demonstrated that it complies with [F225regulations made under] Article 43 adopted to ensure compliance with the essential requirements referred to in Article 40.
- 3 The certificate referred to in paragraph 1 of this Article shall specify the privileges granted. That certificate may be amended to add or remove privileges, in accordance with [F226regulations made under] point (b) of the first subparagraph of Article 43(1).
- 4 The certificate referred to in paragraph 1 of this Article may be limited, suspended or revoked when the holder no longer complies with the rules and procedures for issuing and maintaining such certificate, in accordance with [F227regulations made under] point (b) of the first subparagraph of Article 43(1).
- 5 By way of derogation from paragraph 1 of this Article, in accordance with [F228regulations made under] Article 43, [F229the CAA] may decide that providers of flight information services are to be allowed to declare their capability, and the availability to them of the means, to discharge the responsibilities associated with the services provided in compliance with the essential requirements referred to in Article 40. F230 ...
- 6 By way of derogation from paragraph 1, [F231the CAA] may grant exemptions to providers of ATM/ANS from the requirement to hold a certificate, where all of the following conditions have been met:
 - a the provider has its principal place of business located outside the territories for which [F232the United Kingdom is] responsible under the Chicago Convention;
 - b the provision of ATM/ANS by that provider concerns air traffic of small volume in a limited part of the airspace for which the [F233United Kingdom] is responsible and where that part of the airspace borders with an airspace under the responsibility of a third country;
 - c requiring the provider to demonstrate compliance with the rules referred to in paragraph 1 would involve a disproportionate effort from that provider in light of the nature and risk of the particular activity that it carries out within that airspace;
 - d the [F234CAA] has set rules and procedures applicable to the provision of ATM/ANS by the provider which ensure, in accordance with international standards and recommended practices and taking account of the specific circumstances of the case in question, an acceptable level of safety and compliance with the essential requirements referred to in Article 40, and has established appropriate and effective means and arrangements for oversight and enforcement to ensure compliance with those rules and procedures;
 - e the scope of the exemption is clearly defined and the exemption remains limited to what is strictly necessary; where its duration exceeds five years, the exemption is subject to regular review at suitable intervals; and the exemption is applied in a non-discriminatory manner.

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Textual Amendments

- F225** Words in Art. 41(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **118(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F226** Words in Art. 41(3) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **118(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F227** Words in Art. 41(4) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **118(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F228** Words in Art. 41(5) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **118(3)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F229** Words in Art. 41(5) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **118(3)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F230** Words in Art. 41(5) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **118(3)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F231** Words in Art. 41(6) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **118(4)(a)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F232** Words in Art. 41(6)(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **118(4)(a)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F233** Words in Art. 41(6)(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **118(4)(a)(iii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F234** Word in Art. 41(6)(d) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **118(4)(a)(iv)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F235** Words in Art. 41(6) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **118(4)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 42

Organisations involved in the design, production or maintenance of ATM/ANS systems and ATM/ANS constituents

1 Taking into account the objectives and principles set out in Articles 1 and 4, and in particular the nature and risk of the activity concerned, organisations involved in the design, production or maintenance of ATM/ANS systems and ATM/ANS constituents, may be required, in accordance with [^{F236}regulations made under] Article 43, to:

- a declare their capability, and the availability to them of the means, to discharge the responsibilities associated with the activities performed in compliance with those [^{F237}regulations]; or
- b hold a certificate.

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2 The certificate referred to in point (b) of paragraph 1 of this Article shall be issued upon application, when the applicant has demonstrated that it complies with the rules established by [^{F238}regulations made under] Article 43 adopted to ensure compliance with the essential requirements referred to in Article 40.

3 The certificate referred to in point (b) of paragraph 1 of this Article shall specify the privileges granted. The certificate may be amended to add or remove privileges, in accordance with [^{F239}regulations made under] point (d) of the first subparagraph of Article 43(1).

4 The certificate referred to in point (b) of paragraph 1 of this Article may be limited, suspended or revoked, when the holder no longer complies with the rules and procedures for issuing and maintaining such certificate, in accordance with [^{F240}regulations made under] point (d) of the first subparagraph of Article 43(1).

Textual Amendments

- F236** Words in Art. 42(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **119(2)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F237** Word in Art. 42(1)(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **119(2)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F238** Words in Art. 42(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **119(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F239** Words in Art. 42(3) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **119(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F240** Words in Art. 42(4) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **119(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 43

[^{F241}Regulations] as regards ATM/ANS providers and organisations involved in the design, production or maintenance of ATM/ANS systems and ATM/ANS constituents

1 In order to ensure ^{F242}... compliance with the essential requirements referred to in Article 40, for the provision of ATM/ANS referred to in point (g) of Article 2(1), the [^{F243}Secretary of State] shall, on the basis of the principles set out in Article 4 and with a view to achieving the objectives set out in Article 1, [^{F244}make regulations] laying down detailed provisions concerning:

- a the specific rules and procedures for the provision of ATM/ANS in compliance with the essential requirements referred to in Article 40, including the establishment and implementation of the contingency plan in accordance with point 5.1(f) of Annex VIII;
- b the rules and procedures for issuing, maintaining, amending, limiting, suspending or revoking the certificates referred to in Article 41(1);
- c the rules and procedures for the declaration by providers of flight information services referred to in Article 41(5), and for the situations in which such declarations are to be permitted;

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- d the rules and procedures for issuing, maintaining, amending, limiting, suspending or revoking the certificates referred to in point (b) of Article 42(1), and for the situations in which such certificates are to be required;
- e the rules and procedures for the declaration by organisations referred to in point (a) of Article 42(1), and for the situations in which such declarations are to be required;
- f the privileges and responsibilities of the holders of certificates referred to in Article 41(1) and point (b) of 42(1) and of organisations making declarations in accordance with Article 41(5) and point (a) of Article 42(1).

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3 [F247]When making regulations under paragraph 1, the Secretary of State] shall ensure compliance with the essential requirements referred to in Article 40 of this Regulation and shall take due account of the international standards and recommended practices, in particular those set out in Annexes 2 to 4, 10, 11 and 15 to the Chicago Convention.

Textual Amendments

- F241** Word in Art. 43 heading substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **120(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F242** Words in Art. 43(1) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **120(3)(a)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F243** Words in Art. 43(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **120(3)(a)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F244** Words in Art. 43(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **120(3)(a)(iii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F245** Words in Art. 43(1) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **120(3)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F246** Art. 43(2) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **120(4)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F247** Words in Art. 43(3) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **120(5)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 44

[F248]Regulations] as regards the use of airspace and the design of airspace structures

1 In order to ensure F249... compliance with the essential requirements referred to in Article 40, for the provision of ATM/ANS referred to in point (g) of Article 2(1), as well as for the design of airspace structures, the [F250]Secretary of State] shall, on the basis of the principles set out in Article 4 and with a view to achieving the objectives set out in Article 1, [F251]make regulations] laying down detailed provisions concerning:

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- a the operating rules related to the use of airspace, aircraft equipment and ATM/ANS systems and ATM/ANS constituents required for the use of airspace;
- b the rules and procedures for the design of airspace structures in order to ensure compliance with Article 46.

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3 ^{F254}When making regulations under paragraph 1, the Secretary of State] shall ensure compliance with the essential requirements referred to in Article 40 of this Regulation and shall take due account of the international standards and recommended practices, in particular those set out in Annexes 2, 3, 10, 11 and 15 to the Chicago Convention.

Textual Amendments

- F248** Word in Art. 44 heading substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **121(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F249** Words in Art. 44(1) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **121(3)(a)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F250** Words in Art. 44(1) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **121(3)(a)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F251** Words in Art. 44(1) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **121(3)(a)(iii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F252** Words in Art. 44(1) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **121(3)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F253** Art. 44(2) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **121(4)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F254** Words in Art. 44(3) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **121(5)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 45

ATM/ANS systems and ATM/ANS constituents

1 Where ^{F255}regulations made under] Article 47 so provide, the providers of ATM/ANS referred to in Article 41 shall be required to declare that the ATM/ANS systems and ATM/ANS constituents which are to be put into operation by those service providers comply with the detailed specifications established in accordance with ^{F255}regulations made under] Article 47 adopted to ensure compliance with the essential requirements referred to in Article 40.

2 Where ^{F255}regulations made under] Article 47 so provide, ATM/ANS systems and ATM/ANS constituents shall be subject to certification and shall be issued with a certificate.

That certificate shall be issued upon application, when the applicant has demonstrated that those systems and constituents comply with the detailed specifications established

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in accordance with [^{F255}regulations made under] Article 47 adopted to ensure compliance with the essential requirements referred to in Article 40.

By way of derogation from the first subparagraph, where [^{F255}regulations made under] Article 47 so provide, the organisation involved in the design, production or maintenance of ATM/ANS systems and ATM/ANS constituents shall be permitted to declare that those systems and constituents comply with the detailed specifications established in accordance with [^{F255}regulations made under] Article 47 adopted to ensure compliance with the essential requirements referred to in Article 40 and that those systems and constituents are suitable for use.

Textual Amendments

F255 Words in Art. 45 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **122** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 46

Design of airspace structures

[^{F256}The CAA] shall ensure that airspace structures are properly designed, surveyed and validated before they can be deployed and used by aircraft, in accordance with [^{F257}regulations made by the Secretary of State under] point (b) of Article 44(1).

Textual Amendments

- F256** Words in Art. 46 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **123(a)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F257** Words in Art. 46 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **123(b)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 47

Delegated powers

1 For the ATM/ANS systems and ATM/ANS constituents the [^{F258}the Secretary of State may make regulations] laying down detailed rules with regard to:

- a the conditions for establishing and notifying to an applicant the detailed specifications applicable to ATM/ANS systems and ATM/ANS constituents for the purposes of certification in accordance with Article 45(2);
- b the conditions for issuing, maintaining, amending, limiting, suspending or revoking the certificates referred to in Article 45(2), and for the situations in which, with a view to achieving the objectives set out in Article 1 and while taking account of the nature and risk of the particular activity concerned, such certificates are to be required or declarations are to be permitted, as applicable;
- c the privileges and responsibilities of the holders of certificates referred to in Article 45(2);

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- d the privileges and responsibilities of the organisations issuing declarations in accordance with Article 45(1) and (2);
- e the conditions and procedures for the declaration by ATM/ANS providers, in accordance with Article 45(1), and for the situations in which, with a view to achieving the objectives set out in Article 1 and while taking account of the nature and risk of the particular activity concerned such declarations are to be required;
- f the conditions for establishing the detailed specifications applicable to ATM/ANS systems and ATM/ANS constituents which are subject to a declaration in accordance with Article 45(1) and (2).

2 As regards the provision of ATM/ANS, the [F259the Secretary of State may make regulations] to amend Annex VIII and, if applicable, Annex VII, where necessary for reasons of technical, operational or scientific developments or safety evidence related to the ATM/ANS, in order and to the extent required to achieve the objectives set out in Article 1.

Textual Amendments

F258 Words in Art. 47(1) substituted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **124** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), **12**); 2020 c. 1, **Sch. 5 para. 1(1)**

F259 Words in Art. 47(2) substituted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **124** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), **12**); 2020 c. 1, **Sch. 5 para. 1(1)**

SECTION VI

Air traffic controllers

Article 48

Essential requirements

Air traffic controllers involved in the provision of ATM/ANS referred to in point (g) of Article 2(1), as well as persons, organisations and synthetic training devices involved in the training, testing, checking or medical assessment of those air traffic controllers, shall comply with the essential requirements set out in Annex VIII.

Article 49

Air traffic controllers

1 Air traffic controllers shall be required to hold an air traffic controller licence and an air traffic controller medical certificate appropriate for the service to be provided.

2 The air traffic controller licence referred to in paragraph 1 of this Article shall be issued upon application, when the applicant for the licence has demonstrated that he or she complies with [F260regulations made under] Article 50 adopted to ensure compliance with the essential requirements referred to in Article 48.

3 The air traffic controller medical certificate referred to in paragraph 1 of this Article shall be issued upon application, when the air traffic controller has demonstrated that he or she

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complies with [F²⁶⁰regulations made under] Article 50 adopted to ensure compliance with the essential requirements referred to in Article 48.

4 The air traffic controller licence and the air traffic controller medical certificate referred to in paragraph 1 of this Article shall specify the privileges granted to the air traffic controller. That air traffic controller licence and air traffic controller medical certificate may be amended to add or remove privileges, in accordance with [F²⁶⁰regulations made under] point (c) of the first subparagraph of Article 50(1).

5 The air traffic controller licence and the air traffic controller medical certificate referred to in paragraph 1 of this Article may be limited, suspended or revoked when the holder no longer complies with the rules and procedures for issuing and maintaining a licence or a medical certificate, in accordance with [F²⁶⁰regulations made under] point (c) of the first subparagraph of Article 50(1).

Textual Amendments

F260 Words in Art. 49 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **125** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 50

[F²⁶¹Regulations] as regards air traffic controllers

1 In order to ensure F²⁶²... compliance with the essential requirements referred to in Article 48, for air traffic controllers, the [F²⁶³Secretary of State] shall, on the basis of the principles set out in Article 4 and with a view to achieving the objectives set out in Article 1, [F²⁶⁴make regulations] laying down detailed provisions concerning:

- a the different categories, ratings and endorsements for the air traffic controller licences referred to in Article 49;
- b the privileges and responsibilities of the holders of air traffic controller licences, ratings and endorsements for the licences and medical certificates referred to in Article 49;
- c the rules and procedures for issuing, maintaining, amending, limiting, suspending or revoking licences, ratings and endorsements for the air traffic controller licences and medical certificates referred to in Article 49, including the rules and procedures for the conversion of national air traffic controller licences and national medical certificates into the air traffic controller licences and medical certificates referred to in Article 49;
- d the rules and procedures for air traffic controllers in regard to duty time limitations and rest requirements; such rules and procedures are to produce a high level of safety by protecting against the effects of tiredness while, at the same time, allowing for sufficient flexibility in scheduling.

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2 [F²⁶⁶When making regulations under paragraph 1, the Secretary of State] shall ensure compliance with the essential requirements referred to in Article 48 of this Regulation and shall take due account of the international standards and recommended practices, in particular those set out in Annex 1 to the Chicago Convention.

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Textual Amendments

- F261** Word in Art. 50 heading substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **126(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F262** Words in Art. 50(1) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **126(3)(a)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F263** Words in Art. 50(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **126(3)(a)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F264** Words in Art. 50(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **126(3)(a)(iii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F265** Words in Art. 50(1) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **126(3)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F266** Words in Art. 50(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **126(4)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 51

Air traffic controller training organisations and aero-medical centres

- 1 An approval shall be required in respect of air traffic controller training organisations and aero-medical centres.
- 2 The approval referred to in paragraph 1 of this Article shall be issued upon application, when the applicant has demonstrated that it complies with [^{F267}regulations made under] Article 53 adopted to ensure compliance with the essential requirements referred to in Article 48.
- 3 The approval referred to in paragraph 1 of this Article shall specify the privileges granted to the organisation. The approval may be amended to add or remove privileges, in accordance with [^{F267}regulations made under] point (a) of the first subparagraph of Article 53(1).
- 4 The approval referred to in paragraph 1 of this Article may be limited, suspended or revoked when the holder no longer complies with the rules and procedures for issuing and maintaining such approval, in accordance with [^{F267}regulations made under] point (a) of the first subparagraph of Article 53(1).

Textual Amendments

- F267** Words in Art. 51 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **127** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

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Article 52

Instructors, assessors and aero-medical examiners

1 Persons responsible for providing practical training, for assessing the practical skills of air traffic controllers, as well as aero-medical examiners, shall be required to hold a certificate.

2 The certificate referred to in paragraph 1 of this Article shall be issued upon application, when the applicant has demonstrated that he or she complies with [^{F268}regulations made under] Article 53 adopted to ensure compliance with the essential requirements referred to in Article 48.

3 The certificate referred to in paragraph 1 of this Article shall specify the privileges granted. The certificate may be amended to add or remove privileges, in accordance with [^{F268}regulations made under] point (a) of the first subparagraph of Article 53(1).

4 The certificate referred to in paragraph 1 of this Article may be limited, suspended or revoked when the holder no longer complies with the rules and procedures for issuing and maintaining such certificate, in accordance with [^{F268}regulations made under] point (a) of the first subparagraph of Article 53(1).

Textual Amendments

F268 Words in Art. 52 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **128** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 53

[^{F269}Regulations] as regards training, testing, checking and medical assessment

1 In order to ensure ^{F270}... compliance with the essential requirements referred to in Article 48, for persons and organisations involved in the training, testing, checking and medical assessment of air traffic controllers, the [^{F271}Secretary of State] shall, on the basis of the principles set out in Article 4 and with a view to achieving the objectives set out in Article 1, [^{F272}make regulations] laying down detailed provisions concerning:

- a the rules and procedures for issuing, maintaining, amending, limiting, suspending or revoking the approvals and certificates referred to in Articles 51 and 52;
- b the privileges and responsibilities of the holders of the approvals and certificates referred to in Articles 51 and 52.

^{F273}
...

2 [^{F274}When making regulations under paragraph 1, the Secretary of State] shall ensure compliance with the essential requirements referred to in Article 48 of this Regulation and shall take due account of the international standards and recommended practices, in particular those set out in Annex 1 to the Chicago Convention.

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Textual Amendments

- F269** Word in Art. 53 heading substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **129(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F270** Words in Art. 53(1) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **129(3)(a)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F271** Words in Art. 53(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **129(3)(a)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F272** Words in Art. 53(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **129(3)(a)(iii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F273** Words in Art. 53(1) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **129(3)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F274** Words in Art. 53(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **129(4)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 54

Delegated powers

As regards air traffic controllers, persons and organisations involved in the training, testing, checking or medical assessment of air traffic controllers, as well as synthetic training devices, [^{F275}the Secretary of State may make regulations] to amend Annex VIII, where necessary for reasons of technical, operational or scientific developments or safety evidence related to the training organisations and air traffic controllers, in order and to the extent necessary to achieve the objectives set out in Article 1.

Textual Amendments

- F275** Words in Art. 54 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **130** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

SECTION VII

Unmanned aircraft

Article 55

Essential requirements for unmanned aircraft

The design, production, maintenance and operation of aircraft referred to in point (a) and (b) of Article 2(1), where it concerns unmanned aircraft, and their engines, propellers, parts, non-installed equipment and equipment to control them remotely, as well as the

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personnel, including remote pilots, and organisations involved in those activities, shall comply with the essential requirements set out in Annex IX, and, where [F276 regulations made under] Article 58 and [F277 regulations made under] Article 57 so provide, with the essential requirements set out in Annexes II, IV and V.

Textual Amendments

- F276** Words in Art. 55 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **131(a)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F277** Words in Art. 55 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **131(b)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 56

Compliance of unmanned aircraft

1 Taking into account the objectives and the principles set out in Articles 1 and 4, and in particular the nature and risk of the activity concerned, the operational characteristics of the unmanned aircraft concerned and the characteristics of area of operation, a certificate may be required for the design, production, maintenance and operation of unmanned aircraft and their engines, propellers, parts, non-installed equipment and equipment to control them remotely, as well as for the personnel, including remote pilots, and organisations involved in those activities, in accordance with [F278 regulations made under] Article 58 and [F279 regulations made under] Article 57.

2 The certificate referred to in paragraph 1 of this Article shall be issued upon application, when the applicant has demonstrated that it complies with [F280 regulations made under] Article 58 and [F281 regulations made under] Article 57.

3 The certificate referred to in paragraph 1 of this Article shall specify the safety-related limitations, operating conditions and privileges. The certificate may be amended to add or remove limitations, conditions and privileges, in accordance with [F282 regulations made under] Article 58 and [F283 regulations made under] Article 57.

4 The certificate referred to in paragraph 1 of this Article may be limited, suspended or revoked when the holder no longer complies with the conditions, rules and procedures for issuing or maintaining such certificate, in accordance with [F284 regulations made under] Article 58 and [F285 regulations made under] Article 57.

5 Taking into account the objectives and the principles set out in Articles 1 and 4, and in particular the nature and risk of the activity concerned, the operational characteristics of the unmanned aircraft concerned and the characteristics of area of operation, [F286 regulations made under] Article 58 and [F287 regulations made under] Article 57 may require in respect of the design, production, maintenance and operation of unmanned aircraft and their engines, propellers, parts, non-installed equipment and equipment to control them remotely, as well as of the personnel, including remote pilots, and organisations involved in those activities, a declaration confirming compliance with those [F288 regulations].

6 Where the objectives and the principles set out in Articles 1 and 4 can be achieved without the application of Chapters IV and V of this Regulation, [F289 regulations made under] point (c) of Article 58(1) might provide that those Chapters shall apply neither to the essential

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requirements referred to in Article 55 nor to the corresponding detailed rules established in accordance with Article 58.^{F290} ...

7 [F291The CAA] shall ensure that information about registration of unmanned aircraft and of operators of unmanned aircraft that are subject to a registration requirement in accordance with [F292regulations made under] Article 57 and point 4 of Annex IX is stored in [F293a digital national registration system].^{F294} ...

8 This Section shall be without prejudice to the possibility for [F295the Secretary of State] to lay down [F296regulations] to make subject to certain conditions the operations of unmanned aircraft for reasons falling outside the scope of this Regulation, including public security or protection of privacy and personal data^{F297}

Textual Amendments

- F278** Words in Art. 56(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **132(2)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F279** Words in Art. 56(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **132(2)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F280** Words in Art. 56(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **132(3)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F281** Words in Art. 56(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **132(3)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F282** Words in Art. 56(3) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **132(4)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F283** Words in Art. 56(3) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **132(4)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F284** Words in Art. 56(4) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **132(5)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F285** Words in Art. 56(4) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **132(5)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F286** Words in Art. 56(5) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **132(6)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F287** Words in Art. 56(5) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **132(6)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F288** Word in Art. 56(5) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **132(6)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F289** Words in Art. 56(6) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **132(7)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

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- F290** Words in Art. 56(6) omitted (31.12.2020) by virtue of *The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645)*, regs. 1, **132(7)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F291** Words in Art. 56(7) substituted (31.12.2020) by *The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645)*, regs. 1, **132(8)(a)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F292** Words in Art. 56(7) substituted (31.12.2020) by *The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645)*, regs. 1, **132(8)(a)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F293** Words in Art. 56(7) substituted (31.12.2020) by *The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645)*, regs. 1, **132(8)(a)(iii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F294** Words in Art. 56(7) omitted (31.12.2020) by virtue of *The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645)*, regs. 1, **132(8)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F295** Words in Art. 56(8) substituted (31.12.2020) by *The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645)*, regs. 1, **132(9)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F296** Word in Art. 56(8) substituted (31.12.2020) by *The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645)*, regs. 1, **132(9)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F297** Words in Art. 56(8) omitted (31.12.2020) by virtue of *The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645)*, regs. 1, **132(9)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 57

[^{F298}**Regulations**] as regards unmanned aircraft

In order to ensure ^{F299}... compliance with the essential requirements referred to in Article 55, for the operation of aircraft referred to in points (a) and (b) of Article 2(1), where it concerns unmanned aircraft, as well as for personnel, including remote pilots, and organisations involved in those activities, and on the basis of the principles set out in Article 4 and with a view to achieving the objectives set out in Article 1, [^{F300}the Secretary of State may make regulations] laying down detailed provisions concerning:

- (a) the specific rules and procedures for the operation of unmanned aircraft as well as for the personnel, including remote pilots, and organisations involved in those operations;
- (b) the rules and procedures for issuing, maintaining, amending, limiting, suspending, or revoking the certificates, or for making declarations, for the operation of unmanned aircraft as well as for personnel, including remote pilots, and organisations involved in those activities, and for the situations in which such certificates or declarations are to be required; the rules and procedures for issuing those certificates and for making those declarations may be based on, or consist of, the detailed requirements referred to in Sections I, II and III;
- (c) the privileges and responsibilities of the holders of certificates and of natural and legal persons making declarations;
- (d) the rules and procedures for the registration and marking of unmanned aircraft and for the registration of operators of unmanned aircraft, referred to in Section 4 of Annex IX;

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- (e) the rules and procedures for establishing [^{F301}a digital national registration system] referred to in Article 56(7);
- (f) the rules and procedures for the conversion of national certificates into the certificates required under Article 56(1).

F302

Textual Amendments

- F298** Word in Art. 57 heading substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **133(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F299** Words in Art. 57 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **133(3)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F300** Words in Art. 57 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **133(3)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F301** Words in Art. 57(e) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **133(3)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F302** Words in Art. 57 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **133(4)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 58

Delegated powers

1 For the design, production and maintenance of aircraft referred to in points (a) and (b) of Article 2(1), where it concerns unmanned aircraft, and their engines, propellers, parts, non-installed equipment and equipment to control the aircraft remotely, as well as for the personnel, including remote pilots, and organisations involved in those activities, [^{F303}the Secretary of State may make regulations] laying down detailed rules with regard to:

- a the specific conditions for the design, production and maintenance of unmanned aircraft and their engines, propellers, parts, non-installed equipment and equipment to control the aircraft remotely, as well as for personnel, including remote pilots, and organisations involved in those activities, necessary to ensure compliance with the essential requirements referred to in Article 55 which may include the conditions under which unmanned aircraft are required to be equipped with necessary features and functionalities related, in particular, to maximum operating distance and altitude limitations, position communication, geographical zones entry restriction, collision avoidance, flight stabilisation and automated landing;
- b the conditions and procedures for issuing, maintaining, amending, limiting, suspending, or revoking the certificates, or for making declarations, for the design, production and maintenance of unmanned aircraft, their engines, propellers, parts, non-installed equipment and equipment to control them remotely, as well as for the personnel, including remote pilots, and organisations involved in those activities, referred to in Article 56(1) and (5), and for the situations in which such certificates or declarations are to be required; the conditions and procedures for issuing those certificates and for

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- making those declarations may be based on, or consist of, the detailed requirements referred to in Sections I, II and III;
- c the conditions under which the requirements concerning the design, production and maintenance of unmanned aircraft and their engines, propellers, parts, non-installed equipment and equipment to control them remotely, are not to be subject to Chapters IV and V, for the purpose of Article 56(6);
 - d the privileges and responsibilities of the holders of certificates and of natural and legal persons making declarations;
 - e the conditions for the conversion of national certificates into the certificates required under Article 56(1).
- 2 As regards the design, production, maintenance and operation of aircraft referred to in points (a) and (b) of Article 2(1), where it concerns unmanned aircraft, and their engines, propellers, parts, non-installed equipment and equipment to control the aircraft remotely, as well as the personnel, including remote pilots, and organisations involved in those activities, [^{F304}the Secretary of State may make regulations] to amend Annex IX and, if applicable, Annex III, where necessary for reasons of technical, operational or scientific developments or safety evidence related to air operations, in order and to the extent required to achieve the objectives set out in Article 1.

Textual Amendments

- F303** Words in Art. 58(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **134(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F304** Words in Art. 58(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **134(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

SECTION VIII

Aircraft used by a third-country operator into, within or out of the [^{F305}United Kingdom]

Article 59

Applicable rules

Without prejudice to point 1 of Annex VIII and the rules adopted on the basis of point (a) of Article 44(1), aircraft referred to in point (c) of Article 2(1), as well as their aircrew and their operations, shall comply with the applicable ICAO standards.

To the extent that there are no such standards, those aircraft, their aircrew and their operations shall comply:

- (a) as regard aircraft other than unmanned aircraft, with the essential requirements set out in Annexes II, IV and V;
- (b) as regards unmanned aircraft, with the essential requirements set out in Annex IX and, where [^{F306}regulations made under] Article 61 so provide, with the essential requirements set out in Annexes II, IV and V.

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However, the second subparagraph shall not apply where those essential requirements are in conflict with the rights of third countries under international conventions.

Textual Amendments

F306 Words in Art. 59(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **136** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 60

Compliance

1 The operation of the aircraft referred to in point (c) of Article 2(1) for commercial air transport shall be subject to certification and shall be issued with an authorisation.

That authorisation shall be issued upon application, when the applicant has demonstrated its capability, and the availability to it of the means, to discharge the responsibilities associated with the operation of that aircraft in compliance with the requirements specified in Article 59. The authorisation shall specify the privileges granted to the operator and the scope of the operations.

2 Where [^{F307}regulations made under] Article 61 so provide, the operation of aircraft referred to in point (c) of Article 2(1) other than for commercial air transport shall be subject to certification and shall be issued with an authorisation.

That authorisation shall be issued upon application, when the applicant has demonstrated its capability, and the availability to it of the means, to discharge the responsibilities associated with the operation of that aircraft in compliance with the requirements specified in Article 59.

The authorisation shall specify the privileges granted to the operator and the scope of the operations.

By way of derogation from the first subparagraph of this paragraph, where [^{F307}regulations made under] Article 61 so provide, the operators of the aircraft referred to in point (c) of Article 2(1) engaged in operations other than commercial air transport shall be permitted to declare their capability, and the availability to them of the means, to discharge the responsibilities associated with the operation of that aircraft in compliance with the requirements specified in Article 59.

3 Except for the operation of unmanned aircraft, the authorisations and declarations referred to in paragraphs 1 and 2 shall not be required in respect of the operation of aircraft that are only overflying the [^{F308}United Kingdom].

Textual Amendments

F307 Words in Art. 60(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **137(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F308 Words in Art. 60(3) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **137(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

Article 61

Delegated powers

1 For the aircraft referred to in point (c) of Article 2(1), as well as their aircrew and their operations, the [F309 Secretary of State may make regulations] laying down detailed rules with regard to:

- a the authorisation of aircraft, in respect of which there is no standard ICAO certificate of airworthiness, or the authorisation of pilots who do not hold a standard ICAO licence, to operate into, within or out of the [F310 United Kingdom];
- b the specific conditions to operate an aircraft in compliance with Article 59;
- c alternative conditions for cases where compliance with the standards and requirements referred to in Article 59 is not possible or involves a disproportionate effort from the operator, while ensuring that the objectives of the standards and requirements concerned are met;
- d the conditions for issuing, maintaining, amending, limiting, suspending or revoking the authorisations referred to in Article 60, and for the situations in which, with a view to achieving the objectives set out in Article 1 and while taking account of the nature and risk of the particular activity concerned, such authorisations are to be required or declarations are to be permitted, as applicable. Those conditions shall take into account the certificates issued by the state of registry, the state of the operator, and, in case of unmanned aircraft, the state where the equipment to control the unmanned aircraft remotely is located, and be without prejudice to Regulation (EC) No 2111/2005^{F311} ...;
- e the privileges and responsibilities of the holders of the authorisations referred to in Article 60(1) and (2), and, where relevant, aircraft operators that made declarations in accordance with Article 60(2).

2 When [F312 making regulations under] paragraph 1, the [F313 Secretary of State] shall ensure, in particular, that:

- a use is made, as appropriate, of ICAO recommended practices and guidance documents;
- b no requirement exceeds what is required under this Regulation from aircraft referred to in point (b) (i) of Article 2(1) and from the aircrew and operators of such aircraft;
- c the process through which the authorisations referred to in Article 60(1) and (2) are obtained is simple, proportionate, effective and cost-efficient and allows for demonstrations of compliance which are proportionate to the complexity of the operation and the risk involved in that operation. The [F314 Secretary of State] shall in particular ensure that account is taken of:
 - (i) the results of the ICAO Universal Safety Oversight Audit Programme;
 - (ii) information collected under ramp inspection programmes established in accordance with [F315 regulations made under] Article 62(13) and [F316 regulations made under] Article 62(14);
 - (iii) other recognised information on safety aspects with regard to the operator concerned;
 - (iv) certificates issued in accordance with the laws of a third country;
- d aspects related to ATM/ANS are taken into account.

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

Textual Amendments

- F309** Words in Art. 61(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **138(2)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F310** Words in Art. 61(1)(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **138(2)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F311** Words in Art. 61(1)(d) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **138(2)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F312** Words in Art. 61(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **138(3)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F313** Words in Art. 61(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **138(3)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F314** Words in Art. 61(2)(c) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **138(3)(c)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F315** Words in Art. 61(2)(c)(ii) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **138(3)(c)(ii)(aa)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F316** Words in Art. 61(2)(c)(ii) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **138(3)(c)(ii)(bb)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Textual Amendments

- F305** Words in Ch. 3 s. 8 heading substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **135** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

CHAPTER IV

JOINT CERTIFICATION, OVERSIGHT AND ENFORCEMENT SYSTEM

Article 62

Certification, oversight and enforcement

- 1 ^{F317}[The Secretary of State and the CAA must cooperate] to ensure compliance with this Regulation and with ^{F318}[regulations made under it].
- 2 To ensure compliance with this Regulation and with ^{F319}[regulations made under it, the CAA] shall:
 - a receive and assess the applications made to ^{F320}[the CAA], and, where applicable, issue or renew certificates and receive declarations made to ^{F320}[the CAA], in accordance with Chapter III;

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- b perform oversight of holders of certificates, of natural and legal persons that made declarations, and of products, parts, equipment, ATM/ANS systems and ATM/ANS constituents, flight simulation training devices and aerodromes subject to this Regulation;
- c conduct the necessary investigations, inspections, including ramp inspections, audits and other monitoring activities to identify possible infringements by legal or natural persons subject to this Regulation of the requirements set out in this Regulation and in [F321regulations made under it];
- d take all necessary enforcement measures, including amending, limiting, suspending or revoking certificates issued by [F322the CAA], grounding of aircraft and imposing penalties, in order to terminate identified infringements;
- e prohibit, limit or make subject to certain conditions the activities referred to in Chapter III, in the interest of safety;
- f ensure an appropriate level of qualification of [F323CAA] staff involved in certification, oversight and enforcement tasks, including by providing adequate training.

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4 F325 ...

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[F326Where regulations made under] paragraph 15 so provide:

- a aero-medical examiners, aero-medical centres and general medical practitioners shall be responsible for issuing the pilot medical certificates referred to in Article 21(1) and the air traffic controller medical certificates referred to in Article 49(1);
- b cabin crew training organisations that have been issued an approval in accordance with Article 24 and aircraft operators that have been issued a certificate in accordance with Article 30 shall be responsible for issuing the cabin crew attestations referred to in Article 22.

F327 5

6 The oversight conducted by the [F328CAA] shall be continuous and based on priorities set in the light of the risks to civil aviation.

F329 7

8 The [F330CAA] shall manage and operate the tools and procedures necessary for the collection F331 ... and analysis of safety-related information obtained from ramp inspections referred to in point (c) of paragraph 2.

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F332 11

12 The [F333CAA] shall undertake the necessary and effective actions to increase and promote awareness of civil aviation safety and disseminate safety related information relevant for the prevention of accidents and incidents.

F334 13

14 In order to ensure F335 ... compliance with [F336 paragraphs 2, 4, 6 and 8] of this Article, with regard to the tasks of [F337 the CAA] related to certification, oversight and enforcement under this Regulation, the [F338 Secretary of State] shall, on the basis of the principles set out in Article 4 and with a view to achieving the objectives set out in Article 1, [F339 make regulations] laying down detailed provisions concerning:

- a the rules and procedures for conducting certification and for conducting the investigations, inspections, audits and other monitoring activities necessary to ensure effective oversight by the [F340CAA] of the natural and legal persons, products, parts, equipment, ATM/ANS systems and ATM/ANS constituents, flight simulation training devices and aerodromes subject to this Regulation;
- b the rules and procedures for conducting ramp inspections by the [F341CAA] and for the grounding of aircraft when the aircraft, its operator or its aircrew do not comply with the requirements of this Regulation or with [F342 regulations made under it];
- c the rules and procedures in accordance with which the activities regulated in Chapter III may be prohibited, limited or subject to certain conditions in the interest of safety;

F343 d

- e the rules and procedures for the accreditation by the [F344CAA] of a qualified entity for the purpose of Article 69.

F345 ...

15 In order to ensure F346 ... compliance with [F347 paragraphs 2, 4, 6 and 8] of this Article, with regard to the tasks of the [F348CAA] related to certification, oversight and enforcement under this Regulation, the [F349 Secretary of State] shall, on the basis of the principles set out in Article 4 and with a view to achieving the objectives set out in Article 1, [F350 make regulations] laying down detailed provisions concerning:

F351 a

- b the rules and procedures for the qualifications of the [F352CAA] staff involved in certification, oversight and enforcement tasks and of the organisations involved in their training;
- c the rules and procedures for the administration and management systems of the [F353CAA] relating to the exercise of the certification, oversight and enforcement tasks;
- d in respect of paragraph 4 of this Article, the rules and procedures for allocation of responsibilities to aero-medical examiners and aero-medical centres for the purpose of issuing pilot medical certificates and air traffic controller medical certificates, as well as the conditions under which general medical practitioners are to be given such responsibilities, with a view to ensuring effective performance of the tasks related to medical certification of pilots and air traffic controllers;
- e in respect of paragraph 4 of this Article, the rules and procedures for allocation of responsibilities to cabin crew training organisations and aircraft operators for the purpose of issuing cabin crew attestations, with a view to ensuring effective performance of the tasks related to certification of cabin crew.

F354 ...

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

Textual Amendments

- F317** Words in Art. 62(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **139(2)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F318** Words in Art. 62(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **139(2)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F319** Words in Art. 62(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **139(3)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F320** Words in Art. 62(2)(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **139(3)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F321** Words in Art. 62(2)(c) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **139(3)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F322** Words in Art. 62(2)(d) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **139(3)(d)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F323** Word in Art. 62(2)(f) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **139(3)(e)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F324** Art. 62(3) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **139(4)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F325** Words in Art. 62(4) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **139(5)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F326** Words in Art. 62(4) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **139(5)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F327** Art. 62(5) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **139(6)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F328** Word in Art. 62(6) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **139(7)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F329** Art. 62(7) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **139(8)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F330** Word in Art. 62(8) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **139(9)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F331** Word in Art. 62(8) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **139(9)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F332** Art. 62(9)-(11) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **139(10)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

- F333** Word in Art. 62(12) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **139(11)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F334** Art. 62(13) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **139(12)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F335** Words in Art. 62(14) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **139(13)(a)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F336** Words in Art. 62(14) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **139(13)(a)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F337** Words in Art. 62(14) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **139(13)(a)(iii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F338** Words in Art. 62(14) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **139(13)(a)(iv)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F339** Words in Art. 62(14) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **139(13)(a)(v)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F340** Word in Art. 62(14)(a) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **139(13)(a)(vi)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F341** Word in Art. 62(14)(b) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **139(13)(a)(vii)(aa)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F342** Words in Art. 62(14)(b) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **139(13)(a)(vii)(bb)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F343** Art. 62(14)(d) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **139(13)(a)(viii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F344** Word in Art. 62(14)(e) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **139(13)(a)(ix)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F345** Words in Art. 62(14) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **139(13)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F346** Words in Art. 62(15) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **139(14)(a)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F347** Words in Art. 62(15) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **139(14)(a)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F348** Word in Art. 62(15) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **139(14)(a)(iii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F349** Words in Art. 62(15) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **139(14)(a)(iv)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

- F350** Words in Art. 62(15) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **139(14)(a)(v)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F351** Art. 62(15)(a) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **139(14)(a)(vi)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F352** Word in Art. 62(15)(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **139(14)(a)(vii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F353** Word in Art. 62(15)(c) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **139(14)(a)(viii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F354** Words in Art. 62(15) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **139(14)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F355 **Article 63**

Pool of European aviation inspectors

Textual Amendments

- F355** Art. 63 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **140(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F356 **Article 64**

Reallocation of responsibility upon request of Member States

Textual Amendments

- F356** Art. 64 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **140(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F357 **Article 65**

Reallocation of responsibility upon request of organisations operating in more than one Member State

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

Textual Amendments

F357 Art. 65 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **140(c)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

^{F358} Article 66

Oversight support mechanism

Textual Amendments

F358 Art. 66 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **140(d)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

^{F359} Article 67

Validity and recognition of certificates and declarations

Textual Amendments

F359 Art. 67 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **140(e)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 68

Acceptance of third-country certification

1 ^{F360}The CAA] may either issue the certificates provided for in this Regulation, and in ^{F361}regulations made under it], on the basis of certificates issued in accordance with the laws of a third country, or accept certificates and other relevant documentation attesting compliance with civil aviation rules which were issued in accordance with the laws of a third country, where such possibility is provided for in:

- a international agreements concerning the recognition of certificates concluded between the ^{F362}United Kingdom] and a third country; ^{F363}or]
- b ^{F364}regulations made under] paragraph 3; ^{F365}...
- ^{F366}c

2 In order to achieve and maintain confidence in the regulatory systems of third countries, the ^{F367}CAA] shall be authorised to conduct the necessary technical assessments and evaluations of the laws of third countries and of foreign aviation authorities. For the

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

purpose of conducting such assessments and evaluations, the [F367CAA] may conclude working arrangements in accordance with Article 90(2).

3 [F368The Secretary of State may make regulations] laying down detailed rules with regard to the acceptance of certificates and other documentation attesting to compliance with civil aviation rules issued in accordance with the laws of a third country and ensuring an equivalent level of safety to that provided for in this Regulation, including the conditions and procedures for achieving and maintaining the necessary confidence in regulatory systems of third countries.

Textual Amendments

- F360** Words in Art. 68(1) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **141(2)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F361** Words in Art. 68(1) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **141(2)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F362** Words in Art. 68(1)(a) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **141(2)(c)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F363** Word in Art. 68(1)(a) inserted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **141(2)(c)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F364** Words in Art. 68(1)(b) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **141(2)(d)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F365** Word in Art. 68(1)(b) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **141(2)(d)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F366** Art. 68(1)(c) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **141(2)(e)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F367** Word in Art. 68(2) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **141(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F368** Words in Art. 68(3) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **141(4)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 69

Qualified entities

1 [F369The CAA may allocate its tasks] related to certification and oversight under this Regulation to qualified entities that have been accredited in accordance with [F370regulations made under] point (e) of the first subparagraph of Article 62(14) as being compliant with the criteria set out in Annex VI.

[F371The CAA] shall establish a system for that accreditation and for the assessment of the compliance of qualified entities with those criteria, both at the moment of accreditation and continuously thereafter.

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

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2 [F373The CAA] shall amend, limit, suspend or revoke the accreditation of a qualified entity F374 ..., when that entity no longer complies with the criteria set out in Annex VI.

3 [F375The CAA may grant a qualified entity] a privilege to issue, renew, amend, limit, suspend and revoke certificates, or to receive declarations, on behalf of the [F376CAA]. That privilege shall be included in the scope of the accreditation.

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Textual Amendments

- F369** Words in Art. 69(1) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **142(2)(a)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F370** Words in Art. 69(1) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **142(2)(a)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F371** Words in Art. 69(1) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **142(2)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F372** Words in Art. 69(1) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **142(2)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F373** Words in Art. 69(2) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **142(3)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F374** Words in Art. 69(2) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **142(3)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F375** Words in Art. 69(3) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **142(4)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F376** Word in Art. 69(3) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **142(4)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F377** Art. 69(4)(5) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **142(5)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 70

Safeguard provisions

1 This Regulation and the [F378regulations made under it] shall not prevent [F379the CAA] from reacting immediately to a problem relating to civil aviation safety, where all of the following conditions have been met:

- a the problem involves a serious risk to aviation safety and immediate action by [F380the CAA] is required to address it;

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

- b it is not possible for the [F381CAA] to adequately address the problem in compliance with this Regulation and with [F382regulations made under it];
- c the action taken is proportionate to the severity of the problem.

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Textual Amendments

- F378** Words in Art. 70(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **143(2)(a)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F379** Words in Art. 70(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **143(2)(a)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F380** Words in Art. 70(1)(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **143(2)(a)(iii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F381** Word in Art. 70(1)(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **143(2)(a)(iv)(aa)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F382** Words in Art. 70(1)(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **143(2)(a)(iv)(bb)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F383** Words in Art. 70(1) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **143(2)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F384** Art. 70(2)(3)(4) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **143(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 71

Flexibility provisions

1 [F385The CAA] may grant exemptions to any natural or legal person subject to this Regulation from the requirements applicable to that person pursuant to Chapter III, other than the essential requirements laid down in that Chapter, or to [F386regulations made under] that Chapter in the event of urgent unforeseeable circumstances affecting those persons or urgent operational needs of those persons, where all of the following conditions have been met:

- a it is not possible to adequately address those circumstances or needs in compliance with the applicable requirements;
- b safety, environmental protection and compliance with the applicable essential requirements are ensured, where necessary through the application of mitigation measures;
- c the [F387CAA] has mitigated any possible distortion of market conditions as a consequence of the granting of the exemption as far as possible; and

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- d the exemption is limited in scope and duration to the extent strictly necessary and it is applied in a non-discriminatory manner.

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Textual Amendments

- F385** Words in Art. 71(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **144(2)(a)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F386** Words in Art. 71(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **144(2)(a)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F387** Word in Art. 71(1)(c) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **144(2)(a)(iii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F388** Words in Art. 71(1) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **144(2)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F389** Art. 71(2)(3) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **144(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

^{F390} Article 72

Information gathering, exchange and analysis

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Textual Amendments

- F390** Art. 72 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **145(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

^{F391} Article 73

Protection of the source of information

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Textual Amendments

- F391** Art. 73 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **145(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

^{F392}Article 74

Repository of information

Textual Amendments

F392 Art. 74 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **145(c)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

CHAPTER V

THE EUROPEAN UNION AVIATION SAFETY AGENCY

SECTION I

Tasks

Article 75

[^{F393}Functions of the CAA under this Regulation]

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2 For the purposes of ensuring the proper functioning and development of civil aviation in the [^{F395}United Kingdom] in accordance with the objectives set out in Article 1, the [^{F396}CAA] shall:

- a undertake any task and formulate opinions on all matters covered by this Regulation;
- b assist the [^{F397}Secretary of State] by preparing measures to be taken under this Regulation. Where those measures comprise technical rules, the [^{F397}Secretary of State] may not change their content without prior coordination with the [^{F398}CAA];
- c provide the [^{F399}Secretary of State] with the necessary technical, scientific and administrative support to carry out its tasks;
- d take the necessary measures within the powers conferred on it by this Regulation or other ^{F400}... legislation;
- e conduct inspections, other monitoring activities and investigations as necessary to fulfil its tasks under this Regulation ^{F401} ...;
- f within its field of competence, carry out, on behalf of [^{F402}the United Kingdom], functions and tasks ascribed to [^{F403}the United Kingdom] by applicable international conventions, in particular the Chicago Convention;
- g assist the [^{F404}Secretary of State] in carrying out [^{F405}the tasks of the Secretary of State], in particular by providing a forum for exchanges of information and expertise;
- h contribute, for matters covered by this Regulation, upon request by the [^{F406}Secretary of State], to the establishment, measurement, reporting and analysis of performance

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

- indicators, where [^{F407}any relevant] law establishes performance schemes relating to civil aviation;
- i promote [^{F408}United Kingdom] aviation standards and rules at international level by establishing appropriate cooperation with the competent authorities of third countries and international organisations;
 - j cooperate with other [^{F409}... institutions, bodies, offices and agencies in areas where their activities relate to technical aspects of civil aviation.

Textual Amendments

- F393** Art. 75 heading substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **146(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F394** Art. 75(1) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **146(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F395** Words in Art. 75(2) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **146(4)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F396** Word in Art. 75(2) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **146(4)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F397** Words in Art. 75(2)(b) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **146(4)(c)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F398** Word in Art. 75(2)(b) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **146(4)(c)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F399** Words in Art. 75(2)(c) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **146(4)(d)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F400** Word in Art. 75(2)(d) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **146(4)(e)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F401** Words in Art. 75(2)(e) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **146(4)(f)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F402** Words in Art. 75(2)(f) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **146(4)(g)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F403** Words in Art. 75(2)(f) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **146(4)(g)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F404** Words in Art. 75(2)(g) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **146(4)(h)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F405** Words in Art. 75(2)(g) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **146(4)(h)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F406** Words in Art. 75(2)(h) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **146(4)(i)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

- F407** Words in Art. 75(2)(h) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **146(4)(i)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F408** Words in Art. 75(2)(i) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **146(4)(j)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F409** Word in Art. 75(2)(j) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **146(4)(k)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 76

[^{F410}CAA measures]

1 [^{F411}The CAA must, upon request, assist the Secretary of State] in the preparation of proposals for amendments to this Regulation and of [^{F412}regulations to be made under it], in accordance with the principles laid down in Article 4. The documents that [^{F413}the CAA submits to the Secretary of State] for those purposes shall take the form of opinions.

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3 The [^{F415}CAA] shall, in accordance with Article 115 and with the applicable [^{F416}regulations made under] this Regulation, issue certification specifications and other detailed specifications, acceptable means of compliance and guidance material for the application of this Regulation and of [^{F417}regulations made under it].

4 [^{F418}The CAA] shall take the appropriate decisions for the application of [^{F419}Articles 77 and 79 to 83].

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Textual Amendments

- F410** Art. 76 heading substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **147(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F411** Words in Art. 76(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **147(3)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F412** Words in Art. 76(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **147(3)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

- F413** Words in Art. 76(1) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **147(3)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F414** Art. 76(2) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **147(4)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F415** Word in Art. 76(3) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **147(5)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F416** Words in Art. 76(3) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **147(5)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F417** Words in Art. 76(3) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **147(5)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F418** Words in Art. 76(4) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **147(6)(a)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F419** Words in Art. 76(4) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **147(6)(a)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F420** Words in Art. 76(4) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **147(6)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F421** Art. 76(5)-(7) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **147(7)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 77

Airworthiness and environmental certification

1 With regard to the products, parts, non-installed equipment and equipment to control unmanned aircraft remotely, referred to in points (a) and (b)(i) of Article 2(1), the [F422CAA] shall, where applicable and as specified in the Chicago Convention or the Annexes thereto, carry out on behalf of [F423the United Kingdom] the functions and tasks of the state of design, manufacture or registry, when those functions and tasks are related to design certification and mandatory continuing airworthiness information. To that end, it shall in particular:

- a for each design of a product and equipment to control unmanned aircraft remotely for which a type certificate, a restricted type certificate, a change to a type certificate or to a restricted type certificate, including a supplemental type certificate, an approval of repair design, or an approval of operational suitability data has been applied for in accordance with Article 11 or Article 56(1) establish and notify to the applicant the certification basis;
- b for each design of a part or non-installed equipment for which a certificate has been applied for in accordance with Article 12, 13 or Article 56(1) respectively, establish and notify to the applicant the certification basis;
- c for aircraft for which a permit to fly has been applied for in accordance with point (b) of the first subparagraph of Article 18(2) or Article 56(1), issue the approval for associated flight conditions related to the design;

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- d establish and make available the airworthiness and environmental compatibility specifications applicable to the design of products, parts, non-installed equipment and equipment to control unmanned aircraft remotely which are subject to a declaration in accordance with point (a) of Article 18(1) or Article 56(5);
 - e be responsible for the tasks related to certification, oversight and enforcement in accordance with Article 62(2) with respect to the type certificates, restricted type certificates, certificates of changes, including supplemental type certificates, and approvals of repair designs and approvals of operational suitability data for the design of products in accordance with Article 11, point (b) of Article 18(1) or Article 56(1);
 - f be responsible for the tasks related to certification, oversight and enforcement in accordance with Article 62(2) with respect to the certificates for the design of parts, for non-installed equipment and equipment to control unmanned aircraft remotely in accordance with Articles 12, 13 and 56(1);
 - g issue the appropriate environmental data sheets on the design of products which it certifies in accordance with Articles 11 and 56(1);
 - h ensure the continuing airworthiness functions associated with the design of products, the design of parts, non-installed equipment and equipment to control unmanned aircraft remotely it has certified and in respect of which it performs oversight, including reacting without undue delay to a safety or security problem and issuing and disseminating the applicable mandatory information.
- 2 The ^{F424}CAA shall be responsible for the tasks related to certification, oversight and enforcement in accordance with Article 62(2) with respect to:
- a the approvals of and the declarations made by the organisations responsible for the design of products, parts, non-installed equipment and equipment to control unmanned aircraft remotely, in accordance with Article 15(1), point (g) of Article 19(1) and Article 56(1) and (5);
 - b the approvals of and the declarations made by the organisations responsible for the production, maintenance and continuing airworthiness management of products, parts, non-installed equipment and equipment to control unmanned aircraft remotely and by the organisations involved in the training of personnel responsible for the release of a product, part, non-installed equipment or equipment to control unmanned aircraft remotely after maintenance in accordance with Article 15, point (g) of Article 19(1) and Article 56(1) and (5) ^{F425}
- 3 The ^{F426}CAA shall be responsible for the tasks related to oversight and enforcement in accordance with Article 62(2) with respect to the declarations made by organisations, in accordance with point (a) of Article 18(1) and Article 56(5) and concerning the compliance of a design of a product, part, non-installed equipment or equipment to control unmanned aircraft remotely with detailed technical specifications.

Textual Amendments

- F422** Word in Art. 77(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **148(2)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F423** Words in Art. 77(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **148(2)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F424** Word in Art. 77(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **148(3)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

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- F425** Words in Art. 77(2)(b) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **148(3)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F426** Word in Art. 77(3) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **148(4)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F427 Article 78

Aircrew certification

Textual Amendments

- F427** Art. 78 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **149** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 79

Certification of Safety-Related Aerodrome Equipment

With regard to the safety-related aerodrome equipment referred to in Article 35, the ^{F428}CAA shall:

- (a) establish and notify to the applicant the detailed specifications for the safety-related aerodrome equipment which is subject to certification in accordance with Article 35;
- (b) establish and make available the detailed specifications for the safety-related aerodrome equipment which is subject to a declaration in accordance with Article 35;
- (c) be responsible for the tasks related to certification, oversight and enforcement in accordance with Article 62(2) with respect to the certificates for, and the declarations made in respect of safety-related aerodrome equipment in accordance with Article 35.

Textual Amendments

- F428** Word in Art. 79 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **150** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 80

ATM/ANS

1 The ^{F429}CAA shall be responsible for the tasks related to certification, oversight and enforcement in accordance with Article 62(2) with respect to:

- a the certificates for the ATM/ANS providers referred to in Article 41, where those providers have their principal place of business located outside the territories for which

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- [^{F430}the United Kingdom is] responsible under the Chicago Convention and they are responsible for providing ATM/ANS in the airspace [^{F431}of the United Kingdom];
- ^{F432}b
^{F432}c
- d the declarations made by the ATM/ANS providers to which the [^{F433}CAA] has issued a certificate in accordance with [^{F434}point (a)] of this paragraph, in respect of ATM/ANS systems and ATM/ANS constituents which are put in operation by those providers in accordance with Article 45(1).
- 2 With regard to ATM/ANS systems and ATM/ANS constituents referred to in Article 45, [^{F435}the CAA] shall, where [^{F436}regulations made under] Article 47 so provide:
- a establish and notify to the applicant the detailed specifications for the ATM/ANS systems and ATM/ANS constituents, which are subject to certification in accordance with Article 45(2);
- b establish and make available the detailed specifications for the ATM/ANS systems and ATM/ANS constituents which are subject to a declaration in accordance with Article 45(2);
- c be responsible for the tasks related to certification, oversight and enforcement in accordance with Article 62(2) with respect to the certificates for, and the declarations made in respect of, ATM/ANS systems and ATM/ANS constituents in accordance with Article 45(2).

Textual Amendments

- F429** Word in Art. 80(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **151(2)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F430** Words in Art. 80(1)(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **151(2)(b)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F431** Words in Art. 80(1)(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **151(2)(b)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F432** Art. 80(1)(b)(c) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **151(2)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F433** Word in Art. 80(1)(d) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **151(2)(d)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F434** Words in Art. 80(1)(d) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **151(2)(d)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F435** Words in Art. 80(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **151(3)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F436** Words in Art. 80(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **151(3)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

Article 81

Air traffic controller training organisations certification

The [F437CAA] shall be responsible for the tasks related to certification, oversight, and enforcement in accordance with Article 62(2) with respect to the certificates for the air traffic controller training organisations referred to in Article 51 F438 ...

Textual Amendments

- F437** Word in Art. 81 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **152(a)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F438** Words in Art. 81 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **152(b)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 82

Third-country aircraft operators and international safety oversight

1 The [F439CAA] shall be responsible for the tasks related to certification, oversight and enforcement in accordance with Article 62(2) with respect to the authorisations and declarations for the operations of aircraft and for aircraft operators referred to in Article 60 F440

2 The [F441CAA] shall be responsible for the tasks related to certification, oversight and enforcement in accordance with Article 62(2) with respect to the authorisations for aircraft and pilots referred to in point (a) of Article 61(1).

3 The [F442CAA] shall, upon request, assist the [F443Secretary of State] in the implementation of Regulation (EC) No 2111/2005 by conducting all the necessary safety assessments, including on-site visits, of third country operators and authorities responsible for their oversight. It shall provide the results of those assessments, with appropriate recommendations, to the [F443Secretary of State].

Textual Amendments

- F439** Word in Art. 82(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **153(2)(a)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F440** Words in Art. 82(1) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **153(2)(b)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F441** Word in Art. 82(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **153(3)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F442** Word in Art. 82(3) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **153(4)(a)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

F443 Words in Art. 82(3) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **153(4)(b)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 83

Investigations by the [^{F444}CAA]

1 The [^{F445}CAA] shall conduct either itself or through ^{F446}... qualified entities the investigations necessary for the performance of its tasks related to certification, oversight and enforcement in accordance with Article 62(2).

2 For the purposes of conducting the investigations referred to in paragraph 1, the [^{F447}CAA] shall be empowered to:

- a require the legal or natural persons to whom it has issued a certificate, or who made a declaration to it, to provide the [^{F447}CAA] with all necessary information;
- b require those persons to provide oral explanations on any fact, document, object, procedure or other subject matter relevant for determining whether the person complies with this Regulation and with [^{F448}regulations made under it];
- ^{F449}c
- d examine, copy or make extracts from any relevant document, record or data held by or accessible to those persons, irrespective of the medium on which the information in question is stored.

The [^{F450}CAA] shall, where required for determining whether a person to whom it has issued a certificate, or who has made a declaration to it, complies with this Regulation and with [^{F451}regulations made under it], also be empowered to exercise the powers set out in the first subparagraph in relation to any other legal or natural person who can reasonably be expected to possess or to have access to information relevant for those purposes. The powers of this paragraph shall be exercised in compliance with ^{F452}... national law ^{F453}... or of the third country where the investigation takes place, with due regard for the rights and legitimate interests of persons concerned and in compliance with the principle of proportionality.

^{F454} ...

3 The [^{F455}CAA] shall ensure that the members of its staff and, where relevant, any other expert participating in the investigation are sufficiently qualified, adequately instructed and duly authorised. Those persons shall exercise their powers upon production of a written authorisation.

^{F456}4

Textual Amendments

F444 Word in Art. 83 heading substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **154(2)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F445 Word in Art. 83(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **154(3)(a)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

- F446** Words in Art. 83(1) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **154(3)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F447** Word in Art. 83(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **154(4)(a)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F448** Words in Art. 83(2)(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **154(4)(a)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F449** Art. 83(2)(c) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **154(4)(a)(iii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F450** Word in Art. 83(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **154(4)(b)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F451** Words in Art. 83(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **154(4)(b)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F452** Word in Art. 83(2) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **154(4)(b)(iii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F453** Words in Art. 83(2) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **154(4)(b)(iv)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F454** Words in Art. 83(2) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **154(4)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F455** Word in Art. 83(3) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **154(5)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F456** Art. 83(4) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **154(6)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

^{F457}Article 84

Fines and periodic penalty payments

Textual Amendments

- F457** Art. 84 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **155(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

F458 Article 85

Monitoring of Member States

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Textual Amendments

F458 Art. 85 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **155(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F459 Article 86

Research and innovation

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Textual Amendments

F459 Art. 86 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **155(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 87

Environmental protection

1 The measures taken by the [F460CAA] as regards emissions and noise, for the purpose of the certification of the design of products in accordance with Article 11, shall aim to prevent significant harmful effects on climate, environment and human health caused by the civil aviation products concerned, giving due consideration to the international standards and recommended practices, environmental benefits, technological feasibility and economic impact.

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4 In order to inform interested parties and the general public, the [F462CAA] shall, at least every three years, publish an environmental review, which shall give an objective account of the state of environmental protection relating to civil aviation in the [F463United Kingdom].

When preparing that review, the [F464CAA] shall primarily rely on information already available to [F465United Kingdom] institutions and bodies, as well as on publicly available information.

The [F466CAA] shall associate the [F467Secretary of State] and consult relevant stakeholders and organisations in the development of that review.

That review shall also contain recommendations aiming to improve the level of environmental protection in the area of civil aviation in the [F468United Kingdom].

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

Textual Amendments

- F460** Word in Art. 87(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **156(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F461** Art. 87(2)(3) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **156(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F462** Word in Art. 87(4) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **156(4)(a)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F463** Words in Art. 87(4) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **156(4)(a)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F464** Word in Art. 87(4) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **156(4)(b)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F465** Words in Art. 87(4) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **156(4)(b)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F466** Word in Art. 87(4) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **156(4)(c)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F467** Words in Art. 87(4) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **156(4)(c)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F468** Words in Art. 87(4) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **156(4)(d)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F469 Article 88

Interdependencies between civil aviation safety and security

Textual Amendments

- F469** Art. 88 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **157** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F470 Article 89

Interdependencies between civil aviation safety and socioeconomic factors

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

Textual Amendments

F470 Art. 89 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **158** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 90

International cooperation

1 The [^{F471}CAA] shall, upon request, assist the [^{F472}Secretary of State in the] management of relations with third countries and international organisations relating to matters covered by this Regulation. Such assistance shall in particular contribute to the harmonisation of rules, the mutual recognition of certificates, in the interest of [^{F473}United Kingdom] industry, and the promotion of [^{F473}United Kingdom] aviation safety standards.

2 [^{F474}The CAA] may cooperate with the competent authorities of third countries and with international organisations competent in matters covered by this Regulation. To this end, the [^{F475}CAA] may establish working arrangements with those authorities and international organisations. Those working arrangements shall not create legal obligations incumbent on the [^{F476}United Kingdom].

3 [^{F477}The CAA must assist the Secretary of State] in exercising [^{F478}the United Kingdom's] rights and fulfilling [^{F479}its] obligations under international agreements relating to matters covered by this Regulation, in particular [^{F479}its] rights and obligations under the Chicago Convention.

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6 In addition to the tasks set out in [^{F482}paragraphs 1 to 3] of this Article and in Article 75, the [^{F483}CAA] may also engage in ad hoc technical cooperation, and research and assistance projects with third countries and international organisations, provided that those activities are compatible with the [^{F484}CAA's] tasks and the objectives set out in Article 1.

Textual Amendments

F471 Word in Art. 90(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **159(2)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F472 Words in Art. 90(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **159(2)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F473 Words in Art. 90(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **159(2)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F474 Words in Art. 90(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **159(3)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

- F475** Word in Art. 90(2) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **159(3)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F476** Words in Art. 90(2) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **159(3)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F477** Words in Art. 90(3) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **159(4)(a)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F478** Words in Art. 90(3) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **159(4)(a)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F479** Word in Art. 90(3) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **159(4)(a)(iii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F480** Words in Art. 90(3) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **159(4)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F481** Art. 90(4)(5) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **159(5)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F482** Words in Art. 90(6) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **159(6)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F483** Word in Art. 90(6) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **159(6)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F484** Word in Art. 90(6) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **159(6)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 91

Aviation Crisis Management

1 The [^{F485}CAA] shall, within its field of competence, contribute to a timely response to and mitigation of aviation crises, in coordination, with other appropriate stakeholders.

^{F486}2

Textual Amendments

- F485** Word in Art. 91(1) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **160(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F486** Art. 91(2) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **160(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

Article 92

Aviation training

1 In order to promote best practices and uniformity in the implementation of this Regulation and of the delegated and implementing acts adopted on the basis thereof, the [F487CAA] may, upon request by a provider of aviation training, assess the compliance of that provider and of its training courses with the requirements established by the [F487CAA] and published [F488on its website]. Upon having established such compliance, the provider shall be entitled to provide [F489CAA]-approved training courses.

2 The [F490CAA] may provide training primarily addressed to its F491... staff, but also to competent authorities of third countries, international organisations, the natural and legal persons subject to this Regulation and other interested parties, either through its own training resources or, where necessary, by relying on external training providers.

Textual Amendments

- F487** Word in Art. 92(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **161(2)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F488** Words in Art. 92(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **161(2)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F489** Word in Art. 92(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **161(2)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F490** Word in Art. 92(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **161(3)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F491** Words in Art. 92(2) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **161(3)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F492 Article 93

Implementation of Single European Sky

Textual Amendments

- F492** Art. 93 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **162** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

SECTION II

Internal structure

^{F493} Article 94

Legal status, seat and local offices

Textual Amendments

F493 Art. 94 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **163(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

^{F494} Article 95

Staff

Textual Amendments

F494 Art. 95 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **163(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

^{F495} Article 96

Privileges and immunities

Textual Amendments

F495 Art. 96 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **163(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

^{F496} Article 97

Liability

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

Textual Amendments

F496 Art. 97 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **163(d)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F497 Article 98

Functions of the Management Board

Textual Amendments

F497 Art. 98 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **163(e)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F498 Article 99

Composition of the Management Board

Textual Amendments

F498 Art. 99 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **163(f)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F499 Article 100

Chairperson of the Management Board

Textual Amendments

F499 Art. 100 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **163(g)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F500 Article 101

Meetings of the Management Board

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

Textual Amendments

F500 Art. 101 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **163(h)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F501 Article 102

Voting rules of the Management Board

Textual Amendments

F501 Art. 102 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **163(i)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F502 Article 103

Executive Director

Textual Amendments

F502 Art. 103 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **163(j)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F503 Article 104

Responsibilities of the Executive Director

Textual Amendments

F503 Art. 104 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **163(k)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F504 Article 105

Powers of the Board of Appeal

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

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Textual Amendments

F504 Art. 105 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **163(l)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F505 **Article 106**

Members of the Board of Appeal

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Textual Amendments

F505 Art. 106 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **163(m)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F506 **Article 107**

Exclusion and objection

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Textual Amendments

F506 Art. 107 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **163(n)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F507 **Article 108**

Decisions subject to appeal

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Textual Amendments

F507 Art. 108 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **163(o)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F508 **Article 109**

Persons entitled to appeal

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Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

Textual Amendments

F508 Art. 109 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **163(p)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F509 Article 110

Time limit and form

Textual Amendments

F509 Art. 110 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **163(q)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F510 Article 111

Interlocutory revision

Textual Amendments

F510 Art. 111 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **163(r)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F511 Article 112

Examination of appeals

Textual Amendments

F511 Art. 112 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **163(s)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F512 Article 113

Decisions on appeal

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

Textual Amendments

F512 Art. 113 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **163(t)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

^{F513} Article 114

Actions before the Court of Justice

Textual Amendments

F513 Art. 114 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **163(u)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

SECTION III

Working methods

Article 115

Procedures for the development of opinions, certification specifications and other detailed specifications, acceptable means of compliance and guidance material

1 The [^{F514}CAA] shall establish transparent procedures for issuing opinions, certification specifications and other detailed specifications, acceptable means of compliance and guidance material referred to in Article 76(1) and (3). Those procedures shall:

- a draw on the expertise of ^{F515}..., where appropriate, military aviation authorities ^{F516}...;
- b whenever necessary, involve experts from relevant interested parties or draw on the expertise of ^{F517}... standardisation bodies or other specialised bodies;
- c ensure that the [^{F518}CAA] publishes documents and widely consults interested parties, in accordance with a timetable and a procedure which includes an obligation on the [^{F518}CAA] to give a written response to the consultation process.

2 When the [^{F519}CAA], pursuant to Article 76(1) and (3), develops opinions, certification specifications and other detailed specifications, acceptable means of compliance and guidance material, it shall establish a procedure for the prior consultation of [^{F520}relevant stakeholders]. ^{F521}...

3 The [^{F522}CAA] shall publish the opinions, certification specifications and other detailed specifications, acceptable means of compliance and guidance material developed pursuant to Article 76(1) and (3) and the procedures established pursuant to paragraph 1 of this Article [^{F523}on the CAA's website].

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

Textual Amendments

- F514** Word in Art. 115(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **164(2)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F515** Words in Art. 115(1)(a) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **164(2)(b)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F516** Words in Art. 115(1)(a) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **164(2)(b)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F517** Words in Art. 115(1)(b) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **164(2)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F518** Word in Art. 115(1)(c) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **164(2)(d)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F519** Word in Art. 115(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **164(3)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F520** Words in Art. 115(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **164(3)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F521** Words in Art. 115(2) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **164(3)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F522** Word in Art. 115(3) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **164(4)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F523** Words in Art. 115(3) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **164(4)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 116

Procedures for taking decisions

1 The [F524CAA] shall establish transparent procedures for taking individual decisions as provided for in Article 76(4).

Those procedures shall in particular:

- a ensure the hearing of the natural or legal person to be addressed in the decision and of any other party with a direct and individual concern;
- b provide for notification of the decision to natural or legal persons and for its publication
F525 ...;
- c provide for the natural or legal person to whom the decision is addressed, and any other parties to proceedings, to be informed of the legal remedies available to them under [F526the Civil Aviation Authority Regulations 1991];
- d ensure that the decision contains a statement of reasons.

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

2 The [^{F527}CAA] shall establish procedures specifying the conditions under which decisions are notified to the persons concerned, including information on the available appeal procedures as provided for in this Regulation.

Textual Amendments

- F524** Word in Art. 116(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **165(2)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F525** Words in Art. 116(1)(b) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **165(2)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F526** Words in Art. 116(1)(c) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **165(2)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F527** Word in Art. 116(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **165(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

^{F528} Article 117

Annual and multi-annual programming

Textual Amendments

- F528** Art. 117 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **166(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

^{F529} Article 118

Consolidated annual activity report

Textual Amendments

- F529** Art. 118 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **166(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

^{F530} Article 119

Transparency and communication

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

Textual Amendments

F530 Art. 119 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **166(c)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

SECTION IV

Financial requirements

^{F531} Article 120

Budget

Textual Amendments

F531 Art. 120 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **167(a)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

^{F532} Article 121

Implementation and control of the budget

Textual Amendments

F532 Art. 121 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **167(b)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

^{F533} Article 122

Combating fraud

Textual Amendments

F533 Art. 122 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **167(c)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

F534 Article 123

Security rules on the protection of classified and sensitive non-classified information

Textual Amendments

F534 Art. 123 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **167(d)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F535 Article 124

Evaluation

Textual Amendments

F535 Art. 124 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **167(f)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F536 Article 125

Financial rules

Textual Amendments

F536 Art. 125 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **167(e)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F537 Article 126

Fees and charges

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

Textual Amendments

F537 Art. 126 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **167(g)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

CHAPTER VI

FINAL PROVISIONS

^{F538} Article 127

Regulations

- 1 Regulations made under this Regulation are to be made by statutory instrument.
- 2 Regulations made by the Secretary of State under this Regulation are subject to annulment in pursuance of a resolution of either House of Parliament.
- 3 Regulations made under this Regulation may—
 - a make different provision for different purposes or areas;
 - b include supplementary, incidental or consequential provision;
 - c make transitional, transitory or saving provision.]

Textual Amendments

F538 Art. 127 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **168** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

^{F539} Article 128

Exercise of the delegation

Textual Amendments

F539 Art. 128 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **169(a)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

^{F540} Article 129

Participation of European third countries

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

Textual Amendments

F540 Art. 129 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **169(b)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

^{F541}Article 130

Headquarters Agreement and operating conditions

Textual Amendments

F541 Art. 130 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **169(c)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

^{F542}Article 131

Penalties

Textual Amendments

F542 Art. 131 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **169(d)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 132

Processing of personal data

1 With regard to the processing of personal data within the framework of this Regulation, [^{F543}the Secretary of State and the CAA] shall carry out their tasks under this Regulation in accordance with [^{F544}data protection legislation within the meaning of section 3(9) of the Data Protection Act 2018 (c.12)].

^{F545}2

Textual Amendments

F543 Words in Art. 132(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **170(2)(a)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

F544 Words in Art. 132(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **170(2)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F545 Art. 132(2) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **170(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 133

Amendment to Regulation (EC) No 2111/2005

In Article 15 of Regulation (EC) No 2111/2005, paragraphs 1 to 3 are replaced by the following:

1. The Commission shall be assisted by a committee ('EU Air Safety Committee'). That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.
2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.
3. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply..

Article 134

Amendments to Regulation (EC) No 1008/2008

Regulation (EC) No 1008/2008 is amended as follows:

- (1) in Article 4, point (b) is replaced by the following:
 - (b) it holds a valid AOC issued in accordance with Regulation (EU) 2018/1139 of the European Parliament and of the Council⁽¹⁾ either by a national authority of a Member State, by several national authorities of Member States acting jointly in accordance with Article 62(5) of that Regulation or by the European Union Aviation Safety Agency.;
- (2) Article 6 is replaced by the following:

Article 6

Air operator certificate

1. The granting and validity of an operating licence shall be dependent on the possession of a valid AOC specifying the activities covered by that operating licence.
2. Any modification to the AOC of a Community air carrier shall be reflected, where appropriate, in its operating licence.

The authority competent for the AOC shall inform the competent licensing authority as soon as possible of any relevant proposed changes to the AOC.

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

3 The authority competent for the AOC and the competent licensing authority shall agree measures to proactively exchange information relevant for the assessment and retention of the AOC and operating licence.

That exchange may include, without being limited to, information relating to the financial, ownership or organisational arrangements of the Community air carrier which may affect the safety or solvency of its operations or which may assist the authority competent for the AOC in performing its oversight activities related to safety. Where information is provided in confidence, measures shall be put in place to ensure that the information is appropriately protected.

3a Where it is likely that enforcement action will be necessary, the authority competent for the AOC and the competent licensing authority shall consult each other as soon as possible prior to taking such action, and work together in seeking to resolve the issues before action is taken. Where action is taken, the authority competent for the AOC and the competent licensing authority shall notify each other as soon as possible that action has been taken.;

(3) in Article 12, paragraph 1 is replaced by the following:

1. Aircraft used by a Community air carrier shall be registered, at the option of the Member State whose competent authority issues the operating licence, either in its own national register or in the national register of another Member State. However, when used under a dry lease or a wet lease agreement in accordance with Article 13, such aircraft may be registered in the national register either of any Member State or of a third country..

Article 135

Amendments to Regulation (EU) No 996/2010

Article 5 of Regulation (EU) No 996/2010 is replaced by the following:

Article 5

Obligation to investigate

1 Every accident or serious incident involving aircraft to which Regulation (EU) 2018/1139 of the European Parliament and of the Council⁽²⁾ applies shall be the subject of a safety investigation in the Member State in which the accident or serious incident occurred.

2 Where an aircraft to which Regulation (EU) 2018/1139 applies and which is registered in a Member State is involved in an accident or a serious incident the location of which cannot be definitely established as being in the territory of any State, a safety investigation shall be conducted by the safety investigation authority of the Member State of registration.

3 The extent of safety investigations referred to in paragraphs 1, 2 and 4 and the procedure to be followed in conducting such safety investigations shall be determined by the safety investigation authority, taking into account the consequences of the accident or serious incident and the lessons it expects to draw from such investigations for the improvement of aviation safety.

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

4 Safety investigation authorities may decide to investigate incidents other than those referred to in paragraphs 1 and 2, as well as accidents or serious incidents to other types of aircraft, in accordance with the national legislation of the Member States, when they expect to draw safety lessons from them.

5 By way of derogation from paragraphs 1 and 2 of this Article, the responsible safety investigation authority may decide, taking into account the expected lessons to be drawn for the improvement of aviation safety, not to initiate a safety investigation when an accident or serious incident concerns an unmanned aircraft for which a certificate or declaration is not required pursuant to Article 56(1) and (5) of Regulation (EU) 2018/1139, or concerns a manned aircraft with a maximum take-off mass less than or equal to 2 250 kg, and where no person has been fatally or seriously injured.

6 Safety investigations referred to in paragraphs 1, 2 and 4 shall in no case be concerned with apportioning blame or liability. They shall be independent of, separate from and without prejudice to any judicial or administrative proceedings to apportion blame or liability..

Article 136

Amendments to Regulation (EU) No 376/2014

In Article 3 of Regulation (EU) No 376/2014, paragraph 2 is replaced by the following:

2. This Regulation applies to occurrences and other safety-related information involving civil aircraft to which Regulation (EU) 2018/1139 of the European Parliament and of the Council⁽³⁾ applies.

However, this Regulation shall not apply to occurrences and other safety-related information involving unmanned aircraft for which a certificate or declaration is not required pursuant to Article 56(1) and (5) of Regulation (EU) 2018/1139, unless the occurrence or other safety-related information involving such unmanned aircraft resulted in a fatal or serious injury to a person or it involved aircraft other than unmanned aircraft.

Member States may decide to apply this Regulation also to occurrences and other safety-related information involving the aircraft to which Regulation (EU) 2018/1139 does not apply..

Article 137

Amendments to Directive 2014/30/EU

In Article 2(2) of Directive 2014/30/EU, point (b) is replaced by the following:

- (b) The following aviation equipment, where that equipment falls within the scope of Regulation (EU) 2018/1139 of the European Parliament and of the Council⁽⁴⁾ and is intended exclusively for airborne use:
 - (i) aircraft, other than unmanned aircraft, as well as associated engines, propellers, parts and non-installed equipment;
 - (ii) unmanned aircraft, as well as associated engines, propellers, parts and non-installed equipment, the design of which is certified in accordance with Article 56(1) of that Regulation which are intended to operate only on frequencies allocated by the Radio Regulations of the International Telecommunications Union for protected aeronautical use..

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

Article 138

Amendments to Directive 2014/53/EU

In Annex I to Directive 2014/53/EU, point 3 is replaced by the following:

3. The following aviation equipment, where that equipment falls within the scope of Regulation (EU) 2018/1139 of the European Parliament and of the Council⁽⁶⁾ and is intended exclusively for airborne use:
 - (a) aircraft, other than unmanned aircraft, as well as associated engines, propellers, parts and non-installed equipment;
 - (b) unmanned aircraft, as well as associated engines, propellers, parts and non-installed equipment, the design of which is certified in accordance with Article 56(1) of that Regulation and which are intended to operate only on frequencies allocated by the Radio Regulations of the International Telecommunications Union for protected aeronautical use..

Article 139

Repeal

- 1 Regulation (EC) No 216/2008 is repealed with effect from 11 September 2018.
- 2 Regulation (EC) No 552/2004 is repealed with effect from 11 September 2018. However, Articles 4, 5, 6, 6a and 7 of that Regulation and Annexes III and IV thereto shall continue to apply until the date of application of the delegated acts referred to in Article 47 of this Regulation and insofar as those acts cover the subject matter of the relevant provisions of Regulation (EC) No 552/2004, and in any case not later than 12 September 2023.
- 3 Regulation (EEC) No 3922/91 is repealed from the date of application of the detailed rules adopted pursuant to point (a) of Article 32(1) on flight and duty time limitations and rest requirements with regard to air taxi, emergency medical service and single pilot commercial air transport operations by aeroplanes.
- 4 References to the repealed Regulations referred to in paragraphs 1, 2 and 3 shall be construed as references to this Regulation and, where appropriate, read in accordance with the correlation table in Annex X.

Article 140

Transitional provisions

- 1 The certificates and specific airworthiness specifications issued or recognised and the declarations made or recognised in accordance with Regulation (EC) No 216/2008 and its implementing rules shall continue to be valid and shall be deemed to have been issued, made and recognised pursuant to the corresponding provisions of this Regulation ^{F546}....
- 2 Not later than 12 September 2023 the implementing rules adopted on the basis of Regulations (EC) No 216/2008 and (EC) No 552/2004 shall be adapted to this Regulation. Until adaptation, any references in those implementing rules to:

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

- a ‘commercial operation’ shall be understood as a reference to point (i) of Article 3 of Regulation (EC) No 216/2008;
- b ‘complex motor-powered aircraft’ shall be understood as a reference to point (j) of Article 3 of Regulation (EC) No 216/2008;
- c ‘appliances’ shall be understood as a reference to point (29) of Article 3 of this Regulation;
- d ‘leisure pilot licence’ shall be understood as a reference to the licence referred to in Article 7(7) of Regulation (EC) No 216/2008.

3 The [F547CAA] shall issue, at the latest two years after 11 September 2018, in accordance with Article 76(1) and 76(3) of this Regulation, opinions concerning proposals for amendments to Commission Regulations (EU) No 748/2012⁽⁶⁾, (EU) No 1321/2014⁽⁷⁾, (EU) No 1178/2011⁽⁸⁾, and (EU) No 965/2012⁽⁹⁾ and the applicable certification specification in order to adapt them, as regards aircraft intended primarily for sports and recreational use, to this Regulation.

F548 4

5 By way of derogation from Articles 55 and 56, the relevant provisions of Regulation (EC) No 216/2008 shall continue to apply until [F549regulations made under Article 57 and Article 58] enter into force.

F550 6

Textual Amendments

- F546** Words in Art. 140(1) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **171(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F547** Word in Art. 140(3) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **171(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F548** Art. 140(4) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **171(4)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F549** Words in Art. 140(5) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **171(5)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F550** Art. 140(6) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **171(6)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 141

Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

F551 ...

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

Done at Strasbourg, 4 July 2018.

For the European Parliament

The President

A. TAJANI

For the Council

The President

K. EDTSTADLER

Textual Amendments

F551 Words in [Signature](#) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, [172](#) (with [Sch. 3](#)) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council. (See end of Document for details)

- (1) Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212, 22.8.2018, p. 1).²;
- (2) Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212, 22.8.2018, p. 1).²;
- (3) Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212, 22.8.2018, p. 1).²;
- (4) Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212, 22.8.2018, p. 1).²;
- (5) Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212, 22.8.2018, p. 1).²;
- (6) Commission Regulation (EU) No 748/2012 of 3 August 2012 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations (OJ L 224, 21.8.2012, p. 1).
- (7) Commission Regulation (EU) No 1321/2014 of 26 November 2014 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks (OJ L 362, 17.12.2014, p. 1).
- (8) Commission Regulation (EU) No 1178/2011 of 3 November 2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 311, 25.11.2011, p. 1).
- (9) Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 296, 25.10.2012, p. 1).

Changes to legislation:

There are currently no known outstanding effects for the Regulation (EU) 2018/1139 of the European Parliament and of the Council.