

SCHEDULE 1

Regulation 5

Amendment of the Air Navigation Order 2016

1. The Air Navigation Order 2016 is amended as follows.
2. In article 4 (meaning of “operator”), omit paragraph (2)(b).
3. In article 6 (meaning of “public transport”)—
 - (a) in paragraph (2)(b)(ii), omit “, an EU-OPS air operator certificate”;
 - (b) in paragraph (3)—
 - (i) omit “, EU-OPS”;
 - (ii) omit “EASA”.
4. In article 8 (application of Chapter), omit “EASA”.
5. In article 15 (public transport – exceptions – introductory flights), in both places it occurs, omit “EASA”.
6. In article 16 (public transport and commercial operations – exceptions – glider towing), omit “EASA”.
7. In article 24 (aircraft to be registered), in paragraphs (2), (3) and (4), in each place it occurs, for “non-EASA” substitute “non-Part-21”.
8. In article 33 (certificate of airworthiness to be in force)—
 - (a) in paragraph (2), in each place it occurs, for “non-EASA” substitute “non-Part-21”;
 - (b) in paragraph (3), for “an EASA” substitute “a Part-21”;
 - (c) in paragraph (4), for “non-EASA” substitute “non-Part-21”;
 - (d) in paragraphs (5), (6) and (7), in each place the words occur, for “an EASA” substitute “a Part-21”.
9. In article 34 (issue of airworthiness directives for EASA aircraft)—
 - (a) in the heading, for “EASA” substitute “Part-21”,
 - (b) in paragraph (1)—
 - (i) after “Basic” omit “EASA”;
 - (ii) for “an EASA” substitute “a Part-21”;
 - (c) in paragraph (2)—
 - (i) after sub-paragraph (a), omit “or”;
 - (ii) omit sub-paragraph (b);
 - (d) omit paragraph (3).
10. In article 35 (requirement for a certificate of release to service for EASA aircraft)—
 - (a) in the heading, for “EASA” substitute “Part-21”;
 - (b) at the start, for “An EASA” substitute “A Part-21”.
11. In the heading for Part 4, Chapter 2 (initial airworthiness – non-EASA aircraft), for “Non-EASA” substitute “Non-Part-21”.
12. In article 37 (certificate of airworthiness for State aircraft registered in the United Kingdom)

 - (a) in paragraph (1), for “non-EASA” substitute “non-Part-21”;

- (b) in paragraph (2), for “an EASA” substitute “a Part-21”;
- (c) in paragraph (3)—
 - (i) in the first place the words occur, for “an EASA” substitute “a Part-21”;
 - (ii) in sub-paragraph (a)—
 - (aa) after “Basic” omit “EASA”;
 - (bb) for “an EASA” substitute “a Part-21”;
 - (iii) in sub-paragraph (b)—
 - (aa) after “Basic” omit “EASA”;
 - (bb) for “an EASA” substitute “a Part-21”.
- 13.** In article 38 (issue and renewal of national certificates of airworthiness), in paragraph (1), for “non-EASA” substitute “non-Part-21”.
- 14.** In article 39 (national certificate of airworthiness ceasing to be in force and issue of airworthiness directives for non-EASA aircraft), in both places it occurs (including the heading), for “non-EASA” substitute “non-Part-21”.
- 15.** In article 40 (issue of national permits to fly), in paragraphs (1) and (2), for “non-EASA” substitute “non-Part-21”.
- 16.** In article 43 (aircraft weight schedule)—
 - (a) in paragraph (1)(a), omit “EASA”;
 - (b) in paragraph (3)(a), in both places the words occur, omit “or EASA”.
- 17.** In the heading of Part 4, Chapter 3, for “Non-EASA” substitute “Non-Part-21”.
- 18.** In article 44 (requirement for a certificate of release to service for non-EASA aircraft), in both places it occurs (including the heading), for “non-EASA” substitute “non-Part-21”.
- 19.** In article 64 (meaning of “non-EASA aircraft” in this Part)—
 - (a) in both places it occurs (including the heading), for “non-EASA” substitute “non-Part-21”;
 - (b) after “Annexes III to VIII of the” omit “EASA”.
- 20.** In article 65 (application of Chapters 2 and 7), for “non-EASA” substitute “non-Part-21”.
- 21.** In the heading of Part 5, Chapter 2, for “Non-EASA” substitute “Non-Part-21”.
- 22.** In article 77 (equipment of aircraft), in paragraph (4), in both places the words occur, omit “EASA or”.
- 23.** In article 81 (minimum navigation performance), in paragraph (2)(a), omit “EASA or”.
- 24.** In article 82 (height-keeping performance – aircraft registered in the United Kingdom), in paragraph (2)(a), omit “EASA or”.
- 25.** In article 84 (area navigation and required navigation performance capabilities – aircraft registered in the United Kingdom), in paragraph (2)(a), omit “EASA or”.
- 26.** In article 98 (carriage of weapons and of munitions of war – requirement for permission and for pilot in command to be informed), in paragraph (1), for “non-EASA” substitute “non-Part-21”.
- 27.** In article 101 (requirement for and grant of national air operator’s certificate), in paragraph (1) (c), omit the words from “or an EU-OPS” to the end.
- 28.** Omit article 102 (requirement for an EU-OPS air operator certificate).

29. In article 104 (offering commercial transport and public transport flights), in paragraph (1) (c), omit the words from “or a valid EU-OPS” to the end.

30. In article 119 (equipment of public transport aircraft), in paragraph 3, in both places the words occur, omit “EASA or”.

31. In article 127 (aeroplanes registered in the United Kingdom – public transport operating conditions and performance requirements), in paragraph (4), for the words “neither EU-OPS aeroplanes nor” substitute “not”.

32.—(1) Article 136 (requirement for appropriate licence to act as member of flight crew of EASA aircraft registered in the United Kingdom) is amended as follows.

(2) In the heading, for “EASA” substitute “Part-21”.

(3) In paragraph (1)—

(a) in the first place the words occur, for “an EASA” substitute “a Part-21”;

(b) in sub-paragraph (a), omit “EASA”;

(c) in sub-paragraph (b)(i)(bb)—

(i) for “an EASA” substitute “a Part-21”;

(ii) in the second place it occurs, omit “EASA”.

(4) In paragraph (2)—

(a) for “an EASA” substitute “a Part-21”;

(b) in the second place it occurs, omit “EASA”.

(5) In paragraph (3), for “an EASA” substitute “a Part-21”.

33. In article 137 (requirement for appropriate licence to act as member of flight crew of non-EASA aircraft registered in the United Kingdom)—

(a) in the heading, for “non-EASA” substitute “non-Part-21”;

(b) in paragraph (2)—

(i) for “non-EASA” substitute “non-Part-21”;

(ii) after “Basic” omit “EASA”;

(c) in paragraph (3)(b), omit “EASA”.

34. In article 140 (flight crew licence requirement – exception for solo flying training in non-EASA aircraft), in both places it occurs (including the heading), for “non-EASA” substitute “non-Part-21”.

35. In article 141 (flight crew licence requirement – exception for dual flying training in non-EASA aircraft), in both places it occurs (including the heading), for “non-EASA” substitute “non-Part-21”.

36. In article 143 (flight crew licence requirement – exception for pilot undergoing training or tests in non-EASA aircraft), in both places it occurs (including the heading), for “non-EASA” substitute “non-Part-21”.

37. In article 144 (flight crew licence requirement – exception for navigators and flight engineers in non-EASA aircraft), in both places it occurs (including the heading), for “non-EASA” substitute “non-Part-21”.

38. In article 146 (flight crew licence requirement – exception for non-EASA gliders), in both places it occurs (including the heading), for “non-EASA” substitute “non-Part-21”.

39. In article 147 (flight crew licence requirement – exception for non-EASA aircraft where CAA permission granted), in both places it occurs (including the heading), for “non-EASA” substitute “non-Part-21”.

40. In article 148 (requirement for appropriate licence to act as member of flight crew of non-EASA aircraft registered elsewhere than in the United Kingdom)—

- (a) in the first two places it occurs (including the heading), omit “non-EASA”;
- (b) omit paragraph (2);
- (c) in paragraph (3)—
 - (i) in sub-paragraph (a), for “a non-EASA” substitute “an”;
 - (ii) in sub-paragraph (b)—
 - (aa) for “a non-EASA” substitute “an”;
 - (bb) after “flight” insert “and where the operator of the aircraft is neither resident nor established in the United Kingdom,”;
 - (cc) at the end insert “or”;
 - (iii) after sub-paragraph (b) insert—
 - “(c) in the case of an aircraft on a non-commercial flight, where the operator of the aircraft is resident or established in the United Kingdom, that person is the holder of the appropriate licence granted or rendered valid under the Aircrew Regulation.”.

41. Omit article 149 (requirement for appropriate licence to act as member of flight crew of EASA aircraft and specified non-EASA aircraft registered elsewhere than in the United Kingdom).

42. In article 150 (deeming a non-United Kingdom flight crew licence and any Part-FCL licence valid for non-EASA aircraft registered in the United Kingdom and deeming a non-United Kingdom radiotelephony licence valid for any aircraft)—

- (a) in the heading, for “non-EASA” substitute “non-Part-21”;
- (b) in paragraph (1)(a), omit “but which is not a Part-FCL licence”;
- (c) in paragraph (3), for “non-EASA” substitute “non-Part-21”.

43. In article 151 (permission required where pilot’s licence does not meet relevant minimum standards), in paragraph (1), omit “, other than a Part-FCL licence”.

44. In article 152 (grant, renewal and privileges of United Kingdom flight crew licences), in paragraphs (1) and (8), for “non-EASA” substitute “non-Part-21”.

45. In article 153 (ratings and certificates), in paragraph 4, for “non-EASA” substitute “non-Part-21”.

46. In article 166 (licence holder not to act as member of flight crew when unfit), in paragraph 6, for “an EASA” substitute “a Part-21”.

47. In article 169 (validation of licences), omit “Except for a Part-FCL licence”.

48. In article 171 (glider pilots – minimum age), for “non-EASA” substitute “non-Part-21”.

49. In article 179 (fatigue of crew – responsibilities of EU-OPS and Part-CAT operators)—

- (a) in the heading, omit “EU-OPS and”;
- (b) in paragraph (1)(a), omit “an EU-OPS aeroplane or”;
- (c) in paragraph (2)(a), for “EU-OPS” substitute “Subpart Q of Annex III to the Technical Harmonisation Regulation”.

50. In article 188 (prohibition of unlicensed student air traffic controllers and air traffic controllers), in paragraph (4), for the words from “EASA” to the end substitute “Air Traffic Controller Licensing Regulation by the CAA”.

51. In article 198 (meaning of terms used in this Chapter), omit “EASA”.

52. In article 205 (air traffic service equipment), in paragraph (3), for “an EASA” substitute “a”.

53. In article 207 (requirement to use national licensed, EASA certified or Government aerodrome)—

(a) in the heading, omit “EASA”;

(b) in paragraph (2)(b), for “an EASA” substitute “a”.

54. In article 209 (aerodromes – use for purposes of flying instruction and testing), in paragraphs (1) and (2), for “an EASA” substitute “a”.

55. In article 212 (licensing of aerodromes)—

(a) in paragraph (1)—

(i) omit “non-EASA”;

(ii) after “United Kingdom” insert “for which the operator is not required by the Aerodromes Regulation to hold an aerodrome certificate”;

(b) in paragraph (4), omit “EASA”.

56. In article 217 (powers of aerodrome firefighters in an emergency), in each place it occurs, for “an EASA” substitute “a”.

57. In article 218 (noise and vibration caused by aircraft on aerodromes), in paragraph (1), omit “EASA”.

58. In article 222 (lighting of en-route obstacles), in paragraph (8)(a), for “an EASA” substitute “a”.

59. In article 226 (aircraft continuing airworthiness record system for non-EASA aircraft)—

(a) in the heading, for “non-EASA” substitute “non-Part-21”;

(b) in paragraph (1), for “non-EASA” substitute “non-Part-21”.

60. In article 227 (technical log for non-EASA aircraft)—

(a) in the heading, for “non-EASA” substitute “non-Part-21”;

(b) in paragraph (1), for “non-EASA” substitute “non-Part-21”.

61. In article 229 (documents to be carried), in paragraph (3), omit “EASA”.

62. In article 235 (production of documents and records)—

(a) in paragraph (1)(c), for “an EASA” substitute “a Safety”;

(b) in paragraph (4), omit “EASA”.

63. In article 237 (power to inspect and copy documents and records)—

(a) omit “under EU-OPS”;

(b) for “an EASA” substitute “a Safety”.

64. In article 248 (operational directives)—

(a) omit paragraph (5);

(b) in paragraph (6)—

(i) in sub-paragraph (a)—

- (aa) omit “EASA”;
- (bb) at the end, omit “and”;
- (ii) omit sub-paragraph (b).

65.—(1) Article 250 (restriction on carriage, where valuable consideration is given or promised, in aircraft registered elsewhere than in the United Kingdom) is amended as follows.

(2) After paragraph (1), insert—

“(1A) The Secretary of State may decide, on the basis of the criteria in the Annex to Regulation 2111/2005, that if an air operator who has not been granted permission under paragraph (2) were to apply for it, that operator should not—

- (a) be granted such permission;
- (b) be granted such permission in relation to specified aircraft; or
- (c) be granted such permission unless such permission is subject to specified conditions.

(1B) The Secretary of State may at any time, after reconsideration of the criteria in the Annex to Regulation 2111/2005, decide to revoke or amend a decision under paragraph (1A).

(1C) Where the Secretary of State makes a decision under paragraphs (1A) or (1B), the Secretary of State must notify both the CAA and the air operator concerned.

(1D) The CAA must not determine an application for permission where the Secretary of State has notified the CAA pursuant to paragraph (1C).”.

(3) After paragraph (7) insert—

“(8) For the purposes of this article—

- (a) “Regulation 2111/2005” means Regulation (EC) No 2111/2005 of the European Parliament and of the Council of 14 December 2005 on the establishment of a list of air carriers subject to an operating ban within the United Kingdom and on informing air transport passengers of the identity of the operating air carrier, and repealing Article 9 of Directive 2004/36/EEC;
- (b) “United Kingdom safety list” means the list established under Article 3 of Regulation 2111/2005.”.

66. After article 250 insert—

“250A Decisions under article 250(1A) and (1B)

(1) This article applies to decisions of the Secretary of State—

- (a) under article 250(1A); and
- (b) under article 250(1B), to amend or revoke a decision under article 250(1A).

(2) The Secretary of State may make a decision to which this article applies after having given notice to the air operator concerned and having considered any representations made by that air operator.

(3) The Secretary of State may without notice make a decision to which this article applies for reasons of urgency, in which case paragraph (4) applies.

(4) Where this paragraph applies, the Secretary of State must consider any representations made subsequently by the air operator concerned, and in response to such representations may—

- (a) confirm the decision made, with or without modification; or
- (b) revoke the decision made.

(5) If acting under paragraph (4), the Secretary of State must act as soon as reasonably practicable.”.

67. In article 253 (revocation, suspension and variation of certificates, licences and other documents), in each of paragraphs (1), (3) and (4), after “under this Order” insert “or a Safety Regulation”.

68. Omit article 254 (provisional suspension or variation of EASA certificates, licences and other documents).

69. In article 256 (prohibitions in relation to documents and records)—

- (a) in paragraph (1)—
 - (i) in sub-paragraph (a)—
 - (aa) for “by or under an EASA” substitute “or by or under a Safety”;
 - (bb) omit “or by or under EU-OPS”;
 - (ii) in sub-paragraph (b)—
 - (aa) for “by or under an EASA” substitute “or by or under a Safety”;
 - (bb) omit “or by or under EU-OPS”;
 - (iii) in sub-paragraph (d), for “an EASA” substitute “a Safety”;
- (b) in paragraph (3)(a), for the words from “by or under an EASA Regulation” to the end (including the “or” after it), substitute “by or under a Safety Regulation; or”;
- (c) in paragraph (7)—
 - (i) for “Order, an EASA” substitute “Order or a Safety”;
 - (ii) omit “or EU-OPS”.

70. In article 257 (CAA’s power to prevent aircraft flying), in paragraph (2)—

- (a) in sub-paragraph (a), omit “102.”;
- (b) in sub-paragraph (b)—
 - (i) for “of an EASA” substitute “or of a Safety”;
 - (ii) omit “or of EU-OPS”;
- (c) in sub-paragraph (c)—
 - (i) for “of an EASA” substitute “or of a Safety”;
 - (ii) omit “or of EU-OPS”.

71. In article 263 (obstruction of persons), for “, under EU-OPS or under an EASA” substitute “or under a Safety”.

72. In article 265 (offences and penalties), in paragraphs (1) and (3), for the words “, an EASA Regulation or EU-OPS” substitute “or a Safety Regulation”.

73. Omit article 270 (competent authority).

74. Omit article 271 (functions under the Basic EASA Regulation to be exercised by the CAA).

75. Omit article 272 (functions under the EASA Aircrew Regulation to be exercised by the CAA).

76. Omit article 273 (functions under the Occurrence Reporting Regulation to be exercised by the CAA).

77. In article 275 (review), omit paragraph (2).
- 78.—(1) Schedule 1 (interpretation) is amended as follows.
- (2) In paragraph 1—
- (a) in the definition of “Basic EASA Regulation”, omit “EASA”;
 - (b) in the definition of “Certificated for single pilot operation”, in sub-paragraph (d), for “an EASA” substitute “a Part-21”;
 - (c) in the definition of “certification”, omit “EASA”;
 - (d) in the definition of “certification specifications”—
 - (i) for “European Aviation Safety Agency” substitute “CAA”;
 - (ii) for “the EASA” substitute “a Safety”;
 - (e) in the definition of “Competent authority”, omit “, subject to article 270,”;
 - (f) in the definition of “Crew”, in sub-paragraph (b), omit “or any provision of EU-OPS”;
 - (g) omit the definition of “EASA”;
 - (h) in the definition of “EASA aerodrome certificate”, in both places it occurs, omit “EASA”;
 - (i) in the definition of “EASA Aerodromes Regulation”, omit “EASA”;
 - (j) in the definition of “EASA Air Operations Regulation”, omit “EASA”;
 - (k) in the definition of “EASA Air Traffic Controller Licensing Regulation”, omit “EASA”;
 - (l) in the definition of “EASA aircraft”—
 - (i) in the first place it occurs, for “EASA” substitute “Part-21”;
 - (ii) after “Basic” omit “EASA”;
 - (iii) in each place the words occur, for “an EASA” substitute “a Part-21”;
 - (m) in the definition of “EASA Aircraft Certification Regulation”, omit “EASA”;
 - (n) in the definition of “EASA Aircrew Regulation”, omit “EASA”;
 - (o) in the definition of “EASA certificate of airworthiness”—
 - (i) in the first place it occurs, for “EASA” substitute “Part-21”;
 - (ii) for “an EASA” substitute “a Part-21”;
 - (p) in the definition of “EASA certified aerodrome”, in both places it occurs, omit “EASA”;
 - (q) in the definition of “EASA Continuing Airworthiness Regulation”, omit “EASA”;
 - (r) omit the definition of “EASA Member”;
 - (s) in the definition of “EASA permit to fly”—
 - (i) in the first place it occurs, for “EASA” substitute “Part-21”;
 - (ii) for “an EASA” substitute “a Part-21”;
 - (t) in the definition of “EASA Regulation”—
 - (i) in the first place it occurs, for “EASA” substitute “Safety”;
 - (ii) in the second place it occurs, omit “EASA”;
 - (u) in the definition of “EASA restricted certificate of airworthiness”—
 - (i) in the first place it occurs, for “EASA” substitute “Part-21”;
 - (ii) for “an EASA” substitute “a Part-21”;
 - (v) omit the definitions of—

- (i) “EU-OPS”;
 - (ii) “EU-OPS aeroplane”;
 - (iii) “EU-OPS air operator certificate”;
 - (iv) “EU-OPS operator”;
 - (v) “non-EASA Aerodrome”;
 - (w) in the definition of “non-EASA aircraft”—
 - (i) in the first place it occurs, for “non-EASA” substitute “non-Part-21”;
 - (ii) after “Basic” omit “EASA”;
 - (iii) for “implementing rules adopted by the European Commission” substitute “regulations made”;
 - (iv) in each place the words occur, for “an EASA” substitute “a Part-21”;
 - (v) in each remaining place the word occurs, for “non-EASA” substitute “non-Part-21”;
 - (x) omit the definition of “non-EASA experimental aircraft”;
 - (y) in each of the definitions of “Part 21”, “Part 66”, “Part 145”, “Part 147”, “Part-ARO”, “Part-CAT” and “Part-FCL”, omit “EASA”;
 - (z) in the definition of “Part-FCL licence”, for the words from “an EU Member State” to the end substitute “the CAA”;
 - (aa) in each of the definitions of “Part M”, “Part-MED”, “Part-NCC”, “Part-NCO”, “Part-ORO”, “Part-SPA” and “Part-SPO”, omit “EASA”.
- (3) In paragraph 2—
- (a) in point (a), for “an EASA” substitute “a Part-21”;
 - (b) in point (b), for “EASA and non-EASA” substitute “Part-21 and non-Part-21”.
- 79.** In Schedule 3 (A, B and E conditions and categories of certificate of airworthiness), in Part 1 (A, B and E conditions)—
- (a) in Chapter 1 (A conditions), in paragraph 1, for “non-EASA” substitute “non-Part-21”;
 - (b) in Chapter 2 (B conditions), in paragraph 1, for “non-EASA” substitute “non-Part-21”;
 - (c) in Chapter 3 (E conditions), in paragraph 1, for “non-EASA” substitute “non-Part-21”.
- 80.** In Schedule 5 (equipment for non-EASA aircraft on non-commercial and commercial operations and marking of break-in areas), in the heading, for “non-EASA” substitute “non-Part-21”.
- 81.**—(1) Schedule 6 (equipment of non-EASA aircraft on public transport operations and marking of break-in areas) is amended as follows.
- (2) In the heading, for “non-EASA” substitute “non-Part-21”.
 - (3) In paragraph 3 (equipment not requiring type approval), omit “EASA or”.
 - (4) In paragraph 4 (table of required equipment), in the first column of the Table—
 - (a) in point (3)(a), omit “or an EU-OPS air operator certificate;”;
 - (b) in each place the words occur, for “an EASA” substitute “a Part-21”.
- 82.** In Schedule 7 (aircraft continuing airworthiness records), in paragraph 3, for “EASA” substitute “CAA”.
- 83.**—(1) Schedule 8 (flight crew of aircraft – licences, ratings, qualifications and maintenance of licence privileges), Part 1 (flight crew licences) is amended as follows.

(2) In Chapter 1 (general conditions), in paragraph 3(2), omit “EASA”.

(3) In Chapter 2 (United Kingdom licences), in section 4 (other flight crew), in both places it occurs, for “non-EASA” substitute “non-Part-21”.

84. In Schedule 10 (documents to be carried), in paragraph 2, in the definition of “Document B”, for “non-EASA” substitute “non-Part-21”.

85.—(1) Schedule 13 (penalties) is amended as follows.

(2) In Part 1 (provisions referred to in article 265(5))—

(a) omit Chapter 3;

(b) in both Chapters 5 and 6, in the heading for the first column, omit “EASA”.

(3) In Part 2 (provisions referred to in article 265(6))—

(a) in Chapter 1, in the second column (subject matter)—

(i) in the row for article 35, for “EASA” substitute “Part-21”;

(ii) in each place it occurs, for “non-EASA” substitute “non-Part-21”;

(b) omit Chapter 3;

(c) in Chapter 4, in the heading for the first column, omit “EASA”;

(d) in Chapter 5—

(i) in the heading for the first column, omit “EASA”;

(ii) in the row for point ADR.OR.B.005, in the second column, omit “EASA”;

(e) in Chapter 7, in the heading for the first column, omit “EASA”.

(4) In Part 3 (provisions referred to in article 265(7))—

(a) in Chapter 1—

(i) in the second column (subject matter)—

(aa) in the row for article 37(2), for “an EASA” substitute “a Part-21”;

(bb) in the row for article 37(3), for “EASA” substitute “Part-21”;

(ii) omit the row for article 102;

(iii) in the second column (subject matter)—

(aa) in the row for article 136, for “EASA” substitute “Part-21”;

(bb) in the row for article 137, for “non-EASA” substitute “non-Part-21”;

(cc) in the row for article 149(1), for “EASA” substitute “Part-21”;

(dd) in the row for article 179, omit “EU-OPS and”;

(b) omit Chapter 3;

(c) in Chapter 4, in the heading for the first column, omit “EASA”;

(d) in Chapter 5, in the heading for the first column, omit “EASA”;

(e) in Chapter 6, in the heading for the first column, omit “EASA”.

86. In Schedule 14 (revocations and savings, consequential amendments and transitional arrangements), in Part 3 (transitional arrangements), in paragraph 16, in both places it occurs (including the heading), for “non-EASA” substitute “non-Part-21”.

SCHEDULE 2

Regulation 426

Revocations

The following Regulations are revoked:

- (a) [Commission Regulation \(EC\) No 104/2004](#) of 22 January 2004 laying down rules on the organisation and composition of the Board of Appeal of the European Aviation Safety Agency;
- (b) [Commission Regulation \(EC\) No 473/2006](#) of 22 March 2006 laying down implementing rules for the Community list of air carriers which are subject to an operating ban within the Community referred to in Chapter II of Regulation [\(EC\) No 2111/2005](#) of the European Parliament and of the Council;
- (c) [Commission Regulation \(EC\) No 474/2006](#) of 22 March 2006 establishing the Community list of air carriers which are subject to an operating ban within the Community referred to in Chapter II of Regulation [\(EC\) No 2111/2005](#) of the European Parliament and of the Council;
- (d) [Commission Regulation \(EC\) No 768/2006](#) of 19 May 2006 implementing [Directive 2004/36/EC](#) of the European Parliament and of the Council as regards the collection and exchange of information on the safety of aircraft using Community airports and the management of the information system;
- (e) Commission Implementing Regulation (EU) No 646/2012 of 16 July 2012 laying down detailed rules on fines and periodic penalty payments pursuant to Regulation [\(EC\) No 2016/2008](#) of the European Parliament and of the Council;
- (f) Commission Implementing Regulation (EU) No 628/2013 of 28 June 2013 on working methods of the European Aviation Safety Agency for conducting standardisation inspections and for monitoring the application of the rules of Regulation [\(EC\) 216/2008](#) of the European Parliament and of the Council and repealing [Commission Regulation \(EC\) No 736/2006](#);
- (g) [Commission Regulation \(EU\) No 319/2014](#) of 27 March 2014 on the fees and charges levied by the European Aviation Safety Agency, and repealing Regulation [\(EC\) No 593/2007](#).

SCHEDULE 3

Regulation 427

Savings and transitional arrangements

Approvals, licences and certificates

1.—(1) This paragraph applies to the following documents—

- (a) any type-certificate, supplemental type-certificate, European Technical Standards Order authorisation, or flight conditions approval issued by the European Aviation Safety Agency under Commission Regulation 748/2012; and
- (b) any related certificate of release to service issued by an appropriately approved maintenance organisation under Commission Regulation 1321/2014.

(2) Any document to which this paragraph applies, which continues to be in force or effective on or after exit day by virtue of Part 3 of Schedule 8 to the European Union (Withdrawal) Act 2018, is to be treated as if it were issued by—

- (a) in the case of a document referred to in sub-paragraph (1)(a), the CAA;

- (b) in the case of a certificate referred to in sub-paragraph (1)(b), a maintenance organisation approved by the CAA.

2.—(1) Subject to paragraph 3, any other licence, certificate or approval issued by the European Aviation Safety Agency or by the national competent authority of an EEA state which continues to be in force or effective on or after exit day by virtue of Part 3 of Schedule 8 to the European Union (Withdrawal) Act 2018, is—

- (a) to continue to be in force or effective on and after exit day for the remainder of its validity period up to a maximum of 2 years (subject to any earlier suspension or cancellation by the CAA); and
- (b) to be treated as if it were issued by the CAA.

(2) This paragraph applies only to documents issued under Regulation (EU) No 2018/1139 and EU implementing Regulations made under it.

3.—(1) Before any pilot licence (“Part-FCL licence”) which comes within the scope of paragraph 2 is used outside United Kingdom airspace on an aircraft registered in the United Kingdom, it must be validated by the CAA.

- (2) The CAA must validate a Part-FCL licence under this paragraph, and must only do so, if—
 - (a) it was issued in accordance with Commission Regulation 1178/2011; and
 - (b) the licence-holder holds language proficiency in English of at least Level 4 on the Language Proficiency Rating Scale contained in Appendix 2 to Annex 1 (Part-FCL) to Commission Regulation 1178/2011.

4.—(1) This paragraph applies to the following licences—

- (a) a Part-FCL licence under Commission Regulation 1178/2011;
- (b) a Part-66 licence under Commission Regulation 1321/2014;
- (c) an ATCO licence under Commission Regulation 340/2015.

(2) In relation to an application to the CAA on or after exit day for a document to which this paragraph applies, the CAA must give credit for training provided before exit day to the applicant by a training organisation approved by the national competent authority of an EEA state or by the European Aviation Safety Agency, in the same way as the CAA would give credit for such training provided by a training organisation approved by the CAA.

5. For the purposes of paragraphs 1 to 4, “the CAA” means the Civil Aviation Authority.

EU implementing Regulations made under Regulation (EU) No 2018/1139

6. Where, as a result of these Regulations, any provision of retained direct EU legislation imposes an obligation on the Secretary of State to make regulations, that obligation is to be treated as having been met in a case where, prior to exit day, the European Commission adopted a delegated act under that provision.

List of air carriers subject to an operating ban

7. Any air carrier which, for the purposes of Regulation 2111/2005, is included on a list of air carriers subject to an operating ban in the European Union immediately before exit day, is on exit day to be—

- (a) subject to an operating ban (within the meaning of that Regulation) in the United Kingdom to the same extent as the ban to which it was subject immediately before exit day;

- (b) treated, in respect of such operating ban, as if it were subject to a decision under article 250(1A) of the Air Navigation Order 2016; and
- (c) included on the United Kingdom safety list for the purposes of Regulation 2111/2005.

SCHEDULE 4

Regulation 428

Consequential amendment of Regulation (EC) No 80/2009

Amendment of Article 5 of Regulation (EC) No 80/2009

In Article 5(3) of Regulation (EC) No 80/2009 of the European Parliament and of the Council of 14 January 2009 on a Code of Conduct for computerised reservation systems and repealing Council Regulation (EEC) No 2299/89—

- (a) in the first place the words occur, for “subject to an operating ban” substitute “included on the United Kingdom safety list”;
- (b) in the first place it occurs, omit “Community”;
- (c) in the second place it occurs, for “Community” substitute “United Kingdom”.