
STATUTORY INSTRUMENTS

1994 No. 1732

CIVIL AVIATION

**The Licensing of Air Carriers (Third Amendment
and other Provisions) Regulations 1994**

<i>Made</i>	- - - -	<i>30th June 1994</i>
<i>Laid before Parliament</i>		<i>1st July 1994</i>
<i>Coming into force</i>	- -	<i>1st July 1994</i>

The Secretary of State for Transport, being a Minister designated⁽¹⁾ for the purposes of section 2(2) of the European Communities Act 1972⁽²⁾ in relation to matters relating to air transport, in exercise of the powers conferred by that section hereby makes the following Regulations:—

1. These Regulations may be cited as the Licensing of Air Carriers (Third Amendment and other Provisions) Regulations 1994 and shall come into force on 1st July 1994.

2.—(1) The Licensing of Air Carriers Regulations 1992⁽³⁾ shall be amended as follows.

(2) In regulation 2(1), in the definition of “the Council Regulation”, for the words “Council Decision [93/453/EEC](#) concerning the amendment of the Agreement between the European Economic Community, the Kingdom of Norway and the Kingdom of Sweden on civil aviation” there shall be substituted the words “the EEA Agreement⁽⁴⁾ as amended by the Decision of the EEA Joint Committee No. 7/94 of 21 March 1994⁽⁵⁾”.

(3) In regulation 2(1), after the definition of “the Council Regulation”, there shall be inserted the following definitions—

““EEA Agreement” means the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 as adjusted by the Protocol signed at Brussels on 17th March 1993;

“EEA State” means a State which is a Contracting Party to the EEA Agreement but until the EEA Agreement comes into force in relation to Liechtenstein does not include the State of Liechtenstein; and”.

(1) S.I. [1993/2661](#).

(2) [1972 c. 68](#). The definition of “the Treaties” in section 1 of the Act was amended by section 1 of both the European Communities (Amendment) Act [1993 \(c. 32\)](#) and the European Economic Area Act [1993 \(c. 51\)](#).

(3) S.I. [1992/2992](#), amended by S.I. [1993/101](#) and [1993/3039](#).

(4) Cm 2073 and 2183.

(5) Decision of the EEA Joint Committee No. 7/94 of 21st March 1994 amending Protocol 47 and certain Annexes to the EEA Agreement: OJ No. L 160, 28.6.94, p1.

(4) In regulation 18(3) for the words “a member State” there shall be substituted the words “an EEA State”.

3.—(1) The Civil Aviation Act 1982(6) shall be amended as follows.

(2) In section 69A(5)(a) for the words “member State” there shall be substituted the words “EEA State”.

(3) In section 69A(8), in the definition of “the Community access Regulation”, for the words “Council Decision [93/453/EEC](#) concerning the amendment of the Agreement between the European Economic Community, the Kingdom of Norway and the Kingdom of Sweden on civil aviation” there shall be substituted the words “the EEA Agreement as amended by the Decision of the EEA Joint Committee No. 7/94 of 21 March 1994”.

(4) In section 69A(8), in the definition of “operating licence”, for the words “member State” there shall be substituted the words “EEA State”.

(5) In section 105(1), in the definition of “the Community licensing Regulation”, for the words “Council Decision [93/453/EEC](#) concerning the amendment of the Agreement between the European Economic Community, the Kingdom of Norway and the Kingdom of Sweden on civil aviation” there shall be substituted the words “the EEA Agreement as amended by the Decision of the EEA Joint Committee No. 7/94 of 21 March 1994”.

(6) In section 105(1), after the definition of “Convention country”, there shall be inserted the following definitions—

““EEA Agreement” means the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 as adjusted by the Protocol signed at Brussels on 17th March 1993;

“EEA State” means a State which is a Contracting Party to the EEA Agreement but until the EEA Agreement comes into force in relation to Liechtenstein does not include the State of Liechtenstein;”.

4.—(1) The Air Navigation Order 1989(7) shall be amended as follows.

(2) In paragraph (3)(c) of article 4 for the words “any member State” there shall be substituted the words “any EEA State”.

(3) In paragraph (3)(f) of article 4 for the words “a member State” there shall be substituted the words “an EEA State” and for the words “European Economic Community” there shall be substituted the words “European Economic Area”.

(4) In article 106, after the definition of “Direct costs”, there shall be inserted the following definitions—

““EEA Agreement” means the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 as adjusted by the Protocol signed at Brussels on 17th March 1993; and

“EEA State” means a State which is a Contracting Party to the EEA Agreement but until the EEA Agreement comes into force in relation to Liechtenstein does not include the State of Liechtenstein;”.

5. In regulation 3(1) of the Civil Aviation Authority Regulations 1991(8), in the definition of “operating licence”, for the words “Council Decision [93/453/EEC](#) concerning the amendment of the Agreement between the European Economic Community, the Kingdom of Norway and the Kingdom

(6) [1982 c. 16](#). Section 69A was added by the Licensing of Air Carriers Regulations 1992 (S.I. [1992/2992](#)).

(7) S.I. [1989/2004](#), the relevant amending instrument is S.I. [1992/2992](#).

(8) S.I. [1991/1672](#) amended by S.I. [1992/2992](#).

of Sweden on civil aviation” there shall be substituted the words “the EEA Agreement as amended by the Decision of the EEA Joint Committee No. 7/94 of 21 March 1994”.

Signed by authority of the Secretary of State for Transport

Department of Transport
30th June 1994

Mackay of Ardbrecknish
Parliamentary Under Secretary of State,

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Licensing of Air Carriers Regulations 1992 by amending the definition of “the Council Regulation” in regulation 2(1) so as to take into account the amendment of the Annexes to the EEA Agreement done by the Decision of the EEA Joint Committee No. 7/94.

Amendments to the same effect are also made to sections 69A(8) and 105(1) of the Civil Aviation Act 1982 and regulation 3(1) of the Civil Aviation Authority Regulations 1991 (regulations 3 and 5).

The Licensing of Air Carriers Regulations 1992 are also amended so that the reference in regulation 18(3) to a member State becomes a reference to an EEA State (regulation 2).

Amendment to the same effect is also made to section 69A(5) and (8) of the Civil Aviation Act 1982 and to article 4 of the Air Navigation Order 1989 (regulations 3 and 4).