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STATUTORY INSTRUMENTS

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**2016 No. 765**

**The Air Navigation Order 2016**

**PART 10**

**Prohibited behaviour, directives, rules, powers and penalties**

**CHAPTER 4**

**Powers and penalties**

**Directions to operators of aircraft to make data available**

**260.**—(1) The Secretary of State may give a direction to any person who is an operator of an aircraft referred to in paragraph (2) requiring the operator to take the action referred to in paragraph (3).

(2) The aircraft is one which (alone or in combination with one or more other aircraft operated by the operator) is flown for the carriage of passengers from the United Kingdom (directly or via another country) to a country which is outside the European Economic Area and is specified in the direction.

(3) The action is the making available electronically of data in respect of all passengers and crew on the aircraft or expected to be on the aircraft.

(4) A direction may be given in respect of—

- (a) all aircraft;
- (b) any aircraft; or
- (c) any class of aircraft,

of which (at the time when the direction is given or at any subsequent time) the person is the operator and which is or are specified in the direction.

(5) A direction must specify—

- (a) the competent authorities of the country to whom the data are to be made available electronically; and
- (b) the types of data to which the direction relates.

(6) A direction only has effect in relation to data which are collected and contained in the operator's automated reservation system or departure control system.