STATUTORY INSTRUMENTS

2019 No. 792

The Syria (Sanctions) (EU Exit) Regulations 2019

PART 6

Aircraft

Movement of aircraft

51.—(1) The following aircraft must not land in the United Kingdom—

(a) any aircraft that is operated by Syrian Arab Airlines, or

(b) any aircraft that is owned, chartered or operated by a person who is—

(i) connected with Syria (within the meaning of regulation 27(5)), and

(ii) using that aircraft exclusively for the provision of air cargo services.

(2) Paragraph (1) is subject to Part 7 (Exceptions and licences).

(3) The Secretary of State may direct the CAA to—

(a) refuse permission under article 250 of the ANO in respect of an aircraft falling within paragraph (1);

(b) revoke any permission under article 250 of the ANO in respect of an aircraft falling within paragraph (1).

(4) An airport operator may direct the operator or pilot in command of an aircraft falling within paragraph (1) not to land, or not to permit the aircraft to land, at an airport.

(5) The Secretary of State may direct an airport operator to give a direction under paragraph (4).

(6) In this regulation, "air cargo services" means a service for the carriage by air of cargo, including mail and animals.

Directions under regulation 51: supplementary

52.—(1) Where a direction is given under regulation 51(3)(b)—

(a) to the extent that the direction conflicts with the requirements of article 255 of the ANO (revocation etc of permissions), those requirements are to be disregarded, and

(b) article 255(4) of the ANO does not apply in relation to the revocation which is the subject of the direction.

(2) Where a direction is given under regulation 51 which conflicts with a permission under article 250 of the ANO, the permission is to be disregarded.

(3) In so far as a direction under regulation 51 conflicts with the requirements of section 93 of the Transport Act 2000(**1**) or of an order under section 94 of that Act, the direction is to be disregarded.

(**1**) 2000 c.38.

(4) In so far as a direction under regulation 51 conflicts with the requirements of an enactment other than section 93 of the Transport Act 2000 or an order under section 94 of that Act, the requirements are to be disregarded.

(5) The Secretary of State may notify a person that the existence, any part of the content of a direction under regulation 51, or anything done under the direction, is to be treated as confidential.

(6) A person must not disclose any information if the Secretary of State notifies that person under paragraph (5) that the information is to be treated as confidential.

Offences

53.—(1) If a prohibition in regulation 51(1) is contravened by the landing of an aircraft falling within that paragraph, the operator and pilot in command of the aircraft commit an offence.

(2) It is an offence for a person to whom a direction is given under regulation 51(4) (direction by airport operator to operator or pilot of aircraft) to fail to comply with the direction.

(3) It is an offence for an airport operator to fail, without reasonable excuse, to comply with a direction given by the Secretary of State under regulation 51(5).

(4) A person who contravenes the prohibition in regulation 52(6) (disclosure of direction) commits an offence.

Interpretation

54.—(1) In this Part—

"the ANO" means the Air Navigation Order 2016(**2**);

"beneficial interest" means any beneficial interest, however arising (whether held by trustee or nominee or arising under a contract or otherwise), other than an interest held by any person as mortgagee.

(2) For the purposes of regulation 51(1)(b), an aircraft is "owned" by a person if—

(a) the legal title to the aircraft, or to any share in the aircraft, is vested in the person, or

(b) the person has a beneficial interest in the aircraft or in any share in the aircraft,

and the reference to a legal title or other interest includes one held jointly with any other person or persons.

(3) Any expression used in this Part and in section 6 of the Act (aircraft sanctions) has the same meaning in this Part as it has in that section.

(**2**) S.I. 2016/765. There are amendments which are not relevant to these Regulations.