
DIRECTIONS

Airport Operators (Republic of Belarus (Sanctions) (EU Exit) Regulations 2019) Direction 2021

The Secretary of State, in exercise of the powers conferred by regulation 29A(5) of the Republic of Belarus (Sanctions) (EU Exit) Regulations 2019(a), directs as follows:

Citation and commencement

1. This direction may be cited as the Airport Operators (Republic of Belarus (Sanctions) (EU Exit) Regulations 2019) Direction 2021.

2. This direction comes into force immediately.

Direction to instruct operators or pilots

3. Airport operators are directed to refuse permission for Belarusian aircraft(b) to land at an airport.

Exceptions

4.—(1) Airport operators are not required to comply with the direction in paragraph 3 where any of the conditions in subparagraphs (2) to (4) are met.

(2) The condition in this subparagraph is satisfied if granting permission to a Belarusian aircraft to land is reasonably necessary to secure—

- (a) the safety and security of the aircraft or a person on board,
- (b) the safety and security of other aircraft, or
- (c) the safety of any person on the ground.

(3) The condition in this subparagraph is satisfied if the Belarusian aircraft which seeks permission to land is—

- (a) engaged in non-scheduled international air services, and
- (b) exercising, or intends to exercise, its right to land in the United Kingdom for non-traffic purposes,

in accordance with Article 5 of the Chicago Convention.

(4) The condition in this subparagraph is satisfied if an airport operator has been instructed by an official of the Department for Transport that a Belarusian aircraft requires permission to land at an airport for humanitarian or diplomatic reasons.

Interpretation

5.—(1) In this direction—

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- (a) S.I. 2019/600, as amended. Regulation 29A was inserted by S.I. 2021/1146. Regulation 21 of S.I. 2021/1146 also inserted regulations 29B to 29E regarding aircraft sanctions. There are other amendments to S.I. 2019/600 that are not relevant to this direction.
 - (b) For the purposes of this direction the term “Belarusian aircraft” is defined in S.I. 2019/600 as meaning an aircraft (a) owned, chartered or operated by a person connected with Belarus, or (b) registered in Belarus.

“airport” means any airport (within the meaning given in section 6(10) of the Sanctions and Anti-Money Laundering Act 2018(a)) located in the territory of the United Kingdom;

“airport operator” means, in relation to any airport, the person by whom the airport is managed;

“the Chicago Convention” means the Convention on International Civil Aviation and its Annexes, signed in Chicago on 7th December 1944(b), as amended.

(2) Unless the contrary intention appears, words in this direction have the meaning given in the Republic of Belarus (Sanctions) (EU Exit) Regulations 2019.

Grant Shapps
Secretary of State
Department for Transport

17 December 2021

Time 17:39

EXPLANATORY NOTE

(This note is not part of the Order)

This direction is addressed to all UK airport operators under regulation 29A(5) of the Republic of Belarus (Sanctions) (EU Exit) Regulations 2019, as amended (“the Belarus Regulations”). The direction requires all airport operators in the UK to refuse a Belarusian aircraft clearance to land (subject to the exceptions in paragraph 4).

Failure to comply with this direction is an offence under regulation 29D(2) of the Belarus Regulations.

(a) 2018 c. 13

(b) Treaty Series No. 8 (1953); Cmd 8742. The Chicago Convention is published at https://www.icao.int/publications/Documents/7300_orig.pdf. A hard copy can be obtained from the Department for Transport, Great Minster House, 33 Horseferry Road, London, SW1P 4DR.