

2020 No. 0000

EXITING THE EUROPEAN UNION

CIVIL AVIATION

The Air Traffic Management (Amendment etc.) (EU Exit) (No. 2) Regulations 2020

Sift requirements satisfied ***
Made ***
Laid before Parliament ***
Coming into force in accordance with regulation 1

The Secretary of State makes these Regulations in exercise of the powers conferred by section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018(a).

The requirements of paragraph 3(2) of Schedule 7 to that Act (relating to the appropriate Parliamentary procedure for these Regulations) have been satisfied.

Citation and commencement

1.—(1) These Regulations may be cited as the Air Traffic Management (Amendment etc.) (EU Exit) (No. 2) Regulations 2020.

(2) Subject to paragraph (3), these Regulations come into force immediately before IP completion day.

(3) This regulation and regulations 8 and 9 come into force 28 day after these Regulations are made.

Amendment of the Air Traffic Management (Amendment etc.) (EU Exit) Regulations 2019

2. The Air Traffic Management (Amendment etc.) (EU Exit) Regulations 2019(b) are amended as follows.

3. After regulation 278 insert—

(a) 2018 c. 16. Section 8 was amended by section 27 of, and Schedule 5 to, the European Union (Withdrawal Agreement) Act 2020 (c. 1) (the “2020” Act”). Paragraph 21 of Schedule 7 was amended by Schedule 5, Part 2, paragraph 53 of the 2020 Act.

(b) S.I. 2019/459.

“Article 2 of Commission implementing Regulation (EU) No 1207/2011

278A. In Article 2 (scope), in paragraph 2 for “Single European Sky airspace” substitute “airspace provided for in Article 1(3) of Regulation (EC) No 551/2004 of the European Parliament and of the Council”.”.

4. For regulation 279 substitute—

“**279.** In Article 5 (interoperability requirements), in paragraph 5, for “Single European Sky airspace”, in both places it occurs, substitute “airspace provided for in Article 1(3) of Regulation (EC) No 551/2004 of the European Parliament and of the Council”.”.

5. In regulation 282, after paragraph (6) insert—

“(7) In paragraph 8—

- (a) for “Member States” substitute “The Secretary of State”, and
- (b) for “Single European Sky airspace” substitute “airspace provided for in Article 1(3) of Regulation (EC) No 551/2004 of the European Parliament and of the Council”.”.

6. Omit regulation 288.

7. After regulation 288 insert—

“Article 14a of Commission implementing Regulation (EU) No 1207/2011

288A. In Article 14a (flight plans)—

- (a) omit “communicated as per Article 8(3)”, and
- (b) for “Single European Sky airspace” substitute “airspace provided for in Article 1(3) of Regulation (EC) No 551/2004 of the European Parliament and of the Council”.”

Amendment of the Air Traffic Management (Amendment etc.) (EU Exit) Regulations 2020

8. The Air Traffic Management (Amendment etc.) (EU Exit) Regulations 2020(a) are amended as follows.

9. In regulation 1, paragraph (3), for “Regulation 55 comes” substitute “This regulation and regulation 55 come”.

Signed by authority of the Secretary of State for Transport

Date

Name
Parliamentary Under Secretary of State
Department for Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies (in particular under subparagraphs (a), (b), (d) and (g) of section 8(2)) arising from the withdrawal of the United Kingdom from the European Union.

Commission Implementing Regulation (EU) 2020/587 of 29th April 2020 amends Commission Implementing Regulation (EU) No 1206/2011 laying down requirements on aircraft identification for surveillance for the single European sky and Commission Implementing Regulation (EU) No 1207/2011 laying down requirements for the performance and interoperability of surveillance for the single European sky.

Regulations 2 to 7 make amendments to legislation in the field of air traffic management arising from the implementation of Commission Implementing Regulation (EU) 2020/587 through amendments to the Air Traffic Management (Amendment etc.) (EU Exit) Regulations 2019.

Regulation 9 amends the commencement provisions for the Air Traffic Management (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/XXX).

A full impact assessment has not been produced for this instrument, as no significant impact on the private or voluntary sectors is foreseen. An Explanatory Memorandum has been published alongside this instrument on www.legislation.gov.uk.