

2011 No. 2432

CIVIL AVIATION

The Air Navigation (Amendment) Order 2011

Made - - - - 12th October 2011

Laid before Parliament 19th October 2011

Coming into force - - 9th November 2011

At the Court at Buckingham Palace, the 12th day of October 2011

Present,

The Queen's Most Excellent Majesty in Council

This Order is made in exercise of the powers conferred by sections 60(1), (2)(b), (3)(n) and (3)(q), 61(1)(a) and 101 of the Civil Aviation Act 1982(a).

Her Majesty, by and with the advice of Her Privy Council, orders as follows:

Citation and commencement

1. This Order may be cited as the Air Navigation (Amendment) Order 2011 and comes into force on 9th November 2011.

Amendment of the Air Navigation Order 2009

2. The Air Navigation Order 2009(b) is amended as follows.

Aerial photography, aerial survey and aerial work in the United Kingdom

3.—(1) In the heading to article 225, for “the United Kingdom” substitute “an EEA state”.

(2) Article 225 is renumbered as paragraph (1) of that article.

(3) After article 225(1), insert as follows—

“(2) This article does not apply to an aircraft registered in an EEA state.”

(4) In Schedule 13, Part C, Section 1 adjacent to the entry “225” in the column headed “Article of Order”, in the column headed “Subject Matter” the words “the United Kingdom” are replaced with the word “an EEA state”.

(a) 1982 c.16; sections 60 and 61 have been amended by the Airports Act 1986 c.31, section 83(5) and Schedule 6 Part 2. Section 60 was further amended by the Aviation and Maritime Security Act 1990 c.31, section 47 and Schedule 4, and by the Civil Aviation Act 2006 c.34, section 8. Section 61 was further amended by the Aviation (Offences) Act 2003 c.19, section 2 and Schedule 13 has been amended by the Energy Act 2004 c.20, section 101.

(b) S.I. 2009/3015 to which there is an amendment not relevant to this Order.

Other Changes

4.—(1) In article 3(5), after “if the aircraft had been registered in the United Kingdom an offence” insert “in respect of a contravention of a provision”.

(2) In article 19(4), for “article 18(5)” substitute “article 18(7)”.

(3) In article 25(5), for “paragraph (2)” substitute “paragraph (1)”.

(4) In article 38(4)(d), for “provided by paragraph (2)” substitute “provided by article 37(2)”.

(5) In article 255(1) in the definition of “Glider” omit “and any reference in this Order to a glider includes a reference to a self-sustaining glider and a self-propelled hang-glider”.

(6) In Schedule 7, Part A, Section 2, Sub-Section 2 in paragraph (4)(b) of the privileges and conditions of a Commercial Pilot Licence (Helicopter), for “required in subparagraph (b)” substitute “required in subparagraph (a)”.

Judith Simpson
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends Article 225 of the Air Navigation Order 2009 so that an aircraft registered in an EEA state does not require the permission of the Secretary of State to fly for the purpose of aerial photography, aerial survey or aerial work in the United Kingdom.

An impact assessment of the effect that Article 3 will have on the costs of business and the voluntary sector is available at www.dft.gov.uk and is annexed to the Explanatory Memorandum which is available alongside the instrument on www.legislation.gov.uk.

An impact assessment has not been produced in respect of Article 4 as no impact on the private or voluntary sectors is foreseen.

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STATUTORY INSTRUMENTS

2011 No. 2432

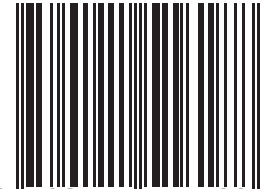
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