

SCHEDULE 2

Regulation 23

The Airports Act 1986(1)

1. In section 29(1) after the definition of the expression “movement” there shall be added the following definition—

““route licensing functions” means the functions conferred on the CAA in relation to the grant of such licences as are referred to in section 69A(1)(a) of the 1982 Act and in relation to the revocation, suspension or variation of such licences (whether on the application of any person or otherwise).”

2. In section 31(2) after the word “functions” there shall be inserted the words “and its route licensing functions”.

3. In section 32(3) after the word “functions” there shall be inserted the words “and its route licensing functions”.

The Civil Aviation Act 1982

4. In section 17(1)(c) after the words “air transport licence” there shall be inserted the words “or operating licence granted in accordance with Council Regulation 2407/92 on licensing of air carriers”.

5. In section 70 after the words “sections 64 to 68” there shall be inserted the words “(but not as applied by section 69A(6))”.

6. In section 84(1)(a) after the word “Order” there shall be inserted the words “or an operating licence granted by the CAA in accordance with Council Regulation 2407/92 on licensing of air carriers”.

7. In section 84(2) after the words “air transport licence” there shall be inserted the words “or operating licence”.

The Air Navigation Order 1989(2)

8. For paragraph (3) of article 4 there shall be substituted the following paragraph:

“(3) The following persons and no others shall be qualified to hold a legal or beneficial interest by way of ownership in an aircraft registered in the United Kingdom or a share therein:

- (a) The Crown in right of Her Majesty’s Government in the United Kingdom;
- (b) Commonwealth citizens;
- (c) nationals of any member State;
- (d) British protected persons;
- (e) bodies incorporated in some part of the Commonwealth and having their principal place of business in any part of the Commonwealth;
- (f) undertakings formed in accordance with the law of a member State and having their registered office, central administration or principal place of business within the European Economic Community; or
- (g) firms carrying on business in Scotland.

(1) 1986 c. 31.

(2) S.I. 1989/2004 amended by S.I. 1990/2154 and S.I. 1991/1726.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

In this sub-paragraph “firm” has the same meaning as in the Partnership Act 1890(3).”.

The Civil Aviation Authority Regulations 1991

9. In regulation 3(1) after the definition of the expression “hearing” there shall be added the following definition—

““operating licence” means an operating licence granted by the CAA in accordance with Council Regulation 2407/92 on licensing of air carriers;”.

10. In regulation 3(5) after the words “air transport licences” there shall be inserted the words “or route licences”.

11. In regulation 10(2)(a)(iv) after the words “under the Act” there shall be inserted the words “or of any operating licence”.

12. In regulation 13(1)(b) after the words “air transport licence” there shall be inserted the words “or operating licence”.

13. In regulation 15(1)(a) after the word “licence” there shall be inserted the words “or a route licence”.

14. In regulation 15(1)(d) the word “or” where it last appears shall be omitted.

15. After regulation 15(1)(e) there shall be added the following sub-paragraphs—

“(f) revoke or suspend an operating licence otherwise than at the request of the holder;
or

(g) refuse to grant an operating licence.”.

16. In regulation 15(2) after the words “paragraph (1)(a) to (c)” there shall be inserted the words “(f) and (g)”.

17. In regulation 15(4) after the word “licence” there shall be inserted the words “or a route licence and any other decision to grant, revoke or suspend an operating licence”.

18. In regulations 16, 17(4), 18, 20, 21, 24, 25, 27, 30(1) and 31 after the words “air transport licence” there shall be inserted the words “or a route licence”.

19. In regulation 17(2) after the words “in that regard” there shall be inserted the words “or proposes to revoke, suspend or vary a route licence otherwise than in pursuance of an application made to it in that regard,”.

20. In regulation 17(3) for the words “suspend a” there shall be substituted the words “suspend an air transport”.

21. In regulation 21(ii) the word “or” where it last appears shall be omitted.

22. In regulation 21(iii) after the word “licence” there shall be inserted the word “or”.

23. After regulation 21(iii) there shall be added the following paragraph—

“(iv) the Authority is acting in pursuance of its duty under section 69A(4) of the Act.”.

24. In regulation 25(1)(b) after the words “the holder of” there shall be inserted the words “an operating licence,”.

25. In regulation 25(1)(ii) after the words “Airports Act 1986” there shall be inserted the words “or under section 69A(4) of the Act”.

(3) 1890 c. 39.

26. In paragraph (5) of regulation 30 for the words after “if” where it first appears there shall be substituted the words—

“(a) in the case of an air transport licence it would be bound under section 65(2) of the Act, and

(b) in the case of an air transport licence or a route licence it would be bound under section 65(3) or 69A(4) of the Act,

to refuse that application if it were an application for the grant of a licence to that person.”.

27. In regulation 31 after the words “has taken effect” there shall be inserted the words “or if a route licence ceases to be in force by virtue of section 69A(5) of the Act” and at the end there shall be inserted the words “Nothing in this regulation shall apply to a route licence which is rendered ineffective during a period of suspension of an operating licence by virtue of section 69A(5) of the Act.”.