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STATUTORY INSTRUMENTS

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**2005 No. 1970**

**The Air Navigation Order 2005**

**PART 9**

**Air Traffic Services**

**Making of an air traffic direction in the interests of safety**

**104.**—(1) The CAA may, in the interests of safety, direct the person in charge of an aerodrome that there shall be provided in respect of any aerodrome (other than a Government aerodrome) such an air traffic control service, a flight information service or a means of two way radio communication as the CAA considers appropriate.

(2) The CAA may, in the interests of safety, direct the holder of a licence to provide air traffic services granted under Part I of the Transport Act 2000<sup>(1)</sup> that there shall be provided, in respect of United Kingdom airspace or airspace outside the United Kingdom for which the United Kingdom has in pursuance of international arrangements undertaken to provide air navigation services, otherwise than in respect of an aerodrome, such an air traffic control service, a flight information service or a means of two way radio communication as the CAA considers appropriate.

(3) The CAA may specify in a direction made under this article the periods during which, the times at which, the manner in which and the airspace within which such service or such means shall be provided.

(4) The person who has been directed shall cause such a service or means to be provided in accordance with the direction.

(5) A provisional air traffic direction—

- (a) may, if it thinks fit, be made by the CAA in accordance with paragraph (1) or (2) pending inquiry into or consideration of the case;
- (b) shall have effect as though it were an air traffic direction made in accordance with paragraph (1) or (2) as the case may be.

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(1) 2000 c. 38.