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STATUTORY INSTRUMENTS

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**2019 No. 645**

**The Aviation Safety (Amendment  
etc.) (EU Exit) Regulations 2019**

**PART 3**

Amendment of principal EU Regulations

CHAPTER 5

Amendment of Regulation (EU) No 2018/1139

*SECTION 1*

*Principles – Chapter 1 of Regulation (EU) No 2018/1139*

**Amendment of Article 2 of Regulation (EU) No 2018/1139**

**84.**—(1) Article 2 (scope) is amended as follows.

(2) In paragraph 1—

- (a) in point (a), for “the Agency or a Member State” substitute “the CAA”;
- (b) in point (b)—
  - (i) in point (i)—
    - (aa) for “a Member State” substitute “the United Kingdom”;
    - (bb) for “the Member State” substitute “the United Kingdom”;
  - (ii) in point (ii) for “territory to which the Treaties apply” substitute “United Kingdom”;
  - (iii) in point (iii)—
    - (aa) for “a Member State” substitute “the United Kingdom”;
    - (bb) for “territory to which the Treaties apply” substitute “United Kingdom”;
    - (cc) for “that territory” substitute “the United Kingdom”;
- (c) in points (c) and (e), for “territory to which the Treaties apply” substitute “United Kingdom”;
- (d) in point (f), omit “Union and”;
- (e) in point (g), for “the Single European Sky” substitute “United Kingdom”;
- (f) for point (h), substitute “the design of airspace structures”.

(3) In paragraph 3—

- (a) in point (a), for “a Member State” substitute “the United Kingdom”;
- (b) below point (d)—
  - (i) in the subparagraph commencing “As regards”—

- (aa) in the first place it occurs, for “Member States” substitute “the CAA in relation to civil aviation, and the Secretary of State in relation to military aviation”;
  - (bb) in the second place it occurs, for “Member States” substitute “The CAA or the Secretary of State (as the case may be)”;
  - (c) omit the subparagraph commencing “Without prejudice”.
- (4) In paragraph 4—
- (a) in the first subparagraph, for “delegated and implementing acts adopted on the basis thereof” substitute “regulations made under it”;
  - (b) in point (a), in both places it occurs, for “Agency” substitute “CAA”;
  - (c) in point (c), for the words from “accordance with” to the end substitute “the United Kingdom”;
  - (d) after point (c), in the subparagraph commencing “This Regulation”—
    - (i) for “the delegated and implementing acts adopted on the basis thereof” substitute “regulations made under it”;
    - (ii) for “Agency” substitute “CAA”.
- (5) In paragraph 5, for the words from “and Article 7(5)” to “Member States” substitute “the Secretary of State”.
- (6) In paragraph 6—
- (a) in the first subparagraph—
    - (i) for “A Member State” substitute “The Secretary of State”;
    - (ii) for “where it considers” substitute “where the Secretary of State considers”;
  - (b) in the third subparagraph—
    - (i) for “Member State concerned” substitute “Secretary of State”;
    - (ii) for “the Commission and the Agency” substitute “the CAA”;
    - (iii) for “its decision” substitute “a decision”;
    - (iv) for “provide them” substitute “provide the CAA”;
    - (v) in point (c), for “its decision” substitute “the decision”;
  - (c) omit the fourth subparagraph;
  - (d) in the fifth subparagraph—
    - (i) for the words from the start to “Member State” substitute “The Secretary of State”;
    - (ii) omit the words from “In such cases” to the end;
  - (e) omit the sixth and seventh subparagraphs.
- (7) In paragraph 7—
- (a) in the first subparagraph—
    - (i) at the start, for “Member States” substitute “The CAA”;
    - (ii) omit “Member States concerned ensure that”;
  - (b) in the second subparagraph, for “delegated and implementing acts adopted on the basis thereof” substitute “regulations made under it”;
  - (c) omit the third, fourth and fifth subparagraphs;
  - (d) in the sixth subparagraph—

- (i) at the start, for “Member States” substitute “The CAA”;
    - (ii) for “they have exempted” substitute “it has exempted”;
    - (iii) for “the Member State concerned” substitute “the CAA”;
    - (iv) omit the words from “In that case” to the end;
  - (e) omit the seventh subparagraph.
- (8) In paragraph 8—
- (a) at the start for “A Member State” substitute “The CAA”;
  - (b) in points (a), (b) and (c), for “Member State” substitute “CAA”;
  - (c) below point (iii), in the subparagraph commencing “However”, for “Member States” substitute “the CAA”.
- (9) In paragraph 9—
- (a) for “a Member State” substitute “the CAA”;
  - (b) for “the territory of that Member State” substitute “the United Kingdom”;
  - (c) for “the delegated and implementing acts adopted on the basis thereof” substitute “regulations made under it”;
  - (d) for “Member State concerned” substitute “CAA”;
  - (e) in the last place it occurs, for “Member State” substitute “CAA”.
- (10) In paragraph 10—
- (a) omit the first subparagraph;
  - (b) in the second subparagraph, for the words from “the national law” to the end substitute “the Air Navigation Order 2016”.
- (11) In paragraph 11—
- (a) in the first subparagraph—
    - (i) for the words from “provisions” to “paragraph 8” substitute “enactment”;
    - (ii) for “that decision” substitute “an exemption decision under paragraph 8”;
  - (b) omit the second subparagraph;
  - (c) in the third subparagraph—
    - (i) for “A Member State” substitute “The CAA”;
    - (ii) omit the second sentence;
  - (d) omit the fourth subparagraph;
  - (e) in the fifth subparagraph, for “a Member State” substitute “the CAA”.