

---

STATUTORY INSTRUMENTS

---

**2019 No. 645**

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

**PART 3**

**Amendment of principal EU Regulations**

**CHAPTER 1**

**Amendment of [Council Regulation \(EEC\) No 3922/91](#)**

**[Council Regulation \(EEC\) No 3922/91](#) (technical harmonization)**

**6.** [Council Regulation \(EEC\) No 3922/91](#) of 16 December 1991 on the harmonization of technical requirements and administrative procedures in the field of civil aviation is amended in accordance with regulations 7 to 14.

**Amendment of Article 1 of [Council Regulation \(EEC\) No 3922/91](#)**

7.—(1) Article 1 is amended as follows.

(2) For paragraph 1 substitute—

“1. This Regulation applies to technical requirements and administrative procedures in the field of civil aviation safety related to the operation and maintenance of air taxi, emergency medical service and single pilot commercial air transport operations by aeroplanes, and persons and organisations involved in such tasks, until such time as detailed rules are introduced pursuant to Article 32(1)(a) of Regulation 2018/1139..”.

(3) In paragraph 2—

(a) for “a Member State” substitute “the United Kingdom”;

(b) after “third country” insert “(which in this Regulation means any country or territory other than the United Kingdom)”.

(4) Omit paragraphs 3 and 4.

**Amendment of Article 2 of [Council Regulation \(EEC\) No 3922/91](#)**

8.—(1) Article 2 is amended as follows.

(2) In paragraph (a)—

(a) in both places it occurs, for “a Member State” substitute “the United Kingdom”;

(b) for “that Member State” substitute “the United Kingdom”;

(c) in the first place it occurs, for “Community” substitute “United Kingdom”;

(d) for “Community legislation” substitute “Regulation [\(EC\) No 1008/2008](#) of the Parliament and of the Council on common rules for the operation of air services”.

- (3) Omit paragraph (g).
- (4) For paragraph (i) substitute—
  - “(i) ‘the CAA’ means the Civil Aviation Authority.”.

**Amendment of Article 3 of Council Regulation (EEC) No 3922/91**

- 9. Article 3, paragraph 1, is amended as follows—
  - (a) for “Without prejudice to Article 11, the common” substitute “The”;
  - (b) for “Community” substitute “United Kingdom”;
  - (c) for “commercial transportation by aeroplane” substitute “air taxi, emergency medical service and single pilot commercial air transport operations”.

**Amendment of Articles 4 to 7 of Council Regulation (EEC) No 3922/91**

- 10. Omit Articles 4 to 7.

**Amendment of Article 8 of Council Regulation (EEC) No 3922/91**

- 11.—(1) Article 8 is amended as follows.
  - (2) Omit paragraph 1.
  - (3) In paragraph 2—
    - (a) in the first subparagraph, for “A Member State” substitute “The CAA”;
    - (b) omit the subparagraphs following the first subparagraph.
  - (4) Omit paragraph 3.
  - (5) In paragraph 4—
    - (a) for the words from the start to “Member State” substitute “The Secretary of State”;
    - (b) omit the words from “until Community rules” to the end.

**Amendment of Articles 8a to 13 of Council Regulation (EEC) No 3922/91**

- 12. Omit Articles 8a to 13.

**Further amendment of Council Regulation (EEC) No 3922/91**

- 13. After Article 14, omit the sentence which begins “This Regulation shall be binding”.

**Amendment of Annex III to Council Regulation (EEC) No 3922/91**

- 14.—(1) Annex III, Subpart Q (flight and duty time limitations and rest requirements) is amended as follows.
  - (2) In point OPS.1.1090—
    - (a) in point 2.1(b), for “Authority” substitute “CAA”;
    - (b) in point 5—
      - (i) in the heading, for “Civil Aviation Authorities” substitute “the CAA”;
      - (ii) in point 5.1.1—
        - (aa) for “Authority” substitute “CAA”;
        - (bb) for “Member States concerned” substitute “United Kingdom”;

(iii) in point 5.1.2, for “Authority” substitute “CAA”.

(3) In points OPS.1.1095 to OPS.1.1125, in each place it occurs, for “Authority” substitute “CAA”.

(4) In point OPS.1.1135(4), omit “or longer if required in accordance with national laws”.

## CHAPTER 2

### Amendment of Regulation (EC) No 2111/2005

#### **Regulation (EC) No 2111/2005 (banned operator list)**

15. Regulation (EC) No 2111/2005 of the European Parliament and of the Council of 14 December 2005 on the establishment of a Community list of air carriers subject to an operating ban within the Community and on informing air transport passengers of the identity of the operating air carrier, and repealing Article 9 of Directive 2004/36/EC is amended in accordance with regulations 16 to 33.

#### **Amendment of the title of Regulation (EC) No 2111/2005**

16. The title is amended as follows—

- (a) in the first place it occurs, omit “Community”;
- (b) in the second place it occurs, for “Community” substitute “United Kingdom”.

#### **Amendment of Article 1 of Regulation (EC) No 2111/2005**

17.—(1) Article 1 (subject matter) is amended as follows.

(2) In paragraph 1, in point (a)—

- (a) for “Community list, based on common criteria” substitute “list, based on the criteria in the Annex”;
- (b) in the second place it occurs, for “Community” substitute “United Kingdom”.

(3) Omit paragraphs 2 and 3.

#### **Amendment of Article 2 of Regulation (EC) No 2111/2005**

18.—(1) Article 2 (definitions) is amended as follows.

(2) In point (f), for the words from “means” to the end substitute “means any permission granted under article 250(2) of the Air Navigation Order 2016, or any authorisation issued under Article 3 of Commission Regulation 452/2014 laying down technical requirements and administrative procedures related to air operations of third country operators”.

(3) In point (g)—

- (a) after “‘operating ban’ means” insert “a decision under article 250(1A) of the Air Navigation Order 2016, or”;

(b) in both places it occurs, for “Community” substitute “United Kingdom”.

(4) In point (h), for “Article 2(1) of Directive 90/314/EEC” substitute “regulation 2(5) of the Package Travel and Linked Travel Arrangements Regulations 2018(1)”.

(5) In point (j), for “relevant Community law” substitute “any relevant enactment”.

(6) After point (j) insert—

- “(k) ‘the CAA’ means the Civil Aviation Authority;
- (l) ‘third country’ means any country or territory other than the United Kingdom, British overseas territories, and the Channel Islands and the Isle of Man.”.

#### **Amendment of the heading for Chapter 2 of Regulation (EC) No 2111/2005**

19. In the heading for Chapter 2, for “Community” substitute “United Kingdom Safety”.

#### **Amendment of Article 3 of Regulation (EC) No 2111/2005**

- 20.—(1) Article 3 (establishment of the Community list) is amended as follows.
- (2) In the heading, for “Community” substitute “United Kingdom Safety”.
  - (3) In paragraph 1—
    - (a) in the first sentence—
      - (i) in the first place it occurs, for “Community” substitute “United Kingdom on safety grounds”;
      - (ii) for “Community list” substitute “United Kingdom safety list”;
      - (iii) after “be established” insert “by the Secretary of State”;
    - (b) omit the second sentence.
  - (4) In paragraph 2—
    - (a) in the first place it occurs, omit “common”;
    - (b) for “imposing an operating ban on an air carrier” substitute “including an air carrier on the United Kingdom safety list”;
    - (c) in the second place the words occur, for “common criteria” substitute “criteria in the Annex”;
    - (d) for “The Commission may modify the Annex” substitute “The Secretary of State may modify the Annex by regulations”;
    - (e) omit the last sentence.
  - (5) Omit paragraphs 3 and 4.

#### **Amendment of Article 4 of Regulation (EC) No 2111/2005**

- 21.—(1) Article 4 (updating of the Community list) is amended as follows.
- (2) In the heading, for “Community” substitute “United Kingdom safety”.
  - (3) In paragraph 1—
    - (a) at the start, for “Community” substitute “United Kingdom safety”;
    - (b) for point (a) substitute—
      - “(a) to include an air carrier which is subject to an operating ban in the United Kingdom imposed on the basis of the criteria in the Annex;”;
    - (c) in point (b)—
      - (i) in the first two places it occurs, for “Community” substitute “United Kingdom safety”;
      - (ii) for “common criteria” substitute “criteria in the Annex”;
      - (iii) in the third place it occurs, for “Community” substitute “United Kingdom safety”;
    - (d) for point (c) substitute—

“(c) to modify the entry for an air carrier in the United Kingdom safety list to reflect a decision under article 250(1B) of the Air Navigation Order 2016 to amend a decision under article 250(1A) of that Order.”

(4) In paragraph 2—

- (a) for the words from the start to “Member State,” substitute “The Secretary of State, having consulted the CAA,”;
- (b) in the first place it occurs, for “Community” substitute “United Kingdom safety”;
- (c) for the words from “in accordance with” to “common criteria” substitute “on the basis of the criteria in the Annex”;
- (d) in the second place it occurs, for “Commission” substitute “Secretary of State”;
- (e) in the second place it occurs, for “Community” substitute “United Kingdom safety”.

(5) Omit paragraph 3.

#### **Amendment of Article 5 of Regulation (EC) No 2111/2005**

22. Omit Article 5 (provisional measures for updating of the Community list).

#### **Amendment of Article 6 of Regulation (EC) No 2111/2005**

23. Omit Article 6 (exceptional measures).

#### **Amendment of Article 7 of Regulation (EC) No 2111/2005**

24. Omit Article 7 (rights of defence).

#### **Amendment of Article 8 of Regulation (EC) No 2111/2005**

25. Omit Article 8 (implementing measures).

#### **Amendment of Article 9 of Regulation (EC) No 2111/2005**

26.—(1) Article 9 (publication) is amended as follows.

(2) In paragraph 1—

- (a) for “Community” substitute “United Kingdom safety”;
- (b) for “in the Official Journal of the European Union” substitute “by the CAA on the CAA website”.

(3) In paragraph 2—

- (a) for “The Commission and the Member States” substitute “The Secretary of State and the CAA”;
- (b) for “Community” substitute “United Kingdom safety”.

(4) In paragraph 3—

- (a) for “national civil aviation authorities, the European Aviation Safety Agency” substitute “the CAA”;
- (b) for “territory of the Member States” substitute “United Kingdom”;
- (c) for “Community” substitute “United Kingdom safety”.

**Amendment of Article 10 of Regulation (EC) No 2111/2005**

- 27.—(1) Article 10 (scope) is amended as follows.
- (2) In paragraph 1—
- (a) for “Community” substitute “United Kingdom”;
  - (b) in points (a) and (b), for the words from “on territory” to the end substitute “in the United Kingdom”.
- (3) In paragraph 3, for the words from “Directive” to the end substitute “the Package Travel and Linked Travel Arrangements Regulations 2018 and Regulation (EC) No 80/2009”.

**Amendment of Article 12 of Regulation (EC) No 2111/2005**

28. In Article 12 (right to reimbursement or re-routing), in paragraph 2—
- (a) in point (a)—
    - (i) in the first place it occurs, for “Community” substitute “United Kingdom safety”;
    - (ii) in the second place it occurs, for “Community” substitute “United Kingdom”;
  - (b) in point (b)—
    - (i) in the first place it occurs, for “Community” substitute “United Kingdom safety”;
    - (ii) in the second place it occurs, for “Community” substitute “United Kingdom”.

**Amendment of Article 13 of Regulation (EC) No 2111/2005**

29. Omit Article 13 (penalties).

**Amendment of Article 14 of Regulation (EC) No 2111/2005**

30. Omit Article 14 (information and amendment).

**Amendment of Article 15 of Regulation (EC) No 2111/2005**

31. For Article 15 (including the heading) substitute—

*“Regulations*

1. Regulations made under this Regulation are to be made by statutory instrument.
2. Regulations made by the Secretary of State under this Regulation are subject to annulment in pursuance of a resolution of either House of Parliament.
3. Regulations made under this Regulation may—
  - (a) make different provision for different purposes or areas;
  - (b) include supplementary, incidental or consequential provision;
  - (c) make transitional, transitory or saving provision.”.

**Further amendment of Regulation (EC) No 2111/2005**

32. After Article 17 (entry into force), omit the paragraph which begins “This Regulation shall be binding”.

### **Amendment of the Annex to Regulation (EC) No 2111/2005**

**33.**—(1) The Annex (common criteria for consideration of an operating ban for safety reasons at Community level) is amended as follows.

(2) For the heading substitute “Criteria relevant to inclusion of an air carrier on the United Kingdom safety list”.

(3) In the first paragraph—

- (a) omit “on action at Community level”;
- (b) in the second place it occurs, for “action at Community level” substitute “inclusion on the United Kingdom safety list”.

(4) In the second paragraph—

- (a) for “totally or partially banned” substitute “included on the United Kingdom safety list”;
- (b) in point 1, omit the second indent;
- (c) in point 2, in the first indent, for “the civil aviation authority of a Member State” substitute “the CAA”;
- (d) in point 3—
  - (i) in the first indent, for “the civil aviation authority of a Member State” substitute “the CAA”;
  - (ii) in the second indent, in point (a), for “applicable Community law” substitute “relevant enactment”.

## CHAPTER 3

### Amendment of Regulation (EU) No 996/2010

#### **Regulation (EU) No 996/2010 (accident investigation)**

**34.** Regulation (EU) No 996/2010 of the European Parliament and of the Council of 20 October 2010 on the investigation and prevention of accidents in civil aviation and repealing [Directive 94/65/EC](#) is amended in accordance with regulations 35 to 58.

#### **Amendment of Article 1 of Regulation (EU) No 996/2010**

**35.**—(1) Article 1 (subject matter) is amended as follows.

(2) In paragraph 1—

- (a) in the first place it occurs, for “European” substitute “United Kingdom”;
- (b) omit the words from “, including through” to “Safety Investigation Authorities”.

(3) Omit paragraph 2.

#### **Amendment of Article 2 of Regulation (EU) No 996/2010**

**36.**—(1) Article 2 (definitions) is amended as follows.

(2) In paragraph 2, for “a Member State” substitute “the Secretary of State”.

(3) In paragraph 11, for “staff of the national civil aviation authority; or staff of EASA” substitute “or staff of the CAA”.

(4) After paragraph 17 insert—

- “(18) ‘the CAA’ means the Civil Aviation Authority;
- (19) ‘third country’ means any country or territory other than the United Kingdom.”.

**Amendment of Article 3 of Regulation (EU) No 996/2010**

37.—(1) Article 3 (scope) is amended as follows.

(2) In paragraph 1—

(a) in point (a), for the words from “territories” to the end substitute “United Kingdom”;

(b) in point (b)—

(i) in both places the words occur, for “a Member State” substitute “the United Kingdom”;

(ii) for “territories of the Member States to which the Treaties apply” substitute “United Kingdom”;

(c) in points (c) and (d), for “a Member State” substitute “the United Kingdom”.

(3) In paragraph 3—

(a) for “Member State concerned” substitute “Secretary of State”;

(b) for “national legislation” substitute “any other relevant enactment”.

**Amendment of Article 4 of Regulation (EU) No 996/2010**

38.—(1) Article 4 (civil aviation safety investigation authority) is amended as follows.

(2) In paragraph 1, for “Each Member State” substitute “The Secretary of State”.

(3) In paragraph 6—

(a) for the words from the beginning to “Member State” substitute “The Secretary of State must ensure that the safety investigation authority has”;

(b) in point (a), for “national” substitute “any other relevant”.

**Amendment of Article 5 of Regulation (EU) No 996/2010**

39.—(1) Article 5 (obligation to investigate) is amended as follows.

(2) In paragraph 1—

(a) after “Every accident or serious incident” insert “in the United Kingdom”;

(b) omit the words from “in the Member State” to the end.

(3) In paragraph 2—

(a) for “a Member State” substitute “the United Kingdom”;

(b) for “Member State of registration” substitute “United Kingdom”.

(4) In paragraph 4—

(a) at the start, for “Safety investigation authorities” substitute “The safety investigation authority”;

(b) for “the national legislation of the Member States, when they expect” substitute “any relevant enactment, when it expects”.

**Amendment of Article 6 of Regulation (EU) No 996/2010**

40.—(1) Article 6 (cooperation between safety investigation authorities) is amended as follows.

(2) For paragraph 1 substitute—

“1. The safety investigation authority may request the assistance of safety investigation authorities from other states and may provide assistance to such authorities if requested.”



- (3) At the start of paragraph 2, for “A” substitute “The”.

#### **Amendment of Article 7 of Regulation (EU) No 996/2010**

- 41.** Omit Article 7 (European network of civil aviation safety investigation authorities).

#### **Amendment of Article 8 of Regulation (EU) No 996/2010**

**42.**—(1) Article 8 (participation of EASA and national civil aviation authorities in safety investigations) is amended as follows.

- (2) In the heading, for “EASA and national civil aviation authorities” substitute “the CAA”.

- (3) In paragraph 1—

- (a) for the words from the start to “to participate:” substitute—

“**1.** The CAA must, provided that the requirement of no conflict of interest is satisfied, appoint a representative to participate;”;

- (b) in point (a), omit “, conducted in the territory of a Member State or”;

- (c) in point (b), omit “of the Member States”.

- (4) In paragraph 3, for “EASA and the national civil aviation authorities” substitute “The CAA”.

#### **Amendment of Article 9 of Regulation (EU) No 996/2010**

- 43.** In Article 9 (obligation to notify accidents and serious incidents), in paragraph 2—

- (a) omit “the Commission, EASA,”;

- (b) omit “, the Member States”.

#### **Amendment of Article 10 of Regulation (EU) No 996/2010**

**44.**—(1) Article 10 (participation of the Member States in safety investigations) is amended as follows.

- (2) In the heading, for “Member States” substitute “safety investigation authority”.

- (3) In paragraph 1, for the first sentence substitute—

“Upon receipt of the notification of the occurrence of an accident or serious incident from another country, to the United Kingdom as the State of Registry, the State of the Operator, the State of Design or the State of Manufacture, the safety investigation authority must, as soon as possible, inform the country concerned whether the safety investigation authority intends to appoint an accredited representative in accordance with international standards and recommended practices.”.

- (4) Omit paragraph 2.

#### **Amendment of Article 11 of Regulation (EU) No 996/2010**

- 45.** In Article 11 (status of safety investigators), in paragraph 2—

- (a) for “the legal acts of the Union or national” substitute “any relevant”;

- (b) in point (g) omit “EASA”.

#### **Amendment of Article 12 of Regulation (EU) No 996/2010**

- 46.** In Article 12 (coordination of investigations), in paragraph 3—

- (a) in the first paragraph, for “Member States shall ensure that safety investigation authorities” substitute “The Secretary of State must ensure that the safety investigation authority”;
- (b) omit the last paragraph.

**Amendment of Article 13 of Regulation (EU) No 996/2010**

47. In Article 13 (preservation of evidence), in paragraph 1, for the words from the beginning to “occurred” substitute “Where the accident or serious incident occurred in the United Kingdom, the safety investigation authority”.

**Amendment of Article 14 of Regulation (EU) No 996/2010**

- 48.—(1) Article 14 (protection of sensitive safety information) is amended as follows.
- (2) In paragraph 1, in point (e), omit “Member States or third”.
  - (3) In paragraph 3—
    - (a) in the first subparagraph, omit the second sentence;
    - (b) omit the second subparagraph.

**Amendment of Article 15 of Regulation (EU) No 996/2010**

- 49.—(1) Article 15 (communication of information) is amended as follows.
- (2) In paragraph 1, for “applicable rules of professional secrecy” substitute “obligations of confidentiality under any relevant law”.
  - (3) In paragraph 3—
    - (a) in the first sentence for “EASA and national civil aviation authorities” substitute “the CAA”;
    - (b) in the second sentence—
      - (i) for “EASA and the national civil aviation authorities” substitute “the CAA”;
      - (ii) for the words from “applicable” to the end substitute “any other relevant enactment”.

**Amendment of Article 16 of Regulation (EU) No 996/2010**

- 50.—(1) Article 16 (investigation report) is amended as follows.
- (2) In paragraph 3—
    - (a) omit “including EASA,”;
    - (b) for “applicable rules of professional secrecy” substitute “obligations of confidentiality under any relevant law”.
  - (3) In paragraph 4—
    - (a) omit “including EASA,”;
    - (b) for “applicable rules of professional secrecy” substitute “obligations of confidentiality under any relevant law”.
  - (4) In paragraph 8 omit point (c).

**Amendment of Article 17 of Regulation (EU) No 996/2010**

- 51.—(1) Article 17 (safety recommendations) is amended as follows.
- (2) In paragraph 1, omit “Member States or third”.

- (3) In paragraph 2, at the start, for “A” substitute “The”.

**Amendment of Article 18 of Regulation (EU) No 996/2010**

**52.**—(1) Article 18 (follow-up to safety recommendations and safety recommendations database) is amended as follows.

- (2) In paragraph 3, for “Each” substitute “The”.
- (3) In paragraph 4, for the words from “, including” to “level,” substitute “and the CAA”.
- (4) Omit paragraph 5.

**Amendment of Article 20 of Regulation (EU) No 996/2010**

**53.**—(1) Article 20 (information on persons and dangerous goods on board) is amended as follows.

- (2) In paragraph 1—
- (a) for “Union” substitute “United Kingdom”;
- (b) for the words from “territories” to “apply” substitute “United Kingdom”.
- (3) In paragraph 2—
- (a) omit “in charge”;
- (b) for “each Member State” substitute “the Secretary of State”.
- (4) In paragraph 4, omit “the legal acts of the Union and”.

**Amendment of Article 21 of Regulation (EU) No 996/2010**

**54.**—(1) Article 21 (assistance to the victims of air accidents and their relatives) is amended as follows.

- (2) In paragraph 1—
- (a) omit “and harmonised”;
- (b) for “at EU level, each Member State” substitute “the Secretary of State”.
- (3) In paragraph 2—
- (a) in the first sentence—
- (i) at the start, for “Member States” substitute “The CAA”;
- (ii) for “their territory” substitute “the United Kingdom”;
- (b) in the third sentence—
- (i) at the start, for “The Member States” substitute “The CAA”;
- (ii) for “their territory” substitute “the United Kingdom”;
- (c) in the fourth sentence—
- (i) at the start, for “Member States” substitute “The Secretary of State”;
- (ii) for “third-country airlines” substitute “airlines from other countries”;
- (iii) for “Union” substitute “United Kingdom”.
- (4) In paragraph 3, for the words from “Member State” in the first place it occurs, to “accident” in the third place it occurs, substitute “Secretary of State”.
- (5) In paragraph 4—
- (a) omit “Member State or”;

- (b) for the words from “territories” to “apply” substitute “United Kingdom”.

**Amendment of Article 22 of Regulation (EU) No 996/2010**

- 55.** In Article 22 (access to documents and protection of personal data)—
- (a) omit paragraph 1;
  - (b) in paragraph 2, for the words from “[Directive 95/46/EC](#)” to the end substitute “data protection legislation within the meaning of section 3(9) of the Data Protection Act [2018 \(c.12\)](#)”.

**Amendment of Article 23 of Regulation (EU) No 996/2010**

- 56.** Omit Article 23 (penalties).

**Amendment of Article 24 of Regulation (EU) No 996/2010**

- 57.** Omit Article 24 (amendment of the Regulation).

**Further amendment of Regulation (EU) No 996/2010**

- 58.** After Article 26 (entry into force), omit the sentence which begins “This Regulation shall be binding”.

CHAPTER 4

Amendment of Regulation (EU) No 376/2014

**Regulation (EU) No 376/2014 (occurrence reporting)**

**59.** Regulation (EU) No 376/2014 of the European Parliament and of the Council of 3 April 2014 on the reporting, analysis and follow-up of occurrences in civil aviation, amending Regulation (EU) No 996/2010 of the European Parliament and of the Council and repealing [Directive 2003/42/EC](#) of the European Parliament and of the Council and Commission Regulations [\(EC\) No 1321/2007](#) and [\(EC\) No 1330/2007](#) is amended in accordance with regulations 60 to 81.

**Amendment of Article 1 of Regulation (EU) No 376/2014**

- 60.** In Article 1 (objectives), in paragraph 1, in point (c), omit “at both Union level and national level”.

**Amendment of Article 2 of Regulation (EU) No 376/2014**

- 61.**—(1) Article 2 (definitions) is amended as follows.
- (2) Omit paragraphs 13 and 14.
  - (3) In paragraph 15, for “a Member State” substitute “the United Kingdom”.
  - (4) Omit paragraphs 16 and 17.
  - (5) After paragraph 18 insert—
    - “(19) ‘the CAA’ means the Civil Aviation Authority.”.

**Amendment of Article 3 of Regulation (EU) No 376/2014**

- 62.**—(1) Article 3 (subject matter and scope) is amended as follows.

- (2) In paragraph 1, omit point (e).
- (3) In paragraph 2, in the last paragraph, for “Member States” substitute “The Secretary of State”.

#### **Amendment of Article 4 of Regulation (EU) No 376/2014**

- 63.**—(1) Article 4 (mandatory reporting) is amended as follows.
- (2) In paragraph 2, for “a Member State” substitute “the United Kingdom”.
  - (3) In paragraph 3, for “Each Member State” substitute “The CAA”.
  - (4) Omit paragraph 4.
  - (5) In paragraph 5—
    - (a) in the first subparagraph—
      - (i) for “Commission” substitute “Secretary of State”;
      - (ii) in both places the words occur, for “implementing acts” substitute “regulations”;
    - (b) in the second subparagraph—
      - (i) for “Commission” substitute “Secretary of State”;
      - (ii) for “implementing acts” substitute “regulations”.
  - (6) In paragraph 6—
    - (a) in the introductory words, for the words from “Member State” to “Agency” substitute “CAA”;
    - (b) in point (a), in both places the words occur—
      - (i) for “a Member State” substitute “the United Kingdom”;
      - (ii) for “Union” substitute “United Kingdom”;
    - (c) in points (b) and (c), for “a Member State or of the Agency” substitute “the CAA”;
    - (d) in points (d) and (f), for “a Member State” substitute “the CAA”.
  - (7) In paragraph 8—
    - (a) for “a Member State which is not covered by paragraph 9” substitute “the United Kingdom”;
    - (b) for “competent authority of that Member State, as referred to in Article 6(3),” substitute “the CAA”.
  - (8) Omit paragraph 9.

#### **Amendment of Article 5 of Regulation (EU) No 376/2014**

- 64.**—(1) Article 5 (voluntary reporting) is amended as follows.
- (2) In paragraph 1, for “a Member State” substitute “the United Kingdom”.
  - (3) In paragraph 2, for “Each Member State” substitute “The CAA”.
  - (4) Omit paragraphs 3 and 5.
  - (5) In paragraph 6—
    - (a) for the words from “a Member State” to “Agency” substitute “the United Kingdom”;
    - (b) for the words from “competent authority” to “Article 6(3)” substitute “the CAA”;
    - (c) for “Member States” substitute “The CAA”;
    - (d) for “their territory” substitute “the United Kingdom”.
  - (6) In paragraph 7—

- (a) for “Member States, the Agency” substitute “The CAA”;
- (b) for “paragraphs 1, 2 and 3” substitute “paragraphs 1 and 2”;
- (c) for “those set out in Article 6(3)” substitute “the CAA”.

#### **Amendment of Article 6 of Regulation (EU) No 376/2014**

- 65.**—(1) Article 6 (collection and storage of information) is amended as follows.
- (2) In paragraph 1, for “a Member State” substitute “the United Kingdom”.
  - (3) In paragraph 2, for “competent authority” substitute “CAA”.
  - (4) In paragraph 3—
    - (a) in the first subparagraph, for the words from “Each Member State” to “competent authorities to” substitute “The CAA must”;
    - (b) omit the third and fourth subparagraphs.
  - (5) Omit paragraph 4.
  - (6) In paragraph 6, for “competent authorities referred to in paragraph 3” substitute “the CAA”.
  - (7) Omit paragraph 8.
  - (8) In paragraph 9—
    - (a) for “Safety investigation authorities” substitute “The safety investigation authority”;
    - (b) for “their respective” substitute “the”;
    - (c) after “discharging” for “their” substitute “its”.
  - (9) For paragraph 10 substitute—
 

**“10.** The CAA is to have full access to the national database referred to in paragraph 6 for the purposes of its safety-related responsibilities.”

#### **Amendment of Article 7 of Regulation (EU) No 376/2014**

- 66.**—(1) Article 7 (quality and content of occurrence reports) is amended as follows.
- (2) In paragraph 3, for “Organisations, Member States and the Agency” substitute “Organisations and the CAA”.
  - (3) In paragraph 4—
    - (a) for “paragraphs 5, 6 and 8” substitute “paragraphs 5 and 6”;
    - (b) in point (b), omit “the ECCAIRS software and”.
  - (4) For paragraph 5 substitute—
 

**“5.** The CAA must develop a risk classification scheme to enable organisations and the CAA to classify occurrences in terms of safety risk. In so doing, the CAA must take into account the need for compatibility with existing risk classification schemes.”
  - (5) Omit paragraphs 6, 7 and 8.

#### **Amendment of Articles 8 to 12 of Regulation (EU) No 376/2014**

- 67.** Omit the following—
- (a) Article 8 (European Central Repository);
  - (b) Article 9 (exchange of Information);
  - (c) Article 10 (dissemination of information stored in the European Central Repository);

- (d) Article 11 (processing of requests and decisions);
- (e) Article 12 (record of requests and exchange of information).

**Amendment of Article 13 of Regulation (EU) No 376/2014**

- 68.**—(1) Article 13 (occurrence analysis and follow-up at national level) is amended as follows.
- (2) In the heading, omit “at national level”.
  - (3) In paragraphs 1, 2 and 3, in each place it occurs, for “a Member State” substitute “the United Kingdom”.
  - (4) In paragraph 4—
    - (a) in the first sentence—
      - (i) for the words from “a Member State” to “paragraph 5” substitute “the United Kingdom”;
      - (ii) for “the competent authority of that Member State” substitute “the CAA”;
    - (b) in the last paragraph, for “A competent authority of a Member State” substitute “The CAA”.
  - (5) Omit paragraph 5.
  - (6) In paragraph 6—
    - (a) for “Each Member State and the Agency” substitute “The CAA”;
    - (b) for “Articles 4(6), 5(2) and 5(3) substitute “Articles 4(6) and 5(2)”.
  - (7) In paragraph 7, for “a Member State or the Agency” substitute “the CAA”.
  - (8) In paragraph 8—
    - (a) for “each Member State and the Agency” substitute “the CAA”;
    - (b) for “a Member State and the Agency” substitute “the CAA”.
  - (9) Omit paragraph 9.
  - (10) In paragraph 10, for “Member States” substitute “The Secretary of State and the CAA”.
  - (11) In paragraph 11, for “each Member State” substitute “the CAA”.
  - (12) In paragraph 12, for “Member States” substitute “The CAA”.

**Amendment of Article 14 of Regulation (EU) No 376/2014**

- 69.** Omit Article 14 (occurrence analysis and follow up at Union level).

**Amendment of Article 15 of Regulation (EU) No 376/2014**

- 70.**—(1) Article 15 (confidentiality and appropriate use of information) is amended as follows.
- (2) In paragraph 1—
    - (a) in the first subparagraph—
      - (i) at the start, for “Member States” substitute “The CAA”;
      - (ii) omit “their”;
      - (iii) omit “and the Agency”;
      - (iv) for “Articles 4, 5 and 10” substitute “Articles 4 and 5”;
    - (b) in the second subparagraph—
      - (i) at the start, for “Each Member State,” substitute “The CAA and”;

- (ii) for “a Member State, or the Agency” substitute “the United Kingdom”;
- (iii) for the words from “national legal acts” to the end substitute “data protection legislation within the meaning of section 3(9) of the Data Protection Act 2018 (c.12)”.
- (3) In paragraph 2, in the second paragraph, for “Member States, the Agency” substitute “The CAA”.
- (4) Omit paragraph 3.
- (5) In paragraph 4—
  - (a) for the words from the start to “Article 6(3) and their” substitute “The CAA and”;
  - (b) after “administration of justice” insert “must”.

#### **Amendment of Article 16 of Regulation (EU) No 376/2014**

- 71.**—(1) Article 16 (protection of the information source) is amended as follows.
- (2) In paragraph 2, for “a Member State” substitute “the United Kingdom”.
  - (3) In paragraph 3, for “Each Member State” substitute “the CAA”.
  - (4) Omit paragraph 4.
  - (5) In paragraph 5, at the start, for “Member States and the Agency” substitute “The CAA”.
  - (6) In paragraph 6—
    - (a) in the first subparagraph—
      - (i) for “Member States” substitute “the CAA”;
      - (ii) for “their attention” substitute “its attention”;
    - (b) in the second subparagraph—
      - (i) in the first place it occurs, for “Member States” substitute “The Secretary of State”;
      - (ii) in the second place it occurs, for “Member States” substitute “The Secretary of State and the CAA”.
  - (7) In paragraph 7—
    - (a) in the first subparagraph omit “under national law”;
    - (b) in the last subparagraph, in both places it occurs, for “Member States” substitute “The Secretary of State”.
  - (8) In paragraph 8, for “Member States” substitute “The Secretary of State”.
  - (9) In paragraph 11—
    - (a) in the first subparagraph, for “a Member State” substitute “the United Kingdom”;
    - (b) in the second subparagraph—
      - (i) for “body designated pursuant to paragraph 12” substitute “CAA”;
      - (ii) for “its Member State” substitute “the United Kingdom”.
  - (10) In paragraph 12—
    - (a) in the first subparagraph, at the start, for “Each Member State shall designate a body” substitute “The CAA is”;
    - (b) in the second subparagraph—
      - (i) for “that body” substitute “the CAA”;
      - (ii) omit the last sentence;



- (c) omit the third subparagraph.
- (11) Omit paragraph 13.

**Amendment of Article 17 of Regulation (EU) No 376/2014**

- 72.**—(1) Article 17 (updating of the annexes) is amended as follows.
- (2) In the heading, for “annexes” substitute “annex”.
  - (3) In the first paragraph—
    - (a) for the words from the start to “Article 18” substitute “The Secretary of State may make regulations”;
    - (b) omit point (b);
    - (c) in point (c)—
      - (i) for “any of the Annexes” substitute “Annex 1”;
      - (ii) omit “the ECCAIRS software and”;
      - (iii) for “Union” substitute “Secretary of State”.
  - (4) In the last paragraph—
    - (a) for the words from “Agency” to “Article 14(2)” substitute “CAA”;
    - (b) for “Commission” substitute “Secretary of State”.

**Amendment of Article 18 of Regulation (EU) No 376/2014**

- 73.** Omit Article 18 (exercise of the delegation).

**Amendment of Article 19 of Regulation (EU) No 376/2014**

- 74.** For Article 19 substitute—

*“Parliamentary procedure*

- 1.** Regulations made by the Secretary of State under this Regulation are to be made by statutory instrument.
- 2.** Regulations made by the Secretary of State under this Regulation are to be subject to annulment in pursuance of a resolution of either House of Parliament.
- 3.** Regulations made under this Regulation may—
  - (a) make different provision for different purposes or areas;
  - (b) include supplementary, incidental or consequential provision;
  - (c) make transitional, transitory or saving provision.”.

**Amendment of Article 20 of Regulation (EU) No 376/2014**

- 75.** In Article 20 (access to documents and protection of personal data)—
- (a) omit paragraph 1;
  - (b) in paragraph 2, for the words from “national legal acts” to the end substitute “data protection legislation within the meaning of section 3(9) of the Data Protection Act 2018 (c.12)”.

**Amendment of Article 21 of Regulation (EU) No 376/2014**

76. Omit Article 21 (penalties).

**Amendment of Article 24 of Regulation (EU) No 376/2014**

77.—(1) Article 24 (entry into force and application) is amended as follows.

(2) Omit paragraph 2.

(3) In paragraph 3, omit the second sentence.

**Further amendment of Regulation (EU) No 376/2014**

78. After Article 24 (entry into force and application), omit the sentence which begins “This Regulation shall be binding”.

**Amendment of Annex 1 to Regulation (EU) No 376/2014**

79.—(1) Annex 1 (list of requirements applicable to the mandatory and voluntary occurrence reporting schemes) is amended as follows.

(2) In the paragraph commencing “Note:”, for the words from “competent authorities” to “Agency” substitute “CAA”.

(3) In paragraph 1—

(a) in the first sentence, for “, Member States and the Agency” substitute “and the CAA”;

(b) in point (6)—

(i) omit the first indent;

(ii) in the second indent, after “Narrative” insert “(in English)”.

(4) In paragraph 2, in each place the words occur, for “, Member States and the Agency” substitute “and the CAA”.

**Amendment of Annex 2 to Regulation (EU) No 376/2014**

80. Omit Annex 2 (interested parties).

**Amendment of Annex 3 to Regulation (EU) No 376/2014**

81. Omit Annex 3 (request for information from the European Central Repository).

**CHAPTER 5****Amendment of Regulation (EU) No 2018/1139****Regulation (EU) No 2018/1139 (civil aviation safety)**

82. Regulation (EU) No 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 is amended in accordance with regulations 83 to 180.

*SECTION 1*

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

**Amendment of Article 1 of Regulation (EU) No 2018/1139**

- 83.**—(1) Article 1 (subject matter and objectives) is amended as follows.
- (2) In paragraph 1—
- (a) omit “uniform”;
  - (b) for “Union” substitute “United Kingdom”.
- (3) In paragraph 2—
- (a) in point (a), for “Union” substitute “United Kingdom”;
  - (b) for point (b) substitute—
    - “(b) provide a level playing field for all actors in the United Kingdom aviation market, and improve the competitiveness of the United Kingdom’s aviation industry”;
  - (c) in point (c), omit “, uniform”;
  - (d) in point (e), omit “Union and”;
  - (e) in point (f), omit “uniform”;
  - (f) in point (g)—
    - (i) for “Member States” substitute “the United Kingdom”;
    - (ii) for “exercising their rights and fulfilling their obligations” substitute “exercising its rights and fulfilling its obligations”;
    - (iii) omit the words from “, by ensuring” to the end;
  - (g) omit point (h).
- (4) In paragraph 3—
- (a) in point (a)—
    - (i) for “adoption” substitute “making”;
    - (ii) omit “uniform”;
    - (iii) for “acts” substitute “regulations”;
  - (b) omit point (c);
  - (c) in point (d), for “delegated and implementing acts adopted on the basis thereof” substitute “regulations made under it”;
  - (d) omit point (e);
  - (e) in point (f)—
    - (i) omit “uniform”;
    - (ii) for “the national competent authorities and the Agency” substitute “the Secretary of State and the CAA”.

**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”.

### **Amendment of Article 3 of Regulation (EU) No 2018/1139**

- 85.**—(1) Article 3 (definitions) is amended as follows.
- (2) In point (1) (“oversight”)—
    - (a) for ““competent authority”” substitute ““CAA””;
    - (b) for the words from “the delegated” to “basis thereof” substitute “regulations made under it”.
  - (3) Omit point (8) (‘ATM Master Plan’).
  - (4) In point (9) (‘certification’), for “the delegated and implementing acts adopted on the basis thereof” substitute “regulations made under it”.
  - (5) In point (10) (‘declaration’), for “the delegated and implementing acts adopted on the basis thereof” substitute “regulations made under it”.
  - (6) In point (11) (‘qualified entity’), for “Agency or a national competent authority” substitute “CAA”.
  - (7) After point (13) (‘aircraft operator’) insert—
    - “(13a) ‘UK operator’ means any aircraft operator established, residing or with a principal place of business in the United Kingdom;”.
  - (8) In point (25) (‘safety performance’), for “Union’s, a Member State’s” substitute “United Kingdom’s”.
  - (9) Omit point (33) (‘Single European Sky airspace’).
  - (10) For point (34) (‘national competent authority’) substitute—
    - “(34) “‘the CAA’ means the Civil Aviation Authority;”.
  - (11) After point (34) insert—
    - “(35) “‘third country’ means any country or territory other than the United Kingdom, except that British overseas territories, and the Channel Islands and the Isle of Man, are not within the meaning of third country for the purposes of [Commission Regulation \(EU\) No 452/2014](#) of 29 April 2014 laying down technical requirements and administrative procedures related to air operations of third country operators pursuant to [Regulation \(EC\) No 216/2008](#) of the European Parliament and of the Council.”

### **Amendment of Article 4 of Regulation (EU) No 2018/1139**

- 86.**—(1) Article 4 (principles for measures under this Regulation) is amended as follows.
- (2) In paragraph 1—
    - (a) for “the Commission, the Agency and the Member States” substitute “the Secretary of State and the CAA”;

- (b) omit point (f);
  - (c) in point (h), for “Union and of the Member States” substitute “United Kingdom”.
- (3) In paragraph 2, for “the Commission, the Agency and the Member States,” substitute “the Secretary of State and the CAA”.

## SECTION 2

### *Aviation safety management – Chapter 2 of Regulation (EU) No 2018/1139*

#### **Amendment of Article 5 of Regulation (EU) No 2018/1139**

87. Omit Article 5 (European aviation safety programme).

#### **Amendment of Article 6 of Regulation (EU) No 2018/1139**

88. Omit Article 6 (European plan for aviation safety).

#### **Amendment of Article 7 of Regulation (EU) No 2018/1139**

- 89.—(1) Article 7 (state safety programme) is amended as follows.
- (2) In paragraph 1—
- (a) for the words from the start to “relevant stakeholders” substitute “The Secretary of State must, in consultation with the CAA and other relevant stakeholders”;
  - (b) for “its responsibility” substitute “the responsibility of the Secretary of State”;
  - (c) omit the words from “and shall be consistent” to the end.
- (3) In paragraph 3—
- (a) omit “and the level of safety performance referred to in Article 6(3)”;
  - (b) for “Member State concerned” substitute “Secretary of State”.

#### **Amendment of Article 8 of Regulation (EU) No 2018/1139**

- 90.—(1) Article 8 (state plan for aviation safety) is amended as follows.
- (2) In paragraph 1—
- (a) for the words from “each Member State” to “stakeholders” substitute “the Secretary of State, in consultation with the CAA and other relevant stakeholders”;
  - (b) after the word “affecting”, for “its” substitute “the”.
- (3) Omit paragraph 2.

## SECTION 3

### *Substantive requirements – Chapter 3 of Regulation (EU) No 2018/1139*

#### SUB-SECTION 1 Airworthiness and environmental protection

#### **Amendment of Article 11 of Regulation (EU) No 2018/1139**

91. In Article 11 (design of products)—
- (a) in the third paragraph, for “the delegated acts” substitute “regulations”;
  - (b) in the fourth paragraph, for “the delegated act” substitute “regulations”.

**Amendment of Article 12 of Regulation (EU) No 2018/1139**

**92.** In Article 12 (design of parts)—

- (a) in the first paragraph, for “delegated acts” substitute “regulations”;
- (b) in the second paragraph, for “the delegated acts” substitute “regulations”;
- (c) in the third paragraph—
  - (i) for “the delegated act” substitute “regulations”;
  - (ii) for “the delegated acts” substitute “regulations”.

**Amendment of Article 13 of Regulation (EU) No 2018/1139**

**93.** In Article 13 (design of non-installed equipment)—

- (a) in the first and second paragraphs, for “the delegated acts” substitute “regulations”;
- (b) in the third paragraph—
  - (i) for “the delegated act” substitute “regulations”;
  - (ii) for “the delegated acts” substitute “regulations”.

**Amendment of Article 14 of Regulation (EU) No 2018/1139**

**94.**—(1) Article 14 (individual aircraft) is amended as follows.

- (2) In paragraph 1, for “the delegated acts” substitute “regulations”.
- (3) In paragraph 2, for “the implementing acts” substitute “regulations”.

**Amendment of Article 15 of Regulation (EU) No 2018/1139**

**95.**—(1) Article 15 (organisations) is amended as follows.

- (2) In paragraph 1, in both places the words occur, for “the delegated acts referred to in” substitute “regulations made under”.
- (3) In paragraph 2—
  - (a) in the second subparagraph, for “the adoption of the implementing acts referred to in” substitute “regulations made under”;
  - (b) in the last subparagraph—
    - (i) for “the implementing acts referred to in” substitute “regulations made under”;
    - (ii) omit “adopted”.
- (4) In paragraphs 3 and 4, for “the implementing acts referred to in” substitute “regulations made under”.
- (5) In paragraph 5—
  - (a) for “the adoption of the implementing acts referred to in” substitute “regulations made under”;
  - (b) for “implementing acts referred to in” substitute “regulations made under”;
  - (c) in the last place the words occur, for “implementing acts” substitute “regulations”.

**Amendment of Article 16 of Regulation (EU) No 2018/1139**

**96.**—(1) Article 16 (personnel) is amended as follows.

- (2) In paragraph 1—



- (a) in the first subparagraph, for “the adoption of implementing acts referred to in” substitute “regulations made under”;
- (b) in the second subparagraph—
  - (i) for “the implementing acts referred to in” substitute “regulations made under”;
  - (ii) omit “adopted”.
- (3) In paragraphs 2 and 3, for “the implementing acts referred to in” substitute “regulations made under”.

#### **Amendment of Article 17 of Regulation (EU) No 2018/1139**

- 97.**—(1) Article 17 (implementing acts as regards airworthiness) is amended as follows.
- (2) In the heading, for “Implementing acts” substitute “Regulations”.
  - (3) In paragraph 1—
    - (a) in the first subparagraph—
      - (i) omit “the uniform implementation of and”;
      - (ii) for “Commission” substitute “Secretary of State”;
      - (iii) for “adopt implementing acts” substitute “make regulations”;
    - (b) omit the last subparagraph.
  - (4) In paragraph 2, for the words from the start to “Commission” substitute “When making those regulations, the Secretary of State”.

#### **Amendment of Article 18 of Regulation (EU) No 2018/1139**

- 98.**—(1) Article 18 (derogations) is amended as follows.
- (2) In paragraph 1—
    - (a) in point (a)—
      - (i) in each place the words occur, for “the delegated acts referred to in” substitute “regulations made under”;
      - (ii) omit “adopted”;
    - (b) in point (b), for “the delegated acts referred to in” substitute “regulations made under”.
  - (3) In paragraph 2,
    - (a) in the first subparagraph, in points (a) and (b), for “the delegated acts referred to in” substitute “regulations made under”;
    - (b) in the second subparagraph—
      - (i) for “the delegated acts referred to in” substitute “regulations made under”;
      - (ii) for “the implementing act referred to in” substitute “regulations made under”;
    - (c) in the third subparagraph, for “the delegated acts referred to in” substitute “regulations made under”.

#### **Amendment of Article 19 of Regulation (EU) No 2018/1139**

- 99.**—(1) Article 19 (delegated powers) is amended as follows.
- (2) In paragraph 1—
    - (a) for the words from “the Commission” to “Article 128”, substitute “the Secretary of State may make regulations”;

(b) in point (b), for “Agency” substitute “CAA”.

(3) In paragraph 2, for the words from “the Commission” to “Article 128”, substitute “Secretary of State may make regulations”.

(4) In paragraph 3—

(a) for the words from “the Commission” to “Article 128”, substitute “Secretary of State may make regulations”;

(b) for “all Member States” substitute “the United Kingdom”.

SUB-SECTION 2 Aircrew

#### **Amendment of Article 21 of Regulation (EU) No 2018/1139**

**100.** In Article 21 (pilots), in each place the words occur, for “the implementing acts referred to in” substitute “regulations made under”.

#### **Amendment of Article 22 of Regulation (EU) No 2018/1139**

**101.** In Article 22 (cabin crew), in each place the words occur, for “the implementing acts referred to in” substitute “regulations made under”.

#### **Amendment of Article 23 of Regulation (EU) No 2018/1139**

**102.—**(1) Article 23 (implementing acts as regards pilots and cabin crew) is amended as follows.

(2) In the heading, for “Implementing acts” substitute “Regulations”.

(3) In paragraph 1—

(a) in the first subparagraph—

(i) for the “the uniform implementation of, and compliance with,” substitute “compliance with”;

(ii) for “Commission” substitute “Secretary of State”;

(iii) for “adopt implementing acts” substitute “make regulations”;

(b) omit the second subparagraph;

(c) in the third subparagraph, for the words from the start to “Commission” substitute “When making those regulations, the Secretary of State”;

(d) in the fourth subparagraph, in both places the words occur, for “implementing acts” substitute “regulations”.

(4) In paragraph 2—

(a) in the first subparagraph—

(i) for the “the uniform implementation of, and compliance with,” substitute “compliance with”;

(ii) for “Commission” substitute “Secretary of State”;

(iii) for “adopt implementing acts” substitute “make regulations”;

(b) omit the second subparagraph.

#### **Amendment of Article 24 of Regulation (EU) No 2018/1139**

**103.—**(1) Article 24 (training organisations and aero-medical centres) is amended as follows.

(2) In paragraph 2, for “the adoption of implementing acts referred to in” substitute “regulations made under”.

(3) In paragraphs 3 to 5, for “the implementing acts referred to in” substitute “regulations made under”.

(4) In paragraph 6—

- (a) for “the adoption of the implementing acts referred to in” substitute “regulations made under”;
- (b) in the second place the words occur, for “implementing acts referred to in” substitute “regulations made under”;
- (c) in the third place the words occur, for “implementing acts” substitute “regulations”.

#### **Amendment of Article 25 of Regulation (EU) No 2018/1139**

**104.**—(1) Article 25 (flight simulation training devices) is amended as follows.

(2) In paragraph 1, for “the adoption of implementing acts referred to in” substitute “regulations made under”.

(3) In paragraphs 2 to 5, in each place the words occur, for “the implementing acts referred to in” substitute “regulations made under”.

#### **Amendment of Article 26 of Regulation (EU) No 2018/1139**

**105.**—(1) Article 26 (instructors and examiners) is amended as follows.

(2) In paragraph 1, for “the adoption of implementing acts referred to in” substitute “regulations made under”.

(3) In paragraphs 2 to 5, for “the implementing acts referred to in” substitute “regulations made under”.

#### **Amendment of Article 27 of Regulation (EU) No 2018/1139**

**106.**—(1) Article 27 (implementing acts as regards training, testing, checking and medical assessment) is amended as follows.

(2) In the heading, for “Implementing acts” substitute “Regulations”.

(3) In paragraph 1—

(a) in the first subparagraph—

- (i) omit “the uniform application of and”;
- (ii) for “Commission” substitute “Secretary of State”;
- (iii) for “adopt implementing acts” substitute “make regulations”;

(b) omit the second subparagraph.

(4) In paragraph 2, for the words from the start to “Commission”, substitute “When making those regulations, the Secretary of State”.

#### **Amendment of Article 28 of Regulation (EU) No 2018/1139**

**107.** In Article 28 (delegated powers), for the words from “the Commission” to “Article 128” substitute “Secretary of State may make regulations”.

SUB-SECTION 3 Air Operations

#### **Amendment of Article 30 of Regulation (EU) No 2018/1139**

**108.**—(1) Article 30 (aircraft operators) is amended as follows.

- (2) In paragraph 1—
  - (a) for “territory to which the Treaties apply” substitute “United Kingdom”;
  - (b) for “the implementing acts referred to in” substitute “regulations made under”;
  - (c) in point (a), for “implementing acts” substitute “regulations”.
- (3) In paragraphs 2 to 5, for “the implementing acts referred to in” substitute “regulations made under”.
- (4) In paragraph 6—
  - (a) in the first place the words occur, for “Member States” substitute “The Secretary of State”;
  - (b) for “territory to which the Treaties apply” substitute “United Kingdom”;
  - (c) for the words from “that territory” to “carry” substitute “the United Kingdom but in a territory for which the United Kingdom carries”.
- (5) In paragraph 7—
  - (a) for “the implementing acts referred to in” substitute “regulations made under”;
  - (b) for “the delegated act referred to in” substitute “regulations made under”.

#### **Amendment of Article 31 of Regulation (EU) No 2018/1139**

- 109.**—(1) Article 31 (implementing acts as regards air operations) is amended as follows.
- (2) In the heading, for “Implementing acts” substitute “Regulations”.
  - (3) In paragraph 1—
    - (a) in the first subparagraph—
      - (i) omit “the uniform implementation of and”;
      - (ii) for “Commission” substitute “Secretary of State”;
      - (iii) for “adopt implementing acts” substitute “make regulations”;
      - (iv) in point (e), for “territory to which the Treaties apply” substitute “United Kingdom”;
    - (b) omit the second subparagraph.
  - (4) In paragraph 2, for the words from the start to “Commission”, substitute “When making regulations, the Secretary of State”.

#### **Amendment of Article 32 of Regulation (EU) No 2018/1139**

- 110.**—(1) Article 32 (delegated powers) is amended as follows.
- (2) In paragraph 1—
    - (a) for the words from “Commission” to “Article 128”, substitute “Secretary of State may make regulations”;
    - (b) in point (b)—
      - (i) for “national competent authorities” substitute “the CAA”;
      - (ii) omit the words from “and the issuance” to the end.
  - (3) In paragraph 2, for the words from “Commission” to “Article 128” substitute “the Secretary of State may make regulations”.
- SUB-SECTION 4Aerodromes

#### **Amendment of Article 34 of Regulation (EU) No 2018/1139**

**111.** In Article 34 (aerodrome certification), in each place the words occur, for “implementing acts” substitute “regulations”.

#### **Amendment of Article 35 of Regulation (EU) No 2018/1139**

**112.—**(1) Article 35 (safety related aerodrome equipment) is amended as follows.

(2) In paragraph 1—

(a) for “the implementing acts referred to in” substitute “regulations made under”;

(b) in point (a), for “implementing acts referred to in” substitute “regulations made under”.

(3) In paragraph 2, for “implementing acts referred to in” substitute “regulations made under”.

(4) In paragraphs 3 and 4, for “the implementing acts referred to in” substitute “regulations made under”.

#### **Amendment of Article 36 of Regulation (EU) No 2018/1139**

**113.—**(1) Article 36 (implementing acts as regards aerodromes and safety-related aerodrome equipment) is amended as follows.

(2) In the heading, for “Implementing acts” substitute “Regulations”.

(3) In paragraph 1—

(a) in the first subparagraph—

(i) omit “the uniform implementation of and”;

(ii) for “Commission” substitute “Secretary of State”;

(iii) for “adopt implementing acts” substitute “make regulations”;

(iv) omit point (h);

(b) omit the second subparagraph.

(4) In paragraph 2, for the words from the start to “Commission”, substitute “When making regulations under subparagraph 1, the Secretary of State”.

#### **Amendment of Article 37 of Regulation (EU) No 2018/1139**

**114.** In Article 37 (organisations), for “the delegated acts referred to in” substitute “regulations made under”.

#### **Amendment of Article 38 of Regulation (EU) No 2018/1139**

**115.—**(1) Article 38 (protection of aerodrome surroundings) is amended as follows.

(2) In paragraph 1—

(a) for “Member States” substitute “The Secretary of State and the CAA”;

(b) for “their territory” substitute “the United Kingdom”.

(3) In paragraph 2, for the words from “the competent authorities” to the end, substitute “the CAA”.

(4) In paragraph 3—

(a) for “Commission shall” substitute “Secretary of State may”;

(b) for “adopt implementing acts” substitute “make regulations”;

(c) omit the last sentence.

**Amendment of Article 39 of Regulation (EU) No 2018/1139**

**116.**—(1) Article 39 (delegated powers) is amended as follows.

(2) In paragraph 1, for the words from “Commission” to “Article 128” substitute “Secretary of State may make regulations”.

(3) In paragraph 2, for the words from “Commission” to “Article 128,” substitute “Secretary of State may make regulations”.

SUB-SECTION 5 Air Traffic Management / Air Navigation Services

**Amendment of Article 40 of Regulation (EU) No 2018/1139**

**117.** In Article 40 (essential requirements), in paragraph 2, for “the Single European Sky” substitute “United Kingdom”.

**Amendment of Article 41 of Regulation (EU) No 2018/1139**

**118.**—(1) Article 41 (ATM/ANS providers) is amended as follows.

(2) In paragraphs 2, 3 and 4, for “the implementing acts referred to in” substitute “regulations made under”.

(3) In paragraph 5—

- (a) for “the implementing acts referred to in” substitute “regulations made under”;
- (b) for “Member States” substitute “the CAA”;
- (c) omit the last sentence.

(4) In paragraph 6—

- (a) in the first subparagraph—
  - (i) in the first place it occurs, for “Member States” substitute “the CAA”;
  - (ii) in point (a), for “Member States are” substitute “the United Kingdom is”;
  - (iii) in point (b), for “Member State granting the exemption” substitute “United Kingdom”;
  - (iv) in point (d), for “Member State concerned” substitute “CAA”;
- (b) omit the second, third and fourth subparagraphs.

**Amendment of Article 42 of Regulation (EU) No 2018/1139**

**119.**—(1) Article 42 (organisations involved in the design, production or maintenance of ATM/ANS systems and ATM/ANS constituents) is amended as follows.

(2) In paragraph 1—

- (a) for “the implementing acts referred to in” substitute “regulations made under”;
- (b) in point (a), for “implementing acts” substitute “regulations”.

(3) In paragraphs 2, 3 and 4, for “the implementing acts referred to in” substitute “regulations made under”.

**Amendment of Article 43 of Regulation (EU) No 2018/1139**

**120.**—(1) Article 43 (implementing acts as regards ATM/ANS providers and organisations involved in the design, production or maintenance of ATM/ANS systems and ATM/ANS constituents) is amended as follows.

(2) In the heading, for “Implementing acts” substitute “Regulations”.

(3) In paragraph 1—

(a) in the first subparagraph—

(i) omit “the uniform implementation of and”;

(ii) for “Commission” substitute “Secretary of State”;

(iii) for “adopt implementing acts” substitute “make regulations”;

(b) omit the second subparagraph.

(4) Omit paragraph 2.

(5) In paragraph 3, for the words from the start to “Commission” substitute “When making regulations under paragraph 1, the Secretary of State”.

#### **Amendment of Article 44 of Regulation (EU) No 2018/1139**

**121.**—(1) Article 44 (implementing acts as regards the use of airspace and the design of airspace structures) is amended as follows.

(2) In the heading, for “Implementing acts” substitute “Regulations”.

(3) In paragraph 1—

(a) in the first subparagraph—

(i) omit “the uniform implementation of and”;

(ii) for “Commission” substitute “Secretary of State”;

(iii) for “adopt implementing acts” substitute “make regulations”;

(b) omit the second subparagraph.

(4) Omit paragraph 2.

(5) In paragraph 3, for the words from the start to “Commission” substitute “When making regulations under paragraph 1, the Secretary of State”.

#### **Amendment of Article 45 of Regulation (EU) No 2018/1139**

**122.** In Article 45 (ATM/ANS systems and constituents), in each place the words occur, for “the delegated acts referred to in” substitute “regulations made under”.

#### **Amendment of Article 46 of Regulation (EU) No 2018/1139**

**123.** Article 46 (design of airspace structures) is amended as follows—

(a) for “Member States” substitute “The CAA”;

(b) for “the detailed rules adopted by the Commission pursuant to” substitute “regulations made by the Secretary of State under”.

#### **Amendment of Article 47 of Regulation (EU) No 2018/1139**

**124.** In Article 47 (delegated powers), in paragraphs 1 and 2, for the words from “Commission” to “Article 128,” substitute “the Secretary of State may make regulations”.

SUB-SECTION 6 Air Traffic Controllers

#### **Amendment of Article 49 of Regulation (EU) No 2018/1139**

**125.** In Article 49 (air traffic controllers), in each place the words occur, for “the implementing acts referred to in” substitute “regulations made under”.

**Amendment of Article 50 of Regulation (EU) No 2018/1139**

**126.**—(1) Article 50 (implementing acts as regards air traffic controllers) is amended as follows.

(2) In the heading, for “Implementing acts” substitute “Regulations”.

(3) In paragraph 1—

(a) in the first subparagraph—

(i) omit “the uniform implementation of and”;

(ii) for “Commission” substitute “Secretary of State”;

(iii) for “adopt implementing acts” substitute “make regulations”;

(b) omit the second subparagraph.

(4) In paragraph 2, for the words from the start to “Commission” substitute “When making regulations under paragraph 1, the Secretary of State”.

**Amendment of Article 51 of Regulation (EU) No 2018/1139**

**127.** In Article 51 (air traffic controller training organisations and aero-medical centres), in each place the words occur, for “the implementing acts referred to in” substitute “regulations made under”.

**Amendment of Article 52 of Regulation (EU) No 2018/1139**

**128.** In Article 52 (instructors, assessors and aero-medical examiners), in each place it occurs, for “the implementing acts referred to in” substitute “regulations made under”.

**Amendment of Article 53 of Regulation (EU) No 2018/1139**

**129.**—(1) Article 53 (implementing acts as regards training, testing, checking and medical assessment) is amended as follows.

(2) In the heading, for “Implementing acts” substitute “Regulations”.

(3) In paragraph 1—

(a) in the first subparagraph—

(i) omit “the uniform implementation of and”;

(ii) for “Commission” substitute “Secretary of State”;

(iii) for “adopt implementing acts” substitute “make regulations”;

(b) omit the second subparagraph.

(4) In paragraph 2, for the words from the start to “Commission” substitute “When making regulations under paragraph 1, the Secretary of State”.

**Amendment of Article 54 of Regulation (EU) No 2018/1139**

**130.** In Article 54 (delegated powers), for the words from “the Commission” to “Article 128,” substitute “the Secretary of State may make regulations”.

SUB-SECTION 7 Unmanned aircraft

**Amendment of Article 55 of Regulation (EU) No 2018/1139**

**131.** In Article 55 (essential requirements for unmanned aircraft)—

(a) for “the delegated acts referred to in” substitute “regulations made under”;

(b) for “the implementing acts referred to in” substitute “regulations made under”.



### **Amendment of Article 56 of Regulation (EU) No 2018/1139**

**132.**—(1) Article 56 (compliance of unmanned aircraft) is amended as follows.

(2) In paragraph 1—

- (a) for “the delegated acts referred to in” substitute “regulations made under”;
- (b) for “the implementing acts referred to in” substitute “regulations made under”.

(3) In paragraph 2—

- (a) for “the delegated acts referred to in” substitute “regulations made under”;
- (b) for “the implementing acts referred to in” substitute “regulations made under”.

(4) In paragraph 3—

- (a) for “the delegated acts referred to in” substitute “regulations made under”;
- (b) for “the implementing acts referred to in” substitute “regulations made under”.

(5) In paragraph 4—

- (a) for “the delegated acts referred to in” substitute “regulations made under”;
- (b) for “the implementing acts referred to in” substitute “regulations made under”.

(6) In paragraph 5—

- (a) for “the delegated acts referred to in” substitute “regulations made under”;
- (b) for “the implementing acts referred to in” substitute “regulations made under”;
- (c) for “delegated and implementing acts” substitute “regulations”.

(7) In paragraph 6—

- (a) for “the delegated acts referred to in” substitute “regulations made under”;
- (b) omit the second sentence.

(8) In paragraph 7—

- (a) in the first sentence—
  - (i) for “Member States” substitute “The CAA”;
  - (ii) for “the implementing acts referred to in” substitute “regulations made under”;
  - (iii) for the words from “digital” to “systems” substitute “a digital national registration system”;
- (b) omit the second sentence.

(9) In paragraph 8—

- (a) for “Member States” substitute “the Secretary of State”;
- (b) for “national rules” substitute “regulations”;
- (c) omit “in accordance with the Union law”.

### **Amendment of Article 57 of Regulation (EU) No 2018/1139**

**133.**—(1) Article 57 (implementing acts as regards unmanned aircraft) is amended as follows.

(2) In the heading, for “Implementing acts” substitute “Regulations”.

(3) In the first subparagraph—

- (a) omit “the uniform implementation of and”;
- (b) for “the Commission shall, adopt implementing acts” substitute “the Secretary of State may make regulations”;

(c) in point (e), for “digital, interoperable, harmonized, national registration systems” substitute “a digital national registration system”.

(4) Omit the second subparagraph.

#### **Amendment of Article 58 of Regulation (EU) No 2018/1139**

**134.**—(1) Article 58 (delegated powers) is amended as follows.

(2) In paragraph 1, for the words from “the Commission” to “Article 128,” substitute “the Secretary of State may make regulations”.

(3) In paragraph 2, for the words from “the Commission” to “Article 128,” substitute “the Secretary of State may make regulations”.

SUB-SECTION 8 Aircraft used by a third country operator

#### **Amendment of heading for Section 8 of Regulation (EU) No 2018/1139**

**135.** In the heading for Section 8 (aircraft used by a third-country operator into, within or out of the Union), for “Union” substitute “United Kingdom”.

#### **Amendment of Article 59 of Regulation (EU) No 2018/1139**

**136.** In Article 59 (applicable rules), in point (b), for “the delegated acts referred to in” substitute “regulations made under”.

#### **Amendment of Article 60 of Regulation (EU) No 2018/1139**

**137.**—(1) Article 60 (compliance) is amended as follows.

(2) In paragraph 2, in both places the words occur, for “the delegated acts referred to in” substitute “regulations made under”.

(3) In paragraph 3, for “territory to which the Treaties apply” substitute “United Kingdom”.

#### **Amendment of Article 61 of Regulation (EU) No 2018/1139**

**138.**—(1) Article 61 (delegated powers) is amended as follows.

(2) In paragraph 1—

(a) for the words from “Commission” to “Article 128,” substitute “Secretary of State may make regulations”;

(b) in point (a), for “territory to which the Treaties apply” substitute “United Kingdom”;

(c) in point (d), omit “and to the implementing acts adopted on the basis thereof”.

(3) In paragraph 2—

(a) for “adopting the rules referred to in” substitute “making regulations under”;

(b) for “Commission” substitute “Secretary of State”;

(c) in point (c)—

(i) for “Commission” substitute “Secretary of State”;

(ii) in point (ii)—

(aa) for “the delegated acts referred to in” substitute “regulations made under”;

(bb) for “the implementing acts referred to in” substitute “regulations made under”.

#### SECTION 4

*Certification, oversight and enforcement system – Chapter 4 of Regulation (EU) No 2018/1139*

#### **Amendment of Article 62 of Regulation (EU) No 2018/1139**

- 139.**—(1) Article 62 (certification, oversight and enforcement) is amended as follows.
- (2) In paragraph 1—
- (a) for the words from the start to “system” substitute “The Secretary of State and the CAA must cooperate”;
  - (b) for the words from “the delegated” to the end substitute “regulations made under it”.
- (3) In paragraph 2—
- (a) for the words from “the delegated”, the first time they occur, to “authorities” substitute “regulations made under it, the CAA”;
  - (b) in point (a), in both places the word occurs, for “them” substitute “the CAA”;
  - (c) in point (c), for the words from “the delegated” to the end substitute “regulations made under it”;
  - (d) in point (d), for “them” substitute “the CAA”;
  - (e) in point (f), for “their” substitute “CAA”.
- (4) Omit paragraph 3.
- (5) In paragraph 4—
- (a) omit the first six subparagraphs;
  - (b) in the seventh subparagraph, for the words from the start to “referred to in” substitute “Where regulations made under”.
- (6) Omit paragraph 5.
- (7) In paragraph 6, for “Agency and national competent authorities” substitute “CAA”.
- (8) Omit paragraph 7.
- (9) In paragraph 8—
- (a) for “Agency” substitute “CAA”;
  - (b) omit “, exchange”.
- (10) Omit paragraphs 9, 10 and 11.
- (11) In paragraph 12, for “Agency and the national competent authorities” substitute “CAA”.
- (12) Omit paragraph 13.
- (13) In paragraph 14—
- (a) in the first subparagraph—
    - (i) omit “the uniform implementation of and”;
    - (ii) for “paragraphs 2 to 9” substitute “paragraphs 2, 4, 6 and 8”;
    - (iii) for “national competent authorities” substitute “the CAA”;
    - (iv) for “Commission” substitute “Secretary of State”;
    - (v) for “adopt implementing acts” substitute “make regulations”;
    - (vi) in point (a), for “national competent authority” substitute “CAA”;
    - (vii) in point (b)—
      - (aa) for “national competent authority” substitute “CAA”;

- (bb) for the words from “the delegated” to the end substitute “regulations made under it”;
- (viii) omit point (d);
- (ix) in point (e), for “national competent authority” substitute “CAA”;
- (b) omit the second subparagraph.
- (14) In paragraph 15—
  - (a) in the first subparagraph—
    - (i) omit “the uniform implementation of and”;
    - (ii) for “paragraphs (2) to (9)” substitute “paragraphs 2, 4, 6 and 8”;
    - (iii) for “Agency and national competent authorities” substitute “CAA”;
    - (iv) for “Commission” substitute “Secretary of State”;
    - (v) for “adopt implementing acts” substitute “make regulations”;
    - (vi) omit point (a);
    - (vii) in point (b), for “the Agency and national competent authorities” substitute “CAA”;
    - (viii) in point (c), for “Agency and national competent authorities” substitute “CAA”;
  - (b) omit the second subparagraph.

#### **Amendment of Articles 63 to 67 of Regulation (EU) No 2018/1139**

##### **140.** Omit the following—

- (a) Article 63 (pool of European aviation inspectors);
- (b) Article 64 (reallocation of responsibility upon request of Member States);
- (c) Article 65 (reallocation of responsibility upon request of organisations operating in more than one Member State);
- (d) Article 66 (oversight support mechanism);
- (e) Article 67 (validity and recognition of certificates and declarations).

#### **Amendment of Article 68 of Regulation (EU) No 2018/1139**

##### **141.—**(1) Article 68 (acceptance of third country certification) is amended as follows.

##### (2) In paragraph 1—

- (a) for the words from the start to “authorities” substitute “The CAA”;
- (b) for the words from “the delegated” to “thereof” substitute “regulations made under it”;
- (c) in point (a)—
  - (i) for “Union” substitute “United Kingdom”;
  - (ii) at the end insert “or”;
- (d) in point (b)—
  - (i) for the words from the start to “basis of” substitute “regulations made under”;
  - (ii) at end omit “or”;
- (e) omit point (c).

##### (3) In paragraph 2, in both places the word occurs, for “Agency” substitute “CAA”.

(4) In paragraph 3, for the words from the start to “Article 128” substitute “The Secretary of State may make regulations”.

#### **Amendment of Article 69 of Regulation (EU) No 2018/1139**

**142.**—(1) Article 69 (qualified entities) is amended as follows.

(2) In paragraph 1—

(a) in the first subparagraph—

(i) for the words from the start to “tasks” substitute “The CAA may allocate its tasks”;

(ii) for the words from “the delegated acts” to “the implementing acts referred to in” substitute “regulations made under”;

(b) in the second subparagraph, for the words from the start to “entities” substitute “The CAA”;

(c) omit the third subparagraph.

(3) In paragraph 2—

(a) for the words from the start to “applicable” substitute “The CAA”;

(b) omit “that they granted”.

(4) In paragraph 3—

(a) for the words from the start to “grant it” substitute “The CAA may grant a qualified entity”;

(b) for the words “Agency or the national competent authority” substitute “CAA”.

(5) Omit paragraphs 4 and 5.

#### **Amendment of Article 70 of Regulation (EU) No 2018/1139**

**143.**—(1) Article 70 (safeguard provisions) is amended as follows

(2) In paragraph 1—

(a) in the first subparagraph—

(i) for the words from “delegated acts” to “thereof” substitute “regulations made under it”;

(ii) for “a Member State” substitute “the CAA”;

(iii) in point (a), for “that Member State” substitute “the CAA”;

(iv) in point (b)—

(aa) for “Member State” substitute “CAA”;

(bb) for the words from “the delegated acts” to the end substitute “regulations made under it”;

(b) omit the second subparagraph.

(3) Omit paragraphs 2, 3 and 4.

#### **Amendment of Article 71 of Regulation (EU) No 2018/1139**

**144.**—(1) Article 71 (flexibility provisions) is amended as follows.

(2) In paragraph 1—

(a) in the first subparagraph—

(i) for “Member States” substitute “The CAA”;

- (ii) for “the delegated or implementing acts adopted on the basis of” substitute “regulations made under”;
- (iii) in point (c), for “Member State” substitute “CAA”;
- (b) omit the second subparagraph.
- (3) Omit paragraphs 2 and 3.

#### **Amendment of Articles 72 to 74 of Regulation (EU) No 2018/1139**

**145.** Omit the following—

- (a) Article 72 (information gathering, exchange and analysis);
- (b) Article 73 (protection of the source of information);
- (c) Article 74 (repository of information).

### *SECTION 5*

*The European Union Aviation Safety Agency – Chapter 5 of Regulation EU (No) 2018/1139*  
SUB-SECTION 1Tasks

#### **Amendment of Article 75 of Regulation (EU) No 2018/1139**

**146.—**(1) Article 75 (establishment and functions of the Agency) is amended as follows.

(2) In the heading, for “Establishment and functions of the Agency” substitute “Functions of the CAA under this Regulation”.

- (3) Omit paragraph 1.
- (4) In paragraph 2—
  - (a) in the first place it occurs, for “Union” substitute “United Kingdom”;
  - (b) in the first place it occurs, for “Agency” substitute “CAA”;
  - (c) in point (b)—
    - (i) in both places it occurs, for “Commission” substitute “Secretary of State”;
    - (ii) for “Agency” substitute “CAA”;
  - (d) in point (c), for “Commission” substitute “Secretary of State”;
  - (e) in point (d), omit “Union”;
  - (f) in point (e), omit “, or as requested by the Commission”;
  - (g) in point (f)—
    - (i) for “Member States” substitute “the United Kingdom”;
    - (ii) for “them” substitute “the United Kingdom”;
  - (h) in point (g)—
    - (i) for “national competent authorities” substitute “Secretary of State”;
    - (ii) for “their tasks” substitute “the tasks of the Secretary of State”;
  - (i) in point (h)—
    - (i) for “Commission” substitute “Secretary of State”;
    - (ii) for “Union” substitute “any relevant”;
  - (j) in point (i), for “Union” substitute “United Kingdom”;

- (k) in point (j), omit “Union”.

#### **Amendment of Article 76 of Regulation (EU) No 2018/1139**

- 147.**—(1) Article 76 (Agency measures) is amended as follows.
- (2) In the heading, for “Agency measures” substitute “CAA measures”.
  - (3) In paragraph 1—
    - (a) for the words from the start to “assist the Commission” substitute “The CAA must, upon request, assist the Secretary of State”;
    - (b) for “delegated and implementing acts to be adopted on the basis of this Regulation” substitute “regulations to be made under it”;
    - (c) for “the Agency submits to the Commission” substitute “the CAA submits to the Secretary of State”.
  - (4) Omit paragraph 2.
  - (5) In paragraph 3—
    - (a) for “Agency” substitute “CAA”;
    - (b) for “delegated and implementing acts adopted on the basis of” substitute “regulations made under”;
    - (c) for “the delegated and implementing acts adopted on the basis thereof” substitute “regulations made under it”.
  - (6) In paragraph 4—
    - (a) in the first subparagraph—
      - (i) for “The Agency” substitute “The CAA”;
      - (ii) for the words from “paragraph 6” to the end substitute “Articles 77 and 79 to 83”;
    - (b) omit “the second, third, fourth and fifth subparagraphs”.
  - (7) Omit paragraphs 5, 6 and 7.

#### **Amendment of Article 77 of Regulation (EU) No 2018/1139**

- 148.**—(1) Article 77 (airworthiness and environmental certification) is amended as follows.
- (2) In paragraph 1—
    - (a) for “Agency” substitute “CAA”;
    - (b) for “Member States” substitute “the United Kingdom”.
  - (3) In paragraph 2—
    - (a) for “Agency” substitute “CAA”;
    - (b) in point (b) omit the words from “, where those organisations” to the end.
  - (4) In paragraph 3 for “Agency” substitute “CAA”.

#### **Amendment of Article 78 of Regulation (EU) No 2018/1139**

- 149.** Omit Article 78 (aircrew certification).

#### **Amendment of Article 79 of Regulation (EU) No 2018/1139**

- 150.** In Article 79 (certification of safety-related aerodrome equipment), for “Agency” substitute “CAA”.

**Amendment of Article 80 of Regulation (EU) No 2018/1139**

**151.**—(1) Article 80 (ATM/ANS) is amended as follows.

(2) In paragraph 1—

- (a) in the first place it occurs, for “Agency” substitute “CAA”;
- (b) in point (a)—
  - (i) for “Member States are” substitute “the United Kingdom is”;
  - (ii) for “above the territory to which the Treaties apply” substitute “of the United Kingdom”;
- (c) omit points (b) and (c);
- (d) in point (d)—
  - (i) for “Agency” substitute “CAA”;
  - (ii) for “points (a) and (b)” substitute “point (a)”.

(3) In paragraph 2—

- (a) for the words from “including” to “Agency” substitute “the CAA”;
- (b) for “the delegated acts referred to in” substitute “regulations made under”.

**Amendment of Article 81 of Regulation (EU) No 2018/1139**

**152.** In Article 81 (air traffic controller training organisations certification)—

- (a) for “Agency” substitute “CAA”;
- (b) omit the words from “, where those organisations” to the end.

**Amendment of Article 82 of Regulation (EU) No 2018/1139**

**153.**—(1) Article 82 (third-country aircraft operators and international safety oversight) is amended as follows.

(2) In paragraph 1—

- (a) for “Agency” substitute “CAA”;
- (b) omit the words from “unless a Member State” to the end.

(3) In paragraph 2, for “Agency” substitute “CAA”.

(4) In paragraph 3—

- (a) for “Agency” substitute “CAA”;
- (b) in both places the word occurs, for “Commission” substitute “Secretary of State”.

**Amendment of Article 83 of Regulation (EU) No 2018/1139**

**154.**—(1) Article 83 (investigations by the Agency) is amended as follows.

(2) In the heading, for “Agency” substitute “CAA”.

(3) In paragraph 1—

- (a) for “Agency” substitute “CAA”;
- (b) omit “national competent authorities or”.

(4) In paragraph 2—

- (a) in the first subparagraph—



- (i) in the first two places the words occur, for “Agency” substitute “CAA”;
- (ii) in point (b), for “the delegated and implementing acts adopted on the basis thereof” substitute “regulations made under it”;
- (iii) omit point (c);
- (b) in the second subparagraph—
  - (i) for “Agency” substitute “CAA”;
  - (ii) for “the delegated and implementing acts adopted on the basis thereof” substitute “regulations made under it”;
  - (iii) after “in compliance with” (in the first place it occurs) omit “the”;
  - (iv) omit “of the Member State”;
- (c) omit the last subparagraph.
- (5) In paragraph 3, for “Agency” substitute “CAA”.
- (6) Omit paragraph 4.

#### **Amendment of Articles 84 to 86 of Regulation (EU) No 2018/1139**

- 155.** Omit the following—
- (a) Article 84 (fines and periodic penalty payments);
  - (b) Article 85 (monitoring of Member States);
  - (c) Article 86 (research and innovation).

#### **Amendment of Article 87 of Regulation (EU) No 2018/1139**

- 156.**—(1) Article 87 (environmental protection) is amended as follows.
- (2) In paragraph 1, for “Agency” substitute “CAA”.
  - (3) Omit paragraphs 2 and 3.
  - (4) In paragraph 4—
    - (a) in the first subparagraph—
      - (i) for “Agency” substitute “CAA”;
      - (ii) for “Union” substitute “United Kingdom”;
    - (b) in the second subparagraph—
      - (i) for “Agency” substitute “CAA”;
      - (ii) for “Union” substitute “United Kingdom”;
    - (c) in the third subparagraph—
      - (i) for “Agency” substitute “CAA”;
      - (ii) for “Member States” substitute “Secretary of State”;
    - (d) in the fourth subparagraph, for “Union” substitute “United Kingdom”.

#### **Amendment of Article 88 of Regulation (EU) No 2018/1139**

- 157.** Omit Article 88 (interdependencies between civil aviation safety and security).

**Amendment of Article 89 of Regulation (EU) No 2018/1139**

**158.** Omit Article 89 (interdependencies between civil aviation safety and socio-economic factors).

**Amendment of Article 90 of Regulation (EU) No 2018/1139**

**159.**—(1) Article 90 (international cooperation) is amended as follows.

(2) In paragraph 1—

- (a) for “Agency” substitute “CAA”;
- (b) for “Commission in its” substitute “Secretary of State in the”;
- (c) in both places it occurs for “European” substitute “United Kingdom”.

(3) In paragraph 2—

- (a) at the start for “The Agency” substitute “The CAA”;
- (b) for “Agency, in prior consultation with the Commission,” substitute “CAA”;
- (c) for “Union and its Member States” substitute “United Kingdom”.

(4) In paragraph 3—

- (a) in the first subparagraph—
  - (i) for “The Agency shall assist Member States” substitute “The CAA must assist the Secretary of State”;
  - (ii) in the first place it occurs, for “their” substitute “the United Kingdom’s”;
  - (iii) in the second and third places it occurs, for “their” substitute “its”;
- (b) omit the second subparagraph.

(5) Omit paragraphs 4 and 5.

(6) In paragraph 6—

- (a) for “paragraphs 1 to 5” substitute “paragraphs 1 to 3”;
- (b) for “Agency” substitute “CAA”;
- (c) for “Agency’s” substitute “CAA’s”.

**Amendment of Article 91 of Regulation (EU) No 2018/1139**

**160.**—(1) Article 91 (aviation crisis management) is amended as follows.

(2) In paragraph 1, for “Agency” substitute “CAA”.

(3) Omit paragraph 2.

**Amendment of Article 92 of Regulation (EU) No 2018/1139**

**161.**—(1) Article 92 (aviation training) is amended as follows.

(2) In paragraph 1—

- (a) in the first two places it occurs, for “Agency” substitute “CAA”;
- (b) for “in its official publication” substitute “on its website”;
- (c) in the third place it occurs, for “Agency” substitute “CAA”.

(3) In paragraph 2—

- (a) for “Agency” substitute “CAA”;

- (b) omit “and national competent authorities”.

**Amendment of Article 93 of Regulation (EU) No 2018/1139**

**162.** Omit Article 93 (implementation of Single European Sky).  
SUB-SECTION 2 Internal structure

**Amendment of Articles 94 to 114 of Regulation (EU) No 2018/1139**

**163.** Omit the following—

- (a) Article 94 (legal status, seat and local offices);
- (b) Article 95 (staff);
- (c) Article 96 (privileges and immunities);
- (d) Article 97 (liability);
- (e) Article 98 (functions of the management board);
- (f) Article 99 (composition of the management board);
- (g) Article 100 (chairperson of the management board);
- (h) Article 101 (meetings of the management board);
- (i) Article 102 (voting rules of the management board);
- (j) Article 103 (executive director);
- (k) Article 104 (responsibilities of the executive director);
- (l) Article 105 (powers of the Board of Appeal);
- (m) Article 106 (members of the Board of Appeal);
- (n) Article 107 (exclusion and objection);
- (o) Article 108 (decisions subject to appeal);
- (p) Article 109 (persons entitled to appeal);
- (q) Article 110 (time limit and form);
- (r) Article 111 (interlocutory revision);
- (s) Article 112 (examination of appeals);
- (t) Article 113 (decisions on appeal);
- (u) Article 114 (actions before the Court of Justice).

SUB-SECTION 3 Working methods

**Amendment of Article 115 of Regulation (EU) No 2018/1139**

**164.**—(1) Article 115 (procedures for the development of opinions, certification specifications and other detailed specifications, acceptable means of compliance and guidance material) is amended as follows.

(2) In paragraph 1—

- (a) for “Management Board” substitute “CAA”;
- (b) in point (a)—
  - (i) omit “the civil and”;
  - (ii) omit “of the Member States”;
- (c) in point (b) omit “the relevant European”;

- (d) in point (c), in both places it occurs, for “Agency” substitute “CAA”.
- (3) In paragraph 2—
  - (a) the first time it occurs, for “Agency” substitute “CAA”;
  - (b) the first time it occurs, for “the Member States” substitute “relevant stakeholders”;
  - (c) omit the words from “To that effect” to the end.
- (4) In paragraph 3—
  - (a) at the start for “Agency” substitute “CAA”;
  - (b) for the words from “in the official” to the end substitute “on the CAA’s website”.

**Amendment of Article 116 of Regulation (EU) No 2018/1139**

- 165.**—(1) Article 116 (procedures for taking decisions) is amended as follows.
- (2) In paragraph 1—
    - (a) for “Management Board” substitute “CAA”;
    - (b) in point (b) omit the words from “, subject to the requirements” to the end;
    - (c) in point (c), for “this Regulation” substitute “the Civil Aviation Authority Regulations 1991”.
  - (3) In paragraph 2, for “Management Board” substitute “CAA”.

**Amendment of Articles 117 to 119 of Regulation (EU) No 2018/1139**

- 166.** Omit the following—
- (a) Article 117 (annual and multi-annual programming);
  - (b) Article 118 (consolidated annual activity report);
  - (c) Article 119 (transparency and communication).
- SUB-SECTION 4 Financial requirements

**Amendment of Articles 120 to 126 of Regulation (EU) No 2018/1139**

- 167.** Omit the following—
- (a) Article 120 (budget);
  - (b) Article 121 (implementation and control of the budget);
  - (c) Article 122 (combating fraud);
  - (d) Article 123 (security rules on the protection of classified and sensitive non-classified information);
  - (e) Article 124 (evaluation);
  - (f) Article 125 (financial rules);
  - (g) Article 126 (fees and charges).

*SECTION 6**Final provisions – Chapter 6 of Regulation EU (No) 2018/1139***Amendment of Article 127 of Regulation (EU) No 2018/1139**

- 168.** For Article 127 (committee procedure) substitute—

### **“Regulations**

1. Regulations made under this Regulation are to be made by statutory instrument.
2. Regulations made by the Secretary of State under this Regulation are subject to annulment in pursuance of a resolution of either House of Parliament.
3. Regulations made under this Regulation may—
  - (a) make different provision for different purposes or areas;
  - (b) include supplementary, incidental or consequential provision;
  - (c) make transitional, transitory or saving provision.”

### **Amendment of Articles 128 to 131 of Regulation (EU) No 2018/1139**

**169.** Omit the following—

- (a) Article 128 (exercise of the delegation);
- (b) Article 129 (participation of European third countries);
- (c) Article 130 (Headquarters Agreement and operating conditions);
- (d) Article 131 (penalties).

### **Amendment of Article 132 of Regulation (EU) No 2018/1139**

**170.**—(1) Article 132 (processing of personal data) is amended as follows.

(2) In paragraph 1—

- (a) for “Member States” substitute “the Secretary of State and the CAA”;
- (b) for the words from “the national laws” to the end substitute “data protection legislation within the meaning of section 3(9) of the Data Protection Act 2018 (c.12)”.

(3) Omit paragraph 2.

### **Amendment of Article 140 of Regulation (EU) No 2018/1139**

**171.**—(1) Article 140 (transitional provisions) is amended as follows.

(2) In paragraph 1, omit the words from “, including” to the end.

(3) In paragraph 3, for “Agency” substitute “CAA”.

(4) Omit paragraph 4.

(5) In paragraph 5, for the words from “the delegated acts” to “this Regulation”, substitute “regulations made under Article 57 and Article 58”.

(6) Omit paragraph 6.

### **Further amendment of Regulation (EU) No 2018/1139**

**172.** After Article 141 (entry into force), omit the sentence which begins “This Regulation shall be binding”.

**SECTION 7***Annexes to Regulation (EU) No 2018/1139***Amendment of Annex I to Regulation (EU) No 2018/1139**

173. Annex I (aircraft referred to in point (d) of Article 2(3)), point 1 is amended as follows—
- (a) in point (a)(ii), in the third indent, omit “of a Member State”;
  - (b) in point (d), for “Agency” substitute “CAA”.

**Amendment of Annex II to Regulation (EU) No 2018/1139**

174. In Annex II (essential requirements for airworthiness), in point 3.1(d), omit “Union”.

**Amendment of Annex IV to Regulation (EU) No 2018/1139**

175. In Annex IV (essential requirements for aircrew), in paragraph 2, for “the implementing acts adopted on the basis of” substitute “regulations made under”.

**Amendment of Annex V to Regulation (EU) No 2018/1139**

176. In Annex V (essential requirements for air operations), in point 8.1(d), omit “Union”.

**Amendment of Annex VI to Regulation (EU) No 2018/1139**

177. In Annex VI (essential requirements for qualified entities), in point 6, for the words from “one Member State” to the end substitute “the CAA”.

**Amendment of Annex VII to Regulation (EU) No 2018/1139**

178. In Annex VII (essential requirements for aerodromes)—
- (a) in point 2.2.2, omit “Union”;
  - (b) in point 3.3, for “Member States” substitute “CAA”;
  - (c) in point 4.2.2, omit “Union”.

**Amendment of Annex VIII to Regulation (EU) No 2018/1139**

- 179.—(1) Annex VIII (essential requirements for ATM/ANS and air traffic controllers) is amended as follows.
- (2) In point 2.7 for “Union” substitute “national”.
  - (3) In point 2.8—
    - (a) for “Member States” substitute “Secretary of State”;
    - (b) for “as implemented under Regulation (EC) No 551/2004” substitute “as given effect under Eurocontrol airspace management documents”;
    - (c) omit “in the context of the common transport policy”.
  - (4) In point 5.1(g), omit “Union”.

**Amendment of Annex IX to Regulation (EU) No 2018/1139**

- 180.—(1) Annex IX (essential requirements for unmanned aircraft) is amended as follows.
- (2) In point 1.1 omit “Union and national”.

(3) In point 2.2(a), for the words from “the delegated act” to “Article 57” substitute “regulations made under Articles 57 and 58”.

(4) In point 2.4.5, for “Union law” substitute “the law of the United Kingdom”.

(5) In point 4—

(a) in point 4.1—

(i) for “Member States” substitute “the United Kingdom”;

(ii) for “the implementing acts referred to in” substitute “regulations made under”;

(b) in points 4.2 and 4.3, for “ the implementing acts referred to in” substitute “regulations made under”.