

SCHEDULE 1

Amendment of the Air Navigation Order 2016

65.—(1) Article 250 (restriction on carriage, where valuable consideration is given or promised, in aircraft registered elsewhere than in the United Kingdom) is amended as follows.

(2) After paragraph (1), insert—

“(1A) The Secretary of State may decide, on the basis of the criteria in the Annex to Regulation 2111/2005, that if an air operator who has not been granted permission under paragraph (2) were to apply for it, that operator should not—

- (a) be granted such permission;
- (b) be granted such permission in relation to specified aircraft; or
- (c) be granted such permission unless such permission is subject to specified conditions.

(1B) The Secretary of State may at any time, after reconsideration of the criteria in the Annex to Regulation 2111/2005, decide to revoke or amend a decision under paragraph (1A).

(1C) Where the Secretary of State makes a decision under paragraphs (1A) or (1B), the Secretary of State must notify both the CAA and the air operator concerned.

(1D) The CAA must not determine an application for permission where the Secretary of State has notified the CAA pursuant to paragraph (1C).”.

(3) After paragraph (7) insert—

“(8) For the purposes of this article—

- (a) “Regulation 2111/2005” means Regulation [\(EC\) No 2111/2005](#) of the European Parliament and of the Council of 14 December 2005 on the establishment of a list of air carriers subject to an operating ban within the United Kingdom and on informing air transport passengers of the identity of the operating air carrier, and repealing Article 9 of Directive [2004/36/EEC](#);
- (b) “United Kingdom safety list” means the list established under Article 3 of Regulation 2111/2005.”.