

2011 No. 425

CIVIL AVIATION

The Air Traffic Services (Exemption) Order 2011

Made - - - - *13th February 2011*

Laid before Parliament *18th February 2011*

Coming into force - - *1st April 2011*

The Secretary of State for Transport makes this Order in exercise of the powers conferred by section 4 of the Transport Act 2000(a).

The Civil Aviation Authority has been consulted in accordance with section 103(7) of that Act.

Citation and commencement

1. This Order may be cited as the Air Traffic Services (Exemption) Order 2011 and comes into force on 1st April 2011.

Interpretation

2. In this Order—

“aerodrome traffic zone” means the airspace identified as follows.

(a) Subject to paragraph (c), in relation to an aerodrome—

- (i) which is not on an offshore installation, and
- (ii) at which the length of the longest runway does not exceed 1,850 metres,

the airspace extending from the surface to a height of 2000 feet above the level of the aerodrome within the area bounded by a circle centred on the mid-point of the longest runway and having a radius of 2 nautical miles.

(b) Where an aerodrome—

- (i) is not on an offshore installation, and
- (ii) the length of its longest runway exceeds 1,850 metres,

the airspace extending from the surface to a height of 2000 feet above the level of the aerodrome within the area bounded by a circle centred on the mid-point of the longest runway and having a radius of 2 ½ nautical miles.

(c) In a case where the airspace identified in accordance with paragraph (a) would extend less than 1 ½ nautical miles beyond the end of any runway at the aerodrome, the length of the longest runway at that aerodrome is to be treated as exceeding 1,850 metres for the purpose of identifying the airspace and paragraph (b) applies.

(a) 2000 c. 38.

(d) In relation to an aerodrome which is on an offshore installation, the airspace extending from mean sea level to a height of 2000 feet above that level and within 1 ½ nautical miles of the offshore installation.

“area control centre” means a centre established primarily for the purpose of providing an area control service;

“area control service” means the giving, in the interests of safety, of instructions, advice or information by means of radio signals to aircraft flying outside the vicinity of an aerodrome traffic zone.

Exemption authorising the provision of air traffic services

3.—(1) Subject to paragraph (2), the provision of air traffic services in respect of a managed area is authorised.

(2) Paragraph (1) does not authorise the provision of an area control service from an area control centre or the provision of air traffic services by the holder of a licence granted under section 5 of the Transport Act 2000.

Revocation

4. The Air Traffic Services (Exemption) Order 2001(a) is revoked.

Duration of Exemption

5. The exemption granted by this Order is to continue in force until 31st December 2019.

Signed by authority of the Secretary of State for Transport

13th February 2011

Theresa Villier
Minister of State
Department for Transport

(a) S.I. 2001/287.

EXPLANATORY NOTE

(This note is not part of the Order)

Section 3 of the Transport Act 2000 states an offence is committed if a person provides air traffic services in respect of a managed area without authorisation to do so by either an exemption granted under section 4 or by a licence granted under section 5.

Article 3 authorises the provision of air traffic services, other than area control services provided from an area control centre. The authorisation does not extend to services provided by the holder of a licence granted under section 5. The authorisation will expire on 31st December 2019. This Order re-enacts the exemption contained in S.I.2001/287 which expired on 31st March 2011.

A regulatory impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from the Department for Transport, Great Minster House, 76 Marsham Street, London, SW1P 4DR and is annexed to the Explanatory Memorandum which is available alongside this instrument at www.legislation.gov.uk

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STATUTORY INSTRUMENTS

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