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STATUTORY INSTRUMENTS

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**2018 No. 1331**

**CIVIL AVIATION**

**The Single European Sky (National Supervisory Authority) (Amendment) Regulations 2018**

*Made* - - - - *5th December 2018*  
*Laid before Parliament* *12th December 2018*  
*Coming into force* - - *10th January 2019*

The Secretary of State is designated<sup>(1)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(2)</sup> in relation to measures relating to air transport.

In exercise of the powers conferred by that section the Secretary of State makes the following Regulations.

**Citation and commencement**

1. These Regulations may be cited as the Single European Sky (National Supervisory Authority) (Amendment) Regulations 2018 and come into force on 10th January 2019.

**Amendments to the Single European Sky (National Supervisory Authority) Regulations 2013**

2. For Schedule 2 to the Single European Sky (National Supervisory Authority) Regulations 2013<sup>(3)</sup> substitute the Schedule which is set out in the Schedule to these Regulations.

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(1) [S.I. 1993/2661](#), to which there are amendments not relevant to these Regulations.  
(2) [1972 c.68](#). Section 2(2) was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 ([c.51](#)), and Part 1 of the Schedule to the European Union (Amendment) Act 2008 ([c.7](#)). By virtue of the amendment of section 1(2) of the European Communities Act 1972 by section 1 of the European Economic Area Act 1993 ([c.51](#)), regulations may be made under section 2(2) of the European Communities Act 1972 to implement obligations of the United Kingdom created or arising by or under the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 (Cm 2073) and the Protocol adjusting the Agreement signed at Brussels on 17th March 1993 (Cm 2183).  
(3) [S.I. 2013/2620](#).

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Signed by authority of the Secretary of State

5th December 2018

*Sugg*  
Parliamentary Under Secretary of State  
Department for Transport

## SCHEDULE

Regulation 2

Schedule to be substituted for Schedule 2 to the Single European Sky (National Supervisory Authority) Regulations 2013

## “SCHEDULE 2

Regulation 6(1)

List of implementing rules made under Article 3 of the interoperability Regulation for which the CAA is the enforcing authority

1. [Commission Regulation \(EC\) No 1032/2006](#) of 6 July 2006 laying down requirements for automatic systems for the exchange of flight data for the purpose of notification, coordination and transfer of flights between air traffic control units(4), as amended by [Commission Regulation \(EC\) No 30/2009](#).

2. [Commission Regulation \(EC\) No 1033/2006](#) of 4 July 2006 laying down the requirements on procedures for flight plans in the pre-flight phase for the single European sky(5), as amended by Commission Implementing Regulations (EU) No 923/2012, (EU) No 428/2013, (EU) No 2016/2120 and (EU) No 2018/139.

3. [Commission Regulation \(EC\) No 633/2007](#) of 7 June 2007 laying down requirements for the application of a flight message transfer protocol used for the purpose of notification, coordination and transfer of flights between air traffic control units(6), as amended by [Commission Regulation \(EU\) No 283/2011](#).

4. [Commission Regulation \(EC\) No 29/2009](#) of 16 January 2009 laying down requirements on data link services for the single European sky(7), as amended by Commission Implementing Regulations (EU) No 441/2014 and (EU) No 2015/310.

5. [Commission Regulation \(EC\) No 30/2009](#) of 16 January 2009 amending Regulation (EC) No 1032/2006 as far as the requirements for automatic systems for the exchange of flight data supporting data link services are concerned(8).

6. [Commission Regulation \(EC\) No 262/2009](#) of 30 March 2009 laying down requirements for the coordinated allocation and use of Mode S interrogator codes for the single European sky(9), as amended by Commission Implementing Regulation (EU) No 2016/2345.

7. [Commission Regulation \(EU\) No 73/2010](#) of 26 January 2010 laying down requirements on the quality of aeronautical data and aeronautical information for the single European sky(10), as amended by Commission Implementing Regulation (EU) No 1029/2014.

8. Commission Decision (C(2011) 2611) of 20 May 2011 on exemptions under Article 14 of [Commission Regulation \(EC\) No 29/2009](#)(11).

9. [Commission Regulation \(EU\) No 283/2011](#) of 22 March 2011 amending Regulation (EC) No 633/2007 as regards the transitional arrangements referred to in Article 7(12).

10. Commission Implementing Regulation (EU) No 1206/2011 of 22 November 2011 laying down requirements on aircraft identification for surveillance of the single European sky(13).

(4) OJ L No. 186, 07.07.2006, p. 27.

(5) OJ L No. 186, 07.07.2006, p. 46.

(6) OJ L No. 146, 08.06.2007, p. 7.

(7) OJ L No. 13, 17.01.2009, p. 3.

(8) OJ L No. 13, 17.01.2009, p. 20.

(9) OJ L No. 84, 31.03.2009, p. 20.

(10) OJ L No. 23, 27.01.2010, p. 6.

(11) This Commission Decision has been adopted in relation to [Commission Regulation \(EC\) No 29/2009](#).

(12) OJ L No. 77, 23.03.2011, p. 23.

(13) OJ L No. 305, 23.11.2011, p. 23.

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**11.** Commission Implementing Regulation (EU) No 1207/2011 of 22 November 2011 laying down requirements for the performance and the interoperability of surveillance for the single European sky**(14)**, as amended by Commission Implementing Regulations (EU) No 1028/2014 and (EU) No 2017/386.

**12.** Commission Implementing Decision (C(2011) 9074) of 9 December 2011 on exemptions under Article 14 of [Commission Regulation \(EC\) No 29/2009](#)**(15)**.

**13.** Commission Implementing Regulation (EU) No 1079/2012 of 16 November 2012 laying down requirements for voice channels spacing for the single European sky**(16)**, as amended by Commission Implementing Regulations (EU) No 657/2013, (EU) No 2016/2345 and (EU) 2017/2160.

**14.** Commission Implementing Regulation (EU) No 428/2013 of 8 May 2013 amending Regulation [\(EC\) 1033/2006](#) as regards the ICAO provisions referred to in Article 3(1) and repealing Regulation (EU) No 929/2010**(17)**.

**15.** Commission Implementing Regulation (EU) No 657/2013 of 10 July 2013 amending Implementing Regulation (EU) No 1079/2012 laying down requirements for voice channels spacing for the single European sky**(18)**.

**16.** Commission Implementing Regulation (EU) No 1028/2014 of 26 September 2014 amending Commission Implementing Regulation [\(EC\) No 1207/2011](#) laying down requirements for the performance and the interoperability of surveillance for the single European sky**(19)**.

**17.** Commission Implementing Regulation (EU) No 1029/2014 of 26 September 2014 amending Regulation [\(EC\) No 73/2010](#) laying down requirements on the quality of aeronautical data and aeronautical information for the single European sky**(20)**.

**18.** Commission Implementing Regulation (EU) No 2015/310 of 26 February 2015 amending Regulation [\(EC\) No 29/2009](#) laying down requirements on data link services for the single European sky and repealing Implementing Regulation (EU) No 441/2014**(21)**.

**19.** Commission Implementing Regulation (EU) 2016/2120 of 2 December 2016 amending [\(EC\) No 1033/2006](#) as regards the provisions referred to in Article 3(1)**(22)**.

**20.** Commission Implementing Regulation (EU) 2016/2345 of 14 December 2016 amending Regulation [\(EC\) No 262/2009](#) and Implementing Regulation (EU) No 1079/2012 as regards references to ICAO provisions**(23)**.

**21.** Commission Implementing Regulation (EU) 2017/386 of 6 March 2017 amending Implementing Regulation (EU) No 1207/2011 laying down requirements for the performance and the interoperability of surveillance for the single European sky**(24)**.

**22.** Commission Implementing Regulation (EU) 2017/2160 of 20 November 2017 amending Implementing Regulation (EU) No 1079/2012 as regards certain references to ICAO provisions**(25)**.

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**(14)** OJ L No. 305, 23.11.2011, p. 35.

**(15)** This Commission Implementing Decision has been adopted in relation to [Commission Regulation \(EC\) No 29/2009](#).

**(16)** OJ L No. 320, 17.11.2012, p. 14.

**(17)** OJ L No. 127, 09.05.2013, p. 23.

**(18)** OJ L No. 190, 11.07.2013, p. 37.

**(19)** OJ L No. 284, 30.09.2014, p. 7.

**(20)** OJ L No. 284, 30.09.2014, p. 9.

**(21)** OJ L No. 56, 27.02.2015, p. 30.

**(22)** OJ L No. 329, 03.12.2016, p. 70.

**(23)** OJ L No. 348, 21.12.2016, p. 11.

**(24)** OJ L No. 59, 07.03.2017, p. 34.

**(25)** OJ L No. 304, 21.11.2017, p. 47.

23. Commission Implementing Regulation (EU) 2018/139 of 29 January 2018 amending Regulation (EC) No 1033/2006 as regards references to ICAO provisions(26).”

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend Schedule 2 to the Single European Sky (National Supervisory Authority) Regulations 2013 (S.I. 2013/2620) to enable the Civil Aviation Authority to enforce implementing rules for interoperability made under Article 3 of the single European sky interoperability Regulation (No 552/2004) OJ L 96, 31.3.2004, p.26. The list of implementing rules is amended to include amendments and repeals to the existing rules and new implementing rules.

An impact assessment has not been produced for this instrument as no significant impact on the private, voluntary or public sector is foreseen.

An Explanatory Memorandum has been prepared for this instrument and is available alongside this instrument on the UK Legislation website [www.legislation.gov.uk](http://www.legislation.gov.uk).

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(26) OJ L No. 25, 30.01.2018, p. 4.