STATUTORY INSTRUMENTS

2003 No.3286

CIVIL AVIATION

The Air Navigation (General) (Amendment) (No. 2) Regulations 2003

Made - - - -	*16th December 2003*
Coming into force - -	*9th January 2004*

The Secretary of State for Transport, in exercise of the powers conferred upon him by article 117A(2) of the Air Navigation Order 2000 (**a**) hereby makes the following Regulations:

Citation and Commencement

1. These Regulations may be cited as the Air Navigation (General) (Amendment) (No. 2) Regulations 2003 and shall come into force on 9th January 2004.

Amendment of Air Navigation (General) Regulations

2. The Air Navigation (General) Regulations 1993(**b**) shall be amended as follows.

3. After Regulation 17 there shall be inserted:

"Mandatory reporting of birdstrikes – time and manner of reporting and information to be reported

17A.—(1)

(a) Without prejudice to the CAA's power in a particular case to approve the form of presentation and subject to sub-paragraph (b)**,** for the purposes of article 117A(1) of the Air Navigation Order 2000, a report containing the information referred to in paragraph (2) shall be made to the Authority by post, telex, facsimile transmission or other similar means which produce a document containing a text of the communication within 96 hours of the birdstrike occurrence coming to the knowledge of the person making the report**.**

(b) If at that time any of the said information is not in the possession of that person, a report containing that information shall be made to the Authority by post, telex, facsimile transmission or other similar means which produce a document containing a text of the communication within 96 hours of the information coming into his possession.

(**a**) SI 2000/1562, as amended by SI 2003/2905. There are other amending instruments but none is relevant. The expression 'prescribed' in Article 117A is defined in Article 129(1) of the Air Navigation Order 2000. The power enabling that Order to authorise the Secretary of State to make regulations is set out in paragraph 3 of Part III of Schedule 13 to the Civil Aviation Act 1982 (c. 16)

(**b**) SI 1993/1622, to which there are amendments not relevant to these Regulations. **[DFT 13208]**

(2) For the purposes of article 117A(1) of the Air Navigation Order 2000, a report shall, as far as possible, contain the following information:

(a) the type, series and registration marks of the aircraft concerned;

(b) the name of the operator of the aircraft;

(c) the date and the Co-ordinated Universal Time of the birdstrike occurrence;

(d) the last point of departure and the next point of intended landing of the aircraft at that time;

(e) a description of the birdstrike occurrence, including the part(s) of the aircraft affected, the effect on flight and any other relevant information;

(f) the bird species/description;

(g) the weather at the time of the occurrence;

(h) the runway in use (where relevant);

(i) the height and speed of the aircraft;

(j) the phase of flight;

(k) the position (if en route) of the aircraft at the time of the birdstrike;

(l) any other reporting action taken;

(m) (i) the signature and name in block capitals of the person making the report;

(ii) the name of his employer and the capacity in which he acts for that employer; and

(iii) the address or telephone number at which communications should be made to him."

Signed by authority of the Secretary of State for Transport

Tony McNulty
Parliamentary Under-Secretary of State
Department for Transport

16th December 2003

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Air Navigation (General) Regulations 1993.

Article 117A of the Air Navigation Order 2000 provides for reports of birdstrike occurrences to be made within such time, by such means and to contain such information as may be prescribed. The time, means and information are now set out in these Regulations.

A regulatory impact assessment has been prepared in connection with these regulations. It has been placed in the libraries of each of the Houses of Parliament. Copies of the same can be obtained from the Secretary and Legal Adviser, Civil Aviation Authority, CAA House, 45-59 Kingsway, London WC2B 6TE.

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