STATUTORY INSTRUMENTS

1986 No. 2120

CIVIL AVIATION

The Civil Aviation (Route Charges for Navigation Services) (Third Amendment) Regulations 1986

Made - - - -	*4th December* 1986
Laid before Parliament	*11th December* 1986
Coming into Operation	*1st January* 1987

Whereas in pursuance of tariffs approved under the Eurocontrol Convention (**a**) and under the Multilateral Agreement relating to Route Charges concluded at Brussels on 12th February 1981(**a**) (being international agreements to which the United Kingdom is a party) the Secretary of State for Transport has determined rates of charges, as specified in the following Regulations, payable to the Eurocontrol Organisation in respect of navigation services provided for aircraft:

Now, therefore, the Secretary of State for Transport in exercise of his powers under sections 73 and 74 of the Civil Aviation Act 1982(**b**), and of all other powers enabling him in that behalf, hereby makes the following Regulations—

1. These Regulations may be cited as the Civil Aviation (Route Charges for Navigation Services) (Third Amendment) Regulations 1986 and shall come into operation on 1st January 1987.

2. The Civil Aviation (Route Charges for Navigation Services) Regulations 1984(**c**) shall be further amended as follows—

(1) For regulation 9 thereof there shall be substituted the following new regulation—

"*Exempt Flights*

9.— (1) These Regulations shall not apply to the following flights—

(i) flights by military aircraft;

(ii) flights made for the purposes of search and rescue operations;

(**a**) Cmnd. 8662.
(**b**) 1982 c.16; section 73(4) was amended by section 3(2) of the Civil Aviation (Eurocontrol) Act 1983 (c.11).
(**c**) S.I. 1984/1920, amended by S.I. 1985/160 and 1916.

(iii) flights by aircraft of which the maximum total weight authorised is 5700 kg or less made entirely in accordance with the Visual Flight Rules in the Rules of the Air and Air Traffic Control Regulations 1985(**a**);

(iv) flights terminating at the aerodrome from which the aircraft has taken off;

(v) flights other than the flights referred to in paragraph (i) of this regulation made by aircraft which are the property of a State (including customs and police aircraft) and which are not made for commercial purposes;

(vi) flights made exclusively for the purpose of checking or testing equipment used or intended to be used as aids to air navigation;

(vii) flights made exclusively for the purpose of instruction or testing of flight crew;

(viii) flights made exclusively for the purpose of enabling an aircraft to qualify for the issue or renewal of a Certificate of Airworthiness or of the validation thereof or the approval of a modification of the aircraft, after an application has been made for such issue, renewal, validation or approval as the case may be;

(ix) flights made by aircraft of which the maximum total weight authorised is less than two metric tonnes;

(x) flights made by helicopters between any point in the United Kingdom and an off-shore installation within the area bounded by straight lines joining successively the following points—

N6200 W00400; N6200 E00400; N5600 E00400; N5600 W00100; N5740 W00100; N5740 W00400; N6200 W00400.

(xi) flights between points within the specified airspace of Austria;

(xii) flights between points within the specified airspace of France;

(xiii) flights made by helicopters between any point in the United Kingdom and an off-shore installation within the area bounded by straight lines joining successively the following points—

N5500 W00100; N5500 E00300; N5423 E00245; N5256 E00309; N5230 E00247; N5226 E00137; N5238 E00140; N5251 E00124; N5319 E00010; N5500 W00100.".

(2) For regulation 15 thereof there shall be substituted the following new regulation—

"**15.** The proceeds of any sale under these Regulations shall be applied as follows, and in the following order, that is to say—

(a) in payment of any customs duty which is due in consequence of the aircraft having been brought into the United Kingdom;

(b) in payment of the expenses incurred by the Authority in detaining, keeping and selling the aircraft, including its expenses in connection with the application to the court;

(**a**) S.I. 1985/1714, to which there are amendments not relevant to these Regulations.

(c) in payment of the charges in respect of any aircraft which the court has found to be due from the operator by virtue of these or any other Regulations under section 73 of the Civil Aviation Act 1982;

(d) in payment of any airport charges incurred in respect of the aircraft which are due from the operator of the aircraft to the person owning or managing the aerodrome at which the aircraft was detained under these Regulations;

and the surplus, if any, shall be paid to or among the person or persons whose interests in the aircraft have been divested by reason of the sale.".

(3) For Schedule 1 thereof there shall be substituted Part I of the Schedule to these Regulations.

(4) For Schedule 2 thereof there shall be substituted Part II of the Schedule to these Regulations.

John Moore,
Secretary of State for Transport.

4th December 1986.

SCHEDULE

PART I

SPECIFIED AIRSPACES

(1)	(2)	(3)	(4)
Country	Publication in which FIRS are described	Unit Rate in US $	Established at a Rate of exchange of
Austria	AIP Austria	76.69	1 US $=15.142 Sch
Belgium and Luxembourg	AIP Belgique	54.17	1 US $=44.339 BF
France	AIP France (France Metro-politaine)	54.11	1 US $=6.9269 FF
Germany, Federal Republic of	AIP Germany	49.46	1 US $=2.1532 DM
Ireland, Republic of	AIP Ireland	36.78	1 US $=0.71917 £Ir
Netherlands	AIP Netherlands	48.51	1 US $=2.4260 G
Portugal	AIP Portugal	35.53 Santa Maria FIR-14.02	1 US $=148.429 Esc
Spain	AIP Espana	Madrid & Barcelona FIRS-36.70 Canaries FIRS-31.95	1 US $=137.571 Pts
Switzerland	AIP Switzerland	79.83	1 US $=1.7457 SF
United Kingdom	United Kingdom Air Pilot†	58.21	1 US $=£0.662699

† Excluding Shanwick FIR.

PART II

Aerodromes of departure (or of first destination) situated	Aerodromes of first destination (or of departure)	Amount of the charge in US $
(1)	(2)	(3)
ZONE 1		
—between W01400 and W11000 and North of N5500 with the exception of Iceland	Frankfurt	895.42
	London	571.13
	Prestwick	298.62
ZONE II		
—between W03000 and W11000 and N2800 and N5500	Amsterdam	601.72
	Athens	892.72
	Belfast	160.63
	Belgrade	1129.95
	Berlin—Schonefeld	615.78
	Birmingham	379.35
	Bordeaux	433.34
	Brussels	610.65
	Cardiff	326.59
	Casablanca	376.77
	Cologne-Bonn	716.73
	Copenhagen	546.64
	Dakar	190.67
	Dublin	190.88
	Dusseldorf	700.51
	Frankfurt	778.51
	Geneva	697.56
	Glasgow	210.45
	Hamburg	723.99
	Helsinki	347.09
	Jeddah	996.92
	Lagos	173.13
	Las Palmas (Canary Islands)	446.56
	Lisbon	413.82
	Ljubljana	1103.12
	London	426.23
	Luxembourg	686.77
	Maastricht	691.61
	Madrid	418.67
	Malaga	587.20
	Manchester	320.87
	Manston	503.65
	Marseilles	749.39
	Milan	773.27
	Monrovia	181.56
	Moscow	401.11
	Munich	893.63
	Newcastle	323.87
	Nice	735.20
	Oporto	289.66
	Oslo	401.77
	Paris	540.46
	Pisa	754.17
	Ponta Delgada (Azores)	182.54
	Prague	907.60
	Prestwick	210.45
	Rome	858.04

PART II—*continued*

Aerodromes of departure (or of first destination) situated	Aerodromes of first destination (or of departure)	Amount of the charge in US $
(1)	(2)	(3)
ZONE II (continued)		
	Sal Island (Cape Verde)	169.08
	Santa Maria (Azores)	195.30
	Santiago	242.22
	Shannon	144.55
	Sicily (all aerodromes)	775.50
	Stuttgart	817.52
	Tel-Aviv	989.38
	Tenerife	416.69
	Venice	891.89
	Vienna	1117.43
	Warsaw	491.55
	Zagreb	1129.95
	Zurich	798.23
ZONE III —West of W11000 and between N2800 and N5500		
	Amsterdam	652.56
	Brussels	684.81
	Dusseldorf	767.89
	Frankfurt	823.58
	London	548.62
	Luxembourg	845.73
	Madrid	375.87
	Manchester	426.25
	Paris	660.93
	Prestwick	261.95
	Shannon	133.14
	Zurich	970.57
ZONE IV —West of W03000 and between the equator and N2800		
	Amsterdam	909.61
	Berlin—Schonefeld	683.90
	Bordeaux	766.75
	Brussels	667.85
	Dusseldorf	710.08
	Frankfurt	892.55
	Las Palmas (Canary Islands)	495.54
	Lisbon	544.90
	London	494.45
	Madrid	679.85
	Marseilles	1040.78
	Milan	1069.28
	Oporto	558.31
	Paris	756.38
	Porto Santo (Madeira)	374.91
	Prague	910.97
	Sal Island (Cape Verde)	142.30
	Santa Maria (Azores)	256.99
	Santiago	542.46
	Shannon	174.99
	Tenerife	482.95
	Zurich	918.99

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations further amend the Civil Aviation (Route Charges for Navigation Services) Regulations 1984 as follows:—

(1) Regulation 9 is amended by adding to the list of exempt flights, a flight by a helicopter from any place in the United Kingdom to an off-shore installation within the area of the southern North Sea specified in regulation 9(xiii) (regulation 2(1)).

(2) Where an aircraft is detained and sold with the leave of the court, the proceeds of sale are to be applied after payment of any customs duty and expenses incurred by the Authority in detaining, keeping and selling the aircraft, in payment of the charges in respect of any aircraft which the court has found to be due from the operator by virtue of any regulations under section 73 of the Civil Aviation Act 1982 before the payment of any airport charges due from that operator in respect of the aircraft to the person owning or managing the aerodrome at which the aircraft was detained (regulation 2(2)).

(3) New rates and transatlantic tariffs are introduced reflecting forecasts of costs and traffic for 1987 and taking into account the balance of over and under recoveries of revenue as compared with costs experienced by the countries participating in the Eurocontrol charging system in 1985 (regulations 2(3) and (4)).

The unit rates in United States dollars set out in Part I of the Schedule and the amount of the charges in United States dollars set out in Part II of the Schedule are calculated by reference to the costs of provision of en route navigation services in the participating countries in the Eurocontrol charges system, the amount of the traffic using each country's airspace and the relationship of each country's currency to the United States dollar over a period agreed by Ministers of the participating countries. The inter-action of these elements varies in each country. In calculating the revised charges the average of the exchange rates between the United States dollar and the currencies of the participating countries obtaining in the month of July 1986 have been used.

The unit rate in United States dollars for Austria, Belgium, France, the Federal Republic of Germany, the Republic of Ireland, the Grand Duchy of Luxemburg, the Netherlands, Spain and Switzerland has increased by an average of 74.9%. The unit rate in United States dollars for Portugal has decreased by 5.3%.

The unit rate in United States dollars for the United Kingdom has increased by 7.2%.

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