

## CAP 1688

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# The Business Impact Target: non-qualifying regulatory provisions between 9 June 2017 and 20 June 2018

## Introduction

The Business Impact Target (BIT) provides an incentive across Government to reduce unnecessary regulatory burdens on business and applies to all CAA measures that regulate the activities of business.

Under the Small Business, Enterprise and Employment Act, the CAA, as a Listed Regulator, is required to publish, for each reporting period, a list of Qualifying Regulatory Provisions (QPRs), and a summary of regulatory provisions that are excluded from the BIT (Non-Qualifying Regulatory Provisions).

Over the reporting period of 9 June 2017 to 20 June 2018, all CAA measures fell below the +/- £5 million de minimis threshold and are included in the NQRP summary below.

## Civil Aviation Authority: Non-Qualifying Regulatory Provisions summary

Business Impact Target reporting period covered: 9 June 2017 – 20 June 2018

### 1. Measures certified as being below de minimis (measures with an EANDCB below +/- £5 million)

#### Summary of measure

- Implementation of Regulation (EU) 1178/2011, the “Aircrew Regulation” to apply medical fitness requirements
- Implementing changes to Regulation (EU) 73/2010 relating to Aeronautical Data Quality Requirements
- Implementing requirements under Directive (EU) 2016/1148, The Network and Information Security Directive, to deliver a high common level of security of network and information systems.
- Changes to implementing rules under Regulation (EU) 956/2012 on Air Operations, to introduce a requirement to carry out oversight of non-commercial complex operations and Specialised Operations
- Consulting on and implementing changes under Directive (EU) 2015/2302 on package travel and linked travel arrangements
- Transposing EU Directives under the Consumer Rights Act 2015

- Consulting on and providing guidance to airports on Regulation EC 1107/2006 to meet obligations for providing assistance to people with hidden disabilities
- Implementing requirements of Directive 2013/11/EU on alternative dispute resolution for consumer disputes
- The CAA launched enforcement action against five major airlines for denying passengers the compensation they are legally entitled to for delayed flights
- Continued economic regulation of Heathrow and Gatwick Airport Ltd
- Continued monitoring and regulation of NATS En-route (NERL) plc and compliance with its licence
- Monitoring of resilience conditions and compliance on the service standards for Heathrow and Gatwick
- Publication of a formal notice to modify NERL's air transport licence to require it to submit a resilience plan to the CAA
- Consulting on and providing guidance to NERL on the preparation of its business plan for the period from 2020 to 2024
- Publication of a proposal to modify Condition 2 of NATS (En Route) plc licence in respect of resilience, planning, policy statement on enforcement and consultation on draft guidance
- Development of regulatory framework and price review for new runway capacity. The CAA published:
  - CAP 1610 which was a policy update and consultation on economic regulation of capacity expansion at Heathrow;
  - CAP 1651 which was guidance on the preparation of the annual budget and statement for those costs associated with obtaining planning permission for a new northwest runway;
  - CAP 1658 which was a policy update and consultation on economic regulation of capacity expansion at Heathrow
- Price control H7 and Q6 extension.
- Publication of a call for evidence, and response, on Terminal Air Navigation Services (TANS) in the UK for the purposes of assisting and advising the Secretary of State for Transport on whether market conditions continue to exist, as set out in Article 3 of Regulation (EU) 391/2013
- Publication of Steer Davies Gleave's reviews of the TANS transitions at Birmingham and Gatwick airports and recommendations to the CAA and other stakeholders to help facilitate future transitions
- Publication of draft and then final advice on market conditions for TANS in the UK
- Publication of The Airport Charges Regulations Annual Report 2016-17
- Licences issued or renewed: 4,514 flight crew licences; 2,348 radio telephony licences; 383 engineering licences; 35 air traffic controller licences; 199 aeromedical

examiner licences; 2 general aviation sporting organisations under BCAR-A8; >2,000 Air Travel Organiser's Licences

- One prosecution
- Licences suspended: 15 private pilot licences; 1 flight examiner/flight instructor
- 4,120 standard unmanned aerial vehicle (UAV) permissions issued
- Renewals issued: 73 operational safety case's (sub-20 kg); 20 operational safety case's (+20 kg)
- 9 approved national qualified entities
- 702 aircraft registered and 856 aircraft de-registered
- Permissions, approvals, variations or exemptions issued: 74 dangerous goods; 175 helicopter; 800 fixed-wing; 275 pilot examiner; 1,000 applicants for air displays/model aircraft; 20 approval of design changes for UK applicants
- 478 Certificates of Airworthiness issued or revoked
- 347 Permits to Fly issued
- 143 approved training organisation/air operator certificates granted/suspended
- 835 findings from regulatory oversight activity covering Air Operators' Certificates
- Audits, inspections and observations: 1,822 oversight of approved organisations; 100 maintenance and continuing airworthiness; 50 aircraft continuing airworthiness; 30 aerodromes; 40 training organisations; 20 operator organisations; 29 flying display; 20 display authorisation examiner observations; 25 balloon organisations
- 220 flight simulator evaluations carried out
- General enforcement casework under the Competition Act 1998
- Manage the Operating Licence scheme for UK registered airlines, including the grant of 4 new licences and the monitoring of 103 licences. Also grant 2,310 foreign operator permits annually
- Alternative Dispute Resolution for Consumer Disputes Regulations 2015. Conducted compliance oversight on airlines' compliance with the Regulation 19 trader information and online dispute resolution requirements.
- Misleading practices: action taken against a number (approximately 10 per year) of airlines and travel firms for misleading practices.
- Various email and communications with Air Operator Certificate holders, approved training organisations, specialised and non-commercial complex operators, industry groups and unions.
- Press releases on a variety of issues, e.g. reminding pilots to transfer licences to new European standards and how to make a complaint to an airline
- Stakeholder visits held with a number of airlines to help support application processes

- Various emails to ATOL holders with general news, information and/or reminders
  - Communications to industry following an ATOL holder failure
  - 'Pack peace of mind' publicity campaign to raise awareness of ATOL to consumers
  - Guidance to industry on their obligations to their Flight-Plus and package consumers following the collapse of Monarch Airlines
  - Consultations: airline allocated seating policies, the new airspace change decision-making process, the impact of aviation noise, aerodrome remote tower facilities
  - Issuing guidance on: the development of a carburettor de-icing solution for General Aviation aircraft; the continuing airworthiness of ex-military aircraft; Air Navigation Service Providers transitions; Aeronautical radio station operators' guide; airside safety management; safety improvement portfolio – operations to moving decks; volcanic ash guidance; application for instrument approach procedures to aerodromes without an instrument runway and/or approach control; joint CAA/industry programme to improve safety for offshore helicopters; the implementation of Commission Regulation (EU) 2016/539 – performance based navigation for operators, approved training organisations, examiners and pilots
  - Air display review: changes to the regulatory requirements and supporting guidance for civil air display activities in the UK reflecting the feedback received through the formal consultation process, the routine engagement with stakeholders and the ongoing delivery of the CAA's air display review actions
  - Review and reform of the CAA's airspace change process to make it fairer, more transparent and more proportionate.
  - Implementation of Fast Track appointment process for pilots
  - Publicity and launch of UAV online application form for standard Permission applications
  - Implementation of the new ATOL licensing IT application
- 2. EU Regulations, Decisions and Directives and other international obligations, including the implementation of the EU Withdrawal Bill and EU Withdrawal Agreement**

**Summary of measure**

See category 1 for details of this exclusion

**3. Measures certified as concerning EU Withdrawal Bill operability measures**

**Summary of measure**

See category 1 for details of this exclusion

**4. Pro-competition**

**Summary of measure**

No activities were carried out under this exclusion

**5. Systemic financial risk**

**Summary of measure**

No activities were carried out under this exclusion

## **6. Civil Emergencies**

### **Summary of measure**

No activities were carried out under this exclusion

## **7. Fines and Penalties**

### **Summary of measure**

No activities were carried out under this exclusion

## **8. Misuse of drugs**

### **Summary of measure**

No activities were carried out under this exclusion

## **9. Measures certified as relating to the safety of tenants, residents and occupants in response to the Grenfell tragedy**

### **Summary of measure**

No activities were carried out under this exclusion

## **10. Casework**

### **Summary of measure**

See category 1 for details of this exclusion

## **11. Education, communications and promotion**

### **Summary of measure**

See category 1 for details of this exclusion

## **12. Activity related to policy development**

### **Summary of measure**

See category 1 for details of this exclusion

## **13. Changes to management of regulator**

### **Summary of measure**

See category 1 for details of this exclusion