



CAA Scheme of Charges (En Route Air Traffic Control Services Regulation)	No:	351
	Publication date:	15 March 2019
	Commencement date:	01 April 2019

The Civil Aviation Authority (the CAA), pursuant to Section 11 of the Civil Aviation Act 1982 and after consulting the persons who, in its opinion, are likely to be affected by the Scheme or such of those persons as it thinks fit, and after consulting with the Secretary of State, hereby makes a Scheme for determining the charges to be paid to the CAA in connection with the performance by the CAA of the functions conferred on it by or under the Air Navigation Order 2016 with respect to the approval of en route air traffic control services and under Regulation (EC) No. 550/2004 for the certification of an air navigation services provider and the designation of an air traffic services provider.

1 REVOCATION

- 1.1 The Scheme of Charges published by the CAA on 16 March 2018 determining the charges to be paid to the CAA in connection with the performance by the CAA of the aforesaid functions is hereby revoked.
- 1.2 Section 16(1) of the Interpretation Act 1978 (which relates to the effect of repeals) shall apply to this Scheme as if this Scheme were an enactment and as if the Scheme of 16 March 2018 revoked by paragraph 1.1 above was an enactment thereby repealed.

2 CHARGES

- 2.1 Upon making application for the grant of an approval under Article 180 of the Air Navigation Order 2016 or for certification and designation under Articles 7 and 8 of Regulation (EC) No. 550/2004 of the European Parliament and of the Council of 10 March 2004 on the provision of air navigation services in the single European sky (the service provision Regulation, as amended), in order to provide an en route air traffic control service, the applicant shall pay £4,137,460.
- 2.2 In respect of the investigations required by the CAA for the purposes of satisfying itself that such an approval should remain in force for a period of twelve months commencing 1 April in any year, the holder of the approval shall pay on 1 April in that year, a further charge of £4,137,460. The CAA will raise an invoice in respect of the annual charge which will be payable on demand.
- 2.3 Where the same person applies for or holds more than one such approval, certification and designation to provide en route air traffic control services no charge shall be payable for the second or any subsequent approval.

3 DEFINITIONS

- 3.1 For the purposes of this Scheme:
 - a) 'CAA' means the Civil Aviation Authority.

b) 'En route air traffic control service' means, in the case of an application for an approval under Article 180 of the Air Navigation Order 2016, an area control service which is provided from an area control centre and, in the case of an application for certification and designation under Articles 7 and 8 of Regulation (EC) No. 550/2004, an area control service as defined in Regulation (EC) No. 549 of the European Parliament and of the Council of 10 March 2004 laying down the framework for the creation of the single European sky (the framework Regulation, as amended), as retained in UK domestic law by section 3 of the European Union (Withdrawal) Act 2018, and as may be amended by regulations made under sections 8(1), 9(1) and 23(1) of, and paragraph 21 of Schedule 7 to that Act.

3.2 All other expressions or terms used in this Scheme shall, unless the context otherwise requires, have the same respective meanings as in the Air Navigation Order 2016 or in the framework Regulation, as appropriate, as retained in UK domestic law by section 3 of the European Union (Withdrawal) Act 2018, and as may be amended by regulations made under sections 8(1), 9(1) and 23(1) of, and paragraph 21 of Schedule 7 to that Act.

4 COMMENCEMENT

This Scheme shall come into operation on 1 April 2019.

(This note is not part of the Scheme.)

Reference to the CAA Refund Policy may be made at www.caa.co.uk/ors5

The latest version of this document is available in electronic format at www.caa.co.uk/ors5, where you may also register for e-mail notification of amendments. Details for purchasing paper copy can be found at the same web address.