

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4204 of 15th October, 2015

LEGAL NOTICE NO. 191 OF 2015.

CIVIL AVIATION ACT 2009

CIVIL AVIATION (AIR NAVIGATION) (AMENDMENT) REGULATIONS 2015

In exercise of the powers conferred on it by section 16 of the Civil Aviation Act 2009, and of all other enabling powers, and in order to implement Commission Regulation (EU) No 376/2014 of the European Parliament and of the Council of 3rd April 2014 on the reporting, analysis and follow-up of occurrences in civil aviation, amending Regulation (EU) No 996/2010 of the European Parliament and of the Council and repealing Directive 2003/42/EC of the European Parliament and of the Council and Commission Regulation (EC) No 132/2007 and (EC) No 1330/2007, the Government has made the following Regulations –

Title.

1. These Regulations may be cited as the Civil Aviation (Air Navigation) (Amendment) Regulations 2015.

Commencement.

2. These Regulations come into operation on 15 November 2015.

Amendment of the Civil Aviation (Air Navigation) Regulations 2009.

3. The Civil Aviation (Air Navigation) Regulations 2009 are amended in accordance with the provisions of these Regulations.

Amendment of regulation 2.

4. In regulation 2, after “occurrence” insert the following definition –

““Occurrence Reporting Regulation” means Regulation (EU) No 376/2014 of the European Parliament and of the Council of 3rd April 2014 on the reporting, analysis and follow-up of occurrences in civil aviation, amending Regulation (EU) No 996/2010 of the European Parliament and of the Council and repealing Directive

2003/42/EC of the European Parliament and of the Council and Commission Regulation (EC) No 132/2007 and (EC) No 1330/2007;”.

Regulations 96 and 97.

5. Revoke regulations 96 and 97.

Amendment of regulation 107.

6. In regulation 107(6), for “MAA01: Military Aviation Authority regulatory Policy 2000 Series (FLY) Regulatory Articles issued by the Secretary of State”, substitute “MAA01: Military Aviation Authority Regulatory Policy (Issue 4, published on 17 December 2014 and updated on 1 April 2015) and Regulatory Articles 2000 Series Flying Regulations (as published on 11 November 2014 and updated on 21 April 2015) published by the Military Aviation Authority on behalf of the Secretary of State, both as amended from time to time.”.

Amendment of regulation 114.

7. In regulation 114(1A), at the end insert “and for the purposes of the Occurrence Reporting Regulation”.

New regulation 114A.

8. After regulation 114 insert –

“Functions to be exercised by the Director for the purposes of the Occurrence Reporting Regulation.

114A.(1) The functions specified by articles 4(3), 5(2), 7(3), 8(2), 9, 13(6), 13(7), 13(8), 13(10), 13(11) 15(1), 15(2) and 16(3) of the Occurrence Reporting Regulation are to be exercised by the Director.

(2) Where the Minister exercises the right to apply articles 3(2), 5(6) and 5(7) of the Occurrence Reporting Regulation in Gibraltar, such functions are to be exercised by the Director.

Amendment of Schedule 5.

9. In Part B of Schedule 5 –

(a) in Section 1 delete 96(5) to (8) in the first column and the entries corresponding to them in the second column; and

(b) after Section 4 insert –

“Section 5

Provision Occurrence Regulation	of Reporting	Subject Matter
4		Requirement to report occurrences”.

Dated 15th October, 2015.

DR J GARCIA,
For the Government.

EXPLANATORY MEMORANDUM

These Regulations implement Regulation (EU) No 376/2014 and update the reference to the UK Military Aviation Authority regulations found in the Civil Aviation (Air Navigation) Regulations 2009.

