

Department of Planning and Transportation, Guildhall, London, EC2P 2EJ.

5. A copy of each order may be obtained from the above address or by telephoning the Department of Planning and Transportation, tel. 0207 332 1108.

6. Any person desiring to question the validity of either order or of any provision contained therein on the ground that it is not within the powers of the relevant section of the Road Traffic Regulation Act 1984, or that any of the relevant requirements thereof or of any relevant regulations made thereunder has not been complied with may, within six weeks from the date on which the order was made, make application for the purpose to the High Court.

Dated 29 December 2009

Peter Wynne Rees

City Planning Officer

(1007549)

Civil Aviation

Civil Aviation Authority

TRANSPORT ACT 2000

CHARGES FOR AIR SERVICES

SPECIFICATION BY THE CIVIL AVIATION AUTHORITY

THE CIVIL AVIATION AUTHORITY (DENMARK AND ICELAND CHARGES) SPECIFICATION 2010

TAKING EFFECT ON 1ST JANUARY 2010

The Civil Aviation Authority ("CAA"), in exercise of the powers conferred by sections 73, 74, 75 and 79 of the Transport Act 2000(a), hereby makes the following Specification:

Citation and commencement

1. This Specification may be cited as the Civil Aviation Authority (Denmark and Iceland Charges) Specification 2010 and shall take effect on 1st January 2010.

Revocation

2. The Civil Aviation Authority (Denmark and Iceland Charges) Specification 2009 is hereby revoked.

Interpretation

3. -(1) In this Specification —

"NSL" means NATS (Services) Limited, a company incorporated in England and Wales with number 4129270 whose registered office is at 5th Floor South, Brettenham House, Lancaster Place, London WC2E 7EN.

(2) Unless otherwise defined in this Specification and unless the context otherwise requires, expressions used in this Specification shall have the same respective meanings as in the Transport Act 2000 and the Air Navigation Order 2009(b).

Charges for services provided by the Governments of Denmark and Iceland

4. -(1) In respect of each crossing between Europe and North America by an aircraft, wherever registered, in the course of which the aircraft is at any time north of the 45th parallel North between the meridians of 15° West and 50° West, the operator of the aircraft shall, upon completion of the crossing, pay to NSL a charge of £48.40 computed as follows —

in respect of chargeable air services provided by the Government of Denmark for such crossings £13.56.

in respect of chargeable air services provided by the Government of Iceland for such crossings £34.84.

(2) If an aircraft, wherever registered, without making a crossing between Europe and North America, makes one of the following crossings, that is to say between Greenland and Canada, Greenland and the United States of America, Greenland and Iceland or Iceland and Europe, the operator of the aircraft shall pay to NSL in respect of each crossing upon completion thereof, one third of the amount of the charges specified in sub-paragraph (1).

(3) If an aircraft, wherever registered, without making a crossing between Europe and North America, makes one of the following crossings, that is to say between Greenland and Europe, Iceland and Canada or Iceland and the United States of America, the operator of the aircraft shall pay to NSL in respect of each crossing upon completion thereof, two thirds of the amount of the charges specified in sub-paragraph (1).

(4) If an aircraft, wherever registered, without making a crossing for which a charge is specified in sub-paragraph (1), (2) or (3), makes a crossing —

(a) between any point and Europe, or

(b) between any point and Iceland

in the course of which the aircraft does not cross the coast of North America but does cross the meridian of 30° West north of the 45th parallel North, the operator shall pay to NSL in respect of each crossing upon completion thereof, one third of the amount of the charges specified in sub-paragraph (1).

(5) If an aircraft, wherever registered, flies within the Reykjavik and Sondre Stromfjord FIRs, the operator of the aircraft shall pay to NSL the following charges in addition to the charges set out in paragraphs 4(1) to 4(4) above —

(a) in respect of chargeable air services provided by the Government of Denmark a charge of £0.35 per unit of 100 km flown in the Reykjavik and Sondre Stromfjord FIRs; and

(b) in respect of chargeable air services provided by the Government of Iceland a charge of £2.67 per unit of 100 km flown in the Reykjavik and Sondre Stromfjord FIRs; and

(c) in respect of a flight which does not exceed FL285 in the Reykjavik and Sondre Stromfjord FIRs and in respect of a flight to or from any aerodrome in Greenland the charge specified in paragraphs 4(5)(a) and (b) shall be reduced by half.

(6) For the purposes of this Specification —

(a) a crossing shall be counted whether or not the aircraft takes off or lands in the areas mentioned;

(b) "Europe" shall not include Iceland or the Azores.

Circumstances in which charges are payable by the owner

5. If NSL is unable, after taking reasonable steps, to ascertain who is the operator, it may give notice to the owner of the aircraft that it will treat him as the operator for the purposes of this Specification until he establishes to the reasonable satisfaction of NSL that some other person is the operator; and from the time when the notice is given NSL shall be entitled, for so long as the owner is unable to establish as aforesaid that some other person is the operator, to treat the owner as if he were the operator, and for that purpose the provisions of this Specification (other than this paragraph) shall apply to the owner as if he were the operator.

Interest on late payment

6. -(1) If the amount of the charge payable under paragraph 4 is not paid in cleared funds by the operator of the aircraft within 30 days of the date payment is demanded by NSL, interest calculated in accordance with sub-paragraph (2) below on the unpaid amount shall be paid from that day until the date when cleared funds are received by NSL.

(2) Interest payable under sub-paragraph (1) shall be simple interest calculated from day to day at the rate of 11.58%.

Disposal by NSL of charges received under the Specification

7. -(1) Subject to sub-paragraphs (2) and (3) of this paragraph, NSL shall remit to the Governments of Denmark and Iceland such sums as it may receive under this Specification in respect of chargeable air services provided respectively by those Governments.

(2) With respect to those charges provided for in paragraphs 4(1) to (4) above, NSL shall deduct from the sums so received a sum of 1.74% thereof and shall remit this sum to the International Civil Aviation Organisation in respect of chargeable air services provided by that Organisation.

(3) With respect to those charges provided for in paragraphs 4(1) to (4) above, NSL may deduct from the sums so received and may retain as a fee a sum not exceeding 1.65% thereof.

By Order of the Civil Aviation Authority

R J Britton, Secretary and Legal Adviser, Civil Aviation Authority, CAA House, 45-59 Kingsway, London WC2B 6TE.

16 December 2009

EXPLANATORY NOTE

(This note is not part of the Specification)

This Specification revokes and replaces the Civil Aviation Authority (Denmark and Iceland Charges) Specification 2009.

The charge payable by operators of aircraft to the CAA in respect of crossings between Europe and North America is reduced in consequence of a decision of the Council of the International Civil Aviation Organisation. The element of the charge payable in respect of air navigation services provided by the Government of Denmark is increased from £10.88 to £13.56. The element of the charge payable in respect of air navigation services provided by the Government of Iceland is reduced from £42.61 to £34.84. The total charge is thus reduced from £53.49 to £48.40 (paragraph 4(1)).

New charges are introduced (paragraph 4(5)) as follows —