

S.I. No. 469 of 2003.

European Communities (European Aviation Safety Agency) Regulations 2003

I, SEAMUS BRENNAN, Minister for Transport, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No.27 of 1972) and for the purpose of giving effect to Regulation (EC) No 1592/2002 of 15 July 2002¹, hereby make the following regulations:

¹ OJ No L 240/1, 7.9.2002 pp 1 -21

1. These Regulations may be cited as the European Communities (European Aviation Safety Agency) Regulations 2003.

2. These Regulations come into operation on 28th September 2003.

3. (1) In these Regulations-

"the 1993 Act" means the Irish Aviation Authority Act, 1993 (No 29 of 1993)

"the EASA Regulation" means Regulation (EC) No 1592/2002 of the European Parliament and of the Council of 15 July 2002¹ and shall include any rules or regulations adopted by the European Commission in accordance with the EASA regulation.

¹ OJ No L 240/1, 7.9.2002 pp 1 -21

"EASA rule" means a rule or regulation adopted by the European Commission in accordance with the EASA Regulation.

"the Agency" means the European Aviation Safety Agency as established by the EASA Regulation.

"the Authority" means the Irish Aviation Authority

"the Arrangements" has the same meaning in these regulations that it has in Section 14 (6) of the 1993 Act.

(2) A word or expression that is used in these Regulations and is also used in the EASA regulation has, unless the contrary intention appears, the same meaning in these Regulations as it has in the EASA Regulation

4. (1) In addition to those set out at Section 14 (1) of the 1993 Act the principal objects of the Authority shall include-

to give effect to the EASA Regulation

(2) In addition to the power to make orders set out in Section 58 (1) of the 1993 Act the Authority may make such orders as appears to it to be necessary or expedient for the purpose of giving effect to the EASA regulation, irrespective of whether they relate to the making of arrangements between the state and other states or not.

5. Where the EASA rules deal with matters for which the Authority is obliged under the 1993 Act

(a) to give effect to the Annexes to the Chicago Convention

or

(b) to take measures to give effect to the Arrangements

the implementation of those rules, in respect of aircraft, organizations or personnel to which they apply, shall be deemed to fulfill the obligations of the Authority in regard to such matters.

6. (1) The Authority shall be the competent authority in the state for the purposes of the EASA Regulations.

(2) The Authority shall be the national aviation authority in the state for the purposes of the EASA Regulation.

7. The Authority may carry out work on behalf of the Agency or enter into one or more contracts with the Agency for any of the purposes of the EASA Regulation.

8. (1) The phrase "an instrument to which this section applies" in Section 74(9)(a) of the 1993 Act shall be deemed to include an EASA rule and any rule, regulation, direction, authorization, certificate or licence issued in accordance with that rule.

(2) The provisions of Sections 73 and 74 of the 1993 Act, insofar as and to the extent that they relate to summary offences, shall apply accordingly.

GIVEN UNDER MY SEAL



26th September 2003

A handwritten signature in black ink, appearing to read "Seamus Brennan", written over a horizontal line.

Minister for Transport

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation)

These Regulations extend the powers of the Irish Aviation Authority for the purpose of giving effect to Regulation (EC) 1592/2002 and the European Aviation Safety Agency (EASA)