

**EXPLANATORY MEMORANDUM TO THE  
AIR NAVIGATION (OVERSEAS TERRITORIES)(AMENDMENT)ORDER  
2004**

**2004 No.2038**

This explanatory memorandum has been prepared by the Foreign and Commonwealth Office and is laid before Parliament by Command of Her Majesty.

**Description**

This instrument amends the Air Navigation (Overseas Territories) Order 2001 (the 2001 Order) so as to give legal effect in the British Overseas Territories to subsequent International Civil Aviation Organisation (ICAO) standards and recommendations which have already been implemented in the United Kingdom by amendments to the Air Navigation Order 2000. This is a routine updating instrument with a highly technical content.

**Legislative background**

This instrument is designed to keep the 2001 Order up to date by implementing the latest standards and recommendations of ICAO. It is the first comprehensive amendment of the 2001 Order.

**Extent**

The Instrument applies to all of the British Overseas Territories with the exception of Gibraltar. Gibraltar is not covered by the 2001 Order. Governors of the Territories and the Directors of Civil Aviation in the Governments of the Territories have been consulted and have raised no objection to the proposal.

**Policy objective**

The policy objective of the 2001 Order is to implement in the British Overseas Territories the United Kingdom's obligations under the Chicago Convention on International Civil Aviation.

**Impact**

The Regulatory Impact Assessments undertaken by the Civil Aviation Authority in the United Kingdom on the amendments to the United Kingdom legislation were fully considered in the context of the civil aviation activity undertaken in the Overseas Territories. It is considered that there will be little or no impact on the private or voluntary sector as a result of the proposals.

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20 July 2004