STATUTORY INSTRUMENTS

2016 No. 729

CIVIL AVIATION

The Civil Aviation (Denied Boarding, Compensation and Assistance and Access to Air Travel for Disabled Persons and Persons with Reduced Mobility) (Amendment) Regulations 2016

Made - - - -	*11th July 2016*
Laid before Parliament	*13th July 2016*
Coming into force - -	*4th August 2016*

The Secretary of State is designated for the purposes of section 2(2) of the European Communities Act 1972(**1**) in relation to measures relating to air transport(**2**) and discrimination(**3**) and in exercise of the powers conferred by that section makes these Regulations.

Citation and commencement

1. These Regulations may be cited as the Civil Aviation (Denied Boarding, Compensation and Assistance and Access to Air Travel for Disabled Persons and Persons with Reduced Mobility) (Amendment) Regulations 2016 and come into force on 4th August 2016.

Amendment of Regulations

2.—(1) The Civil Aviation (Denied Boarding, Compensation and Assistance) Regulations 2005(**4**) are amended as follows.

(2) In regulation 5 (enforcement), for paragraph (2) substitute—

"(2) The Civil Aviation Authority and, subject to paragraph (4), the bodies listed in paragraph (3) shall be designated bodies for the purposes of Article 16(2).

(3) The bodies referred to in paragraph (2) are—

(a) CEDR Services Limited (company registration number 03271988);

(**1**) 1972 c.68. Section 2(2) was amended by section 27 of the Legislative and Regulatory Reform Act 2006 (c.51) and section 3(3) and paragraph 1 of Schedule 1 to the European Union (Amendment) Act 2008 (c.7).
(**2**) S.I. 1993/2661.
(**3**) S.I. 2002/1819.
(**4**) S.I. 2005/975.

(b) Consumer Dispute Resolution Limited (company registration number 09189773).

(4) The designation by paragraph (2) of a body listed in paragraph (3) only applies in so far as any contract entered into by that body with an operating air carrier provides for that body to deal with complaints made in accordance with Article 16(2) in relation to that carrier."

(3) After regulation 5 (enforcement), add—

"**Review**

6.—(1) The Secretary of State must from time to time—

(a) carry out a review of these Regulations,

(b) set out the conclusions of the review in a report, and

(c) publish the report.

(2) In carrying out the review the Secretary of State must, so far as is reasonable, have regard to how the rights and entitlements set out in Council Regulation (EC) No 261/2004(**5**) are enforced in other member States.

(3) The report must in particular—

(a) set out the objectives intended to be achieved by these Regulations,

(b) assess the extent to which those objectives are achieved, and

(c) assess whether those objectives remain appropriate and if so, the extent to which they could be achieved in another way which involves less regulation.

(4) The first report under this regulation must be published before the end of the period of five years beginning with the day on which this regulation comes into force.

(5) Reports under this regulation are afterwards to be published at intervals not exceeding five years."

3.—(1) The Civil Aviation (Access to Air Travel for Disabled Persons and Persons with Reduced Mobility) Regulations 2014(**6**) are amended as follows.

(2) In regulation 4 (duty to enforce)—

(a) for paragraph (2) substitute—

"(2) Subject to paragraphs (3) and (5), the CAA and the bodies listed in paragraph (4) are designated bodies for the purposes of Article 15(2)."; and

(b) after paragraph (3) add—

"(4) The bodies referred to in paragraph (2) are—

(a) CEDR Services Limited (company registration number 03271988);

(b) Consumer Dispute Resolution Limited (company registration number 09189773).

(5) The designation by paragraph (2) of a body listed in paragraph (4) only applies in so far as any contract entered into by that body with an operating air carrier provides for that body to deal with complaints made in accordance with Article 15(2) in relation to that carrier."

(3) In regulation 8 (address for service), for sub-paragraph (e) substitute—

(**5**) OJ No L 46, 17.2.04, p.1.
(**6**) S.I. 2014/2833.