

ALL-PARTY PARLIAMENTARY GROUP ON GENERAL AVIATION (APPG-GA) TAX AND REGULATIONS GROUP WORK PROGRAMME 2018-2019

The All-Party Parliamentary Group on General Aviation (APPG-GA) addresses issues that can directly or indirectly contribute to the growth and success of General Aviation in the UK. This paper describes the APPG-GA Taxation and Regulation Group Programme and will be amended from time to time as agreed by the T&R Chairman in consultation with the APPG GA core team.

CONTENTS

1. Overview
2. Key issues
3. Role
4. Governance
5. Work programme
6. Communications, Social Media and Press
7. Time Table

1. OVERVIEW

a. Taxation and Regulation

Regulation by the Civil Aviation Authority (CAA) works within the legal and policy framework set by Parliament and the Secretary of State to develop long-term strategies for UK airspace and consider proposed change the structure of UK aviation. The CAA has a statutory responsibility to consider “the requirements of operators and owners of all classes of aircraft”. Taxation results directly from Government.

Key GA policy publications include;

- i. The Transport Act (2000)
- ii. CAA air navigation directions (2001)
- iii. European Route Network Improvement Plan (ERNIP) - Part 3: Airspace Management Handbook - Edition November 2017
- iv. UK air navigation guidance 2017 replacing the 2014 guidance
- v. The General Aviation Strategy
- vi. Future Airspace Strategy of the United Kingdom 2011-2030

Key Taxation is set out in:

For VAT:

- Principal VAT Directive 2006/112/EC,
- which is enacted into UK national law by VAT Act (1994).
- In particular, VAT zero rating provisions for aspects of aviation can be found in Schedule 8 of the UK VAT Act
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For Customs:

- Union Customs Code Regulation (EU) No. 952/2013
- Commission Delegated Regulation No 2015/2446

- Commission Implementing Regulation No 2015/2447

As enforced in the UK by Customs & Excise Management Act (1979).

There are numerous supporting Statutory Instruments for VAT and Customs and further tertiary law found in Public Notices. The main Customs Notice is Notice 3001 and the key public notices in relation to aviation are 744A, 744B and 744C.

For Excise:

In the UK, Hydrocarbon Oils Duties Act 1979 as amended by the Finance Act 2008 and 2012, From the EU perspective, the Energy Products Directive (EPD) (2003/96) permits exemption for fuel for private pleasure aircraft, but as more narrowly defined from 1st September 2014 following two decisions of the Court of Justice of the European Union in the case C-79/10 Helmholtz GMBH and case C-250/10 (Haltegemeinschaft).

The relevant HMRC public notice is Excise Notice 544.

b. GA Users and current Airfield numbers

The primary categories of aircraft classes include Commercial Air Transport, the Military, the Emergency Services and General Aviation. General Aviation primarily comprises of sporting and recreational aircraft including balloons, paragliders, hang gliders, parachutes, microlights, helicopters, sailplanes, light aeroplanes and Helicopters.

All aircraft require landing and take-off sites. These vary from major licensed airfields such as Heathrow to 'back garden' Heli-pads.

Latest figures identify: 127 Licensed: 238 listed in the Air Pilot: 43 Military and 446 unlicensed including Farm Strips.

2. KEY ISSUES

a. Current Threats to Airfields

Airfields are recognised but have little protection in the current National Planning Policy Framework (NPPF). Perhaps the major threat is their current status (with a few exceptions) of being viewed as a 'local' rather than 'national' asset. This means that their future is decided by a Local Planning Authority (LPA) without any requirement to consider their National importance.

As a consequence, they form a very attractive 'site' for Developers seeking to profit from their unique locations as a highly profitable opportunity.

The MoD may also be driven by financial considerations to dispose of those airfields no longer required for military purposes to the highest bidder....rather than preserve an irreplaceable Airfield for use by GA.

b. Current (and Historic) impact on UK Economy by Taxation

For over ten years (since the concession on Flight Training by a National Vocational Qualification was withdrawn) industry has informed Government that the Professional Flight Training Industry was under threat from Valued Added Tax (VAT) being added to already costly Flight Training. Industry

first wrote to Dawn Primarolo (Paymaster General) in June 2002 forecasting that the UK Flight Training Industry would migrate to more favourable Tax Regimes unless VAT was changed to a Zero Rating. The vast majority of UK Flight Training is, as forecast, now carried out overseas with the consequent loss of jobs and a definite net loss to the Treasury and the UK economy.

The UK's disadvantage inflight training is compounded by the low tax regimes for aviation elsewhere within Europe. The zero rating of VAT on flight training predates European legislation in countries such as Spain, so the cost of courses is consistently less than in the UK.

We have only to look at the above figures for Taxation to see an egregious burden on UK GA and compare these onerous taxation levels with those charged in neighbouring EU Countries....let alone other overseas countries where they wish to encourage Flight Training.

c. Zero rating (or low rate) VAT for costs associated with Flight Training

- Landing Fees; Hangarage; Aircraft Parking;
- Instruction Manuals, Aircraft Information publications and safety aids

d. Redesignate Airfields as Enterprise Zones

- Investment incentives for Aircraft and Training
- Sponsorships for Pilots and Engineers to encourage STEM activity

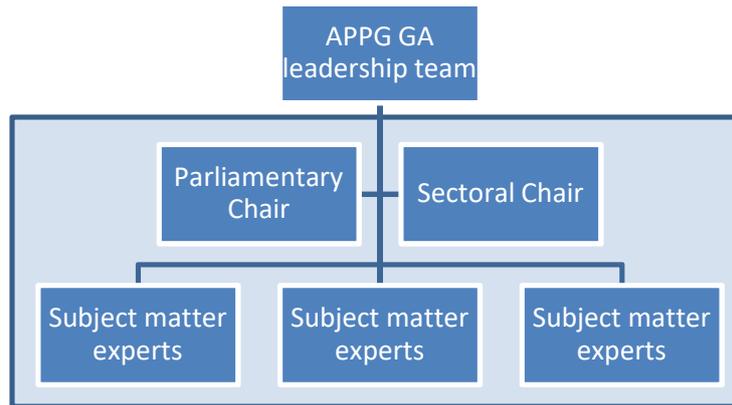
3. ROLE

The APPG GA Taxation and Regulation Working Group will identify airspace issues that impact on the sustainability and growth of GA, and In doing so, the APPG GA T&R WG expects to;

- 1) Consider the needs of all aspects of aviation
- 2) Liaise with all elements of General Aviation to ensure a balanced view is delivered to Government
- 3) Promote forward looking developments in a) technology and products and b) in structure and regulation which will promote the UK Economy by ensuring UK GA is the most attractive place to train and fly.
- 4) Identify research to aid Parliament in considering issues related to GA Tax and Regulation
- 5) Consider the terms of reference for holding Parliamentary inquiries into the airfield threat to General Aviation
- 6) Promote forward looking developments in a) technology and products and b) in taxation and regulation of GA which give viable access for all of aviation.

4. GOVERNANCE

The Tax & Regulations Working Group provides the APPG's executive with support on matters relating to airfields. The working group has a Parliamentary Chair, a Sectoral Chair and co-opted advisers who are experts on the subject matter. The Sector Chair reports to the APPG's leadership team.



The Tax & Regulations Working Group will communicate by email, phone and occasional meetings. The Sector Chair will periodically report to the leadership team as agreed from time to time. The membership of the group is outlined below.

Name	Organisation	Role
Chris Matheson MP	APPG	Parliamentary Chair
Charles Henry	GAAC	Sectoral Chair
Matthew Bolshaw	APPG	
Jeremy Pratt	FTN	
Marc Bailey	BBGA	
Byron Davies	DfT	
Andrew Montlake		
Adrian Jones	Martyn Fiddler	

5. WORK PROGRAMME

During 2019 and 2020, the APPG GA Tax & Regulations group will;

- a. Identify specific Taxation issues with supporting evidence
- b. Propose solutions to those issues
- c. Engage effectively with Parliamentarians (under an agreed plan) to achieve results, including;
 - I. Debate concerns on the floor of both houses
 - II. Table questions for oral or written answer
 - III. Table motions in the House of Commons
 - IV. Table and debate amendments to bills
 - V. Suggest attendees at select committees
- d. Provide periodic updates to inform and advise Parliamentarians and others of progress or otherwise
- e. Request meetings with ministers and deal with officials as appropriate.

- f. Request meetings with regulators and policymakers

6. COMMUNICATIONS, SOCIAL MEDIA AND PRESS

The APPG GA T&R group work will be communicated as effectively as possible through the APPG GA core team. The APPG GA website will reflect the importance of the APPG's T&R work and highlight the main issues.

7. TIME TABLE

The work programme will take place in alignment with parliamentary activity/opportunity as well as developments related to The Aviation Strategy 2020.

During 2019 and 2020 the Tax & Regulation Working Group objectives will be:

1. To argue for zero- rating of VAT on flight training (in particular for professional/vocational licences and ratings)
2. Working towards a reduction to duty rates on 100LL AVGAS
3. To lobby for greater clarification on VAT rules for Electronic Conspicuity devices
4. Work with the CAA and EASA Removing the CPL Theoretical Knowledge requirement for PPL instructors