

*Draft Order laid before Parliament under section 103(6) of the Transport Act 2000 for approval by resolution of each House of Parliament.*

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DRAFT STATUTORY INSTRUMENTS

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**2001 No.**

**CIVIL AVIATION**

**The Transport Act 2000 (Designation of Transferee) Order 2001**

*Made* - - - - 2001  
*Coming into force* - - 2001

Whereas a draft of this Order has been laid before Parliament and approved by each House of Parliament in pursuance of section 103(6) of the Transport Act 2000<sup>(1)</sup>:

Now, therefore, the Secretary of State for the Environment, Transport and the Regions, in exercise of the powers conferred by section 51(2) of that Act, hereby makes the following Order:

**Citation and commencement**

1. This Order may be cited as the Transport Act 2000 (Designation of Transferee) Order 2001 and shall come into force on the day after the day on which it is made.

**Designation**

2. National Air Traffic Services (No. 2) Limited is designated for the purposes of section 51 of the Transport Act 2000.

Signed by authority of the Secretary of State for the Environment, Transport and the Regions

Minister for Transport,  
Department of the Environment, Transport and  
the Regions

2001

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(1) 2000 c. 38.

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order designates National Air Traffic Services (No. 2) Limited for the purposes of section 51 of the Transport Act 2000.

Section 51 of the Act applies when a transfer to a company as specified in subsection (1) of that section takes place and provides that, in relation to a company which is designated for the purposes of the section, the Secretary of State is under the following duties—

- (a) to ensure that the Crown does not dispose of shares in the company unless satisfied that a scheme to complete the development of major facilities connected with air traffic services is in place;
- (b) to ensure that the Crown does not dispose of shares in the company unless the Crown holds at least 49 per cent of the issued ordinary share capital before disposal and will continue to do so immediately after disposal;
- (c) to ensure that at any given time the Crown holds at least 25 per cent of the company's issued ordinary share capital;
- (d) to ensure that the Crown continues to hold any special share in the company; and
- (e) not, without the approval of Parliament, to consent to any alteration of the company's articles of association which requires his consent on behalf of the Crown as special shareholder.