
Changes to legislation: There are currently no known outstanding effects for the Civil Aviation Act 1980. (See end of Document for details)

SCHEDULES

SCHEDULE 1

EFFECT OF SECTION 3 IN CERTAIN CASES

Modification of agreements

- 1 Where immediately before the appointed day there is in force an agreement which—
- (a) confers or imposes on the Board any rights, liabilities or obligations which vest in the successor company by virtue of section 3 of this Act; and
 - (b) refers (in whatever terms and whether expressly or by implication) to a member or officer of the Board;
- the agreement shall have effect, in relation to anything falling to be done on or after that day, as if for that reference there were substituted a reference to such person as that company may appoint or, in default of appointment, to the officer of that company who corresponds as nearly as may be to the member or officer of the Board in question.

Pensions

- 2 (1) Any service which immediately before the appointed day was required by section 12(5) of the ^{M1}Civil Aviation Act 1978 to be treated for the purposes of a scheme maintained under that section (pension schemes) as if it were service as an employee of the Board shall be treated as service as an employee of the successor company for the purposes of any relevant pension arrangements.
- (2) Any provision made by the Board under paragraph 8 or 10 of Schedule 1 to the Act of 1977 (pensions, allowances or gratuities to or in respect of members of the Board or the air corporations) which by virtue of section 3(3) of this Act has effect as if made by the successor company shall be maintained by the successor company.
- (3) For the purposes of any relevant pension arrangements—
- (a) any period of employment by the Board of an employee of the Board who becomes an employee of the successor company shall be treated as employment by that company; and
 - (b) any period of a person's employment before the appointed day by a company which becomes a wholly owned subsidiary of the successor company on the appointed day shall be treated as employment by a wholly owned subsidiary of the successor company.
- (4) References in this paragraph to relevant pension arrangements are references to any arrangements for the payment of pensions, allowances or gratuities which by virtue of section 3(3) of this Act have effect as if made by the successor company and any further arrangements made by the successor company for corresponding purposes.

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Marginal Citations

M1 1978 c. 8.

Regional development grants

- 3 (1) Where an asset, or the right to receive an asset, vests in the successor company by virtue of section 3 of this Act, then for the purposes of Part I of the ^{M1}Industry Act 1972—
- (a) so much of any expenditure incurred by the Board in providing that asset as is approved capital expenditure (of any description mentioned in section 1(3) of that Act) in respect of which no payment of regional development grant has been made to the Board shall be treated as having been incurred by the successor company and not by the Board; and
 - (b) where the asset itself vests in the successor company by virtue of section 3, it shall be treated as a new asset if it would have fallen to be so treated if it had remained vested in the Board.
- (2) In this paragraph “regional development grant” means a grant under Part I of the Industry Act 1972 and “approved capital expenditure” has the same meaning as in that Part of that Act.

Marginal Citations

M2 1972 c. 63.

SCHEDULE 2

TRANSITIONAL PROVISIONS

- 1 Subsections (2) to (4) of section 6 of the Act of 1977 (provisions with respect to loans made to the Board by the Secretary of State under section 6(1)) shall continue to apply in relation to any loan made to the Board by the Secretary of State under that section in respect of which any outstanding liability of the Board becomes a liability of the successor company by virtue of section 3 of this Act.
- 2 (1) Section 5(1) of this Act shall not operate to extinguish any liability of the Board to make any payment in pursuance of section 7(2) of the Act of 1977 (payments in consideration of public dividend capital) in respect of a period falling before the appointed day, and subsections (2) to (4) of section 7 shall continue to apply in relation to any such liability.
- (2) An amount may be fixed in pursuance of section 7(2) in respect of any such liability after it becomes a liability of the successor company by virtue of section 3 of this Act; but section 7(2) shall have effect in relation to any such case as if references to the Board were references to the successor company.
- 3 Subsections (2) to (5) of section 11 of the Act of 1977 (provisions with respect to Treasury guarantees under section 11(1) of certain obligations of the Board) shall continue to apply in relation to any guarantee given, or having effect as if given,

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by the Treasury under that section with respect to a liability of the Board which becomes a liability of the successor company by virtue of section 3 of this Act, but as if the references in subsection (3) of that section to the Board were references to the successor company.

SCHEDULE 3

Sections 8(1) and 28.

ENACTMENT REPEALED

Modifications etc. (not altering text)

- C1** The text of Sch. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

PART I

REPEALS CONSEQUENT ON PART I

Chapter	Short title	Extent of repeal
12, 13 & 14 Geo. 6. c. 67.	The Civil Aviation Act 1949.	Section 15. Section 16(3) In section 56, the words from “or on” to “British Airways Board”.
1971 c. 75.	The Civil Aviation Act 1971.	In paragraph 15 of Schedule 10, the words “and the British Airways Board”.
1975 c. 24	The House of Commons Disqualification Act 1975.	In Part II of Schedule 1, the entry relating to the British Airways Board.
1975 c. 25	The Northern Ireland Assembly Disqualification Act 1975.	In Part II of Schedule 1, the entry relating to the British Airways Board.
1975 c. 71.	The Employment Protection Act 1975.	In Schedule 16, paragraph 5 of Part IV.
1977 c. 13.	The British Airways Board Act 1977.	The whole Act.
1978 c. 8.	The Civil Aviation Act 1978.	Section 5(3). Section 12. In Schedule 1, paragraph 8.

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^{F1}PART II

REPEALS CONSEQUENT ON PART II

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Textual Amendments

F1 Sch. 3 Pt. II repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 4**

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