Airports Act 1986

1986 CHAPTER 31

PART VI U.K.

MISCELLANEOUS AND SUPPLEMENTARY

Supplementary

73 Furnishing of information etc. to CAA. U.K.

(1) The CAA may by notice in writing served on any person require him at such time or times as may be specified in the notice—

(a) to produce to the CAA such documents or descriptions of documents specified in the notice, and

(b) to furnish to the CAA, in such form as may be specified in the notice, such accounts, estimates, returns or other information,

as the CAA may reasonably require for the purpose of performing its functions under this Act or for the purpose of giving any advice, assistance or information to the Secretary of State in connection with the performance by him of any functions under this Act.

(2) A person shall not by virtue of subsection (1) be compelled—

(a) to produce any documents which he could not be compelled to produce in civil proceedings before the High Court or (in Scotland) the Court of Sessions, or

(b) in complying with any requirement for the furnishing of information, to give any information which he could not be compelled to give in evidence in such proceedings.

(3) Any person who fails without reasonable excuse to comply with the requirements of a notice served on him under subsection (1) shall be guilty of an offence and liable on summary conviction to a fine not exceeding the fifth level on the standard scale.

(4) Any person who, in purported compliance with the requirements of any such notice, knowingly or recklessly furnishes information which is false in a material particular shall be guilty of an offence and liable—

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(a) on summary conviction, to a fine not exceeding the statutory maximum;
(b) on conviction on indictment, to a fine.

Modifications etc. (not altering text)

C1 S. 73 modified (10.11.2011) by The Airport Charges Regulations 2011 (S.I. 2011/2491), regs. 1(1), **30(1)**

C2 S. 73(3)(4) applied (10.11.2011) by The Airport Charges Regulations 2011 (S.I. 2011/2491), regs. 1(1), **5(7)**

74 Restriction on disclosure of information. U.K.

(1) Subject to the following provisions of this section, no information with respect to any particular business which has been obtained under or by virtue of the provisions of this Act shall, so long as the business continues to be carried on, be disclosed without the consent of the person for the time being carrying it on.

(2) Subsection (1) does not apply to any disclosure of information which is made—

(a) for the purpose of facilitating the performance of any functions under this Act or any of the enactments **[**[F1]or subordinate legislation**]** specified in subsection (3) of any Minister, any Northern Ireland department, the head of any such department, the CAA, **[**[F2]the Competition and Markets Authority**]**[[F3]the Water Services Regulation Authority**]**[[F4]the Director General of Electricity Supply**]**[[F5]the Director General of Electricity Supply for Northern Ireland**]**[[F6]or the Director General of Gas for Northern Ireland**]**[[F7]**[**[F8]the **[**[F9]Office of Rail Regulation**]]]**[[F7]the Office of Rail and Road**]** or a local weights and measures authority in Great Britain;

(b) in connection with the investigation of any criminal offence or for the purposes of any criminal proceedings;

(c) for the purposes of any civil proceedings brought under or by virtue of this Act or any of the enactments **[**[F1]or subordinate legislation**]** specified in subsection (3);

(d) in pursuance of any **[**[F10]**[**[F11]assimilated**]** obligation**]**.

(3) The enactments **[**[F12]and subordinate legislation**]** referred to in subsection (2) are—

(a) the [M1]Trade Descriptions Act 1968;

(b) the [M2]Fair Trading Act 1973;

(c) the [M3]Consumer Credit Act 1974;

[F13](d) . . . . . .

[F13](e) . . . . . .

(f) the [M4]Estate Agents Act 1979;

(g) the [M5]Competition Act 1980; . . . [F14]

(h) the 1982 Act and any Order in Council made under section 60 of that Act (Air Navigation Orders).

[[F15](i) the [M6]Consumer Protection Act 1987.**]**

[F16](j) . . . . . .

[[F17](k) the [M7]Water Act 1989 **[**[F18]the Water Industry Act 1991 or any of the other consolidation Acts (within the meaning of section 206 of that Act of 1991)**]**[[F19], or the Water Act 2003**]**[[F20]or the Water Act 2014**]**.**]**

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[F21(l) the M8Electricity Act 1989.]

F22(ll) . . . . . .

[F23(m) the Electricity (Northern Ireland) Order 1992]

[F24(mm) the Gas (Northern Ireland) Order 1996;]

[F25(n) the Railways Act 1993]

F26(o) . . . . . .

[F27(p) the Competition Act 1998.]

[F28(q) Part I of the Transport Act 2000.]

[F29(r) the Enterprise Act 2002]

[F30(s) the Railways Act 2005.]

[F31(t) the Water and Sewerage Services (Northern Ireland) Order 2006.]

[F32(u) the Business Protection from Misleading Marketing Regulations 2008;

(v) the Consumer Protection from Unfair Trading Regulations 2008.]

[F33(w) the Airport Charges Regulations 2011.]

[F34(x) Part 1 of the Civil Aviation Act 2012]

[F35(y) Parts 3 and 4 of the Enterprise and Regulatory Reform Act 2013]

(4) Nothing in subsection (1) shall be construed—

F36(a) . . . . . .

(b) as applying to any information which has been made public as part of [F37a report of the Competition Commission under section 45][F38(prior to the abolition of the Competition Commission by section 26 of the Enterprise and Regulatory Reform Act 2013)].

(5) Any person who discloses any information in contravention of this section shall be guilty of an offence and liable—

(a) on summary conviction, to a fine not exceeding the statutory maximum;

(b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine, or to both.

F39(6) . . . . . .

Textual Amendments

F1 Words inserted by S.I. 1988/915, **reg. 7(6)(g)(i)**

F2 Words in s. 74(2)(a) substituted (1.4.2014) by The Enterprise and Regulatory Reform Act 2013 (Competition) (Consequential, Transitional and Saving Provisions) Order 2014 (S.I. 2014/892), art. 1(1), **Sch. 1 para. 43(2)** (with art. 3)

F3 Words in s. 74(2)(a) substituted (1.4.2006) by Water Act 2003 (c. 37), s. 105(3), **Sch. 7 para. 24(a)**; S.I. 2005/2714, art. 4(f)

F4 Words inserted (E.W.S.) by Electricity Act 1989 (c. 29, SIF 44:1), s. 112(1), **Sch. 16 para. 33**

F5 Words in s. 74(2)(a) inserted (1.4.1992) by S.I. 1992/231 (N.I. 1), art. 95(1), **Sch. 12 para. 30(a)**; S.R. 1992/117, **art. 3(1)**.

F6 Words in s. 74(2)(a) inserted (10.6.1996) by S.I. 1996/275 (N.I. 2) art. 71(1), Sch. 6 (with Sch. 7 paras. 2, 3(2)); S.R. 1996/216, **art. 2**

F7 Words in s. 74(2)(a) substituted (E.W.S.) (16.10.2015) by The Office of Rail Regulation (Change of Name) Regulations 2015 (S.I. 2015/1682), reg. 1(2), **Sch. para. 4(g)**

F8 Words in s. 74(2)(a) inserted (6.1.1994) by 1993 c. 43, ss. 150(1)(o), 152(1), **Sch. 12 para. 23(1)**; S.I. 1993/3237, **art. 2(2)**.

F9 Words in s. 74 substituted (5.7.2004) by Railways and Transport Safety Act 2003 (c. 20), **Sch. 2 para. 19(i)**; S.I. 2004/827, **art. 4(g)**

F10 Words in s. 74(2)(d) substituted (31.12.2020) by The Civil Aviation (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/687), regs. 1(2), **2**; 2020 c. 1, Sch. 5 para. 1(1)

F11 Word in s. 74(2)(d) substituted (1.1.2024) by The Retained EU Law (Revocation and Reform) Act 2023 (Consequential Amendment) Regulations 2023 (S.I. 2023/1424), reg. 1(2), **Sch. para. 20**

F12 Words inserted by S.I. 1988/915, **reg. 7(6)(g)(ii)**

F13 S. 74(3)(d)(e) repealed (1.3.2000) by S.I. 2000/311, **art. 17(2)**

F14 Word repealed by Consumer Protection Act 1987 (c. 43, SIF 109:1), s. 48, **Sch. 5**

F15 Para. inserted by Consumer Protection Act 1987 (c. 43, SIF 109:1), s. 48, **Sch. 4 para. 10**

F16 S. 74(3)(j) repealed (26.5.2008) by The Consumer Protection from Unfair Trading Regulations 2008 (S.I. 2008/1277), reg. 1, Sch. 2 para. 32(a), **Sch. 4 Pt. 1** (with reg. 28(2)(3))

F17 Para. inserted (E.W.) by Water Act 1989 (c. 15, SIF 130), s. 190(1), **Sch. 25 para. 76(b)** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1)Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58)

F18 Words in s. 74(3)(k) inserted (E.W.) (01.12.1991) by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 132), ss. 2(1), 4(2), **Sch. 1 para. 44**

F19 Words in s. 74(3)(k) inserted (1.4.2004) by Water Act 2003 (c. 37), s. 105(3), **Sch. 7 para. 24(b)**; S.I. 2004/641, art. 3(y), Sch. 2 (with Sch. 3 para. 7)

F20 Words in s. 74(3)(k) inserted (31.3.2017) by The Water Act 2014 (Consequential Amendments etc.) Order 2017 (S.I. 2017/506), arts. 1(1), **3**

F21 Para. inserted (E.W.S.) by Electricity Act 1989 (c. 29, SIF 44:1), s. 112, **Sch. 16 para. 33**

F22 S. 74(3)(ll) omitted (1.4.2014) by virtue of Civil Aviation Act 2012 (c. 19), s. 110(1), **Sch. 9 para. 3(2)(a)** (with Sch. 10 paras. 12, 17); S.I. 2013/589, art. 5(1)(b)

F23 S. 74(3)(m) inserted (1.4.1992) by S.I. 1992/231 (N.I. 1), art. 95(1), **Sch. 12 para. 30(b)**; S.R. 1992/117, **art. 3(1)**.

F24 S. 74(3)(mm) inserted (10.6.1996) by S.I. 1996/275 (N.I. 2) art. 71(1), Sch. 6 (with Sch. 7 paras. 2, 3(2)); S.R. 1996/216, **art. 2**

F25 S. 74(3)(n) added (6.1.1994) by 1993 c. 43, ss. 150(1)(o), 152(1), **Sch. 12 para. 23(2)**; S. I. 1993/3237, **art. 2(2)**.

F26 S. 74(3)(o) repealed (20.7.2007) by The EC Competition Law (Articles 84 and 85) Enforcement (Revocation) Regulations 2007 (S.I. 2007/1846), reg. 1, **Sch.**

F27 S. 74(3)(p) inserted (1.4.1999) by S.I. 1999/506, **art. 19(b)**

F28 S. 74(3)(q) inserted (21.12.2001) by S.I. 2001/4050, art. 2, **Sch. Pt. IV para. 18**

F29 S. 74(3)(r) inserted (1.4.2003) by Enterprise Act 2002 (c. 40), s. 279, **Sch. 25 para. 14(6)(b)**; S.I. 2003/766, art. 2, Sch. (with art. 3) (as amended (20.7.2007) by S.I. 2007/1846, reg. 3(2), Sch.)

F30 S. 74(3)(s) inserted (E.W.S.) (8.6.2005) by Railways Act 2005 (c. 14), s. 60(2), **Sch. 12 para. 9**; S.I. 2005/1444, art. 2(1), Sch. 1

F31 S. 74(3)(t) added (N.I.) (1.4.2007) by The Water and Sewerage Services (Northern Ireland) Order 2006 (S.I. 2006/3336), art. 1(2), **Sch. 12 para. 23** (with arts. 8(8), 121(3), 307); S.R. 2007/194, art. 2(2), Sch. Pt. 2 (with Sch. 2)

F32 S. 74(3)(u)(v) inserted (26.5.2008) by The Consumer Protection from Unfair Trading Regulations 2008 (S.I. 2008/1277), reg. 1, **Sch. 2 para. 32(b)** (with reg. 28(2)(3))

F33 S. 74(3)(w) inserted (10.11.2011) by The Airport Charges Regulations 2011 (S.I. 2011/2491), reg. 1(1), **Sch. 3 para. 2**

F34 S. 74(3)(x) inserted (6.4.2013) by Civil Aviation Act 2012 (c. 19), s. 110(1), **Sch. 9 para. 3(2)(b)** (with Sch. 10 paras. 12, 17); S.I. 2013/589, art. 2(3)

F35 S. 74(3)(y) inserted (1.4.2014) by The Enterprise and Regulatory Reform Act 2013 (Competition) (Consequential, Transitional and Saving Provisions) Order 2014 (S.I. 2014/892), art. 1(1), **Sch. 1 para. 43(3)** (with art. 3)

F36 S. 74(4)(a) repealed (1.4.2014) by Civil Aviation Act 2012 (c. 19), s. 110(1), **Sch. 9 para. 3(3)(a)** (with Sch. 10 paras. 12, 17); S.I. 2013/589, art. 5(1)(b)

F37 Words in s. 74(4)(b) substituted (6.4.2013) by Civil Aviation Act 2012 (c. 19), s. 110(1), **Sch. 9 para. 3(3)(b)** (with Sch. 10 paras. 12, 17); S.I. 2013/589, art. 2(3)

F38 Words in s. 74(4)(b) inserted (1.4.2014) by The Enterprise and Regulatory Reform Act 2013 (Competition) (Consequential, Transitional and Saving Provisions) Order 2014 (S.I. 2014/892), art. 1(1), **Sch. 1 para. 43(4)** (with art. 3)

F39 S. 74(6) omitted (1.4.2014) by virtue of The Enterprise and Regulatory Reform Act 2013 (Competition) (Consequential, Transitional and Saving Provisions) Order 2014 (S.I. 2014/892), art. 1(1), **Sch. 1 para. 43(5)** (with art. 3)

Modifications etc. (not altering text)

C3 S. 74 restricted (31.10.2003) by Railways and Transport Safety Act 2003 (c. 20), **s. 115**; S.I. 2003/2681, art. 2(b)

C4 S. 74 applied (10.11.2011) by The Airport Charges Regulations 2011 (S.I. 2011/2491), reg. 1(1), **Sch. 3 para. 1**

C5 S. 74(2): Disclosure powers extended (14.12.2001) by 2001 c. 24, ss. 17, 127(2), **Sch. 4 para. 25**

Marginal Citations

M1 1968 c.29**(109:1)**.
M2 1973 c.41**(124:1)**.
M3 1974 c.39**(60)**.
M4 1979 c.38**(124:4)**.
M5 1980 c.21**(124:1)**.
M6 1987 c.43**(109:1)**.
M7 1989 c.15**(130)**.
M8 1989 c.29**(44:1)**.

75 Supplementary provisions relating to transfer schemes. E+W+S

(1) A scheme under section [F40]... 15 may define the property, ri ghts and liabilities to be transferred by the scheme—

(a) by specifying the property, rights and liabilities in question, or

(b) by referring to all the property, rights and liabilities comprised in the whole or any specified part of the transferor's undertaking,

(or partly in one way and partly in the other) and may contain such supplementary, incidental and consequential provisions as may appear to the authority making the scheme to be necessary or expedient (including, in particular, provision with respect to the consideration to be furnished by the transferee for any transfer under the scheme, whether [F40]... it is to be furnished to the transferor or to any other person).

(2) A scheme under section [F41]... 15 may—

(a) provide that any functions of the transferor under any statutory provision not contained in this Act shall, to the extent to which that provision relates—

(i) to property transferred by the scheme, or

(ii) to any undertaking of the transferor, or part of such an undertaking, so transferred,

be transferred to the transferee under the scheme; and

(b) define any such functions—

(i) by specifying the statutory provision in question,

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(ii) by referring to all the statutory provisions (not contained in this Act) which relate to the property, or to the undertaking or part of the undertaking, to be transferred by the scheme, or

(iii) by referring to all the statutory provisions within sub-paragraph (ii), but specifying certain excepted provisions.

(3) Subject to the following provisions of this section, Schedule 4 to the Transport Act 1968 (supplementary provisions as to certain transfers of property, rights and liabilities) shall apply to any transfer under section [F42]... 15(7); and each of those provisions shall have effect subject to the provisions of that Schedule.

(4) In Schedule 4 to that Act as it applies by virtue of subsection (3)—

(a) any reference to a transfer by, or a vesting by virtue of, that Act shall be read as a reference to a transfer by, or a vesting by virtue of, the scheme in question;

(b) the reference in paragraph 8 to any of the transferred rights and liabilities shall be read as including a reference to any property or functions transferred by the scheme;

(c) the reference in paragraph 10, in relation to pending legal proceedings or applications, to any transferred property, right or liability shall be read as including a reference to any functions transferred by the scheme; and

(d) the reference in paragraph 13(5) to the relevant provisions of that Act shall be read as including a reference to the relevant provisions of this Act.

(5) The Secretary of State may by order make modifications in Schedule 4 for the purposes of its application to transfers under section [F43]... 15(7) of this Act.

(6) For the purposes of this Act, and of Schedule 4 as it applies by virtue of subsection (3), the granting of a lease of any property by a scheme under section [F44]... 15 to the transferee under the scheme shall be regarded as a transfer of that property to him by the scheme.

(7) In this section "statutory provision" means any provision (whether of a general or special nature) contained in, or having effect under, any Act (whether public general or local).

Textual Amendments

F40 Words in s. 75(1) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 4**

F41 Words in s. 75(2) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 4**

F42 Words in s. 75(3) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 4**

F43 Words in s. 75(5) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 4**

F44 Words in s. 75(6) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 4**

76 Stamp duty. E+W+S

[F45](1) . . . . . .

(3) Stamp duty shall not be chargeable—

(a) on any scheme made under section [F46]... 15; or

(b) on any instrument which is certified to the Commissioners of Inland Revenue by the transferring authority, or (as the case may be) by both or all of the transferring authorities, as having been made or executed in pursuance of

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Schedule 4 to the Transport Act 1968 as it applies in relation to any such scheme by virtue of section 75(3).

(4) An instrument such as is mentioned in subsection (3)(b) shall not be treated as duly stamped unless it is stamped with the duty to which it would be liable but for subsection (3), or it has, in accordance with section 12 of the Stamp Act 1891, been stamped with a particular stamp denoting that it is not chargeable with any duty or that it is duly stamped.

(5) . . . . . [F45]

Textual Amendments

F45 S. 76(1)(2)(5) repealed by Finance Act 1988 (c. 39, SIF 114), s. 148, **Sch. 14 Pt. XI**

F46 Words in s. 76(3)(a) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 4**

[[F47]76A. Stamp duty land tax U.K.

(1) A land transaction which—

(a) is effected by or in pursuance of a scheme under section 15, or

(b) is entered into in pursuance of Schedule 4 to the Transport Act 1968 as it applies in relation to any such scheme by virtue of section 75(3),

is exempt from charge for the purposes of stamp duty land tax.

(2) Relief under this section must be claimed in a land transaction return or an amendment of such a return.

(3) In this section—

"land transaction" has the meaning given by section 43(1) of the Finance Act 2003;

"land transaction return" has the meaning given by section 76(1) of that Act.**]**

Textual Amendments

F47 S. 76A inserted (1.12.2003) by The Stamp Duty Land Tax (Consequential Amendment of Enactments) Regulations 2003 (S.I. 2003/2867), reg. 1, **Sch. para. 13**

77 Corporation Tax. E+W+S

(1) Subject to subsection (2), the successor company shall be treated for all purposes of corporation tax as if it were the same person as the BAA.

(2) The successor company shall not by virtue of subsection (1) be regarded as a body falling within section **[**[F48]170(12) of the Taxation of Chargeable Gains Act 1992**]** (bodies established for carrying on industries or undertakings under national ownership or control).

[[F49](3) For the purposes of Part VI of the [M9]Income and Corporation Taxes Act 1988 (company distributions) and **[**[F50]Part 5 of the Corporation Tax Act 2009**]** (loan relationships), any debentures of the company issued in pursuance of section 4 shall be

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treated as having been issued for new consideration equal to the principal sum payable under the debenture.**]**

(4) For the avoidance of doubt it is hereby declared that—

(a) any issue of shares in pursuance of section 4 is to be regarded as a subscription for shares for the purposes of section **[**[F51]400(9) of the 1988 Act**]** (write-off of government investment: restriction of tax losses); and

(b) where any debentures are issued in pursuance of section 4, the principal sums payable under the debentures are to be regarded as money lent for those purposes.

(5) Where in the case of a claim of group relief—

(a) the claimant company is the BAA or the successor company and the surrendering company is a company to whom property, rights or liabilities have been transferred by a scheme made under section 1, and

(b) the claim relates to the accounting period of the surrendering company first ending after that transfer, and

(c) the corresponding accounting period of the claimant company ends with the same date as that accounting period,

then, for the purposes of section **[**[F51]408(2) of the 1988 Act**]** (corresponding accounting periods) as it applies in relation to the claim, those accounting periods shall be taken to coincide and, for the purposes of section **[**[F51]409(1) of that Act**]** (companies joining or leaving group) as it so applies, the claimant company and the surrendering company shall be taken to have been members of the same group throughout each of those periods (notwithstanding anything in section **[**[F51]409(2)**]** and (3) of that Act).

(6) In this section "the **[**[F51]1988**]** Act" means the Income and Corporation Taxes Act **[**[F51]1988**]**, and in subsection (5) above expressions used in sections **[**[F51]Chapter IV of Part X**]** of that Act (group relief) have the same meanings as in those sections.

Textual Amendments

F48 Words in s. 77(2) substituted (6.3.1992 with effect as mentioned in s. 289(1)(2) of the amending Act) by Taxation of Chargeable Gains Act 1992 (c. 12), ss. 289, 290(1), **Sch. 10 para. 12** (with ss. 60, 101(1) and 201(3)).

F49 S. 77(3) substituted (29.4.1996) by 1996 c. 8, s. 104, **Sch. 14 para. 3** (with s. 80-105 Pt. IV Ch. II)

F50 Words in s. 77(3) substituted (1.4.2009 with effect in accordance with s. 1329(1) of the amending Act) by Corporation Tax Act 2009 (c. 4), s. 1329(1), **Sch. 1 para. 321** (with Sch. 2 Pts. 1, 2)

F51 Words substituted by Income and Corporation Taxes Act 1988 (c. 1, SIF 63:1), s. 844, **Sch. 29 para. 32**

Marginal Citations

M9 1988 c. 1.

78 Offences by bodies corporate. U.K.

(1) Where a body corporate is guilty of an offence under this Act and that offence is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate or any person who was purporting to act in any such capacity he,

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as well as the body corporate, shall be guilty of an offence and shall be liable to be proceeded against and punished accordingly.

(2) Where the affairs of a body corporate are managed by its members, subsection (1) shall apply in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.

79 Orders and regulations. U.K.

(1) Any power conferred on the Secretary of State by this Act to make an order or regulations shall be exercisable by statutory instrument.

(2) Any statutory instrument containing—

(a) an order made by the Secretary of State under this Act, other than an order appointing a day or an order under section [F52]... 32, or

(b) any regulations under this Act,

shall be subject to annulment in pursuance of a resolution of either House of Parliament **[**[F53] , unless it is an instrument described in subsection (4A)**]** .

(3) No order shall be made under section 32 unless a draft of the order has been laid before and approved by a resolution of each House of Parliament.

(4) A draft of an order under that section which would, apart from the provisions of this subsection, be treated for the purposes of the Standing Orders of either House of Parliament as a hybrid instrument shall proceed in that House as if it were not such an instrument.

[[F54](4A) A statutory instrument that contains (whether alone or with other provision) an order under section 57A(11) increasing the specified sum by more than is necessary to reflect changes in the value of money may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.**]**

(5) Any regulations under section 28 or order under section 64(3) [F55]... may make such transitional, incidental or supplementary provision as appears to the Secretary of State to be necessary or expedient.

Textual Amendments

F52 Words in s. 79(2)(a) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 4**

F53 Words in s. 79(2) inserted (6.4.2013) by Civil Aviation Act 2012 (c. 19), s. 110(1), **Sch. 8 para. 3(2)** (with Sch. 10 paras. 12, 17); S.I. 2013/589, art. 2(1)-(3)

F54 S. 79(4A) inserted (6.4.2013) by Civil Aviation Act 2012 (c. 19), s. 110(1), **Sch. 8 para. 3(3)** (with Sch. 10 paras. 12, 17); S.I. 2013/589, art. 2(1)-(3)

F55 Words in s. 79(5) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 4**

80 Directions etc. U.K.

(1) It shall be the duty of any person to whom the Secretary of State gives directions under this Act to give effect to those directions.

(2) Subject to any express provision contained in this Act, any direction given by the Secretary of State under a provision of this Act may be varied or revoked by a subsequent direction given under that provision.

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(3) Any determination made by the Secretary of State under this Act shall be notified by him to such persons appearing to him to be likely to be affected by it as he considers appropriate.

(4) Any direction or notification given under this Act shall be in writing.

81 Financial provisions. U.K.

There shall be paid out of money provided by Parliament—

(a) any administrative expenses incurred by the Secretary of State in consequence of the provisions of this Act;

(b) any sums required by him for making grants under section 67; and

(c) any increase attributable to this Act in the sums payable out of money so provided under any other Act.

82 General interpretation. U.K.

(1) In this Act—

"[M10]the 1975 Act" means the Airports Authority Act 1975;

"the 1982 Act" means the Civil Aviation Act 1982;

"airport" means the aggregate of the land, buildings and works comprised in an aerodrome within the meaning of the 1982 Act;

"airport operator" means the person for the time being having the management of an airport, or, in relation to a particular airport, the management of that airport;

"air transport services" means services for the carriage by air of passengers or cargo;

"the appointed day" means the day appointed under section 2(1);

"the BAA" means the British Airports Authority;

"the CAA" means the Civil Aviation Authority;

"cargo" includes mail;

"debenture" includes debenture stock;

"functions" includes powers and duties;

"modifications" includes additions, omissions and amendments;

"operator", in relation to an aircraft, means the person for the time being having the management of the aircraft;

"the registrar of companies" has the same meaning as in **[**[F56]the Companies Acts (see section 1060 of the Companies Act 2006)**]**;

"securities", in relation to a company, includes shares, debentures, bonds and other securities of the company, whether or not constituting a charge on the assets of the company;

"shares" includes stock;

"subordinate legislation" has the same meaning as in the [M11]Interpretation Act 1978;

"subsidiary" has the meaning given by **[**[F57]section 1159 of the Companies Act 2006**]**;

"the successor company" means the company nominated for the purposes of section 2;

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"user", in relation to an airport, means—

(a) a person for whom any services or facilities falling within **[**[F58]subsection (1A)**]** are provided at the airport, or

(b) a person using any of the air transport services operating from the airport.

[[F59](1A) The services and facilities mentioned in the definition of "user" in subsection (1) are services or facilities provided at an airport for the purposes of—

(a) the landing, parking or taking off of aircraft,

(b) the servicing of aircraft (including the supply of fuel), or

(c) the handling of passengers or their baggage or of cargo at all stages while on airport premises.

(1B) The services and facilities mentioned in subsection (1A)(c)—

(a) include services and facilities provided for the purposes of the transfer of passengers, their baggage or cargo to and from aircraft, but

(b) do not include facilities for car parking, for the refreshment of passengers or for the supply of consumer goods or services.**]**

[[F60](1C) Subject to subsection (1F), a reference in this Act to an aircraft includes a reference to a medium-range rocket.

(1D) In subsection (1C) "rocket" means a projectile of mainly cylindrical or similar shape that can be propelled from or above the earth by combustion of its fuel (or fuel and oxidant).

(1E) For the purposes of subsection (1C) a rocket is a "medium-range" rocket if—

(a) the total impulse of its motor or combination of motors exceeds 160 Newton-seconds, but

(b) it is not capable of operating above the stratosphere.

(1F) The Secretary of State may by order—

(a) provide that subsection (1C) does not apply to any specified provisions of this Act;

(b) provide for any provision of this Act, as it has effect by virtue of subsection (1C), to apply with specified modifications.**]**

(2) A company shall be regarded for the purposes of this Act as wholly owned by the Crown at any time when each of the issued shares in the company is held by, or by a nominee of, the Treasury or the Secretary of State.

(3) Any reference in section 14 [F61]... to the business carried on at any airport by the airport operator shall, in a case where the person for the time being having the management of the airport has not had its management for the whole or any part of any period relevant for the purposes of that section, be construed as including a reference to the business carried on there by any other person who had the management of the airport for the whole or any part of that period.

(4) For the purposes of this Act a body corporate shall be treated as an associated company of an airport operator if either that body or the airport operator is a body corporate of which the other is a subsidiary or if both of them are subsidiaries of one and the same body corporate.

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Textual Amendments

F56 Words in s. 82(1) substituted (1.10.2009) by The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941), art. 1(2), **Sch. 1 para. 68(5)(a)** (with art. 10)

F57 Words in s. 82(1) substituted (1.10.2009) by The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941), art. 1(2), **Sch. 1 para. 68(5)(b)** (with art. 10)

F58 Words in s. 82(1) substituted (1.4.2014) by Civil Aviation Act 2012 (c. 19), s. 110(1), **Sch. 9 para. 4(2)** (with Sch. 10 paras. 12, 17); S.I. 2013/589, art. 5(1)(b)

F59 S. 82(1A)(1B) inserted (1.4.2014) by Civil Aviation Act 2012 (c. 19), s. 110(1), **Sch. 9 para. 4(3)** (with Sch. 10 paras. 12, 17); S.I. 2013/589, art. 5(1)(b)

F60 S. 82(1C)-(1F) inserted (29.7.2021) by Space Industry Act 2018 (c. 5), s. 70(1), **Sch. 12 para. 7**; S.I. 2021/817, reg. 2, Sch. para. 117 (with reg. 3)

F61 Words in s. 82(3) omitted (1.4.2014) by virtue of Civil Aviation Act 2012 (c. 19), s. 110(1), **Sch. 9 para. 4(4)** (with Sch. 10 paras. 12, 17); S.I. 2013/589, art. 5(1)(b)

Marginal Citations

M10 1985 c. 6.

M11 1978 c. 30.

83 Amendments, transitional provisions and repeals. U.K.

(1) The enactments mentioned in Schedule 4 shall have effect subject to the amendments there specified (being amendments consequential on the preceding provisions of this Act).

(2) The Secretary of State may by order make such consequential modifications of any provision contained in any Act (whether public general or local) passed, or subordinate legislation made, before the appointed day as appear to him to be necessary or expedient in respect of any reference in that Act or subordinate legislation to the BAA.

(3) The Secretary of State may, after consulting any local authority which appears to him to be concerned, by order repeal or amend any enactment in a local Act which appears to him to be unnecessary having regard to the provisions of this Act or to be inconsistent with any provision of this Act.

(4) The transitional provisions and savings contained in Schedule 5 shall have effect; but nothing in that Schedule shall be taken as prejudicing the operation of sections 16 and 17 of the [M12]Interpretation Act 1978 (which relate to repeals).

(5) The enactments mentioned in Schedule 6 are hereby repealed to the extent specified in the third column of that Schedule.

Marginal Citations

M12 1978 c. 30.

84 Application of provisions of Act to certain overseas territories. E+W+S

(1) Her Majesty may by Order in Council direct that any of the following, namely—

(a) sections 30 and 35, and

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(b) any provision of section 78, 80 or 82,

shall extend, with such modifications (if any) as may be specified in the Order, to any of the Channel Islands or to any colony.

(2) An Order in Council under this section may make such transitional, incidental or supplementary provision as appears to Her Majesty to be necessary or expedient.

85 Short title, commencement and extent. U.K.

(1) This Act may be cited as the Airports Act 1986.

F62(2) . . . . . .

F62(3) . . . . . .

F62(4) . . . . . .

F62(5) . . . . . .

F62(6) . . . . . .

(7) With the exception of the provisions mentioned in subsection (8), this Act does not extend to Northern Ireland.

(8) Those provisions are—

section 2(4);
Part III;
section 68;
sections 72 to 74;
sections 78 to 82;
section 83(1) and (5) and Schedules 4 and 6 so far as they amend or repeal any enactment extending to Northern Ireland; and
this section.

Subordinate Legislation Made

P1 S. 85(5) powers of appointment conferred by s. 85(5), fully exercised: S.I. 1986/1228, 1487

Textual Amendments

F62 S. 85(2)-(6) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 4**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act saved (6.5.1999) by 1998 c. 46 s. 30 Sch. 5 Pt. 2 s. E4(f)
- Act textual by S.I. 2001/2237 art. 2

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 12(1) (defn. of "principal council") para. (aa) added (prosp.) by 1994 c. 19 s. 66(6)Sch. 16 para. 77
- s. 12(1) (defns. "local authority""principal council") para. (b) amended (S) by 1994 c. 39 Sch. 13 para. 147
- s. 12(1) (defn. of "principal council") para. (a) repealed in part (prosp.) by 1994 c. 19 s. 66(6)(8)Sch. 16 para. 77Sch. 18
- s. 74(3)(z) inserted by 2024 c. 13 Sch. 30 para. 7(b)