



Airports Act 1986

1986 CHAPTER 31

PART II

TRANSFER OF AIRPORT UNDERTAKINGS OF LOCAL AUTHORITIES

Public airport companies

17 Control over constitution and activities of public airport companies.

(1) Subject to subsection (2), it shall be the duty of the controlling authority of a public airport company to exercise their control over the company so as to ensure that at least three of the directors of the company, or at least one-quarter of their number (whichever is less), are full-time employees of the company who are suitably qualified to act as directors of the company by virtue of their experience in airport management.

(2) Where at any time it appears to the Secretary of State—

- (a) that a public airport company has made arrangements for the management of the airport operated by it to be carried on otherwise than through its officers or employees, and
- (b) that any such arrangements are adequate to secure that those participating in the management of the airport under the arrangements are suitably qualified to do so by virtue of their experience in airport management,

the Secretary of State may direct that subsection (1) shall not apply in relation to that company.

(3) Any direction given by the Secretary of State under subsection (2) may provide—

- (a) that it is to have effect only for such period, or in such circumstances, as may be specified in it, or
- (b) that its continuation in force is to be subject to compliance with such conditions specified in it as the Secretary of State thinks fit.

(4) It shall be the duty of the controlling authority of a public airport company to exercise their control over the company so as to ensure that the company does not—

Changes to legislation: *Airports Act 1986, Section 17 is up to date with all changes known to be in force on or before 09 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (a) engage in activities in which the controlling authority have no power to engage, or
 - (b) permit any subsidiary of the company to engage in any such activities.
- (5) Where the controlling authority of a public airport company are a composite authority, the duties imposed by subsections (1) and (4) are joint duties of both or all of the constituent councils of that authority; and subsection (4) shall apply in any such case as if it referred to activities in which none of the constituent councils have power to engage.

[^{F1}(6) In subsection (4)—

- (a) paragraph (a) does not apply in relation to any activity which is a permitted activity in relation to the company by virtue of regulations under section 17A, and
- (b) paragraph (b) does not apply in relation to any activity which is a permitted activity in relation to the subsidiary by virtue of any such regulations.]

Textual Amendments

F1 S. 17(6) inserted (E.W.) (1.3.2007) by [Civil Aviation Act 2006 \(c. 34\)](#), **ss. 5(2)**, 14(3); S.I. 2007/598, [art. 2](#), Sch. 1

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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](#)