



Airports Act 1986

1986 CHAPTER 31

PART III

REGULATION OF USE OF AIRPORTS, ETC.

32 Power to limit aircraft movements at certain airports.

- (1) The Secretary of State may, if he considers it appropriate to do so in the case of a particular airport to which this section applies, make an order in accordance with this section which does either or both of the following things, namely—
 - (a) imposes an overall limit on the number of occasions on which, during any period specified in the order, aircraft may take off or land at the airport,
 - (b) imposes such other limit or limits applying to the taking off or landing of aircraft at the airport during any such period in circumstances or cases specified in the order as the Secretary of State thinks fit.
- (2) This section applies to an airport if it appears to the Secretary of State that the existing runway capacity of the airport is not fully utilised for a substantial proportion of the time during which its runway or runways is or are available for the take-off or landing of aircraft.
- (3) It shall be the duty of the airport operator to secure that any limit imposed under this section is complied with; and in performing its air transport licensing functions [^{F1}and its route licensing functions] the CAA shall have regard to the existence of any such limit.
- (4) An order under this section may—
 - (a) provide for aircraft taking off or landing at the airport in circumstances or cases specified in the order to be disregarded for the purposes of any specified limit falling within subsection (1)(a) or (b) or for the purposes of every such limit imposed by the order;
 - (b) provide for the number of occasions on which aircraft of any description specified in the order take off or land at the airport in any period so specified to be determined, for any such purposes as are mentioned in paragraph (a),

Changes to legislation: *Airports Act 1986, Section 32 is up to date with all changes known to be in force on or before 21 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*

in any manner so specified (whether or not involving the counting of two or more such occasions as a single occasion).

- (5) The Secretary of State shall not make an order under this section imposing any limit in relation to a particular period by virtue of which the level of the movements to be permitted at the airport during that period is lower than—
- (a) the highest level of any corresponding movements at the airport occurring during any equivalent period within the three years preceding the making of the order, or
 - (b) where any limit is for the time being in force under this section in relation to any corresponding movements at the airport during an equivalent period, the level of such movements permitted during that period by virtue of that limit.
- (6) Before making an order under this section the Secretary of State shall consult the CAA, the airport operator affected by the order and such of the following, namely—
- (a) operators of aircraft who appear to the Secretary of State to be likely to be affected by the order,
 - (b) organisations representing operators of aircraft, and
 - (c) any local authority or authorities who appear to the Secretary of State to be affected by operations at the airport,
- as the Secretary of State considers appropriate.
- (7) In subsection (6) “local authority”—
- (a) in relation to England, Wales and Scotland, has the meaning given by section 12(1);
 - (b) in relation to Northern Ireland, means a district council established under the Local Government Act (Northern Ireland) 1972.

Textual Amendments

F1 Words in s. 32(3) inserted (1.1.1993) by S.I. 1992/2992, reg. 23, Sch. 2 para.3.

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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](#)