

*These notes refer to the Civil Aviation Act 2006 (c.34)
which received Royal Assent on 8 November 2006*

CIVIL AVIATION ACT 2006

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Note on abbreviations

Section 3: Penalty schemes

23. This section inserts into the CA Act new sections 78A and 78B.
24. Section 78 of the CA Act does not explicitly provide for aerodromes to impose financial penalties on aircraft operators for breaches of noise requirements set under section 78.
25. The effect of new section 78A is to confer on the manager of a designated aerodrome a power to levy financial penalties on an aircraft operator in respect of any breach by that aircraft operator of noise abatement requirements imposed by the Secretary of State under section 78.
26. New section 78A(8) requires the aerodrome manager to make payments, equal to the amount of penalties received, for the benefit of persons who live in the area in which the aerodrome is situated.
27. New section 78B(1) to (4) enables the Secretary of State to direct an aerodrome manager to make, amend or revoke a penalty scheme and sets out the duty to consult before doing so.
28. New section 78B(5) makes it an offence to fail to comply with a direction given under section 78B(1) with a provision for a daily fine if failure continues after any conviction.