

2007 No. 598 (C. 25)

CIVIL AVIATION

The Civil Aviation Act 2006 (Commencement No.1) Order 2007

Made - - - - *28th February 2007*

The Secretary of State for Transport, in exercise of the powers conferred upon him by section 14(3) of the Civil Aviation Act 2006 (a), makes the following Order:

Citation and interpretation

1. This Order may be cited as the Civil Aviation Act 2006 (Commencement No. 1) Order 2007.

Commencement

2. The provisions of the Civil Aviation Act 2006 specified in Schedule 1 to this Order shall come into force on 1st March 2007.

Signed by authority of the Secretary of State for Transport

28th February 2007

G. Merron
Parliamentary Under Secretary of State
Department for Transport

(a) 2006 c.34.

SCHEDULE 1

Provisions coming into force on 1st March

Sections 1 to 4

Section 5

Section 7

Section 8

Sections 10 and 11

Sections 12 and 13

Schedule 2

EXPLANATORY NOTE

(This note is not part of the Order)

Article 2 of this Order brings sections 1 to 5, 7 to 8, 10 to 13, and Schedule 2 of the Civil Aviation Act 2006 (“the Act”) into force.

Section 1 of the Act substitutes a new section 38 of the Civil Aviation Act 1982 (c.16). As substituted, section 38 enables an aerodrome authority to fix its charges for using the aerodrome by reference to noise and emissions.

Section 2 amends section 78 of the Civil Aviation Act 1982 (c.16). The effect of the amendment is that the Secretary of State’s existing power to issue directions to regulate noise and vibration from aircraft at a designated aerodrome may now apply to a particular area or areas.

Section 3 inserts new sections 78A and 78B into the Civil Aviation Act 1982 (c.16). These new sections enable the manager of a designated aerodrome to establish a penalty scheme, or empower the Secretary of State to direct such an aerodrome manager to set up such a scheme, in relation to noise mitigation requirements imposed pursuant to section 78(1).

Section 4 inserts new sections 38A, 38B and 38C into the Civil Aviation Act 1982 (c.16). These provisions empower the operator of a non-designated aerodrome to establish and maintain a noise control scheme and to charge aircraft operators a financial penalty for breaches of the requirements of the scheme.

Section 5 amends section 17 and inserts a new section 17A into the Airports Act 1986 (c.31). The new section enables the Secretary of State to make regulations providing for activities of public airport companies to be permitted activities. Section 17 is amended in consequence of the insertion of section 17A.

Section 7 amends section 69A of the Civil Aviation Act 1982 (c.16) and removes the right of appeal to the Secretary of State in respect of route licence applications. Section 8 amends section 1 of the Civil Aviation Act 1982 (c.16) and places a general duty on the Secretary of State to organise, carry out and encourage measures for safeguarding the health of persons on board aircraft. Section 8 also confers functions relating to the health of such persons on the Civil Aviation Authority and makes provision for the safeguarding of the health of such persons by way of an Air Navigation Order.

Section 10 inserts new section 71A and 71B into the Civil Aviation Act 1982 (c.16) to enable the Secretary of State, by regulations, to require persons applying for licences under section 71 to make contributions to the Air Travel Trust. Section 11 contains miscellaneous provisions relating to the Air Travel Trust.

Section 12 is of relevance to Scotland. It amends the Scotland Act 1998 (Transfer of Functions to Scottish Ministers) Order 1999 (S.I. 1999/1750) to reflect changes made to the Civil Aviation Act 1982 (c.16) by sections 1, 2, 3 and 4 of the Act.

Section 13 and Schedule 2 set out amendments to the Civil Aviation Act 1982 (c.16) and the Airports Act 1986 (c.31) consequent upon the provisions of section 1, 3, 4 and 10 of the Act.

2007 No. 598 (C. 25)

CIVIL AVIATION

The Civil Aviation Act 2006 (Commencement No.1) Order 2007

£3.00

© Crown copyright 2007

Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of Her Majesty's
Stationery Office and Queen's Printer of Acts of Parliament.

E0307 3/2007 170307T 19585