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*Changes to legislation: There are currently no known outstanding effects for the Civil Aviation Act 1980, SCHEDULE 1. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 1

#### EFFECT OF SECTION 3 IN CERTAIN CASES

##### *Modification of agreements*

- 1 Where immediately before the appointed day there is in force an agreement which—
- (a) confers or imposes on the Board any rights, liabilities or obligations which vest in the successor company by virtue of section 3 of this Act; and
  - (b) refers (in whatever terms and whether expressly or by implication) to a member or officer of the Board;
- the agreement shall have effect, in relation to anything falling to be done on or after that day, as if for that reference there were substituted a reference to such person as that company may appoint or, in default of appointment, to the officer of that company who corresponds as nearly as may be to the member or officer of the Board in question.

##### *Pensions*

- 2 (1) Any service which immediately before the appointed day was required by section 12(5) of the <sup>M1</sup>Civil Aviation Act 1978 to be treated for the purposes of a scheme maintained under that section (pension schemes) as if it were service as an employee of the Board shall be treated as service as an employee of the successor company for the purposes of any relevant pension arrangements.
- (2) Any provision made by the Board under paragraph 8 or 10 of Schedule 1 to the Act of 1977 (pensions, allowances or gratuities to or in respect of members of the Board or the air corporations) which by virtue of section 3(3) of this Act has effect as if made by the successor company shall be maintained by the successor company.
- (3) For the purposes of any relevant pension arrangements—
- (a) any period of employment by the Board of an employee of the Board who becomes an employee of the successor company shall be treated as employment by that company; and
  - (b) any period of a person's employment before the appointed day by a company which becomes a wholly owned subsidiary of the successor company on the appointed day shall be treated as employment by a wholly owned subsidiary of the successor company.
- (4) References in this paragraph to relevant pension arrangements are references to any arrangements for the payment of pensions, allowances or gratuities which by virtue of section 3(3) of this Act have effect as if made by the successor company and any further arrangements made by the successor company for corresponding purposes.

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**Marginal Citations**

**M1** 1978 c. 8.

*Regional development grants*

- 3 (1) Where an asset, or the right to receive an asset, vests in the successor company by virtue of section 3 of this Act, then for the purposes of Part I of the <sup>M1</sup>Industry Act 1972—
- (a) so much of any expenditure incurred by the Board in providing that asset as is approved capital expenditure (of any description mentioned in section 1(3) of that Act) in respect of which no payment of regional development grant has been made to the Board shall be treated as having been incurred by the successor company and not by the Board; and
  - (b) where the asset itself vests in the successor company by virtue of section 3, it shall be treated as a new asset if it would have fallen to be so treated if it had remained vested in the Board.
- (2) In this paragraph “regional development grant” means a grant under Part I of the Industry Act 1972 and “approved capital expenditure” has the same meaning as in that Part of that Act.

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**Marginal Citations**

**M2** 1972 c. 63.

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