



# Civil Aviation Act 1982

## 1982 CHAPTER 16

### PART I

#### ADMINISTRATION

##### *Assistance, information, etc. to be given by CAA*

#### **16 Provision by CAA of assistance, etc. for Secretary of State and others.**

- (1) Subject to subsection (3) below, it shall be the duty of the CAA to provide such assistance and advice as the Secretary of State may require it to provide for him or any other person in connection with any of the Secretary of State's functions relating to civil aviation.

[<sup>F1</sup>(1A) A requirement imposed under subsection (1) to provide advice and assistance in connection with any function may be expressed so as to operate as a continuing requirement on the CAA to provide advice and assistance in connection with that function. ]

- (2) Without prejudice to subsection (1) above, it shall also be the duty of the CAA—
- (a) to consider what aerodromes are in its opinion likely to be required from time to time in the United Kingdom in addition to, or in place of, or by way of alteration of, existing aerodromes; and
  - (b) to make recommendations to the Secretary of State arising out of its consideration of that matter;

and it shall be the duty of the Secretary of State to publish the recommendations (except any of them of which the publication appears to him unnecessary) in such manner as he considers appropriate for bringing them to the notice of the public.

- (3) Where in pursuance of subsection (1) above the Secretary of State requires the CAA to provide assistance or advice for a person other than the Secretary of State but does not undertake to pay the CAA the cost of doing so, the CAA shall be entitled to refuse to do so until the other person pays it—

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- (a) in so far as provision is made in pursuance of section 11 above for charges in respect of the assistance or advice, those charges; and
  - (b) in so far as provision is not so made, such reasonable charges in respect of the assistance or advice as it may determine.
- (4) The CAA shall be entitled to recover from the Secretary of State a sum equal to any expense reasonably incurred by it in providing him with assistance or advice in pursuance of subsection (1) above and in performing the duty imposed on it by subsection (2) above.
- [<sup>F2</sup>(4A) Subsections (3) and (4) above do not apply in relation to advice or assistance given in connection with][<sup>F3</sup>—
- (a) the Secretary of State's function under section 1(1A) above [<sup>F4</sup>, or
  - (b) the making of regulations under section 11(3).]
- (5) Without prejudice to subsection (1) above, the CAA may provide for any person technical assistance and advice, including research services, with respect to any matter in which it has skill or experience.

#### Textual Amendments

- F1** S. 16(1A) inserted (1.3.2007) by [Civil Aviation Act 2006 \(c. 34\)](#) , **ss. 8(4)(a)** , 14 ; S.I. 2007/598 , **art. 2** , Sch. 1
- F2** S. 16(4A) inserted (1.3.2007) by [Civil Aviation Act 2006 \(c. 34\)](#) , **ss. 8(4)(b)** , 14 ; S.I. 2007/598 , **art. 2** , Sch. 1
- F3** Words in s. 16(4A) inserted (6.4.2013) by [Civil Aviation Act 2012 \(c. 19\)](#) , **ss. 100(6)(a)** , 110(1) (with [Sch. 10 paras. 12 , 17](#) ) ; S.I. 2013/589 , **art. 2(4)(a)**
- F4** Words in s. 16(4A)(b) inserted (6.4.2013) by [Civil Aviation Act 2012 \(c. 19\)](#) , **ss. 100(6)(b)** , 110(1) (with [Sch. 10 paras. 12 , 17](#) ) ; S.I. 2013/589 , **art. 2(4)(a)**

## 17 Provision by CAA of information, etc. for Secretary of State.

- (1) It shall be the duty of the CAA—
- (a) to furnish the Secretary of State with such information as he may specify and the CAA has or can reasonably be expected to obtain with respect to such matters relating to it or to civil aviation as the Secretary of State may specify;
  - (b) to permit the Secretary of State to have access to all documents which are under its control and relate to matters specified in pursuance of paragraph (a) above;
  - (c) if it comes to its notice that a body which is the holder of an air transport licence [<sup>F5</sup>or operating licence granted in accordance with [<sup>F6</sup>the Operation of Air Services in the Community Regulation]] is proposing to merge or has merged with another body, to give the Secretary of State notice in writing of the proposal or merger;
  - (d) if it appears to the CAA that any matter which it is dealing with, or has dealt with, is likely—
    - (i) to affect the relations of the United Kingdom with any other country or territory or any international organisation, or
    - (ii) to be of special interest to the Secretary of State by reason of the fact that the matter involves or may involve noise, vibration, pollution or

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other disturbance attributable to aircraft used for the purpose of civil aviation,

to give notice in writing of the matter to the Secretary of State.

- (2) Nothing in subsection (1) above shall be construed as prejudicing the generality of section 16(1) above, and nothing in subsection (1)(c) or (d) above shall be construed as prejudicing the generality of subsection (1)(a) above.
- (3) The CAA shall be entitled to recover from the Secretary of State a sum equal to any expense reasonably incurred by it in furnishing information in pursuance of subsection (1) above.
- [<sup>F7</sup>(4) Subsection (3) above does not apply in relation to information furnished to the Secretary of State in connection with the making of regulations under section 11(3).]

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**Textual Amendments**

- F5** Words in s. 17(1)(c) inserted (1.1.1993) by S.I. 1992/2992, reg. 23, **Sch. 2 para. 4**.
- F6** Words in s. 17(1)(c) substituted (26.1.2009) by [The Operation of Air Services in the Community Regulations 2009 \(S.I. 2009/41\)](#), regs. 1, **33**
- F7** S. 17(4) inserted (6.4.2013) by [Civil Aviation Act 2012 \(c. 19\)](#), **ss. 100(7)**, 110(1) (with Sch. 10 paras. 12, 17); S.I. 2013/589, art. 2(4)(a)

**Changes to legislation:**

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