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## SCHEDULES

### SCHEDULE 3

#### LAND AND RIGHTS OVER LAND

#### PART II

##### ORDERS RELATING TO CONTROL OF LAND

###### *Creation of rights over land, and control over civil aerodromes*

- 4 (1) In section 24 of the Civil Aviation Act 1949 (hereafter in this Schedule referred to as "the Act of 1949") references to land vested in the Secretary of State or which he proposes to acquire shall include references to land vested in the Authority or which the Authority proposes to acquire, and any rights created by an order made by virtue of this paragraph shall be rights in favour of the Authority.
- (2) Any compensation payable under subsection (4) of that section or Part III of Schedule 1 to that Act in consequence of an order made by virtue of this paragraph shall be payable by the Authority instead of the Secretary of State.
- (3) In subsection (5) of that section the reference to the consent of the Secretary of State shall, in relation to an order made by virtue of this paragraph, be construed as a reference to the consent either of the Secretary of State or of the Authority.
- (4) Notwithstanding anything in subsection (9) of that section, proceedings for an offence under that section in relation to an order made by virtue of this paragraph may be instituted in England and Wales or Northern Ireland by the Authority without the consent of the Secretary of State or the Director of Public Prosecutions.
- 5 (1) In section 25 of the Act of 1949 references to any aerodrome vested in the Secretary of State or under his control shall include references to any aerodrome in the United Kingdom which is owned or managed by the Authority.
- (2) Notwithstanding anything in subsection (6) of that section, proceedings for an offence against an order under that section made by virtue of this paragraph may be instituted in England and Wales or Northern Ireland by the Authority without the consent of the Secretary of State or the Director of Public Prosecutions.
- (3) Any compensation payable under Schedule 2 to the Act of 1949 in consequence of any order made by virtue of this paragraph shall be payable by the Authority instead of the Secretary of State.
- 6 (1) For paragraph 1 of Schedule 1 to the Act of 1949, as it applies in relation to orders made by virtue of paragraph 4 or 5 of this Schedule on the application of the Authority, there shall be substituted the following paragraph:—
- “1 Before making an application for an order the Civil Aviation Authority—

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- (a) shall publish in one or more newspapers circulating in the district in which the land is situated ; and
- (b) shall serve on every owner, lessee and occupier of any of the land and upon every local authority within whose area any of the land is situated,

a notice stating that the Authority proposes to apply for the order and the effect thereof and specifying the time (not being less than forty-two days from service of the notice) within which and the manner in which objections to the making of the order may be made”.

- (2) In the case of an order made by virtue of paragraph 4 or 5 of this Schedule, the notice to be published under paragraph 5 of the said Schedule 1 shall be published by the Authority and not by the Secretary of State.