



# Civil Aviation Act 1971

## 1971 CHAPTER 75

### PART II

#### REGULATION OF CIVIL AVIATION

##### *Regulation of carriage by air for reward*

#### **23 Revocation, suspension and variation of air transport licences**

- (1) An application for the revocation, suspension or variation of an air transport licence may be made to the Authority at any time by a person of a prescribed description.
- (2) The Authority may at any time revoke, suspend or vary a licence if the Authority considers it appropriate to do so, whether or not an application with respect to the licence has been made in pursuance of the preceding subsection.
- (3) It shall be the duty of the Authority to revoke or suspend or vary a licence (whichever the Authority thinks appropriate in the circumstances) if the Authority is not or is no longer satisfied—
  - (a) that the holder of the licence is, having regard to—
    - (i) his and his employees' experience in the field of aviation and his and their past activities generally, and
    - (ii) where the holder of the licence is a body corporate, the experience in the field of aviation and the past activities generally of the persons appearing to the Authority to control that body, a fit person to operate aircraft under the authority of the licence; or
  - (b) that the resources of the holder of the licence and the financial arrangements made by him are adequate for discharging his actual and potential obligations in respect of the business activities in which he is engaged ;

and if the Authority has reason to believe that the holder of a licence is neither a United Kingdom national nor such a body as is mentioned in paragraph (b) of subsection (3) of the preceding section it shall be the duty of the Authority to inform the Secretary of State accordingly and, if he so directs, to revoke the licence.

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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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- (4) The provisions of subsections (2) and (3) of this section conferring on the Authority power to suspend a licence shall be construed as conferring on the Authority power to provide, by a notice in writing served in the prescribed manner on the holder of the licence, that subject to the following subsection the licence shall not be effective during a period specified in the notice; and while a licence is ineffective by virtue of such a notice the Authority may, by a further notice in writing served in the prescribed manner on the holder of the licence, provide that the licence shall be effective on and after a date specified in the further notice, but the further notice shall not prejudice the Authority's powers to suspend the licence again or to revoke or vary it.
- (5) If a licence is revoked, suspended or varied by the Authority otherwise than on the application of the holder of the licence and otherwise than in consequence of a direction given in pursuance of subsection (3) of this section, the revocation, suspension or variation shall not take effect before the expiration of the period prescribed in pursuance of subsection (6) of the following section for the bringing of an appeal against the Authority's decision nor, if such an appeal is brought during that period, before the determination or abandonment of the appeal.