



Civil Aviation Act 1971

1971 CHAPTER 75

PART III

THE BRITISH AIRWAYS BOARD

General functions of the Board

38 General powers

- (1) Subject to the following provisions of this Part of this Act, the Board shall have power—
- (a) to provide air transport services and carry out all other forms of aerial work, whether on charter terms or otherwise, in any part of the world ;
 - (b) without prejudice to the generality of the preceding paragraph, to do all or any of the following—
 - (i) to promote the formation of undertakings constituted for the purpose of providing air transport services or engaging in any other activities of a kind which the Board has power to carry on ;
 - (ii) to acquire any such undertaking or a financial interest in any such undertaking ;
 - (iii) to lend money to or enter into guarantees for the benefit of any such undertaking ;
 - (c) to control all the activities of the British Overseas Airways Corporation and the British European Airways Corporation (hereafter in this Act referred to jointly as " the corporations" and severally as "BOAC" and " BEA" respectively) and for that purpose to give to the corporations or either of them such directions as the Board thinks fit;
 - (d) to appoint such persons as the Board thinks fit as the chairmen, deputy chairmen and other members of the corporations and to terminate any appointment made by virtue of this paragraph notwithstanding anything in the terms on which the appointment was made;

Status: This is the original version (as it was originally enacted).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

- (e) to provide for any person technical advice or assistance, including research services, as respects any matter in which the Board has skill or experience ;
 - (f) to do anything which is calculated to facilitate, or is conducive or incidental to, the performance of any of the Board's functions (including a function exercisable by the Board by virtue of this paragraph).
- (2) The preceding subsection shall have effect subject to the following limitations, that is to say—
- (a) the Board shall not exercise its powers under paragraph (a) or (b) of that subsection except with and in accordance with a general or special authorisation given by the Secretary of State ;
 - (b) the Board shall not have power to manufacture air frames, aero-engines or airscrews except in so far as the Secretary of State provides by order that it shall have such a power ;
 - (c) the appointment of a person as the chairman of either of the corporations shall not—
 - (i) be made unless he is a member of the Board and the Secretary of State approves the appointment, and
 - (ii) be terminated unless the Secretary of State approves its termination ;
 - (d) nothing in paragraph (d) of the preceding subsection is to be construed as—
 - (i) authorising the termination of an appointment made before that paragraph came into force, or
 - (ii) depriving a person whose appointment is terminated in pursuance of that paragraph of his entitlement (if any) to damages or compensation in consequence of the termination.