



# Civil Aviation Act 1982

## 1982 CHAPTER 16

### PART III

#### REGULATION OF CIVIL AVIATION

##### *Records and provision of information, etc.*

#### **83 Recording and registration of births and deaths, etc.**

- (1) The Secretary of State may by regulations provide for requiring such persons as may be specified in the regulations to keep records and make returns to the CAA—
  - (a) of births and deaths occurring in any part of the world in any aircraft registered in the United Kingdom; and
  - (b) of the death, outside the United Kingdom, of any person who, being a traveller on such an aircraft, is killed on the journey in consequence of an accident;and for the keeping by the CAA of a record of any returns made to it in accordance with any such requirement as aforesaid.
- (2) Any person who fails to comply with any such requirement shall be liable on summary conviction to a fine not exceeding [<sup>F1</sup>level 2 on the standard scale].
- (3) Proceedings for an offence under this section shall not be instituted—
  - (a) in England and Wales, except by or with the consent of the Secretary of State or by or with the consent of the Director of Public Prosecutions;
  - (b) in Northern Ireland, except by or with the consent of the Secretary of State or by the Attorney General for Northern Ireland.
- (4) Where regulations made under subsection (1) above provide for the keeping of records by the CAA in accordance with that subsection they shall also provide for the transmission of certified copies of those records to the Registrar General of Births, Deaths and Marriages in England and Wales, the Registrar General of Births, Deaths and Marriages in Scotland, or the Registrar General for Northern Ireland, as the case may require.

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- (5) The Registrar General to whom any such certified copies are sent shall cause them to be filed and preserved in a book to be kept by him for the purpose, and to be called the Air Register Book of Births and Deaths.
- (6) Regulations made under subsection (1) above shall provide for the rectification of any records kept by the CAA in pursuance of the regulations and for the transmission of certified copies of any corrected entry in the records to the Registrar General of Births, Deaths and Marriages in England and Wales, the Registrar General of Births, Deaths and Marriages in Scotland, or the Registrar General for Northern Ireland, as the case may require.
- (7) The Registrar General to whom a certified copy of any such corrected entry is sent in accordance with the regulations shall cause the corrected entry to be substituted for the corresponding entry for the time being made in the Air Register Book of Births and Deaths.
- (8) The enactments relating to the registration of births and deaths in England and Wales, Scotland and Northern Ireland shall have effect as if the Air Register Book of Births and Deaths were a certified copy or duplicate register transmitted to the Registrar General in accordance with those enactments.
- (9) The Secretary of State may by regulations provide—
  - (a) for the keeping by the CAA of a record of persons reported to him as missing, being persons with respect to whom there are reasonable grounds for believing that they have died in consequence of an accident to an aircraft registered in the United Kingdom;
  - (b) for the rectification of any such record; and
  - (c) for the transmission of information as to the matters for the time being entered on the record to the Registrar General of Births, Deaths and Marriages in England and Wales, the Registrar General of Births, Deaths and Marriages in Scotland or the Registrar General for Northern Ireland, as the case may require.

#### Textual Amendments

- F1** Words substituted by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [s. 46](#), (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), [s. 289G](#) and (N.I.) [S.I. 1984/703 \(N.I. 3\)](#), [art. 5](#)

#### 84 Provision by others of information for the CAA and Secretary of State.

- (1) The CAA may, by a notice in writing served in the prescribed manner on a person of any of the following descriptions, that is to say—
  - (a) a holder of a licence issued by the CAA under this Act or a licence or certificate issued by the CAA under an Air Navigation Order [<sup>F2</sup>or an operating licence granted by the CAA in accordance with [<sup>F3</sup>the Operation of Air Services in the Community Regulation]],
  - (b) a recipient of an approval given by the CAA under an Air Navigation Order,
  - (c) a person who in the United Kingdom has, at any time during the period of two years ending with the date of service of the notice, held himself out as one who may as a principal or otherwise enter into a contract to make available

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accommodation for the carriage of persons or cargo on flights in any part of the world in aircraft <sup>F4</sup>....,

- [<sup>F5</sup>(ca) a person established in the United Kingdom who in the European Economic Area has, at any time during the period of two years ending with the date of service of the notice, held himself out as one who may as a principal or otherwise enter into a contract to make available accommodation for the carriage of persons or cargo on flights in any part of the world in aircraft,]
- (d) a person carrying on business in the United Kingdom as a manufacturer of aircraft or engines or other equipment for aircraft or as an insurer of aircraft, require him to furnish to the CAA, in such form and at such times as may be specified in the notice, information of such descriptions as may be so specified, being—
- (i) in the case of such a holder or recipient as aforesaid (other than the holder of an aerodrome licence), descriptions of information which relates to his past, present or future activities as the holder or recipient of the licence, certificate or approval in question or his past activities as the holder or recipient of any similar licence, certificate or approval or is of a kind which the CAA considers that it requires for the purpose of reviewing the licence, certificate or approval in question,
- (ii) in the case of such a person as is mentioned in paragraph (c) of this subsection, descriptions of information which relates to his past, present or future activities in the United Kingdom connected with the making available of accommodation so mentioned,
- [<sup>F6</sup>(ia) in the case of such a person as is mentioned in paragraph (ca) of this subsection, descriptions of information which relates to his past, present or future activities in the European Economic Area connected with the making available of accommodation so mentioned,]
- (iii) in the case of such a person as is mentioned in paragraph (d) of this subsection or the holder of an aerodrome licence, descriptions of information which relates to his past, present or future activities (including, in the case of the holder of an aerodrome licence, information as to the numbers of aircraft and passengers and the quantity of cargo passing and expected to pass through the relevant aerodrome) and is of a kind which the CAA considers that it requires for the purpose of performing any of its functions.

In this subsection “aerodrome licence” means a licence to operate an aerodrome issued by the CAA under an Air Navigation Order.

- [<sup>F7</sup>(1A) Paragraphs (c) and (ca) of subsection (1) apply to a person who is the operator of the aircraft in question only if—
- (a) the person is not the holder of a licence issued by the CAA in accordance with the Operation of Air Services in the Community Regulation, or
- (b) the accommodation to be made available as mentioned in those paragraphs is not limited to flight accommodation within the meaning of section 71.]
- (2) Without prejudice to the generality of subsection (1) above, the information relating to the activities of the holder of an air transport licence [<sup>F8</sup>or operating licence] which the CAA may require him to furnish in pursuance of that subsection includes particulars of any contract or arrangement—
- (a) to which he is or was at any time a party and, if he is not or was not then an operator of aircraft registered in the United Kingdom or a relevant overseas territory <sup>F9</sup> . . . , to which such an operator is or was then a party; and

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- (b) which constitutes or relates to an agreement or understanding between operators of aircraft or such operators and other persons with respect to any of the following matters, that is to say—
- (i) the provision of flights or of accommodation in aircraft,
  - (ii) the sharing or transfer of revenue from flights on particular routes,
  - (iii) the sale by a party to the contract or arrangement of tickets for flights in aircraft operated by another party to it,
  - (iv) the making available by a party to the contract or arrangement of staff, equipment or other facilities for use by another party to it.
- (3) Provision may be made by regulations made by the Secretary of State for <sup>F10</sup> requiring — ]
- (a) a person of any description specified in subsection (1) above, or
  - (b) a person who holds a certificate under the Aerodromes Regulation authorising the operation of an aerodrome,

to furnish the Secretary of State, in such form and at such times as may be prescribed, with information of such descriptions as may be prescribed, being descriptions of information relating to civil aviation which the Secretary of State considers that he requires for the purpose of performing any of his functions or descriptions of information which he considers that he requires in order to facilitate the performance by the CAA of any of its functions.

- (4) If a person required to furnish information by virtue of any of the preceding provisions of this section fails to comply with the requirement or in purported compliance with the requirement knowingly or recklessly furnishes information which is false in a material particular, then—
- (a) in the case of a failure to comply with the requirement he shall be guilty of an offence and liable on summary conviction to a fine of an amount not exceeding <sup>F11</sup>level 3 on the standard scale]; and
  - (b) in any other case he shall be guilty of an offence and liable on summary conviction to a fine not exceeding the statutory maximum and on conviction on indictment to a fine or to imprisonment for a term not exceeding two years or to both; and
  - (c) if the requirement was made by virtue of subsection (1) or (2) above, the CAA may, whether or not any proceedings in respect of the requirement have been brought in pursuance of paragraph (a) or (b) of this subsection, revoke any licence or certificate or approval which was issued or given by the CAA and to which the requirement related;

and a person who fails to comply with a requirement imposed on him in pursuance of this section shall be guilty of an offence by virtue of paragraph (a) of this subsection notwithstanding that at any relevant time he is outside the United Kingdom and is neither a United Kingdom national nor a body incorporated under the law of a part of the United Kingdom or of a relevant overseas territory <sup>F9</sup> . . .

#### Textual Amendments

- F2** Words in s. 84(1)(a) inserted (1.1.1993) by S.I. 1992/2992, reg. 23, **Sch. 2 para. 6**.
- F3** Words in s. 84(1)(a) substituted (26.1.2009) by [The Operation of Air Services in the Community Regulations 2009 \(S.I. 2009/41\)](#), regs. 1, **33**
- F4** Words in s. 84(1)(c) omitted (1.7.2018) by virtue of [Air Travel Organisers Licensing Act 2017 \(c. 33\)](#), **ss. 3(2)(a), 4(1)**; S.I. 2018/669, reg. 2

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- F5** S. 84(1)(ca) inserted (1.7.2018) by Air Travel Organisers Licensing Act 2017 (c. 33), **ss. 3(2)(b)**, 4(1); S.I. 2018/669, reg. 2
- F6** S. 84(1)(ia) inserted (1.7.2018) by Air Travel Organisers Licensing Act 2017 (c. 33), **ss. 3(2)(c)**, 4(1); S.I. 2018/669, reg. 2
- F7** S. 84(1A) inserted (1.7.2018) by Air Travel Organisers Licensing Act 2017 (c. 33), **ss. 3(3)**, 4(1); S.I. 2018/669, reg. 2
- F8** Words in s. 84(2) inserted (1.1.1993) by S.I. 1992/2992, reg. 23, **Sch. 2 para. 7**.
- F9** Words in s. 84(2)(a)(4) repealed (8.11.1995) by 1995 c. 44, s. 1, **Sch. 1 Pt. II**
- F10** Words in s. 84(3) substituted (10.1.2015) by The Air Navigation (Amendment) (No. 4) Order 2014 (S.I. 2014/3302), art. 1(1), **Sch. para. 3(8)**
- F11** Words substituted by virtue of (E.W.) Criminal Justice Act 1982 (c. 48, SIF 39:1), **ss. 38**, 46, (S.) Criminal Procedure (Scotland) Act 1975 (c. 21, SIF 39:1), **ss. 289F**, 289G and (N.I.) by S.I. 1984/703 (N.I. 3), **arts. 5**, 6

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