



# Civil Aviation Act 1982

## 1982 CHAPTER 16

### PART I

#### ADMINISTRATION

##### *Financial provisions in relation to CAA*

## 11 Charges.

- (1) The CAA may, <sup>F1</sup>... make a scheme for determining the charges which are to be paid to the CAA in respect of the performance of such of its functions as are specified in the scheme; and a scheme under this section may as respects any of those functions—
- specify the amount of the charge or a scale of charges by reference to which that amount is to be ascertained or provide that the charges shall be of such amount, not exceeding that specified in the scheme, as may be decided by the CAA, having regard to the expense incurred by the CAA in performing the function in question and to such other factors (if any) as may be so specified;
  - provide for different charges for cases of such different descriptions as may be so specified;
  - specify the manner in which, the time at which and the person by whom any charge is to be paid.

[<sup>F2</sup>(1A) Before making a scheme under this section, the CAA must—

- consult the persons who, in its opinion, are likely to be affected by the scheme or such of those persons as it thinks fit, and
  - after consulting those persons, consult the Secretary of State.]
- (2) A scheme under this section shall come into force on such day as may be specified in the scheme, not being earlier than the expiration of the period of [<sup>F3</sup>14 days ] beginning with the day on which the scheme is published in the prescribed manner; and a scheme made under this section may vary or revoke a previous scheme so made.
- (3) Regulations made by the Secretary of State may make provision for determining the charges which are to be paid to the CAA, or for securing that no charge is payable to

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the CAA, in respect of such of its functions as may be prescribed; and regulations for determining the said charges may—

- (a) prescribe the amount of a charge or the maximum or minimum amount of a charge or a scale of charges by reference to which those amounts are to be ascertained;
- (b) prescribe the manner in which, the time at which and the person by whom a charge is to be paid.

[<sup>F4</sup>(3A) Before making regulations under this section, the Secretary of State must consult the persons who, in the Secretary of State's opinion, are likely to be affected by the regulations or such of those persons as the Secretary of State thinks fit.

(3B) Subsection (3A) does not apply if the Secretary of State is satisfied that such consultation is unnecessary having regard to consultation carried out by the CAA in accordance with subsection (1A). ]

(4) In so far as a scheme and regulations under this section make different provision with respect to the same matter the provision made by the scheme shall be disregarded.

(5) Where as respects any function of the CAA provision for a charge to be paid is made by virtue of this section it shall be the duty of the CAA to charge accordingly, except that it may, if it thinks fit to do so in a particular case, waive the whole or part of the charge.

(6) Nothing in the preceding provisions of this section shall be construed as derogating from the power of the CAA to enter into an agreement for the payment to it of charges of such amounts as may be determined in pursuance of the agreement in respect of the performance by it of any of its functions, other than a function in respect of which provision is made in pursuance of those provisions for the making of a charge or of no charge.

(7) Charges shall not be determined in pursuance of this section in respect of the provision of air navigation services; and provision shall not be made by or under an Air Navigation Order for the payment of fees to the CAA.

[<sup>F5</sup>(8) References in this section to functions of the CAA include functions conferred by or under Part 2 of the Aviation Security Act 1982 on authorised persons (as defined in that Part) to the extent that the functions are carried out by persons authorised by the CAA. ]

[<sup>F6</sup>(9) Charges shall not be determined in pursuance of this section in respect of any function conferred on the CAA by regulations under section 16 of the Space Industry Act 2018.]

#### Textual Amendments

- F1** Words in s. 11(1) omitted (6.4.2013) by virtue of [Civil Aviation Act 2012 \(c. 19\)](#), **ss. 100(2)**, 110(1) (with [Sch. 10 paras. 12, 17](#)); [S.I. 2013/589](#), art. 2(4)(a)
- F2** S. 11(1A) inserted (6.4.2013) by [Civil Aviation Act 2012 \(c. 19\)](#), **ss. 100(3)**, 110(1) (with [Sch. 10 paras. 12, 17](#)); [S.I. 2013/589](#), art. 2(4)(a)
- F3** Words in s. 11(2) substituted (6.4.2013) by [Civil Aviation Act 2012 \(c. 19\)](#), **ss. 100(4)**, 110(1) (with [Sch. 10 paras. 12, 17](#)); [S.I. 2013/589](#), art. 2(4)(a)
- F4** S. 11(3A)(3B) inserted (6.4.2013) by [Civil Aviation Act 2012 \(c. 19\)](#), **ss. 100(5)**, 110(1) (with [Sch. 10 paras. 12, 17](#)); [S.I. 2013/589](#), art. 2(4)(a)
- F5** S. 11(8) inserted (1.4.2014) by [Civil Aviation Act 2012 \(c. 19\)](#), s. 110(1), **Sch. 11 para. 2** (with [Sch. 10 paras. 12, 17](#)); [S.I. 2014/262](#), art. 3(a)

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**F6** S. 11(9) inserted (29.7.2021) by Space Industry Act 2018 (c. 5), s. 70(1), **Sch. 12 para. 3**; S.I. 2021/817, reg. 2, Sch. para. 117 (with reg. 3)

**Modifications etc. (not altering text)**

**C1** S. 11 extended (1.9.1995) by S.I. 1994/426 (N.I. 1), **art. 30(6)**; S.R. 1995/294, art. 2, **Sch.** (with arts. 2(3), 16)

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