

# Airports Act 1986

## **CHAPTER 31**

# AIRPORTS ACT 1986

## PART I

## TRANSFER OF UNDERTAKING OF BRITISH AIRPORTS AUTHORITY

#### Preliminary

1 Power to direct reorganisation of BAA's undertaking prior to appointed day

Dissolution of BAA and vesting of its property etc. in a successor company

- 2 Dissolution of BAA and vesting of its property etc. in a successor company
- 3 Cancellation of liabilities of BAA to the Secretary of State
- 4 Initial Government holding in the successor company
- 5 Government investment in securities of the successor company
- 6 Exercise of" functions through nominees
- 7 Target investment limit for Government shareholding
- 8 Financial structure of the successor company
- 9 Temporary restrictions on successor company's borrowings etc.

## Supplementary

- 10 Statements in connection with flotation
- 11 Application of Trustee Investments Act 1961 in relation to investment in the successor company

## PART II

TRANSFER OF AIRPORT UNDERTAKINGS OF LOCAL AUTHORITIES

## Preliminary

#### 12 Interpretation of Part II

## Transfer of airport undertakings of local authorities

- 13 Transfer of airport undertakings of local authorities to companies owned by such authorities
- 14 Airports to which s. 13 applies
- 15 Transfer schemes

#### Public airport companies

- 16 Public airport companies and their controlling authorities
- 17 Control over constitution and activities of public airport companies
- 18 Disabilities of directors of public airport companies
- 19 Prohibition on employment by public airport company of officers etc. of controlling authority
- 20 Powers of investment and disposal in relation to public airport companies
- 21 Capital controls relating to investment in public airport companies by local authorities in England and Wales
- 22 Other local authority capital controls in England and Wales
- 23 Local authority capital controls in Scotland
- 24 Provision of services for public airport companies
- 25 Financial backing for establishment and operations of public airport companies

## Supplementary

- 26 Avoidance of restrictions on transfer of securities of public airport companies
- 27 Consents under s. 30 of the 1982 Act
- 28 Compensation for loss or diminution of pension rights

#### PART III

#### REGULATION OF USE OF AIRPORTS, ETC.

- 29 Interpretation of Part III, etc.
- 30 Directions to airport operators in the interests of national security etc.
- 31 Traffic distribution rules
- 32 Power to limit aircraft movements at certain airports
- 33 Schemes for allocating capacity at airports
- 34 Matters to be taken into account by CAA
- 35 Regulation of availability of airports by reference to airport licences

#### PART IV

#### ECONOMIC REGULATION OF AIRPORTS

#### Preliminary

36 Interpretation of Part IV, etc.

## Permissions

- 37 Airports subject to economic regulation: requirement for permission to levy airport charges
- 38 Grant or refusal of permissions

#### Conditions

- 39 Imposition of conditions by CAA
- 40 Mandatory conditions in case of designated airports
- 41 Discretionary conditions
- 42 Discretionary conditions: supplementary provisions

#### References to Commission

- 43 References to Commission in relation to imposition or modification of conditions
- 44 Supplementary provisions relating to references
- 45 Reports on references
- 46 Imposition or modification of conditions following Commission's report
- 47 Charges to be paid by airport operators in respect of Commission's expenses

#### Enforcement of conditions

- 48 Breach of conditions other than accounts conditions: complaints and compliance orders
- 49 Validity and effect of compliance orders
- 50 Breach of accounts conditions: criminal penalties etc.

#### Supplementary

- 51 Supplementary provisions relating to conditions
- 52 Special provisions relating to groups of airports
- 53 Functions in relation to permissions and conditions initially exercisable by Secretary of State
- 54 Orders under the 1973 Act or 1980 Act modifying or revoking conditions
- 55 Application of Part IV to associated companies of airport operators
- 56 Co-ordination of exercise of functions by CAA and Director General of Fair Trading

#### PART V

STATUS OF CERTAIN AIRPORT OPERATORS AS STATUTORY UNDERTAKERS, ETC.

- 57 Scope of Part V
- 58 Application of enactments relating to statutory undertakings
- 59 Acquisition of land and rights over land
- 60 Disposal of compulsorily acquired land, 61. Compensation in respect of planning decisions relating to safety of airports etc.
- 61 Compensation in respect of planning decisions relating to safety of airports etc.
- 62 Provisions as to telecommunication apparatus

## PART VI

#### MISCELLANEOUS AND SUPPLEMENTARY

## Byelaws

- 63 Airport byelaws
- 64 Byelaws: penalties and power to revoke in certain cases

## Other provisions relating to airports

- 65 Control of road traffic at designated airports
- 66 Functions of operators of designated airports as respects abandoned vehicles
- 67 Provision of special accommodation at airports
- 68 Monitoring of aircraft movements
- 69 Duty of CAA with respect to implementation of recommendations concerning airport capacity
- 70 Extension of Shops (Airports) Act 1962
- 71 Capital controls in relation to local authority airport undertakings other than public airport companies

## Constitution of CAA

72 Increase in maximum number of members of CAA

#### Supplementary

- 73 Furnishing of information etc. to CAA
- 74 Restriction on disclosure of information
- 75 Supplementary provisions relating to transfer schemes
- 76 Stamp duty
- 77 Corporation tax
- 78 Offences by bodies corporate
- 79 Orders and regulations
- 80 Directions etc.
- 81 Financial provisions
- 82 General interpretation.
- 83 Amendments, transitional provisions and repeals
- 84 Application of provisions of Act to certain overseas territories
- 85 Short title, commencement and extent

## SCHEDULES

SCHEDULE 1 — Application of Part IV to Associated Companies of Airport Operators

## Preliminary

1 This Schedule has effect for the purpose of authorising or...

## Section 39

2 Section 39(1) and (4) shall apply to any subsidiary conditions...

## Section 40

3 (1) Where an associated company of the airport operator in...

## Section 41

4 In section 41— (a) in subsection (1), the reference to...

## Section 42

5 In section 42(2) and (3)— (a) references to an airport...

#### Section 43

6 (1) Where an associated company of the airport operator in...

## Section 44

7 (1) In relation to any reference to which paragraph 6(1)...

## Section 45

8 (1) In section 45(3) the reference to an airport operator...

#### Section 48

9 (1) In section 48(1)(a) the reference to the airport operator...

#### Section 49

10 (1) In section 49(1) and (9) any reference to an...

#### Section 50

- 11 (1) In section 50 any reference to an airport operator...
- 12 (1) Section 51(3) shall apply in relation to any subsidiary...

## Section 54

13 In section 54(3)(b), the reference to an airport operator shall...

SCHEDULE 2 — Application of Enactments Relating to Statutory Undertakers etc.

#### *General application of enactments*

1 (1) Any airport to which this Part applies shall be...

## Application of particular enactments

- 2 In the Public Health Act 1936— (a) section 330 (power...
- 3 (1) The following provisions (which relate to the protection of...
- 4 A relevant airport operator shall be deemed to be a...
- 5 For the purposes of section 112 of the Land Drainage...
- 6 In the Building Act 1984— (a) section 4(1)(b) (exemption of...

SCHEDULE 3 — Airport Byelaws made by Persons other than the Secretary of State

- 1 References in this Schedule to the airport operator in relation...
- 2 Where the airport operator is a body corporate, the byelaws...

- 3 At least one month before application for confirmation of the...
- 4 For at least one month before application for confirmation is...
- 5 The airport operator shall, on application made by any person...
- 6 The Secretary of State may confirm with or without modifications,...
- 7 A copy of the byelaws, when confirmed, shall be printed...
- 8 The production of a printed copy of a byelaw purporting...

SCHEDULE 4 — Consequential Amendments

TOWN AND COUNTRY PLANNING ACT 1971 (C. 78)

1 In section 223(2)(b) (cases in which land is to be...

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1972 (C. 52)

2 In section 212(2)(b) (cases in which land is to be...

FAIR TRADING ACT 1973 (C. 41)

3 In section 133(2) (exceptions to general restriction on disclosure of...

Consumer Credit Act 1974 (C. 39)

4 In section 174(3)(a) (exceptions to general restriction on disclosure of...

RESTRICTIVE TRADE PRACTICES ACT 1976 (C. 34)

5 In section 41(1)(o) (disclosure of information), after " the Director...

ESTATE AGENTS ACT 1979 (C. 38)

6 In section 10(3)(a) (exceptions to general restriction on disclosure of...

COMPETITION ACT 1980 (C. 21)

7 In section 19 (restriction on disclosure of information)—

CIVIL AVIATION ACT 1982 (C. 16)

8 (1) In section 23(6) (disclosure of information), for "28...

AVIATION SECURITY ACT 1982 (C. 36)

9 In section 29 (control of road traffic at designated airports)—...

LOCAL GOVERNMENT ACT 1985 (C. 51)

10 In section 40(3) (airports), for " to 33, 35, 37(3),...

SCHEDULE 5 — Transitional Provisions

## Supplementary provisions as to vesting of property etc. of BAA

- 1 Any agreement made, transaction effected or other thing done by,...
- 2 Where immediately before the appointed day there is in force...
- 3 It is hereby declared for the avoidance of doubt that—...

## Financial provisions

- 4 The terms which, by virtue of section 4(2) of the...
- 5 The terms which, by virtue of section 6(2) of the...
- 6 Subsections (2) to (5) of section 7 of the 1975...

## Final statements of accounts etc.

- 7 (1) The successor company shall prepare a statement of the...
- 8 (1) The successor company shall make to the Secretary of...
- 9 (1) Where it is proposed to declare a distribution during...

#### Compulsory purchase orders

10 A compulsory purchase order made under section 17 of the...

#### Byelaws and regulations relating to airports

11 (1) Any byelaws made or having effect as if made...

## Control of road traffic

12 Where immediately before the appointed day section 13 of the...

## Abandoned vehicles

13 Where immediately before the appointed day any order is in...

#### Cargo areas

14 Notwithstanding the repeal by this Act of section 12 of...

## Extension of Shops (Airports) Act 1962

15 Any order designating an airport for the purposes of the...

#### SCHEDULE 6 — Repeals

- PART I REPEALS COMING INTO FORCE ON THE APPOINTED DAY
- PART II REPEALS COMING INTO FORCE ON A DATE APPOINTED UNDER SECTION 85(5)