



Civil Aviation Act 2006

2006 CHAPTER 34

Public airport companies

5 Public airport companies: power of Secretary of State to specify additional activities

- (1) The Airports Act 1986 (c. 31) is amended as follows.
- (2) In section 17 (control over constitution and activities of public airport companies) at the end add—
 - “(6) In subsection (4)—
 - (a) paragraph (a) does not apply in relation to any activity which is a permitted activity in relation to the company by virtue of regulations under section 17A, and
 - (b) paragraph (b) does not apply in relation to any activity which is a permitted activity in relation to the subsidiary by virtue of any such regulations.”
- (3) After section 17 insert—

“17A Additional activities of public airport companies

- (1) The Secretary of State may by regulations provide for any activity specified in the regulations to be a “permitted activity” in relation to—
 - (a) a public airport company, or
 - (b) a subsidiary of a public airport company,for the purposes of section 17(6).
- (2) Any activity so specified must be an activity which appears to the Secretary of State to be incidental to, or connected with, carrying on the business of operating an airport as a commercial undertaking.
- (3) Regulations under this section may provide for an activity to be a permitted activity only if—

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- (a) it is carried on in such countries or territories as are specified in the regulations;
 - (b) any conditions as are so specified are complied with.
- (4) Such conditions may include, in particular, conditions requiring agreements relating to the provision of services in the carrying on of the activity to include provision for the payment of proper commercial charges in respect of those services.
- (5) Regulations under this section may be made so as to apply to—
 - (a) public airport companies or subsidiaries of such companies generally;
 - (b) public airport companies of a particular description or subsidiaries of any such companies;
 - (c) a particular public airport company;
 - (d) subsidiaries, or a particular subsidiary, of a particular public airport company;and may make different provision for different cases.
- (6) For the purposes of this section—
 - (a) “activity” includes one that involves participating in, or making financial contributions towards, an activity carried on by, or jointly with, other persons; and
 - (b) “airport” is not limited to one operated by a public airport company.
- (7) This section applies only in relation to—
 - (a) public airport companies which are subsidiaries of controlling authorities in England or Wales, or
 - (b) subsidiaries of such companies.”

Commencement Information

II S. 5 in force at 1.3.2007 by S.I. 2007/598, art. 2, Sch. 1

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