
Status: Point in time view as at 01/04/2001.

Changes to legislation: There are currently no known outstanding effects for the Civil Aviation Act 1982, SCHEDULE 14. (See end of Document for details)

SCHEDULES

SCHEDULE 14

Section 109.

TRANSITIONAL AND TRANSITORY PROVISIONS AND SAVINGS

General

- 1 Where any enactment has been repealed (whether by this Act or otherwise) but, by virtue of any provision of the Act making the repeal (including a provision delaying the coming into force of the repeal), continues on and after the operative date to have effect for any purpose, then any other enactment repealed by this Act which, but for its repeal, would have effect for the purpose of construing or otherwise giving effect to the first mentioned enactment shall, notwithstanding its repeal, continue to have effect in relation to that provision for that purpose.
- 2 (1) Subject to sub-paragraph (2) below, where any period of time specified in an enactment re-enacted by this Act is current on the operative date, this Act shall have effect as if the provision of this Act re-enacting that enactment had been in force when that period began to run.
(2) A person shall not, by virtue of sub-paragraph (1) above, be liable in respect of any offence which continues or continued during any period beginning before the operative date to any penalty greater than that which might have been imposed on him apart from this Act; and accordingly the maximum penalty for such an offence shall be determined in accordance with the law in force immediately before the operative date.
- 3 Where anything was done before the operative date for the purposes of any enactment which is re-enacted by any provision of this Act the doing of that thing shall, on and after that date, have effect so far as may be necessary for giving the doing of that thing continuing effect as if that provision had been in force when the thing was done and as if the thing had been done for the purposes of that provision.

Extra-territorial provisions

- 4 (1) The repeals made by this Act shall not affect the law in force in any country or territory which is outside the United Kingdom and is not a relevant overseas territory.
(2) The provisions of this Act, including the repeal of any power by Order in Council to extend any enactment to a relevant overseas territory or of any enactment which has been so extended, do not extend to any such territory except in so far as they are extended to that territory by an Order in Council under section 108(1) of this Act.
(3) Subsection (2) of section 59 of the ^{M1}Civil Aviation Act 1949 shall continue to have effect for the purposes of any Order in Council made under that subsection and in force before the coming into operation of Schedule 1 to the ^{M2}Civil Aviation (Amendment) Act 1982, and for the purpose of varying or revoking such an Order.

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Marginal Citations

- M1 1949 c. 67.
- M2 1982 c. 1.

Byelaws

- 5 (1) F1
- (2) Section 97(6)(b) of this Act shall not affect the validity of any byelaws made before the end of July 1936.

Textual Amendments

- F1 Sch. 14 para. 5(1) repealed by Airports Act 1986 (c. 31, SIF 9), s. 83(5), Sch. 6 Pt. II

Section 6 of the Civil Aviation Act 1949

- 6 Notwithstanding the repeal of section 6 of the ^{M3}Civil Aviation Act 1949, a certificate under subsection (3) of that section shall continue to be conclusive of the matters certified.

Marginal Citations

- M3 1949 c. 67.

Lighthouse authorities

- 7 The rights, powers and privileges of any general or local lighthouse authority shall not be prejudiced by, or by an instrument under, any of the following provisions of this Act, that is to say, sections 39, 41, 43, 47, 60, 62, 73 to 77, 81, 87, 89, 96, 97 and 107(2).

The Hovercraft Act 1968

- 8 The enactments and instruments with respect to which provision may be made by Order in Council in pursuance of section 1(1)(h) of the ^{M4}Hovercraft Act 1968 shall, notwithstanding the repeal by this Act of paragraph 49 of Schedule 1 to the ^{M5}Civil Aviation (Amendment) Act 1982, continue to include the ^{M6}Civil Aviation Act 1980 and any instrument made under that Act.

Marginal Citations

- M4 1968 c. 59.
- M5 1982 c. 1.
- M6 1980 c. 60.

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Schedule 9 to the Civil Aviation Act 1971

9 The repeal by this Act of Schedule 9 to the ^{M7}Civil Aviation Act 1971 shall not affect the validity of—

- (a) any alteration in a valuation list made in consequence of paragraph 5 of that Schedule; or
- (b) any operator’s licence issued under Part V of the ^{M8}Transport Act 1968 in pursuance of an application in relation to which paragraph 8 of that Schedule applied;

and notwithstanding that repeal, the valuation roll and valuation lists to which paragraphs 6(1) and 7 respectively of that Schedule applied shall continue to have effect as modified by virtue of those paragraphs.

Marginal Citations

M7 1971 c. 75.

M8 1968 c. 73.

Section 1 of the Civil Aviation Act 1978

10 ^{F2}

Textual Amendments

F2 Sch. 14 para. 10 repealed by Aviation Security Act 1982 (c. 36, SIF 9), s. 40, Sch. 3

Section 7 of the Civil Aviation Act 1978

^{F3}11

Textual Amendments

F3 Sch. 14 para. 11 repealed (8.11.1995) by 1995 c. 44, s. 1, Sch. 1 Pt. V

The British Nationality Act 1981

12 (1) Until the commencement of the ^{M9}British Nationality Act 1981—

- (a) section 95(1)(b) of this Act shall have effect as if for the reference to Schedule 3 to the said Act of 1981 there were substituted a reference to section 1(3) of the ^{M10}British Nationality Act 1948;
- (b) section 105(1) of this Act shall have effect as if for the definition of “United Kingdom national” there were substituted the definition specified in sub-paragraph (2) below; and
- (c) paragraph 6(1) of Part III of Schedule 13 to this Act shall have effect as if for the reference to Commonwealth citizens there were substituted a reference to British subjects.

(2) The definition referred to in sub-paragraph (1)(b) above is as follows:—

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“United Kingdom national” means an individual who is—

- (a) a citizen of the United Kingdom and Colonies; or
- (b) a British subject by virtue of section 2 of the ^{M11}British Nationality Act 1948; or
- (c) a British subject without citizenship by virtue of section 13 or 16 of the said Act of 1948; or
- (d) a British subject by virtue of the ^{M12}British Nationality Act 1965; or
- (e) a British protected person within the meaning of the said Act of 1948.

Marginal Citations

- M9** 1981 c. 61.
- M10** 1948 c. 56.
- M11** 1948 c. 56.
- M12** 1965 c. 34.

Interpretation

- 13 In this Schedule “the operative date” means the date of the coming into force of this Act.

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