



# Civil Aviation Act 1949

## CHAPTER 67

### CIVIL AVIATION ACT 1949

#### PART I

##### CENTRAL ADMINISTRATION

- 1 Appointment and: functions of Minister of Civil Aviation
- 2 Oath of allegiance and official oath
- 3 Appointment of officers, remuneration and expenses
- 4 Capacity to sit in House of Commons
- 5 Seal, style and acts of Minister
- 6 Transfer to Minister of property, rights and liabilities relating to civil aviation
- 7 Delegation of certain functions of Minister

#### PART II

##### REGULATION OF CIVIL AVIATION

##### *General*

- 8 Power to give effect to Chicago Convention and regulate air navigation
- 9 Control of aviation in time of war or emergency
- 10 Investigation of accidents
- 11 Dangerous flying

##### *Air Transport*

- 12 Air Transport Advisory Council
- 13 Licensing of air transport and commercial flying
- 14 Information as to air transport undertakings and use of customs aerodromes

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- 15 Terms and conditions of employment of persons employed by air transport undertakings

### **PART III**

#### **AERODROMES AND OTHER LAND**

##### *Minister's Aerodromes*

- 16 Minister's power to provide aerodromes  
17 Consultation with Ideal bodies  
18 Sanitary control on Minister's aerodromes

##### *Local authorities' aerodromes*

- 19 Power of local authorities to provide aerodromes  
20 Power to carry on ancillary businesses  
21 Provisions as to London  
22 Other statutory bodies in Northern Ireland

##### *Ministers' power over land in connection with civil aviation*

- 23 Power to acquire and manage land  
24 Power to obtain rights over land  
25 Power to prohibit or restrict use of civil aerodromes  
26 Power to exercise control over land in the interests of civil aviation  
27 Indication of presence of obstructions near licensed aerodromes  
28 Power of Minister of Transport to stop up and divert highways, etc., in the interests of civil aviation  
29 Power of entry for purposes of survey  
30 Special provisions relating to statutory undertakers  
31 Displacements from land  
32 Consecrated land and burial grounds  
33 Registration of certain orders in the register of local land charges  
34 Notices  
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36 Compensation of officers

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- 40 Liability of aircraft in respect of trespass, nuisance and surface damage  
41 Nuisance caused by aircraft on aerodromes  
42 Limitation of liability  
43 Compulsory third-party insurance  
44 Certificates of insurance or security  
45 Rights under policies, etc.  
46 Offences in connection with policies, etc.  
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48 Power to give effect to Rome Convention

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- 49 Supplemental provisions for Part IV
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- 53 Exemption of aircraft and parts thereof from seizure on patent claims
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### SCHEDULES

#### FIRST SCHEDULE — Provisions relating to certain Orders under Part III

##### PART I

- 1 Before making the order, the Minister— (a) shall publish in...
- 2 If no objection is duly made by any such local...
- 3 If any objection duly made as aforesaid is not withdrawn,...
- 4 Notwithstanding anything in the two last foregoing paragraphs, the Minister...
- 5 Immediately after the order has been made, the Minister shall...

##### PART II

- 6 If any person aggrieved by the order desires to question...
- 7 Subject to the provisions of the last foregoing paragraph, the...
- 8 This Part of this Schedule shall not apply to an...

##### PART III

- 9 Any person having an interest in land the value of...

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- 10 Where the order comes into operation before the expiration of...
- 11 Where any interest in land is subject to a mortgage—...
- 12 Where the order provides for the creation of any easement...

#### PART IV

- 13 In the application of this Schedule to Scotland—

#### SECOND — Provisions relating to Orders under S. 25

##### SCHEDULE

- 1 Any person having an interest in land to which the...
- 2 Where the order comes into operation before the expiration of...
- 3 Paragraph 11 of the First Schedule to this Act shall...
- 4 Any person who sustains damage by being disturbed in the...
- 5 For the purposes of assessing compensation under this Schedule, in...
- 6 Where any dispute arises as to whether compensation is payable...

#### THIRD SCHEDULE — Provisions relating to directions under S. 26

##### PART I

- 1 Immediately after the Minister has given the direction, he shall...
- 2 The provisions of Part II of the First Schedule to...

##### PART II

- 3 Any person having an interest in land the value of...
- 4 Where the direction comes into operation before the expiration of...
- 5 Paragraph 11 of the First Schedule to this Act shall...
- 6 Any person who sustains damage by being disturbed in the...
- 7 The Minister shall pay compensation in respect of any expenditure...
- 8 The compensation payable to any person by virtue of the...
- 9 For the purpose of assessing compensation under this Schedule, in...
- 10 Where any dispute arises as to whether compensation is payable...
- 11 Where the direction affects any building, structure, or apparatus held...

#### FOURTH SCHEDULE — Adjustments of the Functions of Statutory Undertakers

##### PART I

- 1 Where it appears to the Minister and the appropriate Minister,...
- 2 Without prejudice to the generality of the provisions of the...
- 3 As soon as may be after the making of a...
- 4 The provisions of the First Schedule to the Town and...
- 5 An order under this Part of this Schedule shall be...

##### PART II

- 6 Where on a representation in that behalf made by the...
- 7 As soon as may be after the making of a...
- 8 The provisions of the First Schedule to the Town and...
- 9 If any objection to the making of an order under...

##### PART III

- 10 This Schedule shall apply to Scotland subject to the following...

#### FIFTH SCHEDULE — Limits of Liability

- 1 The limits of liability under subsection (1) of section forty-two...
- 2 References in the foregoing Table to pounds of weight shall...

#### SIXTH SCHEDULE — Provisions as to Policies of Insurance, Securities and Deposits

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*Rights and remedies under or in respect of policies and securities*

- 1 (1) Where a certificate of insurance has been delivered in...
- 2 (1) If, after a certificate of insurance has been delivered...
- 3 Where a certificate of insurance has been delivered in connection...
- 4 (1) Any person against whom a claim is made in...
- 5 (1) Where a certificate of insurance has been delivered in...
- 6 The foregoing provisions of this Schedule shall apply in relation...

*Deposits*

- 7 (1) No part of any sum which, for the purpose...

*Supplementary Provisions*

- 8 (1) The Minister may make regulations— (a) for prescribing the...

SEVENTH — Survival of Causes of Action in Northern Ireland after Death  
SCHEDULE

- 1 This Schedule applies to every cause of action in respect...
- 2 Subject to the provisions of this Schedule, on the death...
- 3 Where a cause of action to which this Schedule applies...
- 4 No proceedings shall be maintainable in respect of a cause...
- 5 Where damage has been suffered by reason of any circumstances...
- 6 In the event of the insolvency of an estate against...

EIGHTH SCHEDULE — Patent Claims against Aircraft not protected under Chicago  
Convention

- 1 Where it is alleged by any person interested that a...
- 2 The deposited sum shall be such sum as may be...
- 3 The deposited sum shall be dealt with by such tribunal...
- 4 For the purposes of this Schedule, the expression " owner...

NINTH SCHEDULE —

- PART I — PROVISIONS WHICH MAY BE ADAPTED FOR NORTHERN IRELAND  
PART II — PROVISIONS WHICH MAY BE EXTENDED TO THE COLONIES, ETC.

TENTH SCHEDULE — Orders for the Compulsory Purchase of Land in Northern Ireland  
under s. 19 (2)

PART I

*Provisions as to the Compulsory Acquisition of Land*

- 1 A compulsory purchase order shall be in the prescribed form...
- 2 The modifications subject to which the Lands Clauses Acts and...
- 3 Before submitting a compulsory purchase order to the Minister, the...
- 4 If no objection to a compulsory purchase order is duly...
- 5 (1) Where the Minister causes a local inquiry to be...
- 6 For the purposes of this Part of this Schedule a...

PART II

*Restrictions on Acquisition of Land*

- 1 The Minister shall not confirm a compulsory purchase order authorising...

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- 2 In this Part of this Schedule— (a) the expression "...  
PART III

*Validity and date of operation of Compulsory Purchase Orders*

- 1 As soon as may be after a compulsory purchase order...  
2 If any person aggrieved by a compulsory purchase order desires...  
3 Subject to the foregoing provisions of this Part of this...  
4 Except by leave of the Court of Appeal no appeal...

PART IV

*Regulations*

ELEVENTH — Amendments of other Enactments  
SCHEDULE

*Public Health Act, 1936, s. 143*

- 1 (1) In section one hundred and forty-three of the Public...

*Public Health (Scotland) Act, 1945, s. 1*

- 2 (1) Section one of the Public Health (Scotland) Act, 1945...

*Air Navigation Act, 1936*

- 3 Part VI of this Act applies to sections twenty-four and...

*Railway (Air Transport) Acts*

- 4 In the Great Western Railway (Air Transport) Act, 1929, the...

*Other Local and Private Acts*

- 5 Any enactment contained in a local or private Act other...

TWELFTH — Repeals  
SCHEDULE