

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends section 44(10) of the Civil Aviation Act 1982 in consequence of the amendments to subsection (7) of that section effected by Part I of the Transport Act 2000.

Section 44 of the Civil Aviation Act 1982 gives the Secretary of State power to obtain by order rights over land to secure the safe and efficient use of any land for civil aviation purposes. As originally enacted, section 44(7) of the Civil Aviation Act 1982 stated that the ownership of anything placed on or under, or affixed to any land subject to an order under section 44 would not be affected by reason of the order and prohibited unauthorised interference with any works on such land. Subsection (10) set out the penalties for any contravention of subsection (7).

Subsection (7) of section 44 of the Civil Aviation Act 1982 was amended by Section 36 of and paragraph 4 of Schedule 4 to the Transport Act 2000. That part of subsection (7) which prohibited unauthorised interference with any works on land subject to an order under section 44 was put into a new subsection: subsection (7A).