



# Civil Aviation Act 1982

## 1982 CHAPTER 16

### PART I

#### ADMINISTRATION

##### *Supplemental provisions in relation to CAA*

#### 18 Official secrets.

- (1) .....<sup>F1</sup>
- (2) For the purposes of section 3(c) of the said Act of 1911 (under which the Secretary of State may by order declare any place belonging to Her Majesty to be a prohibited place for the purposes of that Act) a place belonging to or used for the purposes of the CAA shall be deemed to be a place belonging to Her Majesty.
- (3) Subject to subsection (4) below, no person shall, except with the consent of and in accordance with any conditions imposed by the CAA, be entitled to exercise any right of entry (whether arising by virtue of a statutory provision or otherwise) upon a place which by virtue of subsection (2) above is a prohibited place for the purposes of the said Act of 1911.
- (4) Subsection (3) above shall not apply to—
- (a) a constable acting in the course of his duty as such; or
  - (b) an officer of customs and excise or inland revenue acting in the execution of his duty as such; or
  - (c) an officer of any government department specially authorised for the purpose by or on behalf of a Minister of the Crown;
  - [<sup>F2</sup>(d) a member of the staff of the Scottish Administration specially authorised for the purpose by or on behalf of the Scottish Ministers;]

and if the CAA refuses consent or imposes conditions on the exercise by any person of a right of entry upon such a place as is mentioned in subsection (3) above and that person applies to [<sup>F3</sup>the Secretary of State or the Scottish Ministers as the case may be for an authorisation to exercise the right, the Secretary of State or the Scottish

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Ministers may if he or they think fit authorise that person to exercise it subject to such conditions, if any, as the Secretary of State or the Scottish Ministers may determine].

#### Textual Amendments

- F1** S. 18(1) repealed by [Official Secrets Act 1989 \(c. 6, SIF 39:2\)](#), s. 16(4), [Sch. 2](#)  
**F2** S. 18(4)(d) inserted (1.7.1999) by [S.I. 1999/1820, art. 4](#), [Sch. 2 Pt. I para. 69\(2\)\(a\)](#)  
**F3** Words in s. 18(4)(d) substituted (1.7.1999) by [S.I. 1999/1820, art. 4](#), [Sch. 2 Pt. I para. 69\(2\)\(b\)](#)

## 19 Application of certain enactments to CAA.

<sup>F4</sup>(1) . . . . .

- (2) Schedule 2 to this Act shall have effect as respects the application of the enactments mentioned in that Schedule (which relate to statutory undertakers, statutory undertakings and related matters).
- (3) For the purposes of the law relating to rating, the undertaking of the CAA shall be treated as not being a public utility undertaking.

#### Textual Amendments

- F4** S. 19(1) repealed (1.7.2011) by [Bribery Act 2010 \(c. 23\)](#), s. 19(1), [Sch. 2](#) (with [ss. 16, 19\(5\)](#)); [S.I. 2011/1418, art. 2](#)

## 20 Supplementary provisions with respect to the functions of CAA.

(1) The CAA—

- (a) shall, without prejudice to its powers apart from this paragraph but subject to paragraph (b) below, have power to do anything which is calculated to facilitate, or is conducive or incidental to, the performance of any of its functions (including a function conferred on it by virtue of this paragraph); but
- (b) shall not without the consent in writing of the Secretary of State promote the formation of, acquire or acquire a financial interest in a body corporate or lend money to or enter into a guarantee for the benefit of a body corporate;

and it is hereby declared that the CAA has power to do elsewhere than in the United Kingdom such things as it considers appropriate for the purpose of performing any of its functions.

[<sup>F5</sup>(1A) The power conferred on the CAA by subsection (1)(a) includes power to institute and carry on criminal proceedings in England and Wales or Northern Ireland. ]

(2) Notwithstanding anything in section 2(4) above, the CAA shall act on behalf of the Crown—

- (a) in performing any function which the CAA is authorised by an Air Navigation Order to perform and which in pursuance of, or of an Annex to, or of an amendment for the time being in force of, the Chicago Convention falls to be performed on behalf of the Crown; and
- (b) in performing such of its other functions as Her Majesty may by Order in Council require it to perform on behalf of the Crown as being functions appearing to Her Majesty in Council to relate to the exercise of powers or

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the discharge of obligations of the United Kingdom under an international agreement.

- (3) It shall be the duty of the CAA to comply with any direction given to it by the Secretary of State in pursuance of any provision of this Act.
- (4) Provision may be made by regulations made by the Secretary of State as to the mode of giving evidence of—
  - (a) any instrument made by the CAA; and
  - (b) the publication by the CAA of any matter.
- [<sup>F6</sup>(5) References in this section to functions of the CAA include functions conferred by or under Part 2 of the Aviation Security Act 1982 on authorised persons (as defined in that Part) to the extent that the functions are carried out by persons authorised by the CAA.]

#### Textual Amendments

- F5** S. 20(1A) inserted (19.2.2013) by [Civil Aviation Act 2012 \(c. 19\)](#), **ss. 101**, 110(3)(d) (with [Sch. 10 paras. 12, 17](#))
- F6** S. 20(5) inserted (1.4.2014) by [Civil Aviation Act 2012 \(c. 19\)](#), s. 110(1), **Sch. 11 para. 3** (with [Sch. 10 paras. 12, 17](#)); [S.I. 2014/262](#), art. 3(a)

## 21 Annual report.

- (1) It shall be the duty of the CAA to make to the Secretary of State, as soon as possible after the end of each accounting year, a report on the performance of its functions during that year.
- (2) The report for any accounting year—
  - (a) shall set out any direction given to the CAA in pursuance of section 6<sup>F7</sup> . . . of this Act during that year except a direction or part of a direction as to which the Secretary of State has notified the CAA that in his opinion it is against the national interest to set it out in the report;
  - (b) shall incorporate any statements published by the CAA under section 69 below during that year;
  - (c) <sup>F8</sup> . . . . .
  - (d) shall include such information as the Secretary of State may from time to time specify with respect to the plans and the past and present activities of the CAA and its financial position.
- [<sup>F9</sup>(e) shall contain a statement by the CAA about efficiency in the performance of its functions (an “efficiency statement”);
- (f) shall contain the auditors' assessment mentioned in subsection (2B).]
- [<sup>F10</sup>(2A) The Secretary of State may from time to time give directions about matters that must be covered in an efficiency statement, including matters relating to the plans or the past or present activities of the CAA.
- (2B) The auditors appointed under section 15(2) in respect of an accounting year must produce an assessment of the efficiency statement for that year.]
- (3) The Secretary of State shall lay before each House of Parliament a copy of every report made to him in pursuance of this section.

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#### Textual Amendments

- F7** Words in s. 21(2)(a) repealed (1.4.2001) by 2000 c. 38, s. 274, **Sch. 31 Pt. I(5)**; S.I. 2001/869, **art. 2**
- F8** S. 21(2)(c) repealed (16.2.2004) by **The Aviation Safety Regulations 2004 (S.I. 2004/77)**, **reg. 2(2)** (with savings in **reg. 2(6)**)
- F9** S. 21(2)(e)(f) inserted (1.4.2014) by **Civil Aviation Act 2012 (c. 19)**, **ss. 102(2)**, 110(1) (with Sch. 10 paras. 12, 17); S.I. 2013/589, art. 5(2)
- F10** S. 21(2A)(2B) inserted (1.4.2014) by **Civil Aviation Act 2012 (c. 19)**, **ss. 102(3)**, 110(1) (with Sch. 10 paras. 12, 17); S.I. 2013/589, art. 5(2)

## 22 Matters arising in connection with original transfer to CAA of property, staff, etc.

Schedule 3 to this Act shall have effect with respect to the matters there dealt with, being matters arising out of the transfer by virtue of paragraph 1 of Schedule 2 to the <sup>M1</sup>Civil Aviation Act 1971 to the CAA of the aerodromes mentioned in the said Schedule 2 and of the other property, rights and liabilities there mentioned and out of the transfer of staff to the CAA.

#### Marginal Citations

- M1** 1971 c. 75.

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