

Status: Point in time view as at 16/02/2004.

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

SCHEDULES

SCHEDULE 10

ADJUSTMENTS OF THE FUNCTIONS OF STATUTORY UNDERTAKERS

Modifications etc. (not altering text)

C1 Schs. 7–10 extended with modifications by [Airports Act 1986 \(c. 31, SIF 9\), s. 59\(3\)\(4\)](#)

PART II

- 6 Where on a representation made for the purpose by the person carrying on a statutory undertaking the Secretary of State is satisfied that the making of any order under or in pursuance of Part II of this Act or the giving of any direction in pursuance of the said Part II has rendered impracticable the fulfilment of any obligation of that person incurred in connection with the carrying on of the undertaking, the Secretary of State may by order direct that that person shall be relieved of the fulfilment of the obligation either absolutely or to such extent as may be specified in the order.
- 7 As soon as may be after the making of a representation to the Secretary of State under paragraph 6 above the person carrying on the undertaking in question shall, as may be directed by the Secretary of State, do one or both of the following, that is to say—
- (a) in such manner as may be so directed, a notice giving such particulars as may be so directed of the matters to which the representation relates and specifying the time within which, and the manner in which, objections to the making of an order on the representation may be made; and
 - (b) serve such a notice on such persons, or persons of such classes, as may be so directed.
- 8 The provisions of [^{F1}section 278 of the Town and Country Planning Act 1990] and [^{F2}section 231 of the Town and Country Planning (Scotland) Act 1997] shall have effect as if—
- (a) references in [^{F3}the said section 278 to section 277 of the said Act of 1990].
[^{F4}and]
 - (b) references in the said [^{F5}section 231 to section 230 of the said Act of 1997],
^{F6} . . .
 - ^{F6}(c)
- included references to this Part of this Schedule; and, subject to those provisions in a case in which they have effect, the Secretary of State may, if he thinks fit, make an order.

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Textual Amendments

- F1 Words substituted by [Planning \(Consequential Provisions\) Act 1990](#) (c. 11, SIF 123:1, 2), s. 4, [Sch. 2 para. 55\(5\)\(b\)\(i\)](#)
- F2 Words in [Sch. 10 para. 8](#) substituted (27.5.1997) by 1997 c. 11, ss. 4, 6(2), [Sch. 2 para. 35\(5\)\(b\)\(i\)](#)
- F3 Words substituted by [Planning \(Consequential Provisions\) Act 1990](#) (c. 11, SIF 123:1, 2), s. 4, [Sch. 2 para. 55\(5\)\(b\)\(ii\)](#)
- F4 Word in [Sch. 10 para. 8](#) inserted (27.5.1997) by 1997 c. 11, ss. 4, 6(2), [Sch. 2 para. 35\(5\)\(b\)\(ii\)](#)
- F5 Words in [Sch. 10 para. 8\(b\)](#) substituted (27.5.1997) by 1997 c. 11, ss. 4, 6(2), [Sch. 2 para. 35\(5\)\(b\)\(iii\)](#)
- F6 [Sch. 10 para. 8\(c\)](#) and the preceding “and” repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), [Sch. 1 Pt. I](#)

- 9 If any objection to the making of an order under this Part of this Schedule is made and is not withdrawn before the making of the order, the order shall be subject to special parliamentary procedure.

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