

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Civil Aviation Act 1982, SCHEDULE 4. (See end of Document for details)

SCHEDULES

SCHEDULE 4

Section 24.

EUROCONTROL

- 1 (1) Eurocontrol shall have the legal capacity of a body corporate; and anything which may be required or authorised by law to be done by or to Eurocontrol may be done by or to the Agency on behalf of Eurocontrol.
- (2) Eurocontrol shall be entitled to the exemptions and reliefs described in paragraphs 3 to 5 of Schedule 1 to the ^{M1}International Organisations Act 1968 (rates and taxes, import duties and import and export restrictions).
- (3) Subject to sub-paragraph (4) below, [^{F1}the inviolability which, in accordance with the 1961 Convention Articles, is accorded in respect of the official archives and premises of a diplomatic mission] shall extend to the official archives of Eurocontrol, and to premises occupied by Eurocontrol wholly or mainly for the housing of its installations; and without prejudice to the foregoing provisions, no judgment or order of any court shall be enforced by the levying of execution or by diligence upon anything forming part of any such installations.
- (4) Sub-paragraph (3) above (except so far as it relates to execution or diligence) shall not preclude access to any premises or the inspection of any record or document [^{F2}where the Director-General of the Agency is given advance notice of the exercise of the power conferred by this sub-paragraph and the access or inspection is]—
- (a) by a constable or other person acting in the execution of a warrant or other legal process;
 - (b) by a Court of Inquiry or an Inspector of Accidents acting in pursuance of regulations made under section 75 of this Act; or
 - (c) by a constable having reason to believe that an offence has been or is being or is about to be committed on the premises.
- [^{F3}(4A) Without prejudice to the preceding provisions of this paragraph, the property and assets of Eurocontrol shall be immune from the exercise by any person of any right or power without the leave of a court to seize or otherwise interfere with such property or assets.
- (4B) No court or tribunal in the United Kingdom shall have jurisdiction in respect of any matter involving Eurocontrol and any of its officers or servants, being a matter which by virtue of any international agreement to which the United Kingdom is a party is within the exclusive jurisdiction of the Administrative Tribunal of the International Labour Organisation.
- (4C) For the purposes of sub-paragraph (4B) above, a certificate of the Secretary of State that any matter is or is not, as mentioned in that sub-paragraph, within the exclusive jurisdiction of the Administrative Tribunal of the International Labour Organisation shall be conclusive of what is certified.]

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(5) In this paragraph—

“the Agency” means the Air Traffic Services Agency comprised in Eurocontrol;

“installations” means apparatus for locating, directing, affording navigational aid to, or otherwise communicating with, aircraft in flight, including apparatus for recording or processing material received or transmitted by such apparatus, and any other apparatus for use in connection with any such apparatus as aforesaid;

[^{F4}“the 1961 Convention Articles” means the Articles (being certain Articles of the Convention on Diplomatic Relations signed in 1961) which are set out in Schedule 1 to the Diplomatic Privileges Act 1964;]

“record” has the same meaning as in section 73 of this Act.

Textual Amendments

- F1** Words substituted by [Civil Aviation \(Eurocontrol\) Act 1983 \(c. 11, SIF 9\), s. 2\(1\)\(2\)](#)
F2 Words inserted by [Civil Aviation \(Eurocontrol\) Act 1983 \(c. 11, SIF 9\), s. 2\(1\)\(3\)](#)
F3 [Sch. 4\(4A\)\(4B\)\(4C\)](#) inserted by [Civil Aviation \(Eurocontrol\) Act 1983 \(c. 11, SIF 9\), s. 2\(1\), \(4\)](#)
F4 Definition inserted by [Civil Aviation \(Eurocontrol\) Act 1983 \(c. 11, SIF 9\), s. 2\(1\)\(5\)](#)

Marginal Citations

- M1** [1968 c. 48.](#)

- 2 (1) The Secretary of State may from time to time pay to Eurocontrol such sums on account of its expenses as he may with the consent of the Treasury determine, being sums for the payment of which Her Majesty’s Government in the United Kingdom are liable under the Eurocontrol Convention.
- (2) The Secretary of State may provide for Eurocontrol any land, premises, installations, equipment or services (including the services of personnel), whether within or without the United Kingdom which may be required for the purposes of or in connection with the functions of Eurocontrol under the Eurocontrol Convention.
- (3) Any sums received from Eurocontrol by the Secretary of State in consideration of anything done under this paragraph shall be paid into the Consolidated Fund.
- 3 (1) Subject to [^{F5}paragraph 1 above and] sub-paragraph (2) below, a court in any part of the United Kingdom shall have jurisdiction to hear and determine a claim against Eurocontrol for damages in respect of any wrongful act, neglect or default, notwithstanding that the act, neglect or default did not take place within the jurisdiction of the court or that Eurocontrol is not present within the jurisdiction of the court.
- (2) A court shall not have jurisdiction by virtue of sub-paragraph (1) above in respect of damage or injury sustained wholly within or over a country to which the provisions of this Act relating to Eurocontrol do not extend.

Textual Amendments

- F5** Words inserted by [Civil Aviation \(Eurocontrol\) Act 1983 \(c. 11, SIF 9\), s. 2\(1\)\(6\)](#)

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