



# Civil Aviation Act 1982

## 1982 CHAPTER 16

### PART V

#### MISCELLANEOUS AND GENERAL

#### **102 Powers to make Orders in Council, orders and regulations.**

- (1) Any power conferred on the Secretary of State by this Act to make an order or regulations, other than a power conferred by a provision of this Act specified in Part I of Schedule 13 to this Act, shall be exercisable by statutory instrument.
- (2) The powers to make Orders in Council, orders and regulations which are conferred by virtue of the provisions of this Act specified in column 1 of Part II of the said Schedule 13 (being the Orders in Council, orders and regulations a general description of which is given in column 2 of that Part)—
  - (a) are, to the extent specified in column 3 of that Part, conferred subject to subsections (3) and (4) below; and
  - (b) shall, to the extent specified in column 4 of that Part, include the powers conferred by virtue of Part III of that Schedule.
- (3) Where an entry in column 3 of the said Part II specifies that a power to make an Order in Council is subject to the affirmative resolution procedure, the Order shall not be submitted to Her Majesty in Council unless a draft of the Order has been laid before Parliament and approved by a resolution of each House.
- (4) Where an entry in the said column 3 specifies that a power to make an Order in Council, order or regulations is subject to the negative resolution procedure, the Order in Council, order or regulations, as the case may be, shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) Any power to make an order which is conferred by a provision of this Act specified in Part I of Schedule 13, except the power to make a vesting order under section 42(2) above, shall be construed as including a power exercisable in the like manner and subject to the like provisions (if any) to vary or revoke the order.

**Status:**

Point in time view as at 01/04/1996. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Civil Aviation Act 1982, Section 102.