



# Civil Aviation Act 1982

## 1982 CHAPTER 16

### PART III

#### REGULATION OF CIVIL AVIATION

*Trespass by aircraft and aircraft nuisance, noise, etc.*

#### [<sup>F1</sup>78A Penalty schemes

- (1) The person for the time being managing an aerodrome (referred to in this section and section 78B below as the “relevant manager”) may establish and maintain a penalty scheme.
- (2) In this section and section 78B below “penalty scheme” means a scheme which requires a penalty to be paid if any requirement imposed under section 78(1) above in relation to an aircraft taking off or landing at the aerodrome is not complied with.
- (3) Any such penalty shall be—
  - (a) of an amount specified in the scheme, and
  - (b) paid to the relevant manager by the operator of the aircraft in question.
- (4) The penalty scheme shall afford the operator of the aircraft an opportunity to make representations to the relevant manager with respect to the matter either before or after the penalty is imposed.
- (5) If the scheme affords an opportunity to make representations after the penalty is imposed, it shall provide for the relevant manager to cancel the penalty if he considers it appropriate to do so having considered those representations.
- (6) A penalty scheme may—
  - (a) contain such incidental or supplementary provisions as the relevant manager considers appropriate, and
  - (b) be amended or revoked by the relevant manager.

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*Status: Point in time view as at 26/01/2009.*

*Changes to legislation: There are currently no known outstanding effects for the Civil Aviation Act 1982, Section 78A. (See end of Document for details)*

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- (7) The amendment or revocation of a penalty scheme shall not affect the validity of anything previously done under the scheme.
- (8) A relevant manager who receives penalties under a penalty scheme shall make payments equal to the amount of those penalties for purposes which appear to him to be likely to be of benefit to persons who live in the area in which the aerodrome is situated.]

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**Textual Amendments**

- F1** Ss. 78A, 78B inserted (1.3.2007) by [Civil Aviation Act 2006 \(c. 34\)](#), **ss. 3, 14**; [S.I. 2007/598](#), **art. 2**, [Sch. 1](#)

**Status:**

Point in time view as at 26/01/2009.

**Changes to legislation:**

There are currently no known outstanding effects for the Civil Aviation Act 1982, Section 78A.