



Civil Aviation Act 1982

1982 CHAPTER 16

PART III

REGULATION OF CIVIL AVIATION

Trespass by aircraft and aircraft nuisance, noise, etc.

[^{F1}78B Direction to establish, amend or revoke penalty scheme

- (1) The Secretary of State may direct a specified relevant manager—
 - (a) to establish a penalty scheme, or
 - (b) to amend or revoke a penalty scheme.
- (2) The Secretary of State shall publish any direction given under subsection (1) above in such manner as appears to him to be appropriate.
- (3) A direction under subsection (1) above which requires a relevant manager to establish or amend a penalty scheme may include directions as to the provisions which are to be included in the scheme.
- (4) Before giving a direction under subsection (1) above the Secretary of State shall consult—
 - (a) the relevant manager, and
 - (b) any body appearing to him to be representative of operators of aircraft using the aerodrome in question.
- (5) If a relevant manager fails to comply with a direction given to him under subsection (1) above he shall—
 - (a) be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale, and
 - (b) if the failure continues after his conviction of an offence under this subsection arising from the failure, be guilty of a separate offence under this subsection on each day on which the failure continues thereafter and be liable on

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

summary conviction to a fine not exceeding [^{F2}10% of level 5 on the standard scale][^{F2}10% of the greater of £5,000 or level 4 on the standard scale].]

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](#)
- F2** Words in s. 78B(5)(b) substituted (E.W.) (12.3.2015) by [The Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(Fines on Summary Conviction\) Regulations 2015 \(S.I. 2015/664\)](#), reg. 1(1), **Sch. 3 para. 2(3)** (with reg. 5(1))

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