



Civil Aviation Act 1982

1982 CHAPTER 16

PART III

REGULATION OF CIVIL AVIATION

Records and provision of information, etc.

84 Provision by others of information for the CAA and Secretary of State.

- (1) The CAA may, by a notice in writing served in the prescribed manner on a person of any of the following descriptions, that is to say—
- (a) a holder of a licence issued by the CAA under this Act or a licence or certificate issued by the CAA under an Air Navigation Order [^{F1}or an operating licence granted by the CAA in accordance with Council Regulation 2407/92 on licensing of air carriers],
 - (b) a recipient of an approval given by the CAA under an Air Navigation Order,
 - (c) a person who in the United Kingdom has, at any time during the period of two years ending with the date of service of the notice, held himself out as one who may as a principal or otherwise enter into a contract to make available accommodation for the carriage of persons or cargo on flights in any part of the world in aircraft of which he is not the operator,
 - (d) a person carrying on business in the United Kingdom as a manufacturer of aircraft or engines or other equipment for aircraft or as an insurer of aircraft,
- require him to furnish to the CAA, in such form and at such times as may be specified in the notice, information of such descriptions as may be so specified, being—
- (i) in the case of such a holder or recipient as aforesaid (other than the holder of an aerodrome licence), descriptions of information which relates to his past, present or future activities as the holder or recipient of the licence, certificate or approval in question or his past activities as the holder or recipient of any similar licence, certificate or approval or is of a kind which the CAA considers that it requires for the purpose of reviewing the licence, certificate or approval in question,

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Changes to legislation: There are currently no known outstanding effects for the Civil Aviation Act 1982, Section 84. (See end of Document for details)

- (ii) in the case of such a person as is mentioned in paragraph (c) of this subsection, descriptions of information which relates to his past, present or future activities in the United Kingdom connected with the making available of accommodation so mentioned,
- (iii) in the case of such a person as is mentioned in paragraph (d) of this subsection or the holder of an aerodrome licence, descriptions of information which relates to his past, present or future activities (including, in the case of the holder of an aerodrome licence, information as to the numbers of aircraft and passengers and the quantity of cargo passing and expected to pass through the relevant aerodrome) and is of a kind which the CAA considers that it requires for the purpose of performing any of its functions.

In this subsection “aerodrome licence” means a licence to operate an aerodrome issued by the CAA under an Air Navigation Order.

- (2) Without prejudice to the generality of subsection (1) above, the information relating to the activities of the holder of an air transport licence [^{F2}or operating licence] which the CAA may require him to furnish in pursuance of that subsection includes particulars of any contract or arrangement—
 - (a) to which he is or was at any time a party and, if he is not or was not then an operator of aircraft registered in the United Kingdom or a relevant overseas territory or an associated state, to which such an operator is or was then a party; and
 - (b) which constitutes or relates to an agreement or understanding between operators of aircraft or such operators and other persons with respect to any of the following matters, that is to say—
 - (i) the provision of flights or of accommodation in aircraft,
 - (ii) the sharing or transfer of revenue from flights on particular routes,
 - (iii) the sale by a party to the contract or arrangement of tickets for flights in aircraft operated by another party to it,
 - (iv) the making available by a party to the contract or arrangement of staff, equipment or other facilities for use by another party to it.
- (3) Provision may be made by regulations made by the Secretary of State for requiring a person of any description specified in subsection (1) above to furnish the Secretary of State, in such form and at such times as may be prescribed, with information of such descriptions as may be prescribed, being descriptions of information relating to civil aviation which the Secretary of State considers that he requires for the purpose of performing any of his functions or descriptions of information which he considers that he requires in order to facilitate the performance by the CAA of any of its functions.
- (4) If a person required to furnish information by virtue of any of the preceding provisions of this section fails to comply with the requirement or in purported compliance with the requirement knowingly or recklessly furnishes information which is false in a material particular, then—
 - (a) in the case of a failure to comply with the requirement he shall be guilty of an offence and liable on summary conviction to a fine of an amount not exceeding [^{F3}level 3 on the standard scale]; and
 - (b) in any other case he shall be guilty of an offence and liable on summary conviction to a fine not exceeding the statutory maximum and on conviction on indictment to a fine or to imprisonment for a term not exceeding two years or to both; and

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- (c) if the requirement was made by virtue of subsection (1) or (2) above, the CAA may, whether or not any proceedings in respect of the requirement have been brought in pursuance of paragraph (a) or (b) of this subsection, revoke any licence or certificate or approval which was issued or given by the CAA and to which the requirement related;

and a person who fails to comply with a requirement imposed on him in pursuance of this section shall be guilty of an offence by virtue of paragraph (a) of this subsection notwithstanding that at any relevant time he is outside the United Kingdom and is neither a United Kingdom national nor a body incorporated under the law of a part of the United Kingdom or of a relevant overseas territory or an associated state.

Textual Amendments

- F1** Words in s. 84(1)(a) inserted (1.1.1993) by S.I. 1992/2992, reg. 23, **Sch. 2 para.6**.
- F2** Words in s. 84(2) inserted (1.1.1993) by S.I. 1992/2992, reg. 23, **Sch. 2 para.7**.
- F3** Words substituted by virtue of (E.W.) Criminal Justice Act 1982 (c. 48, SIF 39:1), **ss. 38, 46**, (S.) Criminal Procedure (Scotland) Act 1975 (c. 21, SIF 39:1), **ss. 289F, 289G** and (N.I.) by S.I. 1984/703 (N.I. 3), **arts. 5, 6**

Status:

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Changes to legislation:

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