



Airports Act 1986

1986 CHAPTER 31

PART IV

ECONOMIC REGULATION OF AIRPORTS

Preliminary

36 Interpretation of Part IV, etc.

(1) In this Part—

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...

“airport charges”, in relation to an airport means—

- (a) charges levied on operators of aircraft in connection with the landing, parking or taking off of aircraft at the airport (including charges that are to any extent determined by reference to the number of passengers on board the aircraft, [^{F2}but excluding excepted charges]); and
- (b) charges levied on aircraft passengers in connection with their arrival at, or departure from, the airport by air;
 - “the Commission” means the [^{F3}Competition] Commission;
 - [^{F4}“excepted charges” means—
 - (a) penalties payable by virtue of section 38C of the 1982 Act (breach of noise control schemes);
 - (b) penalties payable by virtue of section 78A of the 1982 Act (penalty schemes established by managers of aerodromes);
 - (c) charges payable for services provided for airport users as described in the Annex to Council Directive [96/67/EC](#) of 15th October 1996 on access to the groundhandling market at Community airports;
 - (d) charges payable by virtue of section 73 of the Transport Act 2000 (charges for chargeable air services);
 - (e) charges referred to in Regulation (EC) No. [1107/2006](#) of the European Parliament and of the Council of 5th July 2006 which are levied for

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Changes to legislation: Airports Act 1986, Cross Heading: Preliminary is up to date with all changes known to be in force on or before 31 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

the funding of assistance to disabled passengers and passengers with reduced mobility; and

- (f) charges for en route and terminal air navigation services determined in accordance with Chapter III of [Commission Regulation \(EC\) No. 1794/2006](#) of 6th December 2006 laying down a common charging scheme for air navigation services, as amended by [Commission Regulation \(EU\) No. 1191/2010](#) of 16th December 2010;]

“operational activities” has the same meaning as it has for the time being in section 30(3);

“prescribed” has the meaning given by subsection (3);

“relevant activities”, in relation to an airport, means the provision at the airport of any services or facilities for the purposes of—

- (a) the landing, parking or taking off of aircraft;
- (b) the servicing of aircraft (including the supply of fuel); or
- (c) the handling of passengers or their baggage or of cargo at all stages while on airport premises (including the transfer of passengers, their baggage or cargo to and from aircraft)

- (2) it is hereby declared that the reference in the definition of “relevant activities” in subsection (1) to the provision of facilities for the purposes of the handling of passengers does not include the provision of facilities for car parking, for the refreshment of passengers at the airport or for the supply of consumer goods or services there.

- (3) Without prejudice to the generality of section 7(2) of the 1982 Act (special provisions as respects certain functions of the CAA), regulations made by the Secretary of State in pursuance of that provision may prescribe for the purposes of that provision any functions conferred on the CAA by this Part; and in this Part “prescribed” means prescribed by regulations so made.

Textual Amendments

- F1** Words in s. 36(1) repealed (20.6.2003) by [The Enterprise Act 2002 \(Consequential and Supplemental Provisions\) Order 2003](#) (S.I. 2003/1398), art. 1, **Sch. para. 5(2)**
- F2** Words in s. 36(1) substituted (10.11.2011) by [The Airport Charges Regulations 2011](#) (S.I. 2011/2491), regs. 1(1), **23(2)(a)** (with reg. 24)
- F3** Words in definition of “the commission” in s. 36(1) substituted (1.4.1999) by [S.I. 1999/506](#), **art. 19(a)**
- F4** Words in s. 36(1) inserted (10.11.2011) by [The Airport Charges Regulations 2011](#) (S.I. 2011/2491), regs. 1(1), **23(2)(b)** (with reg. 24)

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