



# Airports Act 1986

## 1986 CHAPTER 31

### PART VI

#### MISCELLANEOUS AND SUPPLEMENTARY

##### *Byelaws*

#### 63 Airport byelaws. **E+W**

(1) Where an airport is either—

- (a) designated for the purposes of this section by an order made by the Secretary of State, or
- (b) managed by the Secretary of State,

the airport operator (whether the Secretary of State or some other person) may make byelaws for regulating the use and operation of the airport and the conduct of all persons while within the airport.

(2) Any such byelaws may, in particular, include byelaws—

- (a) for securing the safety of aircraft, vehicles and persons using the airport and preventing danger to the public arising from the use and operation of the airport;
- (b) for controlling the operation of aircraft within, or directly above, the airport for the purpose of limiting or mitigating the effect of noise, vibration and atmospheric pollution caused by aircraft using the airport;
- (c) for preventing obstruction within the airport;
- (d) for regulating vehicular traffic anywhere within the airport, except on roads within the airport to which the road traffic enactments apply, and in particular (with that exception) for imposing speed limits on vehicles within the airport and for restricting or regulating the parking of vehicles or their use for any purpose or in any manner specified in the byelaws;
- (e) for prohibiting waiting by hackney carriages except at standings appointed by such person as may be specified in the byelaws;

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**Changes to legislation:** Airports Act 1986, Cross Heading: Byelaws is up to date with all changes known to be in force on or before 02 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) View outstanding changes

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- (f) for prohibiting or restricting access to any part of the airport;
  - (g) for preserving order within the airport and preventing damage to property within it;
  - (h) for regulating or restricting advertising within the airport;
  - (i) for requiring any person, if so requested by a constable or airport official, to leave the airport or any particular part of it, or to state his name and address and the purpose of his being within the airport;
  - (j) for securing the safe custody and redelivery of any property which, while not in proper custody, is found within the airport or in an aircraft within the airport, and in particular—
    - (i) for requiring charges to be paid in respect of any such property before it is redelivered; and
    - (ii) for authorising the disposal of any such property if it is not redelivered before the end of such period as may be specified in the byelaws;
  - (k) for restricting the area which is to be taken as constituting the airport for the purposes of the byelaws.
- (3) In paragraph (d) of subsection (2) “the road traffic enactments” means the enactments (whether passed before or after this Act) relating to road traffic, including the lighting and parking of vehicles, and any order or other instrument having effect by virtue of any such enactment.
- (4) In paragraph (i) of subsection (2) “airport official” means a person authorised by the airport operator; and any such official shall not exercise any power under a byelaw made by virtue of that paragraph without producing written evidence of his authority if required to do so.
- (5) Byelaws made under this section by a person other than the Secretary of State shall not have effect until they are confirmed by the Secretary of State, and the provisions of Schedule 3 shall apply to any such byelaws.
- (6) Before any byelaws are made by the Secretary of State under this section, he shall take such steps as appear to him to be appropriate for giving public notice of the proposed byelaws and for affording an opportunity for representations to be made with respect to them; and the Secretary of State shall have regard to any such representations and may then make the byelaws in the form proposed or in that form with such modifications as he thinks fit.
- (7) Any byelaws made by the Secretary of State under this section shall be made by statutory instrument.
- (8) Section 236(9) of the Local Government Act 1972 and section 202(13) of the <sup>M1</sup>Local Government (Scotland) Act 1973 (notice of byelaws made by one local authority to be given to another) and section 237 of the Act of 1972 and section 203 of the Act of 1973 (penalties) shall not apply to any byelaws made by a local authority under this section.

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**Extent Information**

**E1** This version of this provision extends to England and Wales only; a separate version has been created for Scotland only

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**Marginal Citations**

**M1** 1973 c. 65.

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## 63 Airport byelaws. **S**

- (1) Where an airport is either—
- (a) designated for the purposes of this section by an order made by the Secretary of State, or
  - (b) managed by the Secretary of State,

the airport operator (whether the Secretary of State or some other person) may make byelaws for regulating the use and operation of the airport and the conduct of all persons while within the airport.

- (2) Any such byelaws may, in particular, include byelaws—
- (a) for securing the safety of aircraft, vehicles and persons using the airport and preventing danger to the public arising from the use and operation of the airport;
  - (b) for controlling the operation of aircraft within, or directly above, the airport for the purpose of limiting or mitigating the effect of noise, vibration and atmospheric pollution caused by aircraft using the airport;
  - (c) for preventing obstruction within the airport;
  - (d) for regulating vehicular traffic anywhere within the airport, except on roads within the airport to which the road traffic enactments apply, and in particular (with that exception) for imposing speed limits on vehicles within the airport and for restricting or regulating the parking of vehicles or their use for any purpose or in any manner specified in the byelaws;
  - (e) for prohibiting waiting by hackney carriages except at standings appointed by such person as may be specified in the byelaws;
  - (f) for prohibiting or restricting access to any part of the airport;
  - (g) for preserving order within the airport and preventing damage to property within it;
  - (h) for regulating or restricting advertising within the airport;
  - (i) for requiring any person, if so requested by a constable or airport official, to leave the airport or any particular part of it, or to state his name and address and the purpose of his being within the airport;
  - (j) for securing the safe custody and redelivery of any property which, while not in proper custody, is found within the airport or in an aircraft within the airport, and in particular—
    - (i) for requiring charges to be paid in respect of any such property before it is redelivered; and
    - (ii) for authorising the disposal of any such property if it is not redelivered before the end of such period as may be specified in the byelaws;
  - (k) for restricting the area which is to be taken as constituting the airport for the purposes of the byelaws.

(3) In paragraph (d) of subsection (2) “the road traffic enactments” means the enactments (whether passed before or after this Act) relating to road traffic, including the lighting and parking of vehicles, and any order or other instrument having effect by virtue of any such enactment.

(4) In paragraph (i) of subsection (2) “airport official” means a person authorised by the airport operator; and any such official shall not exercise any power under a byelaw made by virtue of that paragraph without producing written evidence of his authority if required to do so.

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- (5) Byelaws made under this section by a person other than the Secretary of State shall not have effect until they are confirmed by the Secretary of State, and the provisions of Schedule 3 shall apply to any such byelaws.
- (6) Before any byelaws are made by the Secretary of State under this section, he shall take such steps as appear to him to be appropriate for giving public notice of the proposed byelaws and for affording an opportunity for representations to be made with respect to them; and the Secretary of State shall have regard to any such representations and may then make the byelaws in the form proposed or in that form with such modifications as he thinks fit.
- (7) Any byelaws made by the Secretary of State under this section shall be made by statutory instrument.
- (8) Section 236(9) of the Local Government Act 1972 <sup>F1</sup>. . . (notice of byelaws made by one local authority to be given to another) and section 237 of [<sup>F2</sup>that Act and section 203 of the Local Government (Scotland) Act 1973] (penalties) shall not apply to any byelaws made by a local authority under this section.

#### Extent Information

- E2** This version of this provision extends to Scotland only; a separate version has been created for England and Wales only

#### Textual Amendments

- F1** Words in s. 63(8) repealed (1.4.1996) by S.I. 1996/739, art. 7(1), Sch. 1 Pt. 1 para. 7(a), Sch. 2
- F2** Words in s. 63(8) substituted (1.4.1996) by S.I. 1996/739, art. 7(1), Sch. 1 Pt. 1 para. 7(b)

## 64 Byelaws: penalties and power to revoke in certain cases.

- (1) Any person contravening any byelaws made under section 63 shall be liable on summary conviction to a fine not exceeding such amount as, subject to subsection (2) of this section, may be specified by the byelaws in relation to the contravention.
- (2) The maximum fines that byelaws may specify by virtue of subsection (1) are fines of an amount at the fourth level on the standard scale or of a lower amount.
- (3) Where any person other than the Secretary of State has made any byelaw in relation to any airport by virtue of section 63(2)(b), the Secretary of State may, after consulting that person, by order—
  - (a) revoke or vary that byelaw if the Secretary of State considers it appropriate to do so by reason of his having designated the airport for the purposes of section 78 of the 1982 Act (regulation of noise and vibration from aircraft); or
  - (b) revoke or vary that byelaw to the extent that it appears to the Secretary of State to be inconsistent with the safety of persons or vehicles using the airport, of aircraft or of the general public or to be inconsistent with any international obligation of the United Kingdom.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act saved (6.5.1999) by [1998 c. 46 s. 30 Sch. 5 Pt. 2 s. E4\(f\)](#)
- Act textual by [S.I. 2001/2237 art. 2](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 12(1) (defn. of "principal council") para. (aa) added (prosp.) by [1994 c. 19 s. 66\(6\)Sch. 16 para. 77](#)
- s. 12(1) (defns. "local authority""principal council") para. (b) amended (S) by [1994 c. 39 Sch. 13 para. 147](#)
- s. 12(1) (defn. of "principal council") para. (a) repealed in part (prosp.) by [1994 c. 19 s. 66\(6\)\(8\)Sch. 16 para. 77Sch. 18](#)