

Status: Point in time view as at 01/10/1991.

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SCHEDULES

SCHEDULE 1

Section 55.

APPLICATION OF PART IV TO ASSOCIATED COMPANIES OF AIRPORT OPERATORS

Preliminary

- 1 This Schedule has effect for the purpose of authorising or requiring the imposition by the CAA under this Part (as it applies in accordance with this Schedule) of the following conditions in relation to an airport, namely—
- (a) conditions under section 40(1) or 41(1) with respect to the accounts of an associated company of the airport operator, and
 - (b) conditions under section 41(2) or 46(2) in respect of a course of conduct pursued by such a company,
- and for related purposes; and in this Schedule any such conditions are referred to as “subsidiary conditions”.

Section 39

- 2 Section 39(1) and (4) shall apply to any subsidiary conditions for the time being in force in relation to an airport as if—
- (a) references to the airport operator were references to the associated company of the airport operator with respect to whose accounts the conditions were imposed or (as the case may be) that pursued the course of conduct in respect of which the conditions were imposed, and
 - (b) references to any such conditions as are mentioned in section 39(1) were references to any such conditions as are mentioned above.
- 3 (1) Where an associated company of the airport operator in the case of any airport either carries on operational activities relating to the airport or is entitled to grant rights by virtue of which any such activities may be carried on by other persons, section 40(2) shall have effect in relation to the airport with the modifications specified in subparagraphs (2) to (4) below.
- (2) After paragraph (a) there shall be inserted the following paragraph—
- “(aa) such conditions as the CAA considers appropriate to secure that the accounts of any associated company of the airport operator, being a company which either carries on operational activities relating to the airport or is entitled to grant rights by virtue of which any such activities may be carried on by other persons, disclose—
- (i) any subsidy furnished (whether by the making of loans on non-commercial terms or otherwise) by any person or authority to the company in connection with its business so far as consisting of the carrying on of operational activities relating to the airport, and the identity of any such person or authority,

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- (ii) any subsidy so furnished to that business by the company out of funds attributable to any other activities carried on by it, and
 - (iii) the aggregate income and expenditure of the company attributable to any such operational activities (whether carried on by the company or by some other person); and”.
- (3) After “the airport operator” where it occurs in paragraph (b) there shall be inserted “or the associated company”.
- (4) After “the airport operator” where it last occurs there shall be inserted “or in paragraph (aa) to the accounts of any associated company of the airport operator”.
- (5) Where—
- (a) sub-paragraph (1) above does not apply to an airport at the time when conditions are imposed in relation to the airport under section 40(1)(a) or (b), but
 - (b) at any later time it appears to the CAA that that sub-paragraph then applies to the airport,

the CAA shall thereupon impose in relation to the airport such conditions as are mentioned in paragraphs (aa) and (b) of section 40(2) as modified by this paragraph.

- 4 In section 41—
- (a) in subsection (1), the reference to section 40(2) shall be construed as including, in relation to an airport to which sub-paragraph (1) of paragraph 3 above applies, a reference to section 40(2) as modified by that paragraph,
 - (b) in subsections (2), (3)(a) and (b) and (6), references to the airport operator shall be construed as including references to an associated company of the airport operator, and
 - (c) in relation to such a company—
 - (i) the reference in subsection (2) to subsection (3) shall be construed as a reference to subsection (3)(a) and (b) (as modified by paragraph (b) above), and
 - (ii) the reference in subsection (6) to subsection (3)(a), (b) or (c) shall be construed as a reference to subsection (3)(a) or (b) (as so modified).

Section 42

- 5 In section 42(2) and (3)—
- (a) references to an airport operator shall be construed as including references to an associated company of an airport operator, and
 - (b) in relation to such a company, references to any provision of section 41 shall be construed as references to that provision as modified by paragraph 4 above.

Section 43

- 6 (1) Where an associated company of the airport operator in the case of any airport either carries on operational activities relating to the airport or is entitled to grant rights by virtue of which any such activities may be carried on by other persons, section 43(2)

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shall have effect in relation to any reference under section 43(1) with respect to the airport with the insertion after paragraph (a) of the following paragraph—

- “(aa) whether any associated company of the airport operator has, at any time during the relevant period, pursued—
- (i) in relation to any operational activities carried on by the company and relating to the airport, or
 - (ii) in relation to the granting of a right by virtue of which any operational activities relating to the airport may be carried on by any other person or persons,
- a course of conduct which has operated or might be expected to operate against the public interest; and”.
- (2) In section 43(3), as it applies in relation to an associated company of an airport operator in accordance with this Schedule, the reference to the airport operator shall be construed as a reference to the associated company in question.

Section 44

- 7 (1) In relation to any reference to which paragraph 6(1) above applies, section 44(1) (a) shall have effect with the insertion at the end of sub-paragraph (ii) of “and any course of conduct which, in its opinion, has been pursued by an associated company of the airport operator in relation to any of the matters specified in subsection (2) (aa) of that section and has operated, or might be expected to operate, against the public interest.”.
- (2) in section 44(4) the reference to the airport operator concerned shall—
- (a) in the case of a reference or variation under section 43 relating only to a course of conduct pursued by an associated company of an airport operator, be construed as a reference to that company, and
 - (b) in the case of a reference or variation under that section relating to courses of conduct pursued by an airport operator and such a company respectively, be construed as a reference to both the airport operator and the company.

Section 45

- 8 (1) In section 45(3) the reference to an airport operator shall, in the case of a reference under section 43 relating wholly or in part to a course of conduct pursued by an associated company of an airport operator, be construed as, or as including, a reference to any such company (as the case may require).
- (2) In section 45(6) the reference to the airport operator concerned shall be construed as mentioned in paragraph 7(2) above according to the nature of the reference under section 43.

Section 48

- 9 (1) In section 48(1)(a) the reference to the airport operator in relation to an airport shall be construed as including a reference to an associated company of the airport operator.
- (2) Section 48(3), (5), (6) and (7) shall have effect in relation to any complaint against an associated company of an airport operator made by virtue of sub-paragraph (1) above as if any reference to an airport operator or to the airport operator concerned

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were a reference to any such company or to the company against which the complaint is made (as the case may require).

Section 49

- 10 (1) In section 49(1) and (9) any reference to an airport operator shall be construed as including a reference to an associated company of an airport operator.
- (2) Where the permission for the time being in force in respect of an airport is revoked under section 49(9) (as it applies in accordance with sub-paragraph (1) above) by reason of an associated company's contravention of a compliance order, then (notwithstanding section 38(4)) a permission shall not again be granted under this Part in respect of that airport unless it appears to the CAA that, if the CAA were to impose in relation to the airport any condition corresponding to the one whose breach gave rise to the making of the compliance order, that condition would be complied with by the person (whether the airport operator or an associated company of the airport operator) to whose activities any such condition would relate.
- (3) In this paragraph "compliance order" and "contravention" shall be construed in accordance with section 49(11).

Section 50

- 11 (1) In section 50 any reference to an airport operator shall be construed as including a reference to an associated company of an airport operator.
- (2) In that section, as it applies to any such company in accordance with sub-paragraph (1)—
- (a) in subsection (1), the reference to section 40(2)(a) shall be construed as a reference to paragraph (aa) of section 40(2) (as modified by paragraph 3(2) and (4) above),
 - (b) in subsection (2), the reference to section 40(2)(b) shall be construed as a reference to that provision as modified by paragraph 3(3), and
 - (c) the references to section 39(1) and section 41(1) shall be construed as references to those provisions as modified by paragraph 2 and paragraph 4(a) above.

Section 51

- 12 (1) Section 51(3) shall apply in relation to any subsidiary conditions as if the reference to section 40(2) were a reference to that provision as modified by paragraph 3 above.
- (2) Section 51(5) shall apply in relation to any subsidiary conditions as if—
- (a) references to the airport operator concerned were references to the associated company of the airport operator that pursued the course of conduct in respect of which the conditions were imposed; and
 - (b) the reference to section 41(3)(a), (b) or (c) were a reference to section 41(3) (a) or (b) (as modified by paragraph 4(b) above).
- (3) Section 51(7) shall apply in relation to any subsidiary conditions as if the reference to the airport operator were a reference to the associated company with respect to whose accounts the conditions were imposed of (as the case may be) that pursued the course of conduct in respect of which the conditions were imposed.

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Section 54

- 13 In section 54(3)(b), the reference to an airport operator shall be construed as including a reference to an associated company of an airport operator engaged in carrying on any operational activities relating to one or more airports.

SCHEDULE 2

Section 58

APPLICATION OF ENACTMENTS RELATING TO STATUTORY UNDERTAKERS ETC.

General application of enactments

- 1 (1) Any airport to which this Part applies shall be deemed to be a statutory undertaking, and a relevant airport operator a statutory undertaker, for the purposes of the following enactments, namely—
- the ^{M1}Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947;
 - The ^{M2}New Towns (Scotland) Act 1968;
 - ^{F1};
 - the ^{M3}Town and Country Planning (Scotland) Act 1972;
 - Part I of the ^{M4}Local Government (Miscellaneous Provisions) Act 1976;
 - the ^{M5}Development of Rural Wales Act 1976;
 - the ^{M6}New Towns Act 1981;
 - the ^{M7}Acquisition of Land Act 1981; and
 - sections 283, 296 and 611 of the ^{M8}Housing Act 1985;
- and for the purposes of any other enactment in which “statutory undertakers” or “statutory undertaking” has the meaning assigned to it by section 275(1) of the Town and Country Planning (Scotland) Act 1972.
- (2) In the following enactments namely—
- ^{F1},
 - the ^{M9}Town and Country Planning (Scotland) Act 1972, and
 - the ^{M10}New Towns Act 1981,
- “the appropriate Minister” shall, in relation to a relevant airport operator, mean the Secretary of State for Transport.

Textual Amendments

F1 Words repealed by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\), s. 3, Sch. 1 Pt. I](#)

Marginal Citations

- M1** 1947 c. 42.
- M2** 1968 c. 16.
- M3** 1972 c. 52.
- M4** 1976 c. 57.
- M5** 1976 c. 75.
- M6** 1981 c. 64.

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- M7** 1981 c. 67.
- M8** 1985 c. 68.
- M9** 1972 c. 52.
- M10** 1981 c. 64.

Application of particular enactments

- 2 In the ^{M11}Public Health Act 1936—
- (a) section 330 (power of certain undertakers in England and Wales to alter sewers), and
 - (b) section 333 (protection of certain such undertakers from works executed under that Act),
- shall apply in relation to a relevant airport operator and the airport in question as they apply in relation to a railway company and its railway.

Marginal Citations

- M11** 1936 c. 49.

- [^{F23} (1) The following provisions (which relate to the protection of certain statutory undertakers), namely—
- section 93 of Schedule 3 to the ^{M12}Water Act 1945, and
 - section 45 of Schedule 4 to the ^{M13}Water (Scotland) Act 1980,
- shall apply with the necessary modifications in relation to any works which statutory water undertakers propose to execute along, upon or under any airport to which this Part applies, whether or not section 93 or section 45 has been applied to the undertakers by an order under that Act of 1945 or (as the case may be) under that Act of 1980.
- (2) In sub-paragraph (1) “statutory water undertakers” means—
- (a) in relation to England and Wales, statutory water undertakers within the meaning of the Water Act 1973 and includes a person authorised to construct works by an order under section 23 of the Water Act 1945; and
 - (b) in relation to Scotland, a water authority within the meaning of the Water (Scotland) Act 1980.]

Textual Amendments

- F2** Sch. 2 para. 3 repealed (E.W.) by [Water Act 1989 \(c.15, SIF 130\)](#), s. 190(3), [Sch. 27](#) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), [Sch. 26 paras. 3\(1\)\(2\), 17, 40\(4\), 41\(1\), 57\(6\), 58](#))

Marginal Citations

- M12** 1945 c. 42.
- M13** 1980 c. 45.

- 4 A relevant airport operator shall be deemed to be a public undertaker for the purposes of section [^{F356}][^{F3125}] of the ^{M14}Housing (Scotland) Act [^{F31966}][^{F31987}] (demolition of obstructive buildings).

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Textual Amendments

F3 Words “125” and “1987” substituted (S.) for “56” and “1966” by [Housing \(Scotland\) Act 1987 \(c. 26, SIF 61\)](#), s. 339, [Sch. 23 para. 32](#)

Marginal Citations

M14 [1966 c. 49](#).

- 5 For the purposes of section 112 of the ^{M15}Land Drainage Act 1976 (protection of nationalised undertakings, etc.) an airport to which this Part applies shall be deemed to be an undertaking to which that section applies and the airport operator shall accordingly be deemed to be a person carrying on such an undertaking.

Marginal Citations

M15 [1976 c. 70](#).

- 6 In the ^{M16}Building Act 1984—
- (a) section 4(1)(b) (exemption of buildings of statutory undertakers from building regulations), and
 - (b) section 59(4) (exemption of such buildings from provisions relating to drainage),
- shall apply in relation to a relevant airport operator as they apply in relation to statutory undertakers, but as if in those provisions any reference to a house included a hotel, and any reference to offices or showrooms did not include offices or showrooms on any airport to which this Part applies.

Marginal Citations

M16 [1984 c. 55](#).

SCHEDULE 3

Section 63(5).

AIRPORT BYELAWS MADE BY PERSONS OTHER THAN THE SECRETARY OF STATE

- 1 References in this Schedule to the airport operator in relation to any byelaws are references to the person making those byelaws as mentioned in section 63(5).
- 2 Where the airport operator is a body corporate, the byelaws shall be made under its common seal.
- 3 At least one month before application for confirmation of the byelaws is made to the Secretary of State, notice of the intention to apply for confirmation shall be given by the airport operator in one or more local newspapers circulating in the locality in which the airport to which the byelaws relate is situated or (if the byelaws relate to more than one airport) circulating respectively in the several localities in which those airports are situated; and the notice shall specify a period of not less than one

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month during which representations on the byelaws may be made to the Secretary of State.

4 For at least one month before application for confirmation is made, a copy of the byelaws shall be deposited at the offices of the airport operator at each airport to which the byelaws relate and shall, at all reasonable hours, be open to public inspection free of charge.

5 The airport operator shall, on application made by any person before the byelaws are confirmed, furnish him with a copy of the byelaws or of any part of them on payment of such reasonable fee as the airport operator may determine.

6 The Secretary of State may confirm with or without modifications, or refuse to confirm, any byelaw submitted to him for confirmation, and may fix the date on which a byelaw confirmed by him is to come into operation; and if no date is so fixed, the byelaw shall come into operation at the end of the period of one month beginning with the day on which it is confirmed.

7 A copy of the byelaws, when confirmed, shall be printed and deposited at the offices of the airport operator at each airport to which they relate and shall, at all reasonable hours, be open to public inspection free of charge; and a copy of the byelaws shall on application be furnished to any person on payment of such reasonable fee as the airport operator may determine.

8 The production of a printed copy of a byelaw purporting to be made by an airport operator upon which is endorsed a certificate purporting to be signed by a person authorised for the purpose by the airport operator and stating—

- (a) that the byelaw was made by the airport operator,
- (b) that the copy is a true copy of the byelaw,
- (c) that on a specified date the byelaw was confirmed by the Secretary of State, and
- (d) the date, if any, fixed by the Secretary of State for the coming into operation of the byelaw,

shall be evidence, and in Scotland sufficient evidence, of the facts stated in the certificate, without proof of the handwriting or authorisation of the person by whom it purports to be signed.

SCHEDULE 4

Section 83(1).

CONSEQUENTIAL AMENDMENTS

1 F4

Textual Amendments

F4 Sch. 4 para. 1 repealed by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 3, [Sch. 1 Pt. 1](#)

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Town and Country Planning (Scotland) Act 1972 (c. 52)

- 2 In section 212(2)(b) (cases in which land is to be treated as not being operational land), after “the Gas Act 1986” insert “, the Airports Act 1986”.

Fair Trading Act 1973 (c. 41)

- 3 In section 133(2) (exceptions to general restriction on disclosure of information), after “the Director General of Gas Supply,” insert “the Civil Aviation Authority,” and after “or the Gas Act 1986,” insert “or the Airports Act 1986,”.

Consumer Credit Act 1974 (c. 39)

- 4 In section 174(3)(a) (exceptions to general restriction on disclosure of information), after “or the Gas Act 1986” insert “or the Airports Act 1986” and after “the Director General of Gas Supply” insert “the Civil Aviation Authority”.

Restrictive Trade Practices Act 1976 (c. 34)

- 5 In section 41(1)(a) (disclosure of information), after “the Director General of Gas Supply,” insert “the Civil Aviation Authority,” and after “the Gas Act 1986” insert “or the Airports Act 1986”.

Estate Agents Act 1979 (c. 38)

- 6 In section 10(3)(a) (exceptions to general restriction on disclosure of information), after “or the Gas Act 1986” insert “or the Airports Act 1986” and after “the Director General of Gas Supply,” insert “the Civil Aviation Authority,”.

Competition Act 1980 (c. 21)

- 7 In section 19 (restriction on disclosure of information)—
(a) in subsection (2), after “the Director General of Gas Supply,” insert “the Civil Aviation Authority,”; and
(b) in subsection (3), after paragraph (h), insert—
“(i) the Airports Act 1986.”

Civil Aviation Act 1982 (c. 16)

- 8 (1) In section 23(6) (disclosure of information), for “28 and 29” substitute “and 28”.
(2) In section 108(1) (extension of 1982 Act outside United Kingdom), for “27, 32 to 35, 37,” substitute “34, 35,”.

Aviation Security Act 1982 (c. 36)

- 9 In section 29 (control of road traffic at designated airports)—
(a) in subsection (1), for the words from “section 13(1) to (3)” to “1982” substitute “section 65 of the Airports Act 1986” and for “those sections” substitute “that section”; and

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- (b) in subsection (3), for the words from “section 13(1) to (3)” to “thereof” substitute “section 65 of the Airports Act 1986 includes a reference to subsection (2) of that section as extended by section 66(2) of that Act”.

Local Government Act 1985 (c. 51)

- 10 In section 40(3) (airports), for “to 33, 35, 37(3), (4) and (5), 60(3)(o)” substitute “, 31, 35”.

SCHEDULE 5

Section 83(4).

TRANSITIONAL PROVISIONS

Supplementary provisions as to vesting of property etc. of BAA

- 1 Any agreement made, transaction effected or other thing done by, to or in relation to the BAA which is in force or effective immediately before the appointed day shall have effect as from that day as if made, effected or done by, to or in relation to the successor company, in all respects as if the successor company were the same person, in law, as the BAA; and accordingly references to the BAA—

- (a) in any agreement (whether or not in writing) and in any deed, bond or instrument,
- (b) in any process or other document issued, prepared or employed for the purpose of any proceeding before any court or other tribunal or authority, and
- (c) in any other document whatever (other than an enactment) relating to or affecting any property, right or liability of the BAA which vests by virtue of section 2 in the successor company,

shall be taken as from the appointed day as referring to the successor company.

- 2 Where immediately before the appointed day there is in force an agreement which—

- (a) confers or imposes on the BAA any rights or liabilities which vest in the successor company by virtue of section 2, and
- (b) refers (in whatever terms and whether expressly or by implication) to a member or officer of the BAA.

the agreement shall have effect, in relation to anything falling to be done on or after that day, as if for that reference there were substituted a reference to such person as that company may appoint or, in default of appointment, to the officer of that company who corresponds as nearly as may be to the member or officer of the BAA in question.

- 3 It is hereby declared for the avoidance of doubt that—

- (a) the effect of section 2 in relation to any contract of employment with the BAA in force immediately before the appointed day is merely to modify the contract (as from that day) by substituting the successor company as the employer (and not to terminate the contract or vary it in any other way); and
- (b) that section is effective to vest the rights and liabilities of the BAA under any agreement or arrangement for the payment of pensions, allowances or

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gratuities in the successor company along with all other rights and liabilities of the BAA;

and accordingly for the purposes of any such agreement or arrangement (as it has effect by virtue of paragraph 1 in relation to employment with the successor company) any period of employment with the BAA shall count as employment with the successor company.

Financial provisions

- 4 The terms which, by virtue of section 4(2) of the 1975 Act, are applicable immediately before the appointed day to any such liability of the BAA as is mentioned in section 3(2) of this Act shall continue to apply to that liability after it becomes a liability of the successor company by virtue of section 2 of this Act, and section 4(3) of that Act shall continue to apply to sums received by the Secretary of State from the successor company by virtue of this paragraph.
- 5 The terms which, by virtue of section 6(2) of the 1975 Act, are applicable immediately before the appointed day to any such liability of the BAA as is mentioned in section 3(3) of this Act shall continue to apply to that liability after it becomes a liability of the successor company by virtue of section 2 of this Act, and section 6(4) of that Act shall continue to apply to sums received by the Secretary of State from the successor company by virtue of this paragraph.
- 6 Subsections (2) to (5) of section 7 of the 1975 Act (Treasury guarantees) shall continue to apply in relation to any guarantee given by the Treasury under that section with respect to a liability of the BAA which becomes a liability of the successor company by virtue of section 2 of this Act, but as if the reference to the BAA in subsection (4) of that section were a reference to the successor company.

Final statements of accounts etc.

- 7 (1) The successor company shall prepare a statement of the BAA's accounts for the period from the end of that dealt with in the last annual statement of accounts published by the BAA down to the appointed day (referred to in this paragraph and paragraph 8 as "the final period").
- (2) The statement shall be in such form and contain such particulars, compiled in such a manner, as the Secretary of State may, with the approval of the Treasury, direct.
- (3) The successor company shall arrange for the accounts of the BAA for the final period to be audited by auditors appointed by the Secretary of State; and a person [^{F5}shall not be so appointed unless he is eligible for appointment as a company auditor under section 25 of the Companies Act 1989.]

Textual Amendments

F5 Words in Sch. 5 para. 7 substituted (01.10.1991) by S.I. 1991/1997, reg. 2, Sch. para. 63(3) (with reg. 4)

- 8 (1) The successor company shall make to the Secretary of State a report on the performance by the BAA of its functions during the final period.
- (2) The report shall—
- (a) set out any direction given to the BAA under section 2(7) of the 1975 Act during the final period, unless the Secretary of State has notified the

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- successor company that in his opinion it is against the national interest to do so; and
- (b) include such information relating to the activities of the BAA and its financial position during that period as the Secretary of State may direct.
- (3) There shall be attached to the report a copy of the statement of accounts prepared in respect of the final period under paragraph 7 and a copy of any report made on the statement by the auditors.
- (4) The Secretary of State shall lay a copy of the report, and of the statements attached to it, before each House of Parliament.
- 9 (1) Where it is proposed to declare a distribution during the accounting reference period of the successor company which includes the appointed day, or before any accounts are laid or delivered to the registrar of companies in respect of that period, sections 270 to 276 of the ^{M17}Companies Act 1985 (relevant accounts) shall have effect as if—
- (a) such accounts as are mentioned in sub-paragraph (2) were accounts relevant under section 270, and
- (b) references in section 273 to initial accounts included references to any such accounts.
- (2) The accounts referred to in sub-paragraph (1)(a) and (b) are such accounts as, on the assumptions stated in sub-paragraph (3), would have been prepared under section 227 of the Companies Act 1985 in respect of the relevant year.
- (3) Those assumptions are—
- (a) that the relevant year had been a financial year of the successor company;
- (b) that the vesting effected by section 2 of this Act had been a vesting of all the property, rights and liabilities to which the BAA was entitled or subject immediately before the beginning of the relevant year and had been effected immediately after the beginning of that year;
- (c) that the value of any asset and the amount of any liability of the BAA vested in the successor company by virtue of that section had been the value or (as the case may be) the amount assigned to that asset or liability for the purposes of the statement of accounts prepared by the BAA in respect of its accounting year immediately preceding the relevant year;
- (d) that any securities of the successor company issued or allotted before the declaration of the distribution had been issued or allotted before the end of the relevant year; and
- (e) such other assumptions (if any) as may appear to the directors of the successor company to be necessary or expedient for the purposes of this paragraph.
- (4) for the purposes of such accounts as are mentioned in sub-paragraph (2) the amount to be included in respect of any item shall be determined as if anything done by the BAA (whether by way of acquiring, revaluing or disposing of any asset or incurring, revaluing or discharging any liability, or by carrying any amount to any provision or reserve, or otherwise) had been done by the successor company.

Accordingly (but without prejudice to the generality of the preceding provision) the amount to be included in any reserves of the successor company as representing its accumulated realised profits shall be determined as if any profits realised and retained by the BAA had been realised and retained by the successor company.

Status: Point in time view as at 01/10/1991.

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- (5) Any such accounts shall not be regarded as statutory accounts for the purposes of section 8 of this Act.
- (6) In this paragraph “the relevant year” means the accounting year of the BAA ending with the 31st March immediately preceding the appointed day.

Marginal Citations

M17 1985 c. 6.

Compulsory purchase orders

- 10 A compulsory purchase order made under section 17 of the 1975 Act which is in force immediately before the appointed day shall have effect as if made under section 59 of this Act; and the provisions of section 59 shall apply accordingly.

Byelaws and regulations relating to airports

- 11 (1) Any byelaws made or having effect as if made under section 9 of the 1975 Act and in force in relation to any airport immediately before the appointed day shall, as from that day, have effect as if they were byelaws made under section 63 of this Act and the airport were an airport designated for the purposes of that section.
- (2) The provisions of any regulations made or having effect as if made under section 58 of the 1982 Act, as applied by section 16 of the 1975 Act, and in force in relation to any airport immediately before the appointed day shall as from that day, have effect (with any necessary modifications) as if they were contained in byelaws made under subsection (2)(j) of section 63 of this Act and the airport were an airport designated for the purposes of that section; and any such provisions may accordingly be varied or revoked by byelaws so made.

Control of road traffic

- 12 Where immediately before the appointed day section 13 of the 1975 Act (control of road traffic) applies to any airport, then, as from that day and until such time as the airport is designated by an order under section 65 of this Act—
- (a) the airport shall be deemed to be an airport designated for the purposes of that section, and
- (b) any order which, immediately before that day, is in force in relation to the airport under section 13(2) of the 1975 Act shall have effect as if made under section 65(2) of this Act.

Abandoned vehicles

- 13 Where immediately before the appointed day any order is in force in relation to an airport under section 14 of the 1975 Act (functions of BAA as respects abandoned vehicles) then, as from that day and until such time as the airport is designated by an order under section 66 of this Act—
- (a) the airport shall be deemed to be an airport designated for the purposes of that section, and
- (b) the order shall have effect as if made under section 66(1).

Status: Point in time view as at 01/10/1991.

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Cargo areas

- 14 Notwithstanding the repeal by this Act of section 12 of the 1975 Act (prevention of theft from cargo areas at BAA’s airports) any area which, immediately before the appointed day, is to be treated as a cargo area for the purposes of section 27 of the ^{M18}Aviation Security Act 1982 (prevention of thefts at designated airports) in accordance with subsection (7) of that section shall continue to be so treated as if this Act had not been passed.

Marginal Citations

M18 1982 c. 36

Extension of Shops (Airports) Act 1962

- 15 Any order designating an airport for the purposes of the ^{M19}Shops (Airports) Act 1962 and in force at the commencement of section 70 of this Act shall, as from that commencement, be treated as designating that airport for the purposes of that Act as amended by this Act.

Marginal Citations

M19 1962 c. 35.

SCHEDULE 6

Section 83(5).

REPEALS

PART I

REPEALS COMING INTO FORCE ON THE APPOINTED DAY

Chapter	Short title	Extent of repeal
1966 c. 34.	Industrial Development Act 1966.	In Schedule 2, the entry relating to the British Airports Authority.
1971 c. 78.	Town and Country Planning Act 1971.	In section 224(1)(c), the words “the British Airports Authority or”
1972 c. 52.	Town and Country Planning (Scotland) Act 1972.	In section 213(1)(c), the words “the British Airports Authority or”.

Status: Point in time view as at 01/10/1991.

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1975 c. 24.	House of Commons Disqualification Act 1975.	In Part II of Schedule 1, the entry relating to the the British Airports Authority.
1975 c. 78.	Airports Authority Act 1975.	The whole Act.
1976 c. 57.	Local Government (Miscellaneous Provisions) Act 1976.	In section 15(3), the words “the British Airports Authority,”.
1976 c. 70.	Land Drainage Act 1976.	In section 112(2), the words “the British Airports Authority,”.
1976 c. 75.	Development of Rural Wales Act 1976.	In section 34(1), in the definition of “statutory undertakers”, the words “the British Airports Authority,”.
1978 c. 3.	Refuse Disposal (Amenity) Act 1978.	Section 12(1). Schedule 1.
1978 c. 8.	Civil Aviation Act 1978.	Section 8. In Schedule 1, paragraph 7.
1979 c. 46.	Ancient Monuments and Archaeological Areas Act 1979.	In section 61(2)(b), the words “the British Airports Authority,”.
1980 c. 60.	Civil Aviation Act 1980.	Sections 24 and 25.
1980 c. 65.	Local Government, Planning and Land Act 1980.	In section 108(i)(b), the words “British Airports Authority,”. In section 120(3), in the definition of “statutory undertakers”, the words “the British Airports Authority,”. In section 170(1) (b), the words “the British Airports Authority,”. In Schedule 16, paragraph 10.
1981 c. 64.	New Towns Act 1981.	In section 78(1)(c), the words “the British Airports Authority or”. In section 79(1)(b), the words “or the British Airports Authority”. In Schedule 12, paragraph 19.
1981 c. 67.	Acquisition of Land Act 1981.	In section 8, in subsection (1) (b), the words “the British Airports Authority or”, and subsection (2).

Status: Point in time view as at 01/10/1991.

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		In section 32(8), the words from “section 17(1)” to the end.
		In Schedule 4, paragraph 25.
1982 c. 1.	Civil Aviation (Amendment) Act 1982.	Section 1.
1982 c. 16.	Civil Aviation Act 1982.	Section 34(2).
		In section 35(1), the words “is managed by a person other than the BAA and”.
		In section 88(10), the words “, the BAA”.
		In section 105(1), the definition of the BAA.
		In Schedule 15, paragraph 17.
1982 c. 36.	Aviation Security Act 1982.	Section 27(7).
		Section 29(2)(b).
		Section 30(3)(b).
		In section 38(1), in the definition of “manager”, the words “the British Airports Authority,”.
1982 c. 48.	Criminal Justice Act 1982.	Section 44.
		In section 81(3), the words “section 44”.
1983 c. 44.	National Audit Act 1983.	In Part I of Schedule 4, the entry relating to the British Airports Authority.
1984 c. 12.	Telecommunications Act 1984.	In Schedule 4, paragraph 64.
1984 c. 22.	Public Health (Control of Disease) Act 1984.	In section 14(1), the words “or the British Airports Authority”.
1984 c. 27.	Road Traffic Regulation Act 1984.	In section 43(1), the words “and no such regulations” onwards.
		In Schedule 13, paragraph 33.
1984 c. 55.	Building Act 1984.	In section 4(1)(b) the words “, the British Airports Authority”, in subparagraph (i) the words “or in the case of the British Airports Authority a house

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		or a hotel,” and in sub-paragraph (ii) the words “the British Airports Authority or” and “in question”.
		In section 59(4), the words “, the British Airports Authority”, in paragraph (a) the words “or in the case of the British Airports Authority a house or a hotel,” and in paragraph (b) the words “the British Airports Authority or” and “in question”.
1985 c. 71.	Housing (Consequential Provisions) Act 1985.	In Schedule 2, paragraph 29.

PART II

REPEALS COMING INTO FORCE ON A DATE APPOINTED UNDER SECTION 85(5)

Chapter	Short title	Extent of repeal
1973 c. 41.	Fair Trading Act 1973.	In Part II of Schedule 7, paragraph 13.
1980 c. 65.	Local Government, Planning and Land Act 1980.	Section 72(4)(iii).
1982 c. 16.	Civil Aviation Act 1982.	Section 27. Section 29. Sections 32 and 33. Section 37. In section 38(2), the words “Without prejudice to section 60(3)(o),”. Section 40. Section 58. Section 60(3)(o). Section 61(6). Section 99(5)(a). Schedule 5. In Part II of Schedule 13, the entries relating to sections 32(5), 33(1), 37, 40(2) and 61(6) of the 1982 Act.

Status: Point in time view as at 01/10/1991.

Changes to legislation: Airports Act 1986 is up to date with all changes known to be in force on or before 20 June 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)

1982 c. 48.	Criminal Justice Act 1982.	In Schedule 14, paragraph 5(1). Section 45. In section 81(5), the words “section 45”.
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Status:

Point in time view as at 01/10/1991.

Changes to legislation:

Airports Act 1986 is up to date with all changes known to be in force on or before 20 June 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.