



# Transport Act 2000

## 2000 CHAPTER 38

### PART I

#### AIR TRAFFIC

### CHAPTER III

#### AIR NAVIGATION

#### **71 Information for purposes of Chapter III**

- (1) The CAA may, for any purpose connected with its air navigation functions, serve on a person who provides air traffic services a notice which—
  - (a) requires the person to produce any documents which are specified or described in the notice and are in his custody or under his control, and to produce them at a time and place so specified and to a person so specified, or
  - (b) requires the person to supply information specified or described in the notice, and to supply it at a time and place and in a form and manner so specified and to a person so specified.
- (2) A requirement may be made under subsection (1)(b) only if the person is carrying on a business.
- (3) No person may be required under this section—
  - (a) to produce documents which he could not be compelled to produce in civil proceedings in the court;
  - (b) to supply information which he could not be compelled to supply in such proceedings.
- (4) If a person without reasonable excuse fails to do anything required of him by a notice under subsection (1) he is guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.

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*Status: This is the original version (as it was originally enacted).*

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- (5) If a person intentionally alters, suppresses or destroys a document which he has been required to produce by a notice under subsection (1) he is guilty of an offence and liable—
  - (a) on summary conviction, to a fine not exceeding the statutory maximum;
  - (b) on conviction on indictment, to a fine.
- (6) If a person makes default in complying with a notice under subsection (1) the court may on the CAA's application make such order as the court thinks fit for requiring the default to be made good.
- (7) An order under subsection (6) may provide that all the costs or expenses of and incidental to the application are to be borne—
  - (a) by the person in default, or
  - (b) if officers of a company or other association are responsible for its default, by those officers.
- (8) A reference to producing a document includes a reference to producing a legible and intelligible copy of information recorded otherwise than in legible form.
- (9) A reference to suppressing a document includes a reference to destroying the means of reproducing information recorded otherwise than in legible form.
- (10) A reference to the court is to—
  - (a) the High Court in relation to England and Wales or Northern Ireland;
  - (b) the Court of Session in relation to Scotland.