



Transport Act 2000

2000 CHAPTER 38

PART I

AIR TRAFFIC

CHAPTER VI

MISCELLANEOUS AND GENERAL

Miscellaneous

94 Orders for possession of aerodromes etc.

- (1) This section applies in any time of actual or imminent hostilities or of severe international tension or of great national emergency.
- (2) The Secretary of State may by order provide for—
 - (a) any aerodrome, and
 - (b) any aircraft, machinery, plant, material or thing found in or on any aerodrome, to be taken into his possession and used by or for the purposes of the armed forces of the Crown.
- (3) An order under this section may, for the purpose of securing compliance with the provisions of the order—
 - (a) provide for the detention of aircraft;
 - (b) make such other provision as appears to the Secretary of State to be necessary or expedient for securing such detention.
- (4) A person must comply with an order under this section notwithstanding any other duty, however arising.
- (5) An order under this section may, for the purpose of securing compliance with the provisions of the order, provide for—

Status: Point in time view as at 25/05/2007. This version of this provision has been superseded.

Changes to legislation: Transport Act 2000, Section 94 is up to date with all changes known to be in force on or before 08 September 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)

- (a) persons to be guilty of offences in such circumstances as may be specified in the order;
 - (b) persons to be liable on conviction of those offences to such penalties as may be so specified.
- (6) The power under subsection (5) does not include power—
- (a) to provide for offences to be triable only on indictment;
 - (b) to authorise the imposition, on summary conviction of an offence, of any term of imprisonment or of a fine exceeding the statutory maximum;
 - (c) to authorise the imposition, on conviction on indictment of an offence, of a term of imprisonment exceeding two years.
- (7) Any person who suffers direct injury or loss arising from compliance with an order under this section is entitled to receive compensation from the Secretary of State.
- (8) The compensation must be of an amount agreed by the person and the Secretary of State or (in default of agreement) of an amount decided by—
- (a) an arbitrator appointed by the President of the Royal Institution of Chartered Surveyors (if the proceedings are to be held in England and Wales),
 - (b) an arbiter appointed by the Chairman of the Royal Institution of Chartered Surveyors in Scotland (if the proceedings are to be held in Scotland), or
 - (c) an arbitrator appointed by the [^{F1}Chairman of the Royal Institution of Chartered Surveyors in Northern Ireland] (if the proceedings are to be held in Northern Ireland).

Textual Amendments

- F1** Words in s. 94(8)(c) substituted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\), s. 148\(1\), Sch. 4 para. 296](#); [S.I. 2006/1014, art. 2\(a\), Sch. 1 para. 11\(x\)](#)

Commencement Information

- II** S. 94 wholly in force at 1.2.2001, see s. 275(1)(2) and [S.I. 2001/57, art. 3\(1\), Sch. 2 Pt. I](#) (subject to the transitional provision and saving in [Sch. 2 Pt. II](#))

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