



Air Traffic Management and Unmanned Aircraft Act 2021

2021 CHAPTER 12

PART 2

AIR TRAFFIC

10 Air traffic services licensed under Part 1 of the Transport Act 2000: enforcement

- (1) Chapter 1 of Part 1 of the Transport Act 2000 is amended as follows.
- (2) For section 20 substitute—

“20 Enforcement

Schedule B1 makes provision for—

- (a) the enforcement of the duties imposed by section 8 and licence conditions, and
- (b) connected appeals.”

- (3) Omit sections 21 to 24.
- (4) For section 25 substitute—

“25 Power to obtain information

Schedule C1 makes provision—

- (a) to enable the CAA to obtain information for the purposes of carrying out its functions under section 34 and Schedule B1,
- (b) for enforcement in connection with the exercise of those powers, and
- (c) for connected appeals.”

- (5) After that section insert—

“Penalties

25A Imposing penalties

- (1) The CAA may not impose a penalty on a person under paragraph 9 or 10 of Schedule B1 or paragraph 2, 3 or 4 of Schedule C1 for an act or omission if it has imposed a penalty on the person under one of those provisions in respect of the same act or omission.
- (2) Subsection (1) does not prevent the CAA imposing more than one penalty on a person in respect of acts or omissions that take place at different times or over different periods.

25B Recovering penalties

- (1) This section applies if all or part of a penalty imposed on a person under this Chapter is not paid within the period specified in the notice given in respect of the penalty under paragraph 12 of Schedule B1 or paragraph 6 of Schedule C1.
- (2) The unpaid balance carries interest from time to time at the rate for the time being specified in section 17 of the Judgments Act 1838.
- (3) The CAA may recover from any person as a debt due to the CAA—
 - (a) the unpaid balance, and
 - (b) any interest on the penalty that has not been paid.
- (4) Any sums received by the CAA by way of a penalty or interest under this Chapter must be paid into the Consolidated Fund.

25C Statement of policy on penalties

- (1) The CAA must prepare and publish a statement of its policy with respect to—
 - (a) imposing penalties under this Chapter, and
 - (b) determining their amount.
 - (2) The CAA may revise the statement of policy and, if it does so, it must publish the revised statement.
 - (3) When imposing a penalty under this Chapter, or determining the amount of such a penalty, the CAA must have regard to the last statement of policy published before the act or omission in respect of which the penalty is to be imposed.
 - (4) When preparing or revising a statement, the CAA must consult any persons that it considers appropriate.”
- (6) In section 34 (investigations), for subsections (1) and (2) substitute—
- “(1) A person may make a representation to the CAA about an alleged or apprehended contravention of a section 8 duty or a licence condition.
 - (2) Where a representation is made to the CAA, the CAA may—
 - (a) consider the representation;

(b) investigate the alleged or apprehended contravention.”

(7) After Schedule A1 (inserted by section 9) insert—

- (a) the Schedule B1 (enforcement of duties under section 8 and licence conditions) set out in Schedule 5 to this Act;
- (b) the Schedule C1 (information) set out in Schedule 6 to this Act.