



Civil Aviation Act 1949

1949 CHAPTER 67 12 13 and 14 Geo 6

PART II

REGULATION OF CIVIL AVIATION

Air Transport

13 Licensing of air transport and commercial flying

- (1) His Majesty may by Order in Council make provision—
- (a) for securing that aircraft shall not be used in the United Kingdom by any person—
 - (i) for plying, while carrying passengers or goods for hire or reward, on such journeys or classes of journeys (whether beginning and ending at the same point or at different points) as may be specified in the Order, or
 - (ii) for such flying undertaken for the purpose of any trade or business as may be so specified,except under the authority of, and in accordance with, a licence granted to the said person by the licensing authority specified in the Order;
 - (b) as to the circumstances in which a licence under the Order may or shall be granted, refused, revoked or suspended, and in particular as to the matters to which the licensing authority specified in the Order is to have regard in deciding whether to grant or refuse such a licence;
 - (c) as to appeals from the licensing authority by persons interested in the grant, refusal, revocation or suspension of any licence under the Order;
 - (d) as to the conditions which may be attached to such a licence (including conditions as to the fares, freight or other charges to be charged by the holder of the licence), and for securing compliance with any conditions so attached;
 - (e) as to the information to be furnished by an applicant for, or the holder of, such a licence to such authorities as may be specified in the Order;

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- (f) for prescribing, subject to the consent of the Treasury, the fees to be paid in respect of the grant of any licence under the Order;
and such an Order may make different provision as respects different classes of aircraft and different classes of licences.
- (2) An Order in Council under this section may, for the purpose of securing compliance with the Order, provide for the imposition of penalties not exceeding, in the case of a first offence against the Order, a fine of twenty pounds or, in the case of a second or subsequent such offence, a fine of fifty pounds or imprisonment for a term of three months.
- (3) The Minister shall lay before Parliament the draft of any Order which it is proposed to recommend His Majesty in Council to make under this section, and no further proceedings shall be taken in relation thereto except in pursuance of an Address presented to His Majesty by both Houses of Parliament praying that the Order may be made in the terms of the draft.
- (4) The Minister may pay out of moneys provided by Parliament—
- (a) to the members of any licensing authority which may be constituted by an Order in Council under this section such remuneration (if any) as the Minister, with the approval of the Treasury, may determine; and
 - (b) the amounts necessary to defray such expenses of the said licensing authority as the Minister and the Treasury may approve.

The amount of any fee received under such an Order in Council by any such licensing authority shall be paid by that authority to the Minister, and, when received by him, shall be paid into the Exchequer.

- (5) Part VI of this Act applies to this section so, however, that an Order in Council under this section shall not be laid before Parliament nor be subject to annulment in pursuance of a resolution of either House of Parliament.