



Civil Aviation Act 1949

1949 CHAPTER 67 12 13 and 14 Geo 6

PART VII

GENERAL

63 Interpretation

(1) In this Act, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say—

" aerodrome " means any area of land or water designed, equipped, set apart or commonly used for affording facilities for the landing and departure of aircraft;

" air transport service " means a service for the carriage by air of passengers, mails or other freight;

" Airways Corporations " means the British Overseas Airways Corporation, the British European Airways Corporation, and the British South American Airways Corporation;

" appropriate Minister " means, in relation to the undertakings indicated in paragraph (a) of the definition of statutory undertakers below, the Minister of Transport, in relation to those indicated in paragraph (b) thereof, the Minister of Fuel and Power (but in relation to the undertaking of the North of Scotland Hydro-Electric Board, the Secretary of State) and in relation to those indicated in paragraph (c) thereof the Minister of Health except in Scotland and in Scotland the Secretary of State;

" land " includes any estate or other interest in land and any easement, but this definition shall not affect the construction of the provisions of sections nineteen and twenty-three of this Act as to the acquisition of land;

" local authority " means, except in relation to Scotland, the council of a county, county borough, metropolitan borough or county district, or the Common Council of the City of London and, in relation to Scotland, any county or town council;

" Minister " means the Minister of Civil Aviation;

" owner ",—

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (a) in relation to any land in England or Wales means a person, other than a mortgagee not in possession, who is for the time being entitled to dispose of the fee simple of the land, whether in possession or in reversion, and includes also a person holding or entitled to the rents and profits under a lease or agreement, the unexpired term whereof exceeds three years,
 - (b) in relation to any land in Scotland or Northern Ireland, includes any person who under the Lands Clauses Acts would be enabled to sell and convey the land to the promoters of an undertaking and includes also a lessee under a lease the unexpired period of which exceeds three years;
- " purposes of civil aviation " includes all purposes connected with air navigation except purposes of defence of the realm by air and the expression " defence of the realm by air " includes the Air Force and the administration of all matters relating thereto;
- " statutory undertaker " means any person (including a local authority) authorised by any Act (whether public, general or local), or by any order or scheme made under or confirmed by any Act, to construct, work or carry on—
- (a) any railway, light railway, tramway, road transport, water transport, canal, inland navigation, dock, harbour, pier or lighthouse undertaking ;
 - or
 - (b) any undertaking for the supply of electricity, gas or hydraulic power ; or
 - (c) any undertaking for the supply of water ;
- and the expression " statutory undertaking " shall be construed accordingly.
- (2) Any reference in this Act to the carrying out of works on land shall be construed as including a reference to the making of excavations on the land or to the carrying out of levelling operations on the land, and references to the maintenance of works or to interference' with works shall be construed accordingly.
 - (3) For the avoidance of doubt it is hereby declared that in this Act the expression " loss or damage " includes in relation to persons, loss of life and personal injury.
 - (4) Any reference in this Act to goods or articles shall be construed as including a reference to mails or animals.
 - (5) Any reference in this Act to any country or territory shall, unless the context otherwise requires, be construed as including a reference to the territorial waters, if any, adjacent to that country or territory.
 - (6) Any power conferred by this Act shall be in addition to and not in derogation of any other power so conferred.
 - (7) Any power conferred by this Act to make rules or regulations shall be exercisable by statutory instrument.
 - (8) Any power conferred by this Act to make any Order in Council or order shall be construed as including a power exercisable in the like manner and subject to the like conditions, if any-, to vary or revoke the Order in Council or order.
 - (9) References in this Act to any enactment shall, except in so far as the context otherwise requires, be taken as referring to that enactment as amended by or under any other enactment.