



Civil Aviation Act 1949

1949 CHAPTER 67 12 13 and 14 Geo 6

PART II

REGULATION OF CIVIL AVIATION

General

9 Control of aviation in time of war or emergency

- (1) In time Of war, whether actual or imminent, or of great national emergency, the Secretary of State may by order regulate or prohibit, either absolutely or subject to such conditions as may be contained in the order and notwithstanding the provisions of this Act or any Order in Council or regulations made thereunder, the navigation of all or any descriptions of aircraft over the United Kingdom or any portion thereof; and may by order provide for taking possession of and using for the purposes of His Majesty's naval, military or air forces any aerodrome, or any aircraft, machinery, plant, material or things found therein or thereon, and for regulating or prohibiting the use, erection, building, maintenance or establishment of any aerodrome, or flying school, or any class or description thereof.
- (2) An order under this section may make, for the purposes of the order, such provision as an Order in Council under section eight of this Act may by virtue of subsection (4) of that section make for the purpose of securing compliance with provisions thereof having effect by virtue of paragraph (Z) of subsection (2) of that section.
- (3) Any person who suffers direct injury or loss, owing, to the operation of an order of the Secretary of State under this section, shall be entitled to receive compensation from the Secretary of State, the amount thereof to be fixed, in default of agreement, by the Lands Tribunal; and the principles of the Acquisition of Land (Assessment of Compensation) Act, 1919, shall, with the necessary modifications, apply where possession is taken of any land :

Provided that no compensation shall be payable by reason of the operation of a general order under this section prohibiting flying in the United Kingdom or any part thereof.

Status: This is the original version (as it was originally enacted).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

- (4) The power to make an order under this section shall be exercisable by statutory instrument.
- (5) Any expenses incurred by a Secretary of State in the exercise of his powers under this section shall be paid out of moneys provided by Parliament.
- (6) Part VI of this Act applies to this section.