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SCHEDULES

SCHEDULE 10

Section 69(1).

MINOR AND CONSEQUENTIAL AMENDMENTS OF ENACTMENTS

The Ministry of Supply Act 1939

- 1 In section 19 of the Ministry of Supply Act 1939, in paragraph (i) of the definition of "articles required for the public service", after the word "Authority" there shall be inserted the words "the Civil Aviation Authority".

The Civil Aviation Act 1949

- 2 In section 55 of the Civil Aviation Act 1949 (which relates to the recording and registration of births and deaths), in subsection (1) for the word "him" where it first occurs there shall be substituted the words "the Civil Aviation Authority (hereafter in this section referred to as "the Authority")" and for the word "him" in the second place where it occurs there shall be substituted the words "the Authority"; and for the words "in his Department" and "in the Department of the Minister" wherever they occur in that section there shall be substituted the words "by the Authority".
- 3 In paragraph 1(2) of Schedule 11 to that Act (which provides for the modification of section 143 of the Public Health Act 1936) for the words "persons in aircraft" there shall be substituted the words "persons and aircraft".

The Public Records Act 1958

- 4 In the second column of Part I of the Table at the end of paragraph 3 of Schedule 1 to the Public Records Act 1958 (which contains a list of bodies and establishments which are under government departments and whose administrative and departmental records are public records for the purposes of that Act) after the entry relating to the Air Registration Board there shall be inserted the following entries:—
- Airworthiness Requirements Board
Civil Aviation Authority.

The Civil Aviation (Licensing) Act 1960

- 5 In section 6(6) and (7) of the Civil Aviation (Licensing) Act 1960 (which relate to offences under that section and are applied by the following section) for the words "this section" there shall be substituted the words "the following section".

The Civil Aviation (Eurocontrol) Act 1962

- 6 (1) In section 4 of the Civil Aviation (Eurocontrol) Act 1962 (which relates to charges for air navigation services) for subsection (1) there shall be substituted the following subsections:—

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“(1) The Minister may by statutory instrument make regulations for requiring the payment to the Organisation or the Minister or the Civil Aviation Authority (hereafter in this section referred to as " the Authority") of charges, of such amounts and in such currencies as may be prescribed by the regulations, in respect of navigation services which, either in pursuance of international arrangements or otherwise, are provided for aircraft by the Organisation, the Minister, the Authority or any other person or by any persons jointly ; and regulations under this section may provide for charges payable by virtue of the regulations to be so payable elsewhere than in the United Kingdom and to be recoverable in the United Kingdom wherever they are payable (without prejudice to the recovery of them elsewhere) and may include such incidental and supplementary provisions as the Minister considers appropriate for the purposes of the regulations.

(1A) Any sum received by the Minister by virtue of regulations under this section shall be paid into the Consolidated Fund; and regulations under this section may contain provision for regulating the disposal by the Authority of sums received by it by virtue of the regulations.”

(2) In subsection (2) of that section after the words " the operators " there shall be inserted the words "or owners", after the words " the aircraft)" there shall be inserted the words "or upon those operators and owners" and after the words " those operators " there shall be inserted the words "or owners or operators and owners".

(3) In subsection (3) of that section, for the words " approved under the Convention " there shall be substituted the words

“which are either—

(i) approved under any international agreement to which the United Kingdom is a party, or

(ii) in the opinion of the Minister likely to be approved, before or within one month after the date when the regulations come into force, under any international agreement to which the United Kingdom is likely to be a party before or within one month after that date ;”

after the word " Minister " where it first occurs in paragraph (b) there shall be inserted the words "or the Authority" and after the word " circumstances " there shall be inserted the words ", may provide for the payment, with any charges or separately, of interest on the charges in respect of any period during which the charges were due but unpaid".

(4) In subsection (4) of that section, after the word " Minister " in paragraph (b) there shall be inserted the words "or of the Authority" and after the word "Minister" in paragraph (c) there shall be inserted the words "or to the Authority".

(5) Any regulations in force under that Act immediately before the date when the preceding sub-paragraphs come into force shall, in so far as the regulations were made by virtue of any provision of that Act which is amended by any of those sub-paragraphs, be deemed on and after that date to be made by virtue of that provision as so amended.

7 In section 7(3)(a) of that Act (which relates to the recovery of charges for air navigation services which are payable to the Minister) after the word " charges " there shall be inserted the words "or interest" and after the word " Minister " there shall be inserted the words "or the Organisation or the Civil Aviation Authority".

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- 8 In section 8(1) of that Act (which relates to interpretation), in the definition of "manager", for the words from " or holds" onwards there shall be substituted the words "it or holds a licence granted in respect of it by virtue of section 8 of the Civil Aviation Act 1949".

The Airports Authority Act 1965

- 9 In section 9(3) of the Airports Authority Act 1965 (under which a contravention of byelaws under that section may be punished by a fine of an amount not exceeding twenty-five pounds) for the words " twenty-five pounds " there shall be substituted the words "one hundred pounds".
- 10 In section 13(4) of that Act (which provides for the modification of section 143 of the Public Health Act 1936) for the words " persons in aircraft" there shall be substituted the words "persons and aircraft".
- 11 In section 15 of that Act (which provides for grants towards the cost of sound-proofing buildings)—
- (a) for the words " an aerodrome owned or managed by the Authority " in subsection (1) there shall be substituted the words "a designated aerodrome within the meaning of section 29 of the Civil Aviation Act 1971";
 - (b) for the words from " by measures " to " Act " in subsection (1) there shall be substituted the words "by virtue of that section";
 - (c) for the words " Authority to " in subsection (1) there shall be substituted the words "person for the time being managing the aerodrome (hereafter in this section referred to as" the relevant manager ") to " ;
 - (d) for the word " Authority " in each place where it occurs in subsections (3), (4) and (6) there shall be substituted the words "relevant manager";
 - (e) for the word " its " in subsection (3) there shall be substituted the words "the relevant manager's"; and
 - (f) after the word " section " in subsection (6) there shall be inserted the words "relating to an aerodrome".
- 12 (1) In subsection (1) of section 18 of that Act (which relates to planning decisions given in the interests of the British Airports Authority) after the words " been taken " there shall be inserted the words ", or in the case of compensation under the said section 118 or the said section 20 to an order under section 27 of the Act of 1962 or section 19 of the Act of 1947 which would not have been made,".
- (2) In subsection (4) of that section, after the word " taken " there shall be inserted the words "or as to whether an order under section 27 of the Act of 1962 or section 19 of the Act of 1947 would not have been made".

The Selective Employment Payments Act 1966

- 13 At the end of Part I of Schedule 1 to the Selective Employment Payments Act 1966 (which lists the bodies to which section 3 of that Act applies) there shall be inserted the following paragraphs:—
- “26 The Civil Aviation Authority.
- 27 The British Airways Board.”

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The Selective Employment Payments Act (Northern Ireland) 1966

- 14 In Schedule 1 to the Selective Employment Payments Act (Northern Ireland) 1966 (which lists bodies to which section 4 of that Act applies) there shall be inserted at the appropriate places in alphabetical order the words "The British Airways Board" and " The Civil Aviation Authority ".

The Industrial Development Act 1966

- 15 Schedule 2 to the Industrial Development Act 1966 (which specifies bodies not eligible for certain grants under Part I of that Act) shall have effect as if the Authority and the Board were included among the bodies there specified.

The Air Corporations Act 1967

- 16 In the Air Corporations Act 1967, except sections 23, 24, 28, 30(2) and 31(1) (which relate respectively to terms of employment, pensions, great national emergencies, pension schemes and statutory instruments), " the Board " shall mean the British Airways Board ; and accordingly in section 2(1) of that Act for the words from " as the" to "the Board")" there shall be substituted the words "as the British Airways Board" and in section 33(1) of that Act at the end of the definition of " the Board" there shall be inserted the words "in sections 23, 24, 28, 30(2) and 31(1) of this Act and means the British Airways Board in any other provision of this Act".
- 17 In section 2(3) of that Act (which provides that the supplementary provisions contained in Schedule 1 to that Act shall have effect) after the word " shall" there shall be inserted the words ", subject to the provisions of the Civil Aviation Act 1971 and in particular of section 38(1)(d) of that Act,".
- 18 (1) In section 3 of that Act (which relates to the functions of the corporations), in subsection (1) after the word " Act" there shall be inserted the words "and the Civil Aviation Act 1971".
- (2) In subsection (2) of that section after the word "Act" there shall be inserted the words "or the said Act of 1971".
- (3) In subsection (3) of that section for the words " under this subsection " there shall be substituted the words "by the Secretary of State by statutory instrument".
- (4) In subsection (4) of that section for the words from the beginning to "provided" there shall be substituted the words "Notwithstanding anything in the preceding provisions of this section, each of the corporations shall have power with, but only with, the consent of the Board" and at the end of that subsection there shall be inserted the words "and the Board shall not give its consent in pursuance of this subsection except with the general or special consent of the Secretary of State, so however that his consent shall not be required in respect of a loan to the Board or the other corporation".
- 19 (1) In section 7 of that Act (which relates to the borrowing powers of the corporations), in subsection (1) for the words " sections 16 and 22 of this Act" there shall be substituted the words "section 46 of the Civil Aviation Act 1971" and for the words from " as " to " discharging " there shall be substituted the words "in sterling or other currencies as the corporation may require for performing".
- (2) For subsection (2) of that section there shall be substituted the following subsections—

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- “(1A) The Board shall not give its consent in pursuance of the preceding subsection for any borrowing except either with the consent of the Secretary of State given with the approval of the Treasury or in accordance with a general authority issued to it by the Secretary of State with the said approval.
- (2) Each of the corporations may borrow from the Board such sums as the corporation may require for performing their functions.”
- (3) In subsection (3) of that section after the word "with" there shall be inserted the words "the consent of the Secretary of State given with" and for the words from "required" onwards there shall be substituted the words "required by the corporation for performing their functions".
- (4) Any sum borrowed in pursuance of any provision of the said section 7 and outstanding at the time when the preceding sub-paragraphs come into force shall after that time be deemed to be duly borrowed in pursuance of that provision of that section as modified by those sub-paragraphs.
- 20 In subsection (7) of section 24 of that Act (which provides for consultation in connection with the making in pursuance of that section of certain regulations relating to pensions) the words from "in respect of relevant" to the end of paragraph (b) shall be omitted and at the end of that subsection there shall be inserted the words "and with the British Airways Board".
- 21 (1) In section 25 of that Act (which relates to accounts and audit), in subsection (1) for the words from "approval" onwards there shall be substituted the words "consent of the Secretary of State given with the approval of the Treasury direct, showing the state of affairs and profit or loss of the corporation and its subsidiaries".
- (2) At the end of subsection (2) of that section there shall be added the words "with the consent of the Secretary of State given with the approval of the Treasury".
- (3) At the end of subsection (3) of that section there shall be added the words
- “with the approval of the Secretary of State, and a person shall not be qualified to be so appointed unless he is a member of one or more of the following bodies—
- the Institute of Chartered Accountants in England and Wales ;
the Institute of Chartered Accountants of Scotland ;
the Association of Certified Accountants ;
the Institute of Chartered Accountants in Ireland ;
any other body of accountants established in the United Kingdom and for the time being recognised for the purposes of section 161(1)(a) of the Companies Act 1948 by the Secretary of State,
- but a Scottish firm may be so appointed if each of the partners therein is qualified to be so appointed”.
- 22 (1) In section 28 of that Act (which relates to great national emergencies), in subsection (1) for the words "either of the corporations" there shall be substituted the words "the British Airways Board" and the words from "or of such persons" onwards shall be omitted.
- (2) In subsection (2) of that section for the words "a corporation" and "them" there shall be substituted the words "the British Airways Board" and "it" respectively and the words "or under the direction of" shall be omitted.

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- 23 In section 35(1) of that Act (which relate to the Channel Islands and the Isle of Man) the proviso shall cease to have effect.
- 24 (1) In Schedule 1 to that Act, in paragraph 7 (which relates to the remuneration of members of the corporations) after the word " thereof" there shall be inserted the words "(except a member who is also a member of the Board)" and for the words from " with " onwards there shall be substituted the word "determine".
- (2) In paragraph 8(1) of that Schedule (which relates to pensions for members) after the word " pensions " there shall be inserted the words ", allowances or gratuities" and for the words from " with the " onwards there shall be substituted the words "determine and any provision made in relation to a member in pursuance of this paragraph shall be in addition to the provision, if any, made in relation to him by virtue of section 24(6) of this Act.
- In this sub-paragraph " gratuities " includes a refund of contributions to a pension fund with or without interest on or any other addition to the contributions".
- (3) In paragraph 9 of that Schedule (which relates to the payment of compensation to members) for the words from " the Board may" onwards there shall be substituted the words "the Board may require the corporation to make to that person a payment of such amount as the Board may determine".

The Hovercraft Act 1968

- 25 The enactments and instruments with respect to which provision may be made by Order in Council in pursuance of section 1(1)(h) of the Hovercraft Act 1968 shall include this Act and any instrument made under it.

The Civil Aviation Act 1968

- 26 In section 5 of the Civil Aviation Act 1968 (under which a contravention of byelaws under that Act may be punished by a fine of an amount not exceeding twenty-five pounds) for the words " twenty-five pounds" there shall be inserted the words "one hundred pounds".
- 27 In section 15(2)(a) of that Act (which adapts provisions amended by paragraph 6(3) of this Schedule) for the words " under the Convention relating to that Organisation" there shall be substituted the words "or likely to be approved under any such agreement as is there mentioned" and for the words " and Convention " there shall be substituted the words "and any such agreement".