



# Civil Aviation Act 1982

## 1982 CHAPTER 16

### PART III

#### REGULATION OF CIVIL AVIATION

*Air transport, etc.*

#### **[<sup>F1</sup>69A Regulation of carriage by air by route licences.**

- (1) No aircraft shall be used for the carriage for reward of passengers or cargo on a flight to which this subsection applies unless—
  - (a) the operator of the aircraft holds a licence granted to him by the CAA in pursuance of section 65 as applied by subsection (6) below (in this Act referred to as a “route licence”) authorising him to operate aircraft on such flights as the flight in question; and
  - (b) the terms of the licence are complied with so far as they relate to that flight and fall to be complied with before or during the flight.
- (2) Subsection (1) above applies to any flights to which section 64(1) above applies (apart from the exceptions) where the aircraft is used by a [<sup>F2</sup>UK air carrier], except that it does not apply to—
  - (a) a flight of a description specified for the purposes of paragraph (a) of section 64(2) as applied by subsection (6) below;
  - (b) a particular flight or series of flights specified for the purposes of paragraph (b) of section 64(2) as so applied;
  - (c) a flight by an aircraft of which the CAA is the operator; <sup>F3</sup>...
  - <sup>F4</sup>(d) .....
- (3) No route licence shall be granted by the CAA so as to permit [<sup>F5</sup>the carriage for reward of passengers or cargo on a route] access to which is denied to the aircraft operator concerned by virtue of exceptions contained in [<sup>F6</sup>article 16 of the Operation of Air Services in the Community Regulation].

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- (4) The CAA shall refuse to grant a route licence in pursuance of an application under section 65 as applied by subsection (6) below if it is not satisfied that the applicant possesses a valid operating licence.
- (5) Where a person holds—
- (a) an operating licence granted by [<sup>F7</sup>the CAA], and
  - (b) a route licence,
- and his operating licence is revoked or suspended by [<sup>F8</sup>the CAA] (and that revocation or suspension takes effect), the route licence shall, as from the date when the revocation or suspension takes effect, cease to be in force or, in the case of suspension, not be effective during the period of suspension of the operating licence.
- (6) Subject to subsections (3) to (5) above, sections 64(2)(a), (b) and (c), (3) to (8) and 65 to 69 above shall apply in relation to route licences (and route licensing functions) as they apply in relation to air transport licences (and air transport licensing functions) subject to the modifications specified in subsection (7) below.
- (7) Those modifications are—
- (a) the omission of section 65(2) and the substitution, for the reference to that subsection in subsection (4), of a reference to subsection (4) above;
  - (b) the omission of section 66(3) to the end of paragraph (b);
  - (c) the omission in sections 64(6) and 65(3) of the references to the law of a relevant overseas territory <sup>F9</sup> . . . ;
- [ the following modifications relating to appeals—
- <sup>F10</sup>(ca)
  - (i) the substitution in section 65(6), for paragraphs (a) to (c), of the words until the specified date (see section 69A(7A) below),
  - (ii) the substitution in section 66(5), for the words from “before the expiration” onwards, of the words before the specified date (see section 69A(7B) below), and
  - (iii) the omission of section 66(6)(a) and section 67(5);]
- (d) the substitution, in section 68(5), for the reference to sections 64 to 67, of a reference to this section and those sections as applied by subsection (6) above; and
  - (e) the substitution, in section 69(1), for the reference to sections 64 to 68, of a reference to this section and those sections as so applied.
- [ For the purposes of section 65(6) as applied by subsection (6) above, “ the specified <sup>F11</sup>(7A) date ” means—
- (a) such date as is specified by the CAA for those purposes when giving its decision on the application in question, or
  - (b) such later date as the CAA may specify for those purposes in accordance with subsection (7C) below.
- (7B) For the purposes of section 66(5) as applied by subsection (6) above, “ the specified date ” means—
- (a) such date as is specified by the CAA for those purposes when giving its decision to revoke, vary or suspend the licence in question, or
  - (b) such later date as the CAA may specify for those purposes in accordance with subsection (7C) below.

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(7C) Where the CAA has specified a date as mentioned in subsection (7A)(a) or (7B)(a) above, it may (on one or more occasions) specify a later date for the purposes mentioned in that subsection if the holder of the licence in question—

- (a) makes an application to the CAA for it to specify such a date, and
- (b) does so before the date that is currently specified for those purposes.]

(8) In this section—

<sup>F12</sup>

“<sup>F13</sup>UK air carrier” has the same meaning as in [<sup>F14</sup>the Operation of Air Services in the Community Regulation];

“operating licence” means an operating licence granted [<sup>F15</sup>by the CAA] in accordance with [<sup>F16</sup>the Community licensing Regulation].]

#### Textual Amendments

- F1** S. 69A inserted (1.1.1993) by S.I. 1992/2992, **reg.21**.
- F2** Words in s. 69A(2) substituted (31.12.2020) by The Operation of Air Services (Amendment etc.) (EU Exit) Regulations 2018 (S.I. 2018/1392), regs. 1(2), **2(2)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Word in s. 69A(2)(c) omitted (31.12.2020) by virtue of The Operation of Air Services (Amendment etc.) (EU Exit) Regulations 2018 (S.I. 2018/1392), regs. 1(2), **2(2)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** S. 69A(2)(d) omitted (31.12.2020) by virtue of The Operation of Air Services (Amendment etc.) (EU Exit) Regulations 2018 (S.I. 2018/1392), regs. 1(2), **2(2)(a)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in s. 69A(3) substituted (31.12.2020) by The Operation of Air Services (Amendment etc.) (EU Exit) Regulations 2018 (S.I. 2018/1392), regs. 1(2), **2(2)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F6** Words in s. 69A(3) substituted (26.1.2009) by The Operation of Air Services in the Community Regulations 2009 (S.I. 2009/41), regs. 1, **34(b)**
- F7** Words in s. 69A(5) substituted (31.12.2020) by The Operation of Air Services (Amendment etc.) (EU Exit) Regulations 2018 (S.I. 2018/1392), regs. 1(2), **2(2)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F8** Words in s. 69A(5) substituted (31.12.2020) by The Operation of Air Services (Amendment etc.) (EU Exit) Regulations 2018 (S.I. 2018/1392), regs. 1(2), **2(2)(c)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F9** Words in s. 69A(7)(c) repealed (8.11.1995) by 1995 c. 44, s. 1, **Sch. 1 Pt. II**
- F10** S. 69A(7)(ca) inserted (1.3.2007) by Civil Aviation Act 2006 (c. 34), **ss. 7(2)**, 14 (with s. 7(5)); S.I. 2007/598, **art. 2**, Sch. 1
- F11** S. 69A(7A)-(7C) inserted (1.3.2007) by Civil Aviation Act 2006 (c. 34), **ss. 7(3)**, 14 (with s. 7(5)); S.I. 2007/598, **art. 2**, Sch. 1
- F12** Words in s. 69A(8) omitted (26.1.2009) by virtue of The Operation of Air Services in the Community Regulations 2009 (S.I. 2009/41), regs. 1, **34(c)(i)**
- F13** Words in s. 69A(8) substituted (31.12.2020) by The Operation of Air Services (Amendment etc.) (EU Exit) Regulations 2018 (S.I. 2018/1392), regs. 1(2), **2(2)(d)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F14** Words in s. 69A(8) substituted (26.1.2009) by The Operation of Air Services in the Community Regulations 2009 (S.I. 2009/41), regs. 1, **34(c)(ii)**
- F15** Words in s. 69A(8) substituted (31.12.2020) by The Operation of Air Services (Amendment etc.) (EU Exit) Regulations 2018 (S.I. 2018/1392), regs. 1(2), **2(2)(d)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F16** Words in s. 69A(8) substituted (1.1.1994) by S.I. 1993/3039, **reg. 3(b)(ii)**

**Changes to legislation:**

There are currently no known outstanding effects for the Civil Aviation Act 1982, Section 69A.