



# Airports Act 1986

## CHAPTER 31

### AIRPORTS ACT 1986

#### PART I

##### TRANSFER OF UNDERTAKING OF BRITISH AIRPORTS AUTHORITY

###### *Preliminary*

- 1 Power to direct reorganisation of BAA's undertaking prior to appointed day.

###### *Dissolution of BAA and vesting of its property etc. in a successor company*

- 2 Dissolution of BAA and vesting of its property etc. in a successor company.
- 3 Cancellation of liabilities of BAA to the Secretary of State.
- 4 Initial Government holding in the successor company.
- 5 Government investment in securities of the successor company.
- 6 Exercise or functions through nominees.
- 7 Target investment limit for Government shareholding.
- 8 Financial structure of the successor company.
- 9 Temporary restrictions on successor company's borrowings etc.

###### *Supplementary*

- 10 .....
- 11 Application of Trustee Investments Act 1961 in relation to investment in the successor company.

#### PART II

##### TRANSFER OF AIRPORT UNDERTAKINGS OF LOCAL AUTHORITIES

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### *Preliminary*

- 12 Interpretation of Part II.

#### *Transfer of airport undertakings of local authorities*

- 13 Transfer of airport undertakings of local authorities to companies owned by such authorities.  
14 Airports to which s. 13 applies.  
15 Transfer schemes.

#### *Public airport companies*

- 16 Public airport companies and their controlling authorities.  
17 Control over constitution and activities of public airport companies.  
17A Additional activities of public airport companies  
18 Disabilities of directors of public airport companies.  
19 Prohibition on employment by public airport company of officers etc. of controlling authority.  
20 Powers of investment and disposal in relation to public airport companies.  
21 Capital controls relating to investment in public airport companies by local authorities in England and Wales.  
22 Other local authority capital controls in England and Wales.  
23 Local authority capital controls in Scotland.  
24 Provision of services for public airport companies.  
25 Financial backing for establishment and operations of public airport companies.

### *Supplementary*

- 26 Avoidance of restrictions on transfer of securities of public airport companies.  
27 Consents under s. 30 of the 1982 Act.  
28 Compensation for loss of diminution of pension rights.

## **PART III**

### REGULATION OF USE OF AIRPORTS, ETC.

- 29 Interpretation of Part III, etc.  
30 Directions to airport operators in the interests of national security etc.  
31 Traffic distribution rules.  
32 Power to limit aircraft movements at certain airports.  
33 Schemes for allocating capacity at airports.  
34 Matters to be taken into account by CAA.  
35 Regulation of availability of airports by reference to airport licences.

## **PART IV**

### ECONOMIC REGULATION OF AIRPORTS

#### *Preliminary*

- 36 Interpretation of Part IV, etc.

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### *Permissions*

- 37 Airports subject to economic regulation; requirement for permission to levy airport charges.
- 38 Grant or refusal of permissions.

### *Conditions*

- 39 Imposition of conditions by CAA.
- 40 Mandatory conditions in case of designated airports.
- 40A Designation of certain regulated airports
- 40B Market power examinations
- 41 Discretionary conditions.
- 42 Discretionary conditions: supplementary provisions.

### *References to Commission*

- 43 References to Commission in relation to imposition or modification of conditions.
- 44 Supplementary provisions relating to references.
- 44A References under section 43: time limits
- 44B References under section 43: powers of investigation
- 45 Reports on references.
- 46 Imposition or modification of conditions following Commission's report.
- 47 Charges to be paid by airport operators in respect of Commission's expenses.

### *Enforcement of conditions*

- 48 Breach of conditions other than accounts conditions: complaints and compliance orders.
- 49 Validity and effect of compliance orders.
- 50 Breach of accounts conditions: criminal penalties etc.

### *Supplementary*

- 51 Supplementary provisions relating to conditions.
- 52 Special provisions relating to groups of airports.
- 53 Functions in relation to permissions and conditions initially exercisable by Secretary of State.
- 54 Orders under the 1973 Act or 1980 Act modifying or revoking conditions.
- 55 Application of Part IV to associated companies of airport operators.
- 56 Co-ordination of exercise of functions by CAA and Director General of Fair Trading.

## **PART V**

### **STATUS OF CERTAIN AIRPORT OPERATORS AS STATUTORY UNDERTAKERS, ETC.**

- 57 Scope of Part 5
- 57A Scope of Part 5
- 58 Application of enactments relating to statutory undertakings.
- 59 Acquisition of land and rights over land.
- 60 Disposal of compulsorily acquired land.

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- 61 Compensation in respect of planning decisions relating to safety of airports etc.
- 62 Provisions as to electronic communications apparatus.

## PART VI

### MISCELLANEOUS AND SUPPLEMENTARY

#### *Byelaws*

- 63 Airport byelaws.
- 64 Byelaws: penalties and power to revoke in certain cases.

#### *Other provisions relating to airports*

- 65 Control of road traffic at designated airports.
- 66 Functions of operators of designated airports as respects abandoned vehicles etc. .
- 67 Provision of special accommodation at airports.
- 68 Monitoring of aircraft movements.
- 69 Duty of CAA with respect to implementation of recommendations concerning airport capacity.
- 70 Extension of Shops (Airports) Act 1962.
- 71 .....

#### *Constitution of CAA*

- 72 Increase in maximum number of members of CAA.

#### *Supplementary*

- 73 Furnishing of information etc. to CAA.
- 74 Restriction on disclosure of information.
- 75 Supplementary provisions relating to transfer schemes.
- 76 Stamp duty.
- 76A Stamp duty land tax
- 77 Corporation Tax.
- 78 Offences by bodies corporate.
- 79 Orders and regulations.
- 80 Directions etc.
- 81 Financial provisions.
- 82 General interpretation.
- 83 Amendments, transitional provisions and repeals.
- 84 Application of provisions of Act to certain overseas territories.
- 85 Short title, commencement and extent.

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## SCHEDULES

### SCHEDULE 1 — Application of part iv to Associated Companies of Airport Operators

#### *Preliminary*

- 1 This Schedule has effect for the purpose of authorising or...

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*Section 39*

- 2 Section 39(1) and (4) shall apply to any subsidiary conditions...  
3 (1) Where an associated company of the airport operator in...  
4 In section 41— (a) in subsection (1), the reference to...

*Section 42*

- 5 In section 42(2) and (3)— (a) references to an airport...

*Section 43*

- 6 (1) Where an associated company of the airport operator in...

*Section 44*

- 7 (1) In relation to any reference to which paragraph 6(1)...

*Section 45*

- 8 (1) In section 45(3) the reference to an airport operator...

*Section 48*

- 9 (1) In section 48(1)(a) the reference to the airport operator...

*Section 49*

- 10 (1) In section 49(1) and (9) any reference to an...

*Section 50*

- 11 (1) In section 50 any reference to an airport operator...

*Section 51*

- 12 (1) Section 51(3) shall apply in relation to any subsidiary...

*Section 54*

- 13 In section 54(1A), references to an airport operator shall be...

SCHEDULE 2 — Application of Enactments Relating to Statutory Undertakers etc.

*General application of enactments*

- 1 (1) Any airport to which this Part applies shall be...

*Application of particular enactments*

- 2 In the Public Health Act 1936— (a) section 330 (power...  
3 (1) The following provisions (which relate to the protection of...  
4 A relevant airport operator shall be deemed to be a...  
5 For the purposes of section 112 of the Land Drainage...  
6 In the Building Act 1984— (a) section 4(1)(b) (exemption of...

SCHEDULE 3 — Airport Byelaws made by Persons other than the Secretary of State

- 1 References in this Schedule to the airport operator in relation...

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- 2 Where the airport operator is a body corporate, the byelaws...
- 3 At least one month before application for confirmation of the...
- 4 For at least one month before application for confirmation is...
- 5 The airport operator shall, on application made by any person...
- 6 The Secretary of State may confirm with or without modifications,...
- 7 A copy of the byelaws, when confirmed, shall be printed...
- 8 The production of a printed copy of a byelaw purporting...

#### SCHEDULE 4 — Consequential Amendments

- 1 .....  
*Town and Country Planning (Scotland) Act 1972 (c. 52)*
- 2 .....  
*Fair Trading Act 1973 (c. 41)*
- 3 .....  
*Consumer Credit Act 1974 (c. 39)*
- 4 In section 174(3)(a) (exceptions to general restriction on disclosure of...  
*Restrictive Trade Practices Act 1976 (c. 34)*
- 5 In section 41(1)(a) (disclosure of information), after “the Director  
General...  
*Estate Agents Act 1979 (c. 38)*
- 6 .....  
*Competition Act 1980 (c. 21)*
- 7 .....  
*Civil Aviation Act 1982 (c. 16)*
- 8 (1) In section 23(6) (disclosure of information), for “28 and...  
*Aviation Security Act 1982 (c. 36)*
- 9 In section 29 (control of road traffic at designated airports)—...  
*Local Government Act 1985 (c. 51)*
- 10 In section 40(3) (airports), for “to 33, 35, 37(3), (4)...

#### SCHEDULE 5 — Transitional Provisions

##### *Supplementary provisions as to vesting of property etc. of BAA*

- 1 Any agreement made, transaction effected or other thing done by,...
- 2 Where immediately before the appointed day there is in force...
- 3 It is hereby declared for the avoidance of doubt that—...

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*Financial provisions*

- 4 The terms which, by virtue of section 4(2) of the...
- 5 The terms which, by virtue of section 6(2) of the...
- 6 Subsections (2) to (5) of section 7 of the 1975...

*Final statements of accounts etc.*

- 7 (1) The successor company shall prepare a statement of the...
- 8 (1) The successor company shall make to the Secretary of...
- 9 (1) Where it is proposed to declare a distribution during...

*Compulsory purchase orders*

- 10 A compulsory purchase order made under section 17 of the...

*Byelaws and regulations relating to airports*

- 11 (1) Any byelaws made or having effect as if made...

*Control of road traffic*

- 12 Where immediately before the appointed day section 13 of the...

*Abandoned vehicles*

- 13 Where immediately before the appointed day any order is in...

*Cargo areas*

- 14 Notwithstanding the repeal by this Act of section 12 of...

*Extension of Shops (Airports) Act 1962*

- 15 Any order designating an airport for the purposes of the...

SCHEDULE 6 — Repeals

Part I — REPEALS COMING INTO FORCE ON THE APPOINTED DAY

Part II — REPEALS COMING INTO FORCE ON A DATE APPOINTED UNDER  
SECTION 85(5)

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**Changes and effects yet to be applied to :**

- s. 24(3)(a) amended (EW) by 1998 c. 18 s. 54(1)Sch. 3 para. 13
- s. 30(4A) by 2000 c. 38 s. 97 Sch. 8 Pt. 5 para. 19(2)
- s. 30(5) by 2000 c. 38 s. 97 Sch. 8 Pt. 5 para. 19(3)
- s. 35 by S.I. 2000/1111 art. 2
- s. 36 by 2000 c. 38 s. 97 Sch. 8 Pt. 3 para. 10
- s. 36 defn(s). amended by S.I. 1999/506 art. 19(a)
- s. 44(3) replaced (by s.44(3)(3A)) by 1998 c. 41 s. 74(1)Sch. 12 para. 7(2)
- s. 45(3) repealed by 1998 c. 41 Sch. 12 para. 7(3)Sch. 14 Pt. 1
- s. 54(1) repealed in part by 1998 c. 41 Sch. 12 para. 7(4)(a)Sch. 14 Pt. 1
- s. 54(3) repealed in part by 1998 c. 41 Sch. 12 para. 7(4)(b)Sch. 14 Pt. 1
- s. 54(3)(c) repealed by 1998 c. 41 Sch. 12 para. 7(4)(b)Sch. 14 Pt. 1
- s. 54(4) repealed in part by 1998 c. 41 Sch. 12 para. 7(4)(c)Sch. 14 Pt. 1
- s. 56(a)(ii) repealed by 1998 c. 41 Sch. 12 para. 7(5)Sch. 14 Pt. 1
- s. 57-62 (Pt. 5) (defn. of "relevant airport operator") applied by 1997 c. 8 s. 214(1)(2)
- s. 57-62 (Pt. 5) (defn. of "relevant airport operator") applied by 1997 c. 8 s. 217(1)(a)
- s. 59(6)61(1)(a)(b)(2)61(3)(5)(6) amended (S) by 1997 c. 11 s. 4 Sch. 2 para. 39
- s. 63(8) amended by S.I. 1996/739 art. 7(1)Sch. 1 Pt. 1 para. 7(b)
- s. 63(8) repealed in part by S.I. 1996/739 art. 7(1)Sch. 1 Pt. 1 para. 7(a)
- s. 63(8) repealed in part by S.I. 1996/739 art. 7(2)Sch. 2
- s. 70 repealed (EW) by 1994 c. 20 s. 9(2)Sch. 5
- s. 74 by S.I. 2000/311 art. 17
- s. 74 amended by S.I. 1999/506 art. 19(b)(c)
- s. 74(2) by 2001 c. 24 s. 17 Sch. 4 Pt. 1 para. 25
- s. 74(2)(a) amended (NI) by S.I. 1996/275 (N.I.) art. 71(1)Sch. 6
- s. 74(3)(o) by S.I. 2001/2916 reg. 35(3)
- s. 74(3)(o) added by S.I. 1996/2199 reg. 29(4)
- s. 74(3)(q) by S.I. 2001/4050 Sch. para. 18
- s. 74(3)(ll) added (prosp.) by S.I. 1994/426 (N.I.) art. 71(2)Sch. 9 para. 10
- s. 74(3)(mm) added (NI) by S.I. 1996/275 (N.I.) art. 71(1)Sch. 6
- s. 77(3) substituted (with savings etc in s.080- 105 Pt.IV Ch.II) by 1996 c. 8 s. 104 Sch. 14 para. 3
- Sch. 2 para. 1(2) by S.I. 2001/2568 Sch. para. 8
- Sch. 2 amended (26.1.1998) by S.I. 1997/2971 art. 6(1)Sch. para. 9
- Sch. 2 para. 1(1)(2) repealed in part by 1997 c. 11 s. 3 Sch. 1 Pt. 1
- Sch. 2 para. 1(1) repealed in part by 1998 c. 38 s. 152 Sch. 18 Pt. 4
- Sch. 4 para. 2 repealed by 1997 c. 11 s. 3 Sch. 1 Pt. 1
- Sch. 5 para. 15 repealed (EW) by 1994 c. 20 s. 9(2)Sch. 5

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act saved (6.5.1999) by 1998 c. 46 s. 30 Sch. 5 Pt. 2 s. E4(f)
- Act textual by S.I. 2001/2237 art. 2

**Whole provisions yet to be inserted into this Act (including any effects on those provisions):**

- s. 12(1) (defn. of "principal council") para. (aa) added (prosp.) by 1994 c. 19 s. 66(6)Sch. 16 para. 77
- s. 12(1) (defns. "local authority""principal council") para. (b) amended (S) by 1994 c. 39 Sch. 13 para. 147



- s. 12(1) (defn. of "principal council") para. (a) repealed in part (prosp.) by [1994 c. 19 s. 66\(6\)\(8\)](#)[Sch. 16 para. 77](#)[Sch. 18](#)