

## SCHEDULES

### SCHEDULE 8

Section 97.

#### AMENDMENTS ABOUT AIR TRAFFIC

#### PART I

#### LICENCES

##### *House of Commons Disqualification Act 1975 (c. 24)*

1 In the House of Commons Disqualification Act 1975, in Part III of Schedule 1, after the entry “Director of the Commonwealth Institute” there shall be inserted—

“Director of any of the following—

- (a) a company which for the time being holds a licence under Chapter I of Part I of the Transport Act 2000 (a licence company);
- (b) a company of which a licence company is a subsidiary (within the meaning given by section 736(1) of the Companies Act 1985 or Article 4(1) of the Companies (Northern Ireland) Order 1986);
- (c) a company which is a subsidiary (within the meaning so given) of a licence company.”

##### *Northern Ireland Assembly Disqualification Act 1975 (c. 25)*

2 In the Northern Ireland Assembly Disqualification Act 1975, in Part III of Schedule 1, after the entry “Director of Cable and Wireless Limited nominated by a Minister of the Crown or government department” there shall be inserted—

“Director of any of the following—

- (a) a company which for the time being holds a licence under Chapter I of Part I of the Transport Act 2000 (a licence company);
- (b) a company of which a licence company is a subsidiary (within the meaning given by section 736(1) of the Companies Act 1985 or Article 4(1) of the Companies (Northern Ireland) Order 1986);
- (c) a company which is a subsidiary (within the meaning so given) of a licence company.”

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*Status: This is the original version (as it was originally enacted).*

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## PART II

### AIR NAVIGATION SERVICES

#### *Civil Aviation Act 1982 (c. 16)*

- 3       Section 72 of the Civil Aviation Act 1982 (CAA’s duty to provide air navigation services) shall cease to have effect.

## PART III

### CHARGES

#### *Civil Aviation Act 1982 (c. 16)*

- 4       Sections 73 and 74 of the Civil Aviation Act 1982 (charges for air navigation services etc) shall cease to have effect.
- 5       In section 86 of the Civil Aviation Act 1982 (mortgaging of aircraft) in subsection (2)(b) for “section 74(4) above” there shall be substituted “section 83 of the Transport Act 2000 (detention and sale of aircraft)”.
- 6       (1) Section 88 of the Civil Aviation Act 1982 (detention and sale of aircraft for unpaid airport charges) shall be amended as follows.
- (2) In subsection (6)(d) for “regulations under section 73 above” substitute “section 73 of the Transport Act 2000 (or, if more than one such charge is due, in payment of them in such order as the Secretary of State may specify by order)”.
- (3) In subsection (10) in the definition of “airport charges” for “regulations under section 73 above” substitute “section 73 of the Transport Act 2000”.
- 7       In section 90 of the Civil Aviation Act 1982 (Convention rights) in subsection (2) (b) for “section 74(4) above” there shall be substituted “section 83 of the Transport Act 2000 (detention and sale of aircraft)”.
- 8       (1) In Schedule 4 to the Civil Aviation Act 1982 (Eurocontrol) paragraph 1 shall be amended as follows.
- (2) In sub-paragraph (5) omit the definition of “record”.
- (3) After sub-paragraph (5) insert—
- “(6) For the purposes of this paragraph a record includes (in addition to a record in writing)—
- (a) a disc, tape, sound-track or other device in which sounds or signals are embodied so as to be capable of being reproduced from it (with or without the aid of some other instrument);
- (b) a film, tape or other device in which visual images are embodied so as to be capable of being reproduced from it (with or without the aid of some other instrument);
- (c) a photograph.”
- 9       In Schedule 13 to the Civil Aviation Act 1982 (subordinate instruments) in Part II after the entry relating to section 87 there shall be inserted—

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“Section 88(6)(d)	Priority of charges	Subject to the negative resolution procedure	—”.
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*Airports Act 1986 (c. 31)*

- 10 In section 36 of the Airports Act 1986 (interpretation) in subsection (1) in the definition of “airport charges” for “regulations under section 73 of the 1982 Act (air navigation services etc)” there shall be substituted “section 73 of the Transport Act 2000 (charges for services)”.

**PART IV**

COMPETITION

*Fair Trading Act 1973 (c. 41)*

- 11 In section 133 of the Fair Trading Act 1973 (general restrictions on disclosure of information) at the end of subsection (2)(a) there shall be inserted “Part I of the Transport Act 2000 or”.

*Competition Act 1980 (c. 21)*

- 12 In section 19 of the Competition Act 1980 (restriction on disclosure of information) in subsection (3) after paragraph (r) there shall be inserted—  
“(s) Part I of the Transport Act 2000.”

*Civil Aviation Act 1982 (c. 16)*

- 13 In section 4 of the Civil Aviation Act 1982 (CAA’s general objectives) after subsection (2) there shall be inserted—  
“(3) The duty mentioned in subsection (1) above does not apply in relation to anything done by the CAA in the performance of functions mentioned in subsection (3) of section 86 of the Transport Act 2000 which, by virtue of that section, are concurrent functions of the CAA and the Director General of Fair Trading.  
(4) However, when performing such a function the CAA may have regard to any matter in respect of which a duty is imposed by subsection (1) above if it is a matter to which the Director General of Fair Trading could have regard when performing that function.”

*Competition Act 1998 (c. 41)*

- 14 (1) Section 54 of the Competition Act 1998 (regulators) shall be amended as follows.  
(2) In subsection (1) after “Schedule 10” insert “and the Civil Aviation Authority”.  
(3) In subsection (4) after “Schedule 10” insert “or by Chapter V of Part I of the Transport Act 2000”.

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- 15 In Schedule 11 to the Competition Act 1998 (interpretation of provisions about disclosure of information) in paragraph 1 after sub-paragraph (p) there shall be inserted—
- “(q) Part I of the Transport Act 2000.”
- 16 (1) Schedule 13 to the Competition Act 1998 (transitionals and savings) shall be amended as follows.
- (2) In paragraph 1(1) in the definition of “regulator” after “Schedule 10” insert “and the Civil Aviation Authority”.
- (3) In paragraph 35(2) after paragraph (g) insert—
- “(h) in the case of the Civil Aviation Authority, the supply of air traffic services within the meaning given by section 98 of the Transport Act 2000.”

## PART V

### HOSTILITIES ETC

#### *Civil Aviation Act 1982 (c. 16)*

- 17 (1) Section 6 of the Civil Aviation Act 1982 (directions in national interest etc) shall be amended as follows.
- (2) In each of subsections (1) and (2) omit the words from “and in so far” to the end.
- (3) After subsection (2) insert—
- “(3) In so far as any directions given under this section conflict with the requirements of section 93 of the Transport Act 2000 or of an order under section 94 of that Act, the directions shall be disregarded.
- (4) In so far as any directions given under this section conflict with the requirements of any enactment or instrument relating to the CAA (other than section 93 of the Transport Act 2000 or an order under section 94 of that Act) the requirements shall be disregarded.”
- 18 Sections 62 and 63 of the Civil Aviation Act 1982 (control in time of war or emergency) shall cease to have effect.

#### *Airports Act 1986 (c. 31)*

- 19 (1) Section 30 of the Airports Act 1986 (directions in interests of national security etc) shall be amended as follows.
- (2) After subsection (4) insert—
- “(4A) In so far as any direction applying to an airport operator by virtue of subsection (1), (2) or (3) conflicts with the requirements of section 93 of the Transport Act 2000 or of an order under section 94 of that Act, the direction shall be disregarded.”
- (3) In subsection (5) after “to him as an airport operator” insert “(other than section 93 of the Transport Act 2000 or an order under section 94 of that Act)”.