

Changes to legislation: Transport Act 2000, Paragraph 5 is up to date with all changes known to be in force on or before 25 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

[^{F1}SCHEDULE B1

ENFORCEMENT OF DUTIES UNDER SECTION 8 AND LICENCE CONDITIONS

Textual Amendments

- F1** Sch. B1 inserted (29.6.2021) by [Air Traffic Management and Unmanned Aircraft Act 2021 \(c. 12\)](#), ss. 10(7)(a), 21(3)-(7), [Sch. 5](#); S.I. 2021/748, reg. 2(b)

PART 1

ENFORCEMENT

Urgent enforcement order

- 5 (1) The CAA may give an order under this paragraph (an “urgent enforcement order”) to a licence holder if sub-paragraph (2) or (3) is satisfied.
- (2) This sub-paragraph is satisfied if the CAA has reasonable grounds for believing that—
- (a) the licence holder is contravening, or has contravened, a Chapter 1 requirement,
 - (b) the contravention has resulted in, or creates an immediate risk of, a serious economic or operational problem—
 - (i) for owners or operators of aircraft, or
 - (ii) for owners or managers of aerodromes, and
 - (c) it is appropriate to give an urgent enforcement order to prevent, remove or reduce that problem or risk.
- (3) This sub-paragraph is satisfied if the CAA has reasonable grounds for believing that—
- (a) the licence holder is likely to contravene a Chapter 1 requirement,
 - (b) the contravention is likely to result in, or create an immediate risk of, a problem described in sub-paragraph (2)(b), and
 - (c) it is appropriate to give the urgent enforcement order to prevent, or reduce the likelihood of, that problem or risk arising.
- (4) An urgent enforcement order must—
- (a) specify the Chapter 1 requirement and the contravention in respect of which it is given;
 - (b) require the licence holder to take any appropriate steps that are specified in the order;
 - (c) specify a reasonable period within which the steps must be taken;

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- (d) give the CAA's reasons for giving the order.
- (5) As soon as practicable after giving an urgent enforcement order, the CAA must—
- (a) publish the order;
 - (b) send a copy of the order to—
 - (i) any owners or operators of aircraft, or any bodies representing them, that the CAA considers appropriate;
 - (ii) any owners or managers of aerodromes, or any bodies representing them, that the CAA considers appropriate;
 - (iii) the Secretary of State.
- (6) In this paragraph “appropriate steps”—
- (a) in relation to a contravention of a Chapter 1 requirement that has occurred or is occurring, means steps that the CAA has determined are appropriate—
 - (i) for complying with the requirement, and
 - (ii) for remedying the consequences of the contravention;
 - (b) in relation to a contravention of a Chapter 1 requirement that is likely to occur, means steps that the CAA has determined are appropriate for securing that the contravention does not occur.]

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

- Blanket amendment words substituted by [S.I. 2011/1043 art. 34](#)

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

- s. 146(1)(defn.)(a)(b) by [2000 c. 38 s. 274 Sch. 31 Pt. 2](#)
- s. 19(2)(aa) inserted by [S.I. 2019/93, Sch. 1 para. 9\(1C\)\(b\)](#) (as inserted) by [S.I. 2019/1245 reg. 25](#) (This amendment not applied to [legislation.gov.uk](#). The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 131A(2)(a) words omitted by [2017 c. 21 Sch. 2 para. 13\(a\)\(i\)](#)
- s. 131A(2)(b) omitted by [2017 c. 21 Sch. 2 para. 13\(a\)\(ii\)](#)
- s. 131A(4) omitted by [2017 c. 21 Sch. 2 para. 13\(b\)](#)
- s. 131A(5)(b) words omitted by [2017 c. 21 Sch. 2 para. 13\(c\)\(i\)](#)
- s. 131A(5)(c) words omitted by [2017 c. 21 Sch. 2 para. 13\(c\)\(ii\)](#)
- s. 132B(1)(a) omitted by [2017 c. 21 Sch. 2 para. 19](#)
- [Sch. 16 para. 34\(4\)\(a\)](#)[para. 34\(4\)\(b\)\(c\)](#) repealed by [2005 c. 14 Sch. 13 Pt. 1](#)