



Transport Act 2000

2000 CHAPTER 38

PART I

AIR TRAFFIC

CHAPTER IV

CHARGES FOR AIR SERVICES

Miscellaneous

83 Detention and sale.

- (1) The Secretary of State may make regulations containing—
 - (a) provision which, in the case of default by an operator in paying a charge payable by virtue of section 73, authorises the detention (pending payment) of any aircraft falling within subsection (2);
 - (b) provision which, in the case of default by an operator in complying with a requirement imposed by regulations made under section 81 to produce records for inspection or provide particulars of records, authorises the detention (pending compliance) of any aircraft of which he is the operator when detention begins;
 - (c) provision which authorises the sale of any detained aircraft if the default is not remedied within a specified period.
- (2) These aircraft fall within this subsection—
 - (a) the aircraft in respect of which the charge was incurred (whether or not the person who is the operator of the aircraft when detention begins is the defaulter);
 - (b) any aircraft of which the defaulter is the operator when detention begins.
- (3) Regulations under subsection (1) may—

Changes to legislation: Transport Act 2000, Section 83 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

- (a) provide that detention (or continued detention) is authorised only in specified circumstances or at specified places;
- (b) provide that in specified circumstances detention is authorised only if a specified person consents;
- (c) provide that sale is authorised only in specified circumstances (which may relate to the court’s consent, to be given only in specified circumstances);
- (d) specify the descriptions of person authorised to detain or sell aircraft;
- (e) provide for the power of detention or sale to extend to other matters (such as the aircraft’s equipment);
- (f) provide for the application of the proceeds of sale;
- (g) provide for them to be applied in a specified order;
- (h) make provision corresponding to any provision made by or under section 88 of the ^{M1}Civil Aviation Act 1982 (detention and sale of aircraft for unpaid airport charges);
- (i) generally make such provision as the Secretary of State thinks is necessary or expedient to secure detention or sale.

Commencement Information

- II** S. 83 wholly in force at 1.2.2001, see s. 275(1)(2) and [S.I. 2001/57, art. 3\(1\)](#), [Sch. 2 Pt. I](#) (subject to the transitional provision and saving in [Sch. 2 Pt. II](#))
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Marginal Citations

- M1** 1982 c. 16.

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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](#)