



Civil Aviation Act 2006

2006 CHAPTER 34

Air Travel Trust

10 Funding of Air Travel Trust by contributions paid by air travel organisers

After section 71 of the Civil Aviation Act 1982 insert—

“71A Contributions by licence holders to Air Travel Trust

- (1) The Secretary of State may by regulations make provision for and in connection with requiring persons applying for licences by virtue of section 71 above to make contributions to the Air Travel Trust in relation to the periods for which their licences are to be issued.
- (2) The regulations may, in particular, make provision—
 - (a) prescribing the factors by reference to which such contributions are to be calculated by the CAA (other than the rate by reference to which they are to be so calculated);
 - (b) authorising the CAA, with the approval of the Secretary of State and after complying with prescribed consultation requirements, to set in respect of different descriptions of persons the rates by reference to which such contributions are to be calculated and the dates from which those rates are to have effect;
 - (c) requiring contributions to be paid, or undertakings as to payment of contributions to be given, in advance of licences being issued;
 - (d) requiring licence holders to pay additional amounts by way of contributions where the applicable contribution rate increases during the term of their licences;
 - (e) requiring additional amounts to be paid by way of contributions, or undertakings as to the payment of such amounts to be given, in advance of licences being varied;
 - (f) for the CAA, in accordance with the regulations, to reimburse to persons, or credit persons with, amounts paid by them by way of

Status: This is the original version (as it was originally enacted).

- contributions (and for the CAA to exercise in that connection such discretion as is conferred by the regulations);
- (g) for contributions that are not paid in accordance with the regulations or any undertaking as to payment to bear interest at the rate specified in the regulations, and for such contributions and interest to be recoverable as debts due to the Air Travel Trust;
 - (h) for the CAA to act as the agent of the trustees of the Air Travel Trust in collecting and recovering contributions, and for the reimbursement of costs incurred by the CAA in so acting;
 - (i) for the CAA, after complying with prescribed consultation requirements, to suspend, either generally or in relation to any description of persons, the requirement to make contributions in respect of a period;
 - (j) for the CAA to exempt persons, or descriptions of persons, from the requirement to make contributions on such conditions as the CAA, after consulting the Secretary of State, thinks fit;
 - (k) for requiring the CAA to publish prescribed matters in the prescribed manner;
 - (l) for creating criminal offences to be triable summarily and punishable with a fine not exceeding level 5 on the standard scale or such lower amount as is prescribed.
- (3) Regulations under section 71 above may authorise the CAA—
- (a) to refuse to issue a licence to a person,
 - (b) to refuse to vary a licence held by a person, or
 - (c) to vary, suspend or revoke a licence held by a person,
- where that person has failed to comply with a prescribed requirement of regulations under this section or has breached an undertaking given as mentioned in subsection (2)(c) or (e) above.
- (4) Section 4 above does not apply in relation to any functions conferred on the CAA by regulations under this section.
- (5) In this section and section 71B below the “Air Travel Trust” means the trust established by that name by a deed dated 5th January 2004 and made between the Secretary of State for Transport and the persons described as the Original Trustees.

71B Procedure relating to regulations under section 71A

- (1) Before making any regulations under section 71A above, the Secretary of State must consult the CAA and the trustees of the Air Travel Trust.
- (2) Before responding to the consultation, the CAA must consult the following persons so far as it considers it reasonably practicable to do so—
 - (a) persons who hold licences by virtue of section 71 above, and
 - (b) any other person or body appearing to it to have an interest in the matter.”

11 Miscellaneous provisions relating to the Air Travel Trust

- (1) The Secretary of State must lay before Parliament a copy of every report that he receives from the trustees of the Air Travel Trust by virtue of the terms of the trust deed.
- (2) No court may, by virtue of any enactment whenever passed or made, vary the terms of the deed establishing the Air Travel Trust unless the variation is sought by, or with the consent of, the Secretary of State.
- (3) In this section the “Air Travel Trust” means the trust established by that name by a deed dated 5th January 2004 and made between the Secretary of State for Transport and the persons described as the Original Trustees.