
STATUTORY INSTRUMENTS

1991 No. 1672

The Civil Aviation Authority Regulations 1991

PART I
GENERAL

Citation and commencement

1. These Regulations may be cited as the Civil Aviation Authority Regulations 1991 and shall come into force on 1st September 1991.

Revocation

2. The Regulations specified in the Schedule hereto are hereby revoked.

Interpretation

3.—(1) In these Regulations unless the context otherwise requires—

“the Act” means the Civil Aviation Act 1982;

“the Authority” means the Civil Aviation Authority;

“decision date” and “transcript date” have the meanings respectively assigned to them in regulation 26(8);

“environmental application” and “environmental proposal” have the meanings respectively assigned to them in regulation 19(1);

“hearing” or “preliminary hearing” means a hearing or preliminary hearing at which oral evidence or argument may be heard and “to hear” shall be construed accordingly;

“ordinary aerodrome licence” means an aerodrome licence granted under an Air Navigation Order which does not include a public use condition;

“party” in relation to a case before the Authority means for the purposes of Part II of these Regulations, a person having the right to be heard pursuant to regulation 13(1) and, for the purposes of Part III of these Regulations, a person having the right to be heard pursuant to regulation 25(1);

“party” in relation to an appeal to the Secretary of State means any of the persons specified in regulation 27(3)(c) and (d);

“the person concerned” means, in relation to the registration of aircraft, the applicant for registration or the person in whose name the aircraft is registered, as the case may be, and in relation to a certificate, licence, approval, authorisation, validation or rating, the holder or former holder of or applicant for the certificate, licence, approval, authorisation, validation or rating, as the case may be;

“personnel licence” means a licence, authorising a person to act as a member of a flight crew, an aircraft maintenance engineer, an air traffic controller, a student air traffic controller or an aerodrome flight information service officer;

“public use aerodrome licence” means an aerodrome licence granted under an Air Navigation Order which includes a public use condition;

“public use condition” means a condition included in an aerodrome licence granted under an Air Navigation Order that the aerodrome shall at all times when it is available for the take off or landing of aircraft be so available to all persons on equal terms and conditions;

“rating” means a rating on a personnel licence;

“reportable occurrence” has the same meaning as in article 94(2) of the Air Navigation Order 1989(1);

“statement of policies” means the publication of the Authority referred to in section 69 of the Act;

“statutory duties” means the duties of the Authority set out in sections 4 and 68 of the Act;

“to substitute an ordinary aerodrome licence for a public use aerodrome licence” means to vary a public use aerodrome licence by removing the public use condition and “to substitute a public use aerodrome licence for an ordinary aerodrome licence” means to vary an ordinary aerodrome licence by adding a public use condition.

(2) Any reference in these Regulations to a numbered regulation shall be construed as a reference to the regulation bearing that number in these Regulations.

(3) Any period of time specified in these Regulations by reference to days, working days or months—

(a) where such period is expressed to begin after a particular date, shall begin on the first day after that date, and shall be inclusive of the last day unless that day falls on a Saturday, Sunday, Christmas Day, Good Friday or any other day appointed by law to be a bank holiday in any part of the United Kingdom, in which case the period shall run to the immediately following working day; and

(b) where such period is expressed to run to or expire before a particular date or event, the period shall be calculated to expire on the last working day before the particular date or the date of that event.

(4) In computing any period of time specified in these Regulations by reference to hours or working days the whole of any Saturday, Sunday, Christmas Day, Good Friday or bank holiday shall be disregarded, and for that purpose any day which is appointed by law to be a bank holiday in any part of the United Kingdom shall be treated as a bank holiday.

(5) For the purposes of Part III of these Regulations, a need to allocate scarce bilateral capacity arises when the Authority has been notified by the Secretary of State that in his opinion by virtue of any provision made by or under the terms of an air services agreement or other international agreement or arrangement, the United Kingdom’s share of the capacity on air transport services between the United Kingdom and another State which may be provided by British airlines within the meaning given by section 4(1) of the Act, (whether capacity is expressed in terms of the number of passenger seats or the amount of cargo carrying space which may be offered for sale by such operators, or otherwise) will, within 6 months of the date of notification, be insufficient to enable all persons holding air transport licences authorising them to operate such air transport services to make available all the capacity which they plan to provide.

Service of documents

4.—(1) Anything required to be served on any person under these Regulations or under section 66(4) or 84(1) of the Act shall be set out in a notice in writing which may be served either:

(a) by delivering it to that person;

(1) S.I.1989/2004, amended by S.I. 1990/2154.

- (b) by leaving it at his proper address;
- (c) by sending it by post to that address; or
- (d) by sending it to him at that address by telex or other similar means which produce a document containing a text of the communication, in which event the document shall be regarded as served when it is received;

and where the person is a body corporate the document may be served upon the secretary of that body.

(2) For the purposes of this regulation the proper address of any person shall, in the case of a body corporate, be the registered or principal office of that body and in any other case be the last known address of the person to be served.

Publication by the Authority

5. Any notice or other matter (not being a schedule of terms referred to in regulation 18) required by these Regulations, or by section 11(2), 64(3), 65(1) or (6) or 85(1) of the Act, to be published shall be published by the Authority in its Official Record.