

SCHEDULE

Article 73

Consequential amendments to legislation relating to the licensing of aerodromes

Public Health Act 1961

1. In Schedule 4 to the Public Health Act 1961⁽¹⁾ (meaning of “the appropriate authority” in connection with the attaching of street lighting equipment to certain buildings), in the entry in the table relating to buildings forming part of licensed aerodromes, after “that Act” insert “, or authorised by a certificate under Commission Regulation (EU) No 139/2014 of 12 February 2014 laying down requirements and administrative procedures related to aerodromes pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council”.

Customs and Excise Management Act 1979

2.—(1) Section 33 of the Customs and Excise Management Act 1979⁽²⁾ (power to inspect aircraft, aerodromes, records, etc) is amended as follows.

(2) In subsection (3), after “navigation” insert “or authorised by a certificate under the Aerodromes Regulation”.

(3) After subsection (4) insert—

“(5) In this section “the Aerodromes Regulation” means Commission Regulation (EU) No 139/2014 of 12 February 2014 laying down requirements and administrative procedures related to aerodromes pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council.”

Civil Aviation Act 1982

3.—(1) The Civil Aviation Act 1982⁽³⁾ is amended as follows.

(2) In section 5 (duty of CAA to consider environmental factors when licensing certain aerodromes)—

(a) in the heading, after “licensing” insert “or issuing certificates for”;

(b) in subsection (1), after “licensing” insert “or certification”; and

(c) after subsection (2) insert—

“(2A) The reference in subsection (1) above to an aerodrome certification function of the CAA is a reference to any function falling to be carried out by the CAA under the Aerodromes Regulation with respect to the certification of aerodromes.”

(3) In section 38 (aerodrome charges: noise and emissions)⁽⁴⁾, in subsection (7)—

(a) in the definition of “aerodrome authority”, after “Order” insert “or authorised by a certificate under the Aerodromes Regulation”; and

(b) in the definition of “charges”, after “licensed” insert “or authorised”.

(4) In section 39 (trespassing on licensed aerodromes)⁽⁵⁾—

(a) in the heading, after “licensed” insert “or authorised”; and

(1) 1961 (c. 64); Schedule 4 has been amended by S.I. 1971/719, article 4. There are other amendments but none is relevant.

(2) 1979 c. 2; there have been amendments to the Act but none is relevant.

(3) 1982 c.16.

(4) Section 38 was substituted by the Civil Aviation Act 2006 (c. 34), section 1.

(5) Section 39 has been amended the Anti-terrorism, Crime and Security Act 2001 (c. 24), section 83.

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

- (b) in subsection (1), after “Order” insert “or authorised by a certificate under the Aerodromes Regulation”.
- (5) In section 46 (power to exercise control over land in the interests of civil aviation)(6), after subsection (10)(d) (and before the “and”) insert—
- “(da) a person who holds a certificate under the Aerodromes Regulation authorising the operation of an aerodrome;”.
- (6) In section 47 (warning of presence of obstructions near licensed aerodromes)(7)—
- (a) in the heading, after “licensed” insert “or authorised”;
- (b) in subsection (1), after “licensed” insert “or authorised”; and
- (c) in subsection (10)—
- (i) at the appropriate place insert—
- ““authorised aerodrome” means any aerodrome for the time being authorised to operate by a certificate under the Aerodromes Regulation, but does not include any premises belonging to the Secretary of State;”;
- (ii) in the words following the definition of “proprietor of the aerodrome”, for the words from “the reference” to ““licensed aerodrome”” substitute “the references in the definitions of “authorised aerodrome” and “licensed aerodrome””.
- (7) In section 50 (power of entry for purposes of survey)(8), in subsection (1)(d)—
- (a) for “below) or” substitute “below),”; and
- (b) after “Navigation Order” insert “or a person who holds a certificate under the Aerodromes Regulation authorising the operation of an aerodrome”.
- (8) In section 84 (provision by others of information for the CAA and Secretary of State)(9), in subsection (3), for the words from “requiring” to “furnish” substitute “requiring—
- (a) a person of any description specified in subsection (1) above, or
- (b) a person who holds a certificate under the Aerodromes Regulation authorising the operation of an aerodrome,
- to furnish”.
- (9) In section 105 (general interpretation)(10), in subsection (1), at the appropriate place insert—
- ““the Aerodromes Regulation” means Commission Regulation (EU) No 139/2014 of 12 February 2014 laying down requirements and administrative procedures related to aerodromes pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council;”.

Road Traffic Regulation Act 1984

4. In Schedule 5 to the Road Traffic Regulation Act 1984(11) (buildings in relation to which a Secretary of State is the appropriate authority for the purposes of section 74), in the entry relating to buildings forming part of licensed aerodromes, after “that Act” insert “or authorised by a certificate under Commission Regulation (EU) No 139/2014 of 12 February 2014 laying down requirements

(6) Section 46 has been amended by the Transport Act 2000 (c. 38) section 36 and schedule 4, paragraphs 1 and 5. There are other amendments but none is relevant.

(7) Section 47 has been amended but none of the amendments is relevant.

(8) Section 50 has been amended by the Transport Act 2000 (c. 38), section 8. There are other amendments but none is relevant.

(9) Section 84 has been amended by S.I. 1992/2992, regulation 23 and by S.I. 2009/41, regulation 33. There are other amendments but none is relevant.

(10) There have been amendments to this section but none is relevant.

(11) 1984 c. 27; paragraph 5 has been amended by S.I. 2002/2626.

and administrative procedures related to aerodromes pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council”.

Litter Control Areas Order 1991

5.—(1) Article 2(1) of the Litter Control Areas Order 1991(12) (land which may be designated as a litter control area) is amended as follows.

(2) For sub-paragraph (g) substitute—

“(g) land which is, or is part of, an aerodrome (other than an aerodrome operated by a relevant airport operator within the meaning of Part V of the Airports Act 1986(13)) where that aerodrome is—

- (i) licensed under an Air Navigation Order as defined in and made under section 60 of the Civil Aviation Act 1982, or
- (ii) authorised by a certificate in accordance with Commission Regulation (EU) No 139/2014 of 12th February 2014 laying down requirements and administrative procedures related to aerodromes pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council.”.

Air Navigation (General) Regulations 2006

6.—(1) Regulation 11 of the Air Navigation (General) Regulations 2006(14) (noise and vibration caused by aircraft on aerodromes) is amended as follows.

(2) At the beginning insert “(1)”.

(3) After the paragraph (1) so formed insert—

“(2) In this regulation “licensed aerodromes” means aerodromes—

- (i) licensed under an Air Navigation Order made under section 60 (Air Navigation Orders) of the Civil Aviation Act 1982; or
- (ii) authorised by a certificate in accordance with Commission Regulation (EU) No 139/2014 of 12 February 2014 laying down requirements and administrative procedures related to aerodromes pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council.”

(12) S.I. 1991/1325. The provision under which this order was made has been repealed in relation to England and Wales as a consequence of the Clean Neighbourhoods and Environment Act 2005 (c.16) section 20. Section 90 continues to apply in Scotland.

(13) 1986 c. 31; Part V was amended by the Civil Aviation Act 2012 (c. 19), section 76. There are other amendments none is relevant.

(14) S.I. 2006/601.