STATUTORY INSTRUMENTS

1982 No. 220

CIVIL AVIATION

The Aviation Security Fund Regulations 1982

Laid before Parliament in draft

Made - - - - 23*rd February* 1982

Coming into Operation 1*st March* 1982

The Secretary of State, in exercise of his powers under section 2 of the Civil Aviation Act 1978(**a**) and of all other powers enabling him in that behalf and with the consent of the Treasury in respect of Regulation 3(3), hereby makes the following Regulations, a draft of which has been laid before and approved by a resolution of each House of Parliament in accordance with section 2(9) of that Act.

1. These Regulations may be cited as the Aviation Security Fund Regulations 1982 and shall come into operation on 1st March 1982.

2.—(1) In these Regulations—

"aerodrome" means an aerodrome—

(*a*) (i) which is owned or managed by the Civil Aviation Authority, or

(ii) which was licensed for public use on 1st December 1981 within the meaning of the Air Navigation Order 1980(**b**); and

(*b*) at which in the calendar year 1980 the total number of

(i) passengers who arrived by air at the aerodrome, and

(ii) passengers who departed by air from it

exceeded 50,000;

"maximum total weight authorised" has the same meaning as in the Air Navigation Order 1980;

"offshore installation" means any installation which is intended, or maintained, for underwater exploitation of mineral resources or exploration with a view to such exploitation;

"period" means a period of one month commencing on the first day of each month;

"the sum" means the sum of £1.10 in respect of any period between 1st March 1982 and 31st August 1982 and the sum of £1.50 in respect of any period thereafter;

and other expressions have the same meanings as in the Protection of Aircraft Act 1973(**c**).

(**a**) 1978 c. 8. (**b**) S.I. 1980/1965. (**c**) 1973 c. 47.

(2) In Regulations 3 and 4 "passengers" means passengers of all descriptions except

(*a*) persons on aircraft not operating for hire or reward;

(*b*) children under three years of age;

(*c*) persons employed or engaged in an aircraft in flight on the business of the aircraft;

(*d*) persons carried on an aircraft of which the maximum total weight authorised does not exceed 10,000 kg;

(*e*) persons who depart from the aerodrome in the aircraft in which they arrived without meanwhile having left the aerodrome;

(*f*) persons who depart from the aerodrome in an aircraft other than the one in which they arrived, without meanwhile having left the aerodrome, if the reason for their departure in another aircraft was the unserviceability of the aircraft in which they arrived;

(*g*) persons carried on a helicopter who are returning from an offshore installation.

3.—(1) Every aerodrome authority shall pay to the Secretary of State in respect of every period for any aerodrome managed by it a contribution to the Aviation Security Fund of an amount ascertained by multiplying the sum by the number of passengers in excess of 2,000 who during that period arrived by air at that aerodrome.

(2) Contributions required by paragraph (1) above shall be paid to the Secretary of State not more than three months after the end of the period to which they relate.

(3) Interest at the rate of 16 per cent. per annum, from the date of expiry of the time within which contributions are required to be paid under paragraph (2) above, shall be payable to the Secretary of State on so much of any contribution required by paragraph (1) above as is not paid within that time.

4.—(1) Every aerodrome authority shall furnish to the Secretary of State

(*a*) not more than three months after the end of each period particulars of the number of passengers who have during that period arrived by air at each aerodrome under its management; and

(*b*) not later than the end of the month of August 1982 and in each subsequent year particulars of the number of passengers who have during the year ending on the previous 31st March arrived by air at each aerodrome under its management and those particulars shall be certified as correct by auditors appointed by that aerodrome authority.

(2) Any aerodrome authority who contravenes the provisions of this Regulation shall be guilty of an offence and liable on summary conviction to a fine not exceeding £1,000 and on conviction on indictment to a fine.

5. The Aviation Security Fund Regulations 1978(**a**), the Aviation Security Fund (Amendment) Regulations 1979(**b**), the Aviation Security Fund (Second Amendment) Regulations 1980(**c**) and the Aviation Security Fund (Third Amendment) Regulations 1981(**d**) are hereby revoked.

Iain Sproat,
Parliamentary Under Secretary of State,
16th February 1982. Department of Trade.

We consent to the making of Regulation 3(3) of these Regulations.

Robert Boscawen,
J. A. Cope,
Lords Commissioners of
23rd February 1982. Her Majesty's Treasury.

(**a**) S.I. 1978/769. (**b**) S.I. 1979/145. (**c**) S.I. 1980/88. (**d**) S.I. 1981/1029.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

The Civil Aviation Act 1978 established the Aviation Security Fund, out of which the Secretary of State may reimburse to aircraft operators, aerodrome authorities and certain others expenses incurred for the purpose of protecting aircraft, aerodromes, and air navigation installations against acts of violence, or in connection with the policing of aerodromes. Contributions to the Fund have hitherto been governed by the Aviation Security Fund Regulations 1978, as subsequently amended.

These Regulations consolidate the previous Regulations, which are revoked, and make certain changes to them. The changes include a reduction in the sum which is required to be paid to the Fund in respect of each arriving passenger from £1.50 to £1.10 for the six months March to August 1982, an increase in the rate of interest payable on overdue contributions, and adjustments to those classes of passengers in respect of whom contributions to the Fund are not required to be made. The exception for persons carried on an aircraft which returns to the aerodrome from which it departed without landing at any other place is deleted, the exception for persons carried on a helicopter is limited to those who are returning from an offshore installation (Regulation 2(2)(*g*)), and a new exception is introduced in Regulation 2(2)(*f*).

These Regulations require contributions to be made in respect of those aerodromes which are owned or managed by the Civil Aviation Authority or were licensed by them for public use on 1st December 1981, and which had more than 50,000 passengers in 1980. There are 29 such aerodromes, as follows:—

Aberdeen	Gatwick	Newcastle
Belfast	Glasgow	Norwich
Birmingham	Heathrow	Prestwick
Blackpool	Humberside	Southampton
Bournemouth	Inverness	Southend
Bristol	Kirkwall	Stansted
Cardiff-Wales	Leeds/Bradford	Stornoway
East Midlands	Liverpool	Sumburgh
Edinburgh	Luton	Tees-side
Exeter	Manchester	

The Regulations provide that the contribution in respect of each aerodrome shall be calculated by multiplying the sum of £1.10 (£1.50 from 1st September 1982) by the number of passengers in excess of 2,000 a month arriving on flights by aircraft operating for hire or reward of which the maximum total weight authorised is over 10 tonnes. Certain classes of passengers are excluded from the calculation, including those under three years of age. Contributions are payable monthly, not more than three months after the end of the month to which they relate. Aerodrome authorities are required to report the number of passengers who arrive each month, and the figures are required to be certified annually by auditors. Interest at the rate of 16 per cent. per annum is payable on any overdue contributions.

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