STATUTORY INSTRUMENTS

1974 No. 2116

COUNTER-INFLATION

The Counter-Inflation (Modification of the Civil Aviation Act 1971) Order 1974

Made - - - -	13*th December* 1974
Laid before Parliament	18*th December* 1974
Coming into Operation	20*th December* 1974

The Secretary of State, in exercise of powers conferred on her by section 8(1) of and paragraph 1(1), (4) and (6) of Schedule 3 to the Counter-Inflation Act 1973(a) as amended (b), and of all other powers enabling her in that behalf, hereby makes the following Order:—

Citation, commencement, interpretation and revocation

1.—(1) This Order may be cited as the Counter-Inflation (Modification of the Civil Aviation Act 1971) Order 1974 and shall come into operation on 20th December 1974.

(2) In this Order—

"the Act" means the Civil Aviation Act 1971(c);

"the Authority" means the Civil Aviation Authority constituted in accordance with section 1 of the Act;

"carriage within the United Kingdom" means carriage by air transport between points in the United Kingdom, excluding carriage between points in the United Kingdom where the charge applicable to that carriage is one for carriage between points of which one or both are outside the United Kingdom; and in this paragraph "the United Kingdom" includes the Isle of Man and the Channel Islands; and

"the code" means the code for the time being contained in an Order (d) under section 2 of the Counter-Inflation Act 1973

(3) The Interpretation Act 1889(e) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament and as if, for the purposes of section 38 of that Act, this Order were an Act of Parliament and the Order revoked by article 2 of this Order were an Act of Parliament thereby repealed.

(a) 1973 c. 9.
(b) S.I. 1974/1218 (1974 II, p. 4631).
(c) 1971 c. 75.
(d) *See* S.I. 1974/2113 (1974 III, p.8253).
(e) 1889 c. 63.

2. The Counter-Inflation (Modification of the Civil Aviation Act 1971) Order 1973**(a)** is hereby revoked.

Modification of the Civil Aviation Act 1971

3. So long as Part II of the Counter-Inflation Act 1973 is in force, the Act shall have effect subject to the modifications and adaptations specified in this Order.

4.—(1) When determining charges for carriage within the United Kingdom in performance of its functions under sections 21 to 23 of the Act, the Authority shall, subject to its duties under section 3 of the Act, have regard to the provisions of the code.

(2) References in the code to the Price Commission shall be construed as references to the Authority; and references therein to charges for services shall be construed as including references to charges for carriage within the United Kingdom.

5. Without prejudice to the Authority's power under section 35 of the Act (which relates to the provision of information for the Authority), that section shall have effect for enabling the Authority to require any person to furnish to it, in respect of any activity carried on by him in the course of business relating to carriage within the United Kingdom by any aircraft of which he has the management, such particulars as it may require for the purpose of exercising its functions under sections 21 to 23 of the Act, as modified and adapted by article 3, as if those particulars were information which a person may be required to furnish to the Authority by virtue of subsections (1) or (2) of that section.

6. Nothing in section 36 of the Act (which relates to disclosure of information) shall prohibit the disclosure to members of the Price Commission or to their officers or servants of any information received by the Authority under section 35 of the Act as modified and adapted by article 5.

Shirley Williams,
Secretary of State
for Prices and Consumer Protection.

13th December 1974.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order re-enacts with modifications the Counter-Inflation (Modification of the Civil Aviation Act 1971) Order 1973.

It requires the Civil Aviation Authority to have regard to the Price Code when fixing domestic air fares but, in so doing, the Authority is now also required to comply with, among other things, guidance given by the Secretary of State with the approval of Parliament. The present guidance is to be found in Civil Aviation Policy Guidance Cmnd. 4899, which is obtainable from Her Majesty's Stationery Office or through booksellers.

(a) S.I. 1973/810(1973 I, p.2595).

SI 1974/2116
ISBN 0-11-042116-7

