



# Airports Act 1986

## 1986 CHAPTER 31

### PART VI

#### MISCELLANEOUS AND SUPPLEMENTARY

##### *Byelaws*

#### 63 Airport byelaws. **E+W**

(1) Where an airport is either—

- (a) designated for the purposes of this section by an order made by the Secretary of State, or
- (b) managed by the Secretary of State,

the airport operator (whether the Secretary of State or some other person) may make byelaws for regulating the use and operation of the airport and the conduct of all persons while within the airport.

(2) Any such byelaws may, in particular, include byelaws—

- (a) for securing the safety of aircraft, vehicles and persons using the airport and preventing danger to the public arising from the use and operation of the airport;
- (b) for controlling the operation of aircraft within, or directly above, the airport for the purpose of limiting or mitigating the effect of noise, vibration and atmospheric pollution caused by aircraft using the airport;
- (c) for preventing obstruction within the airport;
- (d) for regulating vehicular traffic anywhere within the airport, except on roads within the airport to which the road traffic enactments apply, and in particular (with that exception) for imposing speed limits on vehicles within the airport and for restricting or regulating the parking of vehicles or their use for any purpose or in any manner specified in the byelaws;
- (e) for prohibiting waiting by hackney carriages except at standings appointed by such person as may be specified in the byelaws;

---

*Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Airports Act 1986. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)*

---

- (f) for prohibiting or restricting access to any part of the airport;
  - (g) for preserving order within the airport and preventing damage to property within it;
  - (h) for regulating or restricting advertising within the airport;
  - (i) for requiring any person, if so requested by a constable or airport official, to leave the airport or any particular part of it, or to state his name and address and the purpose of his being within the airport;
  - (j) for securing the safe custody and redelivery of any property which, while not in proper custody, is found within the airport or in an aircraft within the airport, and in particular—
    - (i) for requiring charges to be paid in respect of any such property before it is redelivered; and
    - (ii) for authorising the disposal of any such property if it is not redelivered before the end of such period as may be specified in the byelaws;
  - (k) for restricting the area which is to be taken as constituting the airport for the purposes of the byelaws.
- (3) In paragraph (d) of subsection (2) “the road traffic enactments” means the enactments (whether passed before or after this Act) relating to road traffic, including the lighting and parking of vehicles, and any order or other instrument having effect by virtue of any such enactment.
- (4) In paragraph (i) of subsection (2) “airport official” means a person authorised by the airport operator; and any such official shall not exercise any power under a byelaw made by virtue of that paragraph without producing written evidence of his authority if required to do so.
- (5) Byelaws made under this section by a person other than the Secretary of State shall not have effect until they are confirmed by the Secretary of State, and the provisions of Schedule 3 shall apply to any such byelaws.
- (6) Before any byelaws are made by the Secretary of State under this section, he shall take such steps as appear to him to be appropriate for giving public notice of the proposed byelaws and for affording an opportunity for representations to be made with respect to them; and the Secretary of State shall have regard to any such representations and may then make the byelaws in the form proposed or in that form with such modifications as he thinks fit.
- (7) Any byelaws made by the Secretary of State under this section shall be made by statutory instrument.
- (8) Section 236(9) of the Local Government Act 1972 and section 202(13) of the <sup>M1</sup>Local Government (Scotland) Act 1973 (notice of byelaws made by one local authority to be given to another) and section 237 of the Act of 1972 and section 203 of the Act of 1973 (penalties) shall not apply to any byelaws made by a local authority under this section.

#### **Annotations:**

#### **Extent Information**

- E1** This version of this provision extends to England and Wales only; a separate version has been created for Scotland only



---

*Changes to legislation:* There are outstanding changes not yet made by the legislation.gov.uk editorial team to Airports Act 1986. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

---

## SCHEDULES

### SCHEDULE 3

Section 63(5).

#### AIRPORT BYELAWS MADE BY PERSONS OTHER THAN THE SECRETARY OF STATE

- 1 References in this Schedule to the airport operator in relation to any byelaws are references to the person making those byelaws as mentioned in section 63(5).
- 2 Where the airport operator is a body corporate, the byelaws shall be made under its common seal.
- 3 At least one month before application for confirmation of the byelaws is made to the Secretary of State, notice of the intention to apply for confirmation shall be given by the airport operator in one or more local newspapers circulating in the locality in which the airport to which the byelaws relate is situated or (if the byelaws relate to more than one airport) circulating respectively in the several localities in which those airports are situated; and the notice shall specify a period of not less than one month during which representations on the byelaws may be made to the Secretary of State.
- 4 For at least one month before application for confirmation is made, a copy of the byelaws shall be deposited at the offices of the airport operator at each airport to which the byelaws relate and shall, at all reasonable hours, be open to public inspection free of charge.
- 5 The airport operator shall, on application made by any person before the byelaws are confirmed, furnish him with a copy of the byelaws or of any part of them on payment of such reasonable fee as the airport operator may determine.
- 6 The Secretary of State may confirm with or without modifications, or refuse to confirm, any byelaw submitted to him for confirmation, and may fix the date on which a byelaw confirmed by him is to come into operation; and if no date is so fixed, the byelaw shall come into operation at the end of the period of one month beginning with the day on which it is confirmed.
- 7 A copy of the byelaws, when confirmed, shall be printed and deposited at the offices of the airport operator at each airport to which they relate and shall, at all reasonable hours, be open to public inspection free of charge; and a copy of the byelaws shall on application be furnished to any person on payment of such reasonable fee as the airport operator may determine.
- 8 The production of a printed copy of a byelaw purporting to be made by an airport operator upon which is endorsed a certificate purporting to be signed by a person authorised for the purpose by the airport operator and stating—
  - (a) that the byelaw was made by the airport operator,
  - (b) that the copy is a true copy of the byelaw,
  - (c) that on a specified date the byelaw was confirmed by the Secretary of State, and
  - (d) the date, if any, fixed by the Secretary of State for the coming into operation of the byelaw,

---

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to Airports Act 1986. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

---

shall be evidence, and in Scotland sufficient evidence, of the facts stated in the certificate, without proof of the handwriting or authorisation of the person by whom it purports to be signed.