

INFORMATION REQUIRED IN AN APPLICATION TO THE CIVIL AVIATION AUTHORITY FOR A CERTIFICATE UNDER SECTION 57A OF THE AIRPORTS ACT 1986

Background

Under Section 57A of the Airports Act 1986 (introduced by Section 76(3) and Schedule 8 Part 1 of the Civil Aviation Act 2012) an airport operator in England, Scotland or Wales may apply to the Civil Aviation Authority for a certificate in relation to the status of the airport operator as a statutory undertaker. The CAA must grant a certificate if three conditions are satisfied:

- (i) The airport operator applies for a certificate;
- (ii) The airport operator pays any relevant application charge; and
- (iii) The CAA considers that, at the time of the application, the airport is an eligible airport.

An airport is an eligible airport if:

- (i) The annual turnover of the business carried on at the airport by the airport operator exceeded £1 million in at least two of the last three financial years ending before the application is made;
- (ii) The airport is not owned by a principal council or jointly owned by two or more principal councils;
- (iii) The airport is not owned by an Integrated Transport Authority in England or jointly owned by such an Authority and one or more principal councils; and
- (iv) The airport is not owned by a metropolitan county passenger transport authority in Scotland or jointly owned by such an authority and one or more principal councils.

For the purposes of (i) the financial year means the period of 12 months ending with 31 March.

Any permission to levy airport charges held in respect of the airport concerned under Part IV of the Airports Act 1986 on 6 April 2013 shall be treated as a certificate after that date.

Applications for a certificate

An application for a certificate should be made in writing and should include the following information:

- (i) the name and address of the airport to which the certificate is to relate;
- (ii) the name, company registration number and address of the registered office and the principal office in the United Kingdom (if different) of the airport operator which is defined in section 82(1) of the Airports Act 1986 as the person having the management of the airport;
- (iii) a copy of the audited annual accounts for the airport operator in question for the previous two financial years; and
- (iv) if the published annual accounts do not include a profit and loss account or if the annual accounts do not relate to the financial year as defined above, a statement of the turnover at the airport for each of the previous three years ending on 31 March. The CAA reserves the right to ask for any statement of turnover to be audited.

Annual turnover, in relation to the business carried on at an airport by the airport operator, is defined in section 57A(9) as the aggregate of all sums received in the course of the business during a financial year, as stated or otherwise shown in the accounts of the business, including grants from any public or local authority but excluding capital receipts and loans.

Applications should be addressed to:

Civil Aviation Authority
Markets and Consumers Group
CAA House
45-59 Kingsway
London, WC2B 6TE

Charges for applications

Under section 57A(3) of the Airports Act 1986 the CAA may require the payment of a charge specified in a scheme or regulations made under section 11 of the Civil Aviation Act 1982. The CAA has not made any such scheme or regulations for applications for a certificate.

Further information

Any questions about this notice or requests for further information should be addressed to Rod Gander by telephone [020 7453 6225] or by email [rod.gander@caa.co.uk].

INFORMATION REQUIRED IN AN APPLICATION TO THE CIVIL AVIATION AUTHORITY FOR A CERTIFICATE UNDER ARTICLE 2A OF THE AIRPORTS (NORTHERN IRELAND) ORDER 1994

Background

Under Article 2A of the Airports (Northern Ireland) Order 1994 (introduced by Section 76(3) and Schedule 8 Part 2 of the Civil Aviation Act 2012) an airport operator in Northern Ireland may apply to the Civil Aviation Authority for a certificate in relation to the status of the airport operator as a statutory undertaker. The CAA must grant a certificate if three conditions are satisfied:

- (i) The airport operator applies for a certificate;
- (ii) The airport operator pays any relevant application charge; and
- (iii) The CAA considers that, at the time of the application, the airport is an eligible airport.

An airport is an eligible airport if the annual turnover of the business carried on at the airport by the airport operator exceeded £1 million in at least two of the last three financial years ending before the application is made. For this purpose the financial year means the period of 12 months ending with 31 March.

Any permission to levy airport charges held in respect of the airport concerned under Part IV of the Airports (Northern Ireland) Order 1994 on 6 April 2013 shall be treated as a certificate after that date.

Applications for a certificate

An application for a certificate should be made in writing and should include the following information:

- (i) the name and address of the airport to which the certificate is to relate;
- (ii) the name, company registration number and address of the registered office and the principal office in the United Kingdom (if different) of the airport operator which is defined in Article 2(2) of the Airports (Northern Ireland) Order 1994 as the person having the management of the airport;

- (iii) a copy of the audited annual accounts for the airport operator in question for the previous two financial years; and
- (iv) if the published annual accounts do not include a profit and loss account or if the annual accounts do not relate to the financial year as defined above, a statement of the turnover at the airport for each of the previous three years ending on 31 March. The CAA reserves the right to ask for any statement of turnover to be audited.

Annual turnover, in relation to the business carried on at an airport by the airport operator, is defined in article 2A(7) as the aggregate of all sums received in the course of the business during a financial year, as stated or otherwise shown in the accounts of the business, including grants from any public or local authority but excluding capital receipts and loans.

Applications should be addressed to:

Civil Aviation Authority
Markets and Consumers Group
CAA House
45-59 Kingsway
London, WC2B 6TE

Application charge

Under article 2A(2) of the Airports (Northern Ireland) Order 1994 the CAA may require the payment of a charge specified in a scheme or regulations made under section 11 of the Civil Aviation Act 1982. The CAA has not made any such scheme or regulations for applications for a certificate.

Further information

Any questions about this notice or requests for further information should be addressed to Rod Gander by telephone [020 7453 6225] or by email [rod.gander@caa.co.uk].