

THE AIRPORTS AUTHORITY ACT
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SCHEDULES

THE AIRPORTS AUTHORITY ACT

[31st July, 1974.]

Acts
 36 of 1974,
 3 of 1983,
 20 of 1996,
 20 of 1997,
 28 of 2003
 S. 2.

1. This Act may be cited as the Airports Authority Act.

Short title.

2.—(1) In this Act—

Interpre-
tation.

“an apron” means a defined area in an airport intended to accommodate aircraft for purposes of loading or unloading passengers or cargo, refuelling, parking, or maintenance of such aircraft;

“the Authority” means the Airports Authority of Jamaica established in accordance with this Act;

“the Board” means the Board of Directors of the Authority constituted in accordance with this Act;

“the chairman” means the chairman of the Board;

“debenture” includes debenture stock;

“director” means a director of the Authority;

“financial year” means the period of twelve months beginning on the first day of January in any year;

“functions” includes powers and duties;

“Minister” means—

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(a) as regards any provisions of this Act relating to the security of airports, the Minister responsible for national security; or

(b) as regards all other provisions of this Act, the Minister responsible for civil aviation;

“navigation services” includes information, directions and other facilities furnished, issued or provided for the purpose of or in connection with the navigation or movement of aircraft and also the

control or movement of vehicles in any part of an airport used for the movement of aircraft other than an apron;

“the prescribed airports” means the airports for the time being prescribed in the First Schedule;

First
Schedule.

“secretary” means the secretary of the Authority.

Establishment
of the Airports
Authority of
Jamaica.

3.—(1) There is hereby established a body to be called the Airports Authority of Jamaica, which shall be a body corporate to which the provisions of section 28 of the Interpretation Act shall apply.

Second
Schedule.

(2) The provisions of the Second Schedule shall have effect with respect to the constitution and operation of the Authority and otherwise in relation thereto.

Power of the
Minister to
amend First
Schedule.

4. The Minister may, by order, amend the First Schedule, and any such order may also prescribe the boundaries of any airport.

Capital of
Authority.

5.—(1) The authorized capital of the Authority shall be thirty million dollars divided into thirty thousand ordinary shares of the par value of one thousand dollars each.

(2) The Authority may from time to time with the approval of the Minister vary the amount of the authorized capital of the Authority.

(3) The Government may subscribe for the said thirty thousand ordinary shares or such other amount as the Minister may from time to time determine at par.

Payment of
dividend.

6. The Authority shall not pay any dividend on its shares until all its capitalized assets not represented by tangible assets (including preliminary expenses and organization expenses) have been completely written off.

Transfer of
property.

7.—(1) Subject to paragraph (b) of subsection (2), the Minister may, by order, transfer to the Authority any property belonging to the Government which appears to him to be necessary or useful to the Authority for carrying

out its functions under this Act, and such property shall vest in the Authority by virtue of the order and without further assurance.

(2) An order under subsection (1)—

- (a) may contain such incidental, consequential or supplemental provisions as the Minister thinks necessary or expedient for the purposes of the order;
- (b) shall not include any rights or liabilities which are necessary or expedient to secure the Minister's compliance with or efficient administration of the Civil Aviation Act or which are specified in any certificate issued by the Minister to the Authority as being reserved to the Minister; and
- (c) shall be subject to affirmative resolution of the House of Representatives.

8.—(1) It shall be the duty of the Authority—

- (a) to administer, control and manage prescribed airports and any other property vested in it under this Act;
- (b) to provide and maintain such services and facilities as are in its opinion necessary or desirable for the efficient operation of prescribed airports or as the Minister may require but, except with the consent of the Minister, the Authority shall not provide any navigation service;
- (c) provide rescue and fire fighting equipment and services at prescribed airports.

Functions of
the
Authority.

(2) In the exercise of its functions the Authority may—

- (a) construct, alter and maintain buildings at prescribed airports and elsewhere;

- (b) purchase land or buildings;
- (c) grant on such terms and conditions as the Authority thinks fit, authority to carry on any trade or business at prescribed airports;
- (d) grant leases, sub-leases or other interests or concessions in respect of land or building within a prescribed airport on such terms and conditions and subject to the payment of rent or other consideration as the Authority may think fit;
- (e) carry on such activities as appear to it advantageous, necessary or desirable for or in connection with the exercise and performance of its functions.

Ministerial
directions.

9. The Minister may, after consultation with the chairman, give to the Authority directions of a general character as to the policy to be followed by the Authority in the exercise and performance of its functions.

General
duties of
Authority.

10.—(1) It shall be the duty of the Authority so to conduct the affairs of the Authority as to ensure that, so far as practicable, the annual revenues of the Authority are, taking one financial year with the other, sufficient to meet all charges properly chargeable to revenue and the establishment of reserves necessary for its operations.

(2) The Authority shall furnish the Minister with such returns, statistics and other information with respect to the property and other activities of the Authority as the Minister may from time to time require, and shall afford to him facilities for verifying such information in such manner and at such times as he may reasonably require.

(3) A director who is directly or indirectly interested in a contract made or proposed to be made by the Authority—

- (a) shall disclose the nature of his interest; and