

Version  
as at 28 October 2021



## Airport Authorities Act 1966

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#### Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

**This Act is administered by the Ministry of Transport.**

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**An Act to consolidate and amend the Local Authorities Empowering (Aviation Encouragement) Act 1929 and its amendments and to confer powers on certain local authorities and other persons in respect of airports**

**1 Short Title**

This Act may be cited as the Airport Authorities Act 1966.

**2 Interpretation**

(1) In this Act, unless the context otherwise requires,—

**aircraft and freight activities** means the activities undertaken (including the facilities and services provided) to enable, within a security area or areas of the relevant airport, the servicing and maintenance of aircraft and the handling of freight transported, or to be transported, by aircraft; and includes—

- (a) the provision within a security area or areas of the relevant airport, of any 1 or more of the following:
  - (i) hangars:
  - (ii) facilities and services for the refuelling of aircraft, flight catering, and waste disposal:
  - (iii) facilities and services for the storing of freight:
  - (iv) security, customs, and quarantine services for freight:
- (b) the holding of any facilities and assets (including land) acquired or held to provide aircraft and freight activities in the future (whether or not used for any other purpose in the meantime)

**airfield activities** means the activities undertaken (including the facilities and services provided) to enable the landing and take-off of aircraft; and includes—

- (a) the provision of any 1 or more of the following:
  - (i) airfields, runways, taxiways, and parking aprons for aircraft:
  - (ii) facilities and services for air traffic and parking apron control:
  - (iii) airfield and associated lighting:
  - (iv) services to maintain and repair airfields, runways, taxiways, and parking aprons for aircraft:
  - (v) rescue, fire, safety, and environmental hazard control services:
  - (vi) airfield supervisory and security services:
- (b) the holding of any facilities and assets (including land) acquired or held to provide airfield activities in the future (whether or not used for any other purpose in the meantime)

**airport** means any defined area of land or water intended or designed to be used either wholly or partly for the landing, departure, movement, or servicing of aircraft; and includes any other area declared by the Minister to be part of the airport; and also includes any buildings, installations, and equipment on or adjacent to any such area used in connection with the airport or its administration

**airport authority** means a local authority for the time being authorised under section 3 to establish, maintain, operate, or manage an airport; and includes any person or association of persons authorised under subsection (3) of that section to exercise the powers of a local authority

**airport company** means a company registered under the Companies Act 1993 that is for the time being authorised under section 3(3) to exercise the functions of a local authority under that section

**charge** includes a fee or due and also includes rent payable under any lease

**debt security** has the same meaning as in section 8 of the Financial Markets Conduct Act 2013

**equity security** has the same meaning as in section 8 of the Financial Markets Conduct Act 2013

**identified airport activities** means any 1 or more of the following, as the case may be:

- (a) airfield activities:
- (b) aircraft and freight activities:
- (c) specified passenger terminal activities

**lease** includes any form of tenancy and a licence to occupy or use any premises or appliance

**local authority** means a local authority within the meaning of the Local Government Act 2002

**Minister** means the Minister of Transport

**security area** means an area of an airport that the Director has declared to be a security area under section 84 of the Civil Aviation Act 1990

**specified airport company** means an airport company that, in its last accounting period, received revenue that exceeded \$10 million, or such other amount of revenue that the Governor-General may from time to time prescribe for the purposes of this definition by Order in Council (*see* subsection (2))

**specified passenger terminal activities** means the activities undertaken (including the facilities and services provided) in relation to aircraft passengers while those passengers are in a security area or areas of the relevant airport; and includes—

- (a) the provision, within a security area or security areas of the relevant airport, of any 1 or more of the following:
  - (i) passenger seating areas, thoroughfares, and airbridges:
  - (ii) flight information and public address systems:
  - (iii) facilities and services for the operation of customs, immigration, and quarantine checks and control:
  - (iv) facilities for the collection of duty-free items:
  - (v) facilities and services for the operation of security and Police services:
- (b) any activities undertaken (including the facilities and services provided) in a passenger terminal to enable the check-in of aircraft passengers, including services for baggage handling:
- (c) the holding of any facilities and assets (including land) acquired or held to provide specified passenger terminal activities in the future (whether or not used for any other purpose in the meantime);—

but does not include the provision of any space for retail activities

**substantial customer** has the meaning given to that term by section 2A.

- (2) An order made for the purpose of the definition of specified airport company in subsection (1) is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

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**Legislation Act 2019 requirements for secondary legislation made under this section**

<b>Publication</b>	PCO must publish it on the legislation website and notify it in the <i>Gazette</i>	LA19 s 69(1)(c)
<b>Presentation</b>	The Minister must present it to the House of Representatives	LA19 s 114, Sch 1 cl 32(1)(a)
<b>Disallowance</b>	It may be disallowed by the House of Representatives	LA19 ss 115, 116

*This note is not part of the Act.*

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Section 2(1) **aircraft and freight activities**: inserted, on 26 November 1997, by section 2 of the Airport Authorities Amendment Act 1997 (1997 No 90).

Section 2(1) **airfield activities**: inserted, on 26 November 1998, by section 2 of the Airport Authorities Amendment Act 1997 (1997 No 90).

Section 2(1) **airport company**: replaced, on 1 July 1994, by section 2 of the Company Law Reform (Transitional Provisions) Act 1994 (1994 No 16).

Section 2(1) **airport company**: amended, on 5 December 2013, by section 14 of the Companies Amendment Act 2013 (2013 No 111).

Section 2(1) **charge**: inserted, on 26 November 1998, by section 2 of the Airport Authorities Amendment Act 1997 (1997 No 90).

Section 2(1) **debt security**: replaced, on 1 December 2014, by section 150 of the Financial Markets (Repeals and Amendments) Act 2013 (2013 No 70).

Section 2(1) **equity security**: replaced, on 1 December 2014, by section 150 of the Financial Markets (Repeals and Amendments) Act 2013 (2013 No 70).

Section 2(1) **identified airport activities**: inserted, on 26 November 1998, by section 2 of the Airport Authorities Amendment Act 1997 (1997 No 90).

Section 2(1) **lease**: inserted, on 26 November 1998, by section 2 of the Airport Authorities Amendment Act 1997 (1997 No 90).

Section 2(1) **local authority**: replaced, on 1 July 2003, by section 262 of the Local Government Act 2002 (2002 No 84).

Section 2(1) **Minister**: replaced, on 20 July 1973, by section 6(1) of the Ministry of Transport Amendment Act 1973 (1973 No 6).

Section 2(1) **Minister**: amended, on 1 September 1990, pursuant to section 102(1) of the Civil Aviation Act 1990 (1990 No 98).

Section 2(1) **security area**: inserted, on 26 November 1998, by section 2 of the Airport Authorities Amendment Act 1997 (1997 No 90).

Section 2(1) **security area**: amended, on 10 August 1992, pursuant to section 46(3) of the Civil Aviation Amendment Act 1992 (1992 No 75).

Section 2(1) **specified airport company**: inserted, on 26 November 1998, by section 2 of the Airport Authorities Amendment Act 1997 (1997 No 90).

Section 2(1) **specified airport company**: amended, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

Section 2(1) **specified passenger terminal activities**: inserted, on 26 November 1998, by section 2 of the Airport Authorities Amendment Act 1997 (1997 No 90).

Section 2(1) **substantial customer**: inserted, on 26 November 1998, by section 2 of the Airport Authorities Amendment Act 1997 (1997 No 90).

Section 2(2): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

## 2A Meaning of substantial customer

- (1) For the purposes of this Act, **substantial customer**, in relation to an airport company, means any person that paid, or was liable to pay, that airport company in relation to identified airport activities in that airport company's last accounting period an amount that exceeded 5% of the revenue paid or payable to that airport company during that accounting period in relation to those activities.