



Civil Aviation Act 2012

CHAPTER 19

CIVIL AVIATION ACT 2012

PART 1

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CHAPTER 1

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Changes to legislation: There are currently no known outstanding effects for the Civil Aviation Act 2012. (See end of Document for details)

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Changes to legislation: There are currently no known outstanding effects for the Civil Aviation Act 2012. (See end of Document for details)

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1 (1) The following may appeal to the Competition Appeal Tribunal...

Notice of appeal

2 (1) An appeal under paragraph 1 against a determination must...

Decisions on appeal

3 (1) The Competition Appeal Tribunal may allow an appeal under...

Effect of suspending or setting aside market power determination

4 (1) This paragraph applies where— (a) the CAA publishes a...

Appeals to Competition Appeal Tribunal: supplementary

5 (1) When deciding an appeal under paragraph 1 (including giving...

Further appeals

6 (1) An appeal lies to the appropriate court on a...

SCHEDULE 2 — Appeals under sections 24 and 25

PART 1 — PERMISSION TO APPEAL

Application for permission to appeal

1 (1) An application for permission to appeal under section 24...

Determination of application for permission to appeal

2 (1) The decision of the Competition and Markets Authority on...

Time limit for CAA to make representations

3 (1) This paragraph applies where the CAA wishes to make...

PART 2 — INTERVENTION IN APPEAL

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Determination of application for permission to intervene

5 (1) The decision of the Competition and Markets Authority on...

PART 3 — AUTOMATIC SUSPENSION OF CONDITION OF NEW LICENCE OR MODIFICATION

Changes to legislation: There are currently no known outstanding effects for the Civil Aviation Act 2012. (See end of Document for details)

*Automatic suspension of condition of new licence
including exception for certain financial arrangements*

- 6 (1) Sub-paragraph (2) applies where— (a) the CAA decides to...

*Automatic suspension of modification of existing licence
involving exception for certain financial arrangements*

- 7 (1) Sub-paragraph (2) applies where— (a) the CAA decides under...
8 (1) Sub-paragraph (2) applies where— (a) the CAA decides under...

PART 4 — APPLICATION FOR SUSPENSION OF CONDITION OF NEW LICENCE
OR MODIFICATION

Application for direction suspending condition of new licence

- 9 (1) Where an application is made for permission to appeal...

Effect of early application for direction under paragraph 9

- 10 (1) This paragraph applies if— (a) an application is made...

Direction following application under paragraph 9

- 11 (1) The functions of the Competition and Markets Authority in...

Application for direction suspending licence modification

- 12 (1) Where an application for permission to appeal against a...

Effect of early application for direction under paragraph 12

- 13 (1) This paragraph applies if— (a) an application is made...

Direction following application under paragraph 12

- 14 (1) The functions of the Competition and Markets Authority in...

Publication of decisions about directions

- 15 (1) An authorised member of the Competition and Markets Authority...

Time limit for CAA to make representations

- 16 (1) This paragraph applies where the CAA wishes to make...
PART 5 — APPEALS

Determination of appeal by group

17

Replacing members of group

- 18 (1) The Chairman may select a member of the Competition...

Representations made by the CAA

- 19 (1) This paragraph applies where an application for permission to...

Changes to legislation: There are currently no known outstanding effects for the Civil Aviation Act 2012. (See end of Document for details)

Matters that may be disregarded

- 20 (1) The Competition and Markets Authority may disregard matters raised...

Remitting decision to CAA

- 21 (1) This paragraph applies where the Competition and Markets Authority...

Substituting CAA's decision

- 22 (1) This paragraph applies where the Competition and Markets Authority...

PART 6 — GENERAL

Consideration of new matters

- 23 (1) This paragraph applies to— (a) an authorised member of...

Production of documents

- 24 (1) The Competition and Markets Authority may by notice require...

Oral hearings

- 25 (1) For the purposes of this Schedule the following persons...

Written evidence

- 26 (1) The Competition and Markets Authority may by notice require...

Expert advice

- 27 Where permission to appeal is granted under paragraph 2, the...

Enforcement of requirements in relation to evidence etc

- 28 (1) This paragraph applies where a person (“P”)—

Destruction of documents

- 29 (1) A person who intentionally alters, suppresses or destroys a...

Withdrawal of applications and appeals

- 30 (1) An application under paragraph 1 for permission to appeal...

Appeal rules

- 31 (1) The CMA Board may make rules regulating the conduct...

Costs

- 32 (1) Where an application under this Schedule or an appeal...

Secretary of State's power to modify time limits

- 33 The Secretary of State may by regulations modify any period...

Changes to legislation: There are currently no known outstanding effects for the Civil Aviation Act 2012. (See end of Document for details)

Publication etc

34 Where the CAA or the Competition and Markets Authority or...

Interpretation

35 (1) In this Schedule— “appeal” means an appeal under section...

SCHEDULE 3 — Appeals against orders and penalties

Appeals against enforcement orders and urgent enforcement orders

1 (1) A person may appeal to the Competition Appeal Tribunal...

Appeals against modification and revocation of orders

2 (1) A person may appeal to the Competition Appeal Tribunal...

Appeals against penalties

3 (1) A person may appeal to the Competition Appeal Tribunal...

Decisions on appeal

4 (1) The Competition Appeal Tribunal may allow an appeal under...

Further appeals

5 (1) An appeal lies to the appropriate court on a...

SCHEDULE 4 — Appeals against revocation of licence

Appeals against revocation of licence

1 (1) A person may appeal to the Competition Appeal Tribunal...

Notice of appeal

2 (1) An appeal under paragraph 1 must be made by...

Decisions on appeal

3 (1) The Competition Appeal Tribunal may allow an appeal under...

Further appeals

4 (1) An appeal lies to the appropriate court on a...

SCHEDULE 5 — Appeals against penalties: information

Appeals against penalties

1 (1) A person may appeal to the Competition Appeal Tribunal...

Decisions on appeal

2 (1) The Competition Appeal Tribunal may allow an appeal under...

Changes to legislation: There are currently no known outstanding effects for the Civil Aviation Act 2012. (See end of Document for details)

Further appeals

- 3 (1) An appeal lies to the appropriate court on a...

SCHEDULE 6 — Restrictions on disclosing information

Prohibition on disclosure

- 1 (1) This paragraph applies to information if—

Disclosure with consent

- 2 Paragraph 1(2) does not apply to a disclosure made with...

Disclosure of information already available to public

- 3 Paragraph 1(2) does not apply to information that has been...

Other permitted disclosures

- 4 (1) Paragraph 1(2) does not apply where information is disclosed—...
5 Paragraph 1(2) does not apply where information is disclosed—
6 The Secretary of State may by regulations amend paragraph 4...

Offence

- 7 A person who discloses information in contravention of paragraph 1(2)...

Criminal liability of officers of bodies corporate etc

- 8 (1) Sub-paragraph (2) applies if an offence under this Schedule...

SCHEDULE 7 — Index of defined expressions

This Table lists expressions defined in Part 1 of this...

SCHEDULE 8 — Status of airport operators as statutory undertakers etc
PART 1 — GREAT BRITAIN

Airports Act 1986 (c. 31)

- 1 The Airports Act 1986 is amended as follows.
2 For section 57 (scope of Part 5: status of certain...
3 (1) Section 79 (orders and regulations) is amended as follows....

Consequential repeal

- 4 In Schedule 4 to the Local Transport Act 2008, omit...

Power to make provision in relation to operators of airport areas

- 5 (1) The Secretary of State may by regulations make provision...
PART 2 — NORTHERN IRELAND

Airports (Northern Ireland) Order 1994 (S.I. 1994/426 (N.I. 1))

- 6 The Airports (Northern Ireland) Order 1994 is amended as follows...
7 In Article 2(2) (interpretation), for the definition of “regulated airport”...

Changes to legislation: There are currently no known outstanding effects for the Civil Aviation Act 2012. (See end of Document for details)

- 8 In Part 2 (powers in relation to land exercisable in...
9 (1) Article 70 (regulations and orders) is amended as follows....
10 The amendments in paragraphs 7 to 9 are without prejudice...

Power to make provision in relation to operators of airport areas

- 11 (1) The Secretary of State may by regulations make provision...

SCHEDULE 9 — Regulation of operators of dominant airports: consequential provision

Fair Trading Act 1973 (c. 41)

- 1 Omit section 93B (false or misleading information provided to Competition...

Airports Act 1986 (c. 31)

- 2 The Airports Act 1986 is amended as follows.
3 (1) Section 74 (restriction on disclosure of information) is amended...
4 (1) Section 82 (general interpretation) is amended as follows.

Water Act 1989 (c. 15)

- 5 In section 174(3) of the Water Act 1989 (exceptions from...

Water Industry Act 1991 (c. 56)

- 6 In Part 2 of Schedule 15 to the Water Industry...

Water Resources Act 1991 (c. 57)

- 7 In Part 2 of Schedule 24 to the Water Resources...

Railways Act 1993 (c. 43)

- 8 In section 145(3) of the Railways Act 1993 (exceptions from...

Competition Act 1998 (c. 41)

- 9 In paragraph 19A of Schedule 7 to the Competition Act...

Greater London Authority Act 1999 (c. 29)

- 10 In section 235(3) of the Greater London Authority Act 1999...

Utilities Act 2000 (c. 27)

- 11 In section 105(6) of the Utilities Act 2000 (exceptions from...

Transport Act 2000 (c. 38)

- 12 In paragraph 3(3) of Schedule 9 to the Transport Act...

Enterprise Act 2002 (c. 40)

- 13 The Enterprise Act 2002 is amended as follows.
14 (1) Section 168 (regulated markets) is amended as follows.
15 In Schedule 15 (enactments conferring functions for the purposes of...

Changes to legislation: There are currently no known outstanding effects for the Civil Aviation Act 2012. (See end of Document for details)

Civil Contingencies Act 2004 (c. 36)

16 (1) Schedule 1 to the Civil Contingencies Act 2004 (category...

Further repeals and revocations

17 The following repeals and revocations are consequential on section 76(1)...

SCHEDULE 10 — Regulation of operators of dominant airports: transitional provision

PART 1 — REGULATION

Definitions

1 In this Part of this Schedule— “the 1986 Act” means...

Market power determinations: designated airports

2 (1) This paragraph applies where, immediately before the commencement day,...

Exemption from prohibition for designated airports during interim period

3 (1) This paragraph applies where, immediately before the commencement day,...

Designation and de-designation before commencement day

4 (1) In section 7(5) (disapplication of CAA's duty to make...

Designation and de-designation during interim period

5 (1) During the interim period, an order may not be...

Modification of preceding paragraphs

6 (1) This paragraph applies where an airport as defined in...

Power to amend this Schedule

7 The power under section 108 may not be used—

PART 2 — STATUS OF AIRPORT OPERATORS AS STATUTORY UNDERTAKERS
ETC

Great Britain

8 In paragraphs 9 to 12 “the commencement day” means the...

9 (1) This paragraph applies where, in relation to an airport,...

10 (1) This paragraph applies where, immediately before the commencement day,...

11 Paragraphs 9 and 10 do not apply where the airport...

12 Nothing in this Act affects any rights or liabilities accruing...

13 In paragraphs 9 to 11, “airport” has the same meaning...

Northern Ireland

14 In paragraphs 15 to 17 “the commencement day” means the...

Changes to legislation: There are currently no known outstanding effects for the Civil Aviation Act 2012. (See end of Document for details)

- 15 (1) This paragraph applies where, in relation to an airport,...
- 16 (1) This paragraph applies where, immediately before the commencement day,...
- 17 Nothing in this Act affects any rights or liabilities accruing...
- 18 In paragraphs 15 to 17, “airport” has the same meaning...

SCHEDULE 11 — Aviation security directions etc: minor and consequential amendments

Civil Aviation Act 1982 (c. 16)

- 1 Part 1 of the Civil Aviation Act 1982 (administration) is...
- 2 In section 11 (charges by CAA) at the end insert—...
- 3 In section 20 (supplementary provisions with respect to functions of...

Aviation Security Act 1982 (c. 36)

- 4 Part 2 of the Aviation Security Act 1982 (protection of...
- 5 For the heading before section 11 substitute “ Information ”...
- 6 (1) Section 11 (power to require information) is amended as...
- 7 Before section 11A insert— “ Designation of security restricted areas...
- 8 (1) Section 11A (designation of security restricted area) is amended...
- 9 Before section 12 insert— “ Directions ”.
- 10 In section 12(3) (power to impose restrictions in relation to...
- 11 In section 15(2) (matters which may be included in directions...
- 12 (1) After section 17 insert— Copies of directions etc for...
- 13 (1) Section 18A (enforcement notices) is amended as follows.
- 14 (1) Section 18D (objections to enforcement notices) is amended as...
- 15 (1) Section 20B (detention directions) is amended as follows.
- 16 In section 21 (application of provisions to air navigation installations),...
- 17 (1) Section 21G (duty to report certain occurrences) is amended...

Application of Part 3 of Regulatory Enforcement and Sanctions Act 2008 (“the RESA 2008”)

- 18 The offences under section 11 of the Aviation Security Act...

SCHEDULE 12 — Aviation security: further provision about transfer schemes

Transfer

- 1 (1) The property, rights and liabilities that may be transferred...

Employment

- 2 (1) This paragraph has effect where rights, powers, duties and...
- 3 (1) This paragraph has effect where— (a) a transfer scheme...
- 4 (1) If a transfer scheme contains provision for the transfer...

Civil servants treated as employed under a contract of employment etc

- 5 (1) This Schedule applies with the following modifications in relation...

Certificate

- 6 A certificate issued by the Secretary of State that any...

Changes to legislation: There are currently no known outstanding effects for the Civil Aviation Act 2012. (See end of Document for details)

Validity

7 A transfer under a transfer scheme does not affect the...

Continuity

8 (1) A transfer scheme may provide for things done by...

SCHEDULE 13 — Appeals against penalties

Appeals against penalties

1 (1) A person may appeal to the Competition Appeal Tribunal...

Decisions on appeal

2 (1) The Competition Appeal Tribunal may allow an appeal under...

Further appeals

3 (1) An appeal lies to the appropriate court on a...

SCHEDULE 14 — CAA membership: transitional and saving provision

Commencement day

1 In this Schedule “the commencement day” means the day after...

Executive members of CAA

2 (1) This paragraph applies where a person—

Chief executive of CAA

3 If the notice given to a person under paragraph 2(1)(b)...

Non-executive members of CAA

4 (1) This paragraph applies where a person—

Chair of CAA

5 The person who is the chairman of the CAA immediately...

Pensions

6 (1) This paragraph applies where, before the commencement day, the...

7 (1) This paragraph applies where, before the commencement day, the...

Nominee under section 66 of Transport Act 2000

8 (1) This paragraph applies where— (a) a nomination of a...

Nominee under section 67 of Transport Act 2000

9 (1) This paragraph applies where— (a) a nomination of a...

Changes to legislation:

There are currently no known outstanding effects for the Civil Aviation Act 2012.