

*These notes refer to the Civil Aviation Act 2012 (c.19)  
which received Royal Assent on 19 December 2012*

# CIVIL AVIATION ACT 2012

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## EXPLANATORY NOTES

### COMMENTARY

#### **Part 2 – Other Aviation Matters**

#### **Provision of information about aviation**

#### ***Section 88: Procedure before imposing penalty***

290. **Section 88** sets out the procedure which the CAA must follow before imposing a penalty under section 86 or 87. The CAA must give the person a notice stating the proposed amount of the penalty, the reasons for imposing it and, in the case of a daily penalty, when it would begin and when, or in what circumstances, it would cease to accumulate. The CAA must consider any representations made about the proposed penalty within the period specified in the notice (which must be at least 21 days beginning with the day on which the notice was given). The same process applies before the CAA can vary the proposed amount of the penalty or the day on which daily amounts would begin to accumulate or the day on which, or circumstances in which, they would cease to accumulate. The section also provides that the CAA may, by notice, withdraw a notice proposing a penalty. The CAA must publish any notice under section 88 as soon as practicable.