



Civil Aviation Act 2012

2012 CHAPTER 19

PART 1

AIRPORTS

CHAPTER 1

REGULATION OF OPERATORS OF DOMINANT AIRPORTS

Licences

14 Application for licence

- (1) An application for a licence—
 - (a) must be made in the specified form and manner,
 - (b) must contain or be accompanied by the specified information, and
 - (c) must be published by the applicant in the specified form and manner and within a period notified to the applicant by the CAA.
- (2) On an application made and published in accordance with subsection (1), the CAA must—
 - (a) grant the licence (see section 15), or
 - (b) refuse to grant the licence (see section 16),unless the application is withdrawn.
- (3) Subsection (4) applies if a person who is the operator of an airport area (“area A”) on a day on which area A becomes a dominant area located at a dominant airport, or part of such an area, does not have a licence in respect of area A on that day.
- (4) The person is to be treated as having made and published an application for such a licence in accordance with subsection (1).
- (5) In subsection (1) “specified” means specified by the CAA.

Status: Point in time view as at 06/04/2013.

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- (6) The CAA must publish a copy of the matters specified for the purposes of subsection (1).

Commencement Information

II S. 14 in force at 6.4.2013 by S.I. 2013/589, art. 2(1)-(3)

15 Granting licence

- (1) Before granting a licence the CAA must—
- (a) publish a notice in relation to the proposed licence,
 - (b) send a copy of the notice to the persons listed in subsection (2), and
 - (c) consider any representations about the proposal to grant the licence, including the proposed conditions, that are made in the period specified in the notice (and not withdrawn).
- (2) Those persons are—
- (a) the applicant for the licence, and
 - (b) such bodies representing airport operators or providers of air transport services as the CAA considers appropriate.
- (3) A notice under subsection (1) must—
- (a) state that the CAA proposes to grant the licence to the applicant,
 - (b) specify the airport area for which it is to be granted,
 - (c) specify the airport at which the area is located,
 - (d) specify the conditions proposed to be included in the licence,
 - (e) give the CAA's reasons for the proposed conditions, and
 - (f) specify a reasonable period for making representations.
- (4) The CAA may withdraw a notice under subsection (1) at any time.
- (5) If, after complying with subsections (1) to (3), the CAA decides to grant the licence, it must—
- (a) publish a copy of the licence and a notice in relation to the licence, and
 - (b) send a copy of the licence and the notice to the persons listed in subsection (2).
- (6) The CAA is not to be treated as having complied with subsections (1) to (3) in relation to a licence granted to an applicant for an area if the conditions included in the licence when it is granted differ significantly from the conditions proposed in the notice under subsection (1) relating to the applicant and the area (or, if more than one, the latest such notice).
- (7) A notice under subsection (5) must—
- (a) specify the date from which the licence comes into force (subject to subsection (9)),
 - (b) give the CAA's reasons for the conditions included in the licence,
 - (c) state how it has taken account of any representations made in the period specified in the notice under subsection (1), and
 - (d) state the reason for any differences between the conditions included in the licence and those proposed in the notice under subsection (1).

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- (8) The date specified under subsection (7)(a) must be a date falling after the end of the period of 6 weeks beginning with the day on which the notice under subsection (5) was published.
- (9) If the CAA grants a licence to a person in respect of an airport area at a time when the person is not the operator of any part of the area, the licence does not come into force until the person becomes the operator of all or part of the area.

Commencement Information

I2 S. 15 in force at 6.4.2013 by S.I. 2013/589, art. 2(1)-(3)

16 Refusing to grant licence

- (1) The CAA may refuse to grant a licence for an airport area if—
 - (a) the CAA considers that the applicant is not the operator of the area and is not likely to become the operator of the area,
 - (b) the area is not a dominant area (or part of a dominant area) and the CAA considers that it is not likely to become a dominant area (or part of a dominant area),
 - (c) the airport at which the area is located is not a dominant airport and the CAA considers that it is not likely to become a dominant airport,
 - (d) the applicant is a person falling within subsection (2), or
 - (e) the applicant is connected to a person falling within subsection (2).
- (2) A person falls within this subsection if—
 - (a) the person has previously held a licence in respect of the airport area that is the subject of the application or an area that included all or part of that airport area, and
 - (b) the licence was revoked in accordance with a relevant provision of the licence.
- (3) For the purposes of subsection (2)(b) a provision is a relevant provision of the licence if it states that revocation of the licence entirely or partly in reliance on that provision is relevant for the purposes of this section.
- (4) Before refusing to grant a licence, the CAA must—
 - (a) publish a notice in relation to the proposed refusal,
 - (b) send a copy of the notice to the persons listed in subsection (5), and
 - (c) consider any representations about the proposed refusal that are made in the period specified in the notice (and not withdrawn).
- (5) Those persons are—
 - (a) the applicant for the licence, and
 - (b) such bodies representing airport operators or providers of air transport services as the CAA considers appropriate.
- (6) A notice under subsection (4) must—
 - (a) state that the CAA proposes to refuse to grant the licence,
 - (b) specify the airport area in respect of which the application was made,
 - (c) specify the airport at which the area is located, and

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- (d) give the CAA's reasons for the proposed refusal.
- (7) The period specified in the notice must be a period of not less than 30 days beginning with the day on which the notice is published.
- (8) The CAA may withdraw a notice under subsection (4) at any time.
- (9) If, after complying with subsections (4) to (7), the CAA decides to refuse to grant the licence, it must—
 - (a) publish a notice of its decision, and
 - (b) send a copy of the notice to the persons listed in subsection (5).
- (10) A notice under subsection (9) must—
 - (a) specify the airport area in respect of which the application was made,
 - (b) specify the airport at which the area is located, and
 - (c) give the CAA's reasons for the refusal.

Commencement Information

I3 S. 16 in force at 6.4.2013 by S.I. 2013/589, art. 2(1)-(3)

17 Content and effect of licence

- (1) A licence must include provision specifying—
 - (a) the airport area for which it is granted, and
 - (b) the airport at which the area is located.
- (2) The specified area may consist of two or more separate areas if they form part of the same airport.
- (3) References in this Part to licence conditions do not include provision mentioned in subsection (1).
- (4) A licence must—
 - (a) include provision about the circumstances in which it may be revoked by the CAA, and
 - (b) provide that it may be revoked only in accordance with section 48.
- (5) References in this Part to licence conditions include provision mentioned in subsection (4), except in section 21(6).
- (6) A licence continues in force until it is revoked in accordance with its provisions.
- (7) A licence is not valid unless it is in writing.
- (8) A licence is not transferable.

Commencement Information

I4 S. 17 in force at 6.4.2013 by S.I. 2013/589, art. 2(1)-(3)

Status:

Point in time view as at 06/04/2013.

Changes to legislation:

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