



# Civil Aviation Act 2012

## 2012 CHAPTER 19

### PART 1

#### AIRPORTS

### CHAPTER 1

#### REGULATION OF OPERATORS OF DOMINANT AIRPORTS

#### *Licences*

#### **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  - (b) the licence was revoked in accordance with a relevant provision of the licence.

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*Changes to legislation: There are currently no known outstanding effects for the Civil Aviation Act 2012, Section 16. (See end of Document for details)*

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- (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consider any representations about the proposed refusal that are made in the period specified in the notice (and not withdrawn).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
  - (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.

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**Commencement Information**

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

**Changes to legislation:**

There are currently no known outstanding effects for the Civil Aviation Act 2012, Section 16.