



# Civil Aviation Act 2012

## 2012 CHAPTER 19

### PART 1

#### AIRPORTS

### CHAPTER 1

#### REGULATION OF OPERATORS OF DOMINANT AIRPORTS

##### *Licence conditions*

#### **19 Price control conditions**

- (1) For the purposes of this Part a licence condition is a price control condition to the extent that it regulates prices by—
  - (a) providing that the amount, or the maximum amount, that may be charged is an amount specified in, or determined in accordance with, the condition, or
  - (b) requiring the amount, or maximum amount, that may be charged to be approved by the CAA.
- (2) A licence must include such price control conditions as the CAA considers necessary or expedient having regard to the risk referred to in section 18(1)(a).
- (3) The duty in subsection (2) has effect subject to—
  - (a) the provision in this Chapter about the conditions that may be included in the licence,
  - (b) the provision in this Chapter about granting licences, and
  - (c) the provision in this Chapter and in the licence about modifying licence conditions.
- (4) Subsection (5) applies where the CAA considers that the holder (“H”) of a licence for an airport area engaged in conduct amounting to an abuse of substantial market power

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*Changes to legislation: There are currently no known outstanding effects for the Civil Aviation Act 2012, Section 19. (See end of Document for details)*

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- by directly or indirectly imposing unfairly high charges in respect of activities carried on in the airport area during—
- (a) a period during which H was treated as having a licence in respect of the area by virtue of section 4;
  - (b) a period during which H would have been so treated but for the suspension of a market power determination or operator determination under Schedule 1.
- (5) The licence may include such price control conditions as the CAA considers appropriate for the purpose of depriving the holder of the licence of an amount not exceeding the amount which the CAA considers was earned from the abuse during that period.
- (6) A price control condition may make provision—
- (a) by reference to the amount charged for particular goods or services;
  - (b) by reference to the overall amount charged for a range of goods or services.
- (7) A licence that includes a price control condition must include conditions specifying a period or periods for which the price control condition has effect.

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**Commencement Information**

**II** S. 19 in force at 6.4.2013 by S.I. 2013/589, art. 2(1)-(3)

**Changes to legislation:**

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