



Civil Aviation Act 2012

2012 CHAPTER 19

PART 1

AIRPORTS

CHAPTER 1

REGULATION OF OPERATORS OF DOMINANT AIRPORTS

Appeals against licence conditions etc

27 Determination of appeal

- (1) Where it does not allow an appeal under section 24 or 25, the [^{F1} Competition and Markets Authority] must confirm the decision appealed against.
- (2) Where it allows an appeal under section 24 or 25, the [^{F2} Competition and Markets Authority] must do one or more of the following—
 - (a) quash the decision appealed against;
 - (b) remit the matter that is the subject of the decision appealed against to the CAA for reconsideration and decision in accordance with this Chapter and any directions given by [^{F3} the Competition and Markets Authority];
 - (c) substitute its own decision for that of the CAA.
- (3) Where it allows only part of an appeal under section 24 or 25—
 - (a) subsection (2) applies in relation to the part of the decision appealed against in respect of which the appeal is allowed, and
 - (b) subsection (1) applies in relation to the rest of that decision.
- (4) Where the [^{F4} Competition and Markets Authority] substitutes its own decision for that of the CAA, [^{F5} the Competition and Markets Authority] may give directions to—
 - (a) the CAA, and

Changes to legislation: There are currently no known outstanding effects for the Civil Aviation Act 2012, Section 27. (See end of Document for details)

- (b) the holder of the licence.
- (5) The [^{F6} Competition and Markets Authority] must not give a direction under this section that requires a person to do anything that the person would not have power to do apart from the direction.
- (6) A person to whom a direction is given under this section must comply with it.
- (7) A direction given under this section to a person other than the CAA is enforceable—
 - (a) in England and Wales and Northern Ireland, as if it were an order of the High Court, and
 - (b) in Scotland, as if it were an order of the Court of Session.

Textual Amendments

- F1** Words in s. 27(1) substituted (1.4.2014) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), s. 103(3), [Sch. 6 para. 144\(2\)](#); S.I. 2014/416, art. 2(1)(d) (with Sch.)
- F2** Words in s. 27(2) substituted (1.4.2014) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), s. 103(3), [Sch. 6 para. 144\(3\)\(a\)](#); S.I. 2014/416, art. 2(1)(d) (with Sch.)
- F3** Words in s. 27(2) substituted (1.4.2014) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), s. 103(3), [Sch. 6 para. 144\(3\)\(b\)](#); S.I. 2014/416, art. 2(1)(d) (with Sch.)
- F4** Words in s. 27(4) substituted (1.4.2014) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), s. 103(3), [Sch. 6 para. 144\(4\)\(a\)](#); S.I. 2014/416, art. 2(1)(d) (with Sch.)
- F5** Words in s. 27(4) substituted (1.4.2014) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), s. 103(3), [Sch. 6 para. 144\(4\)\(b\)](#); S.I. 2014/416, art. 2(1)(d) (with Sch.)
- F6** Words in s. 27(5) substituted (1.4.2014) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), s. 103(3), [Sch. 6 para. 144\(5\)](#); S.I. 2014/416, art. 2(1)(d) (with Sch.)

Commencement Information

- I1** S. 27 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 27.