



Civil Aviation Act 2012

2012 CHAPTER 19

PART 1

AIRPORTS

CHAPTER 1

REGULATION OF OPERATORS OF DOMINANT AIRPORTS

Obtaining information

53 Procedure before imposing penalty

- (1) Before imposing a penalty on a person under section 51 or 52 the CAA must—
 - (a) give the person a notice about the proposed penalty,
 - (b) publish the notice as soon as practicable,
 - (c) send a copy of the notice as soon as practicable to such bodies representing airport operators or providers of air transport services as the CAA considers appropriate, and
 - (d) consider any representations made about the proposed penalty in the period specified in the notice (and not withdrawn).
- (2) The notice under subsection (1) must—
 - (a) state that the CAA proposes to impose a penalty,
 - (b) state the proposed amount of the penalty, and
 - (c) give the CAA's reasons for imposing the penalty.
- (3) In the case of a penalty under section 51 calculated entirely or partly by reference to a daily amount, the notice under subsection (1) must specify—
 - (a) the day on which daily amounts would begin to accumulate, and
 - (b) the day on which, or the circumstances in which, they would cease to accumulate.

Changes to legislation: There are currently no known outstanding effects for the Civil Aviation Act 2012, Section 53. (See end of Document for details)

- (4) The period specified in the notice under subsection (1) for making representations must be a period of not less than 21 days beginning with the day on which the notice is given to the person.
- (5) Before varying the proposed amount of the penalty, the CAA must—
 - (a) give the person on whom the penalty is to be imposed a notice about the proposed variation,
 - (b) publish the notice as soon as practicable,
 - (c) send a copy of the notice as soon as practicable to such bodies representing airport operators or providers of air transport services as the CAA considers appropriate, and
 - (d) consider any representations made about the proposed variation in the period specified in the notice (and not withdrawn).
- (6) In the case of a penalty under section 51 calculated entirely or partly by reference to a daily amount, the reference in subsection (5) to varying the proposed amount of the penalty includes varying—
 - (a) the day on which daily amounts would begin to accumulate, and
 - (b) the day on which, or circumstances in which, they would cease to accumulate.
- (7) The notice under subsection (5) must—
 - (a) specify the proposed variation, and
 - (b) give the CAA's reasons for the proposed variation.
- (8) The period specified in the notice under subsection (5) for making representations must be a period of not less than 21 days beginning with the day on which the notice is given to the person.
- (9) The CAA may withdraw a notice under subsection (1) or (5) at any time by giving notice to the person on whom it proposed to impose the penalty.
- (10) As soon as practicable after giving a notice under subsection (9), the CAA must—
 - (a) publish the notice, and
 - (b) send a copy of the notice to such bodies representing airport operators or providers of air transport services as the CAA considers appropriate.

Commencement Information

II [S. 53](#) 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 53.