



Civil Aviation Act 2012

2012 CHAPTER 19

PART 1

AIRPORTS

CHAPTER 2

COMPETITION

60 Functions under Part 4 of Enterprise Act 2002

- (1) The functions of the [^{F1}Competition and Markets Authority (“the CMA”)] specified in subsection (2) are to be concurrent functions of the CAA and the [^{F2}CMA].
 - (2) Those functions are the [^{F3}CMA’s] functions under Part 4 of the Enterprise Act 2002 (market investigations)[^{F4}, other than functions under sections 166, 171 and 174E,] so far as [^{F5}those functions—
 - (a) are exercisable by the CMA Board (within the meaning of Schedule 4 to the Enterprise and Regulatory Reform Act 2013), and
 - (b)] relate to the provision of airport operation services^{F6}....
 - (3) References to the [^{F7}CMA] in the following are to be read as including a reference to the CAA—
 - (a) Part 4 of the Enterprise Act 2002, other than sections 166 [^{F8}, 171 and 174E], and
 - (b) provisions of that Act applied by that Part.
- [^{F9}(3A) References to section 5 of the Enterprise 2002 in Part 4 of that Act must be read as including a reference to section 64(1) of this Act.]
- (4) But ^{F10}...—
 - (a) [^{F11}subsections (3) and (3A) apply only so far as they are] consequential on subsections (1) and (2), and

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(b) [^{F12}subsection (3) applies] only if the context does not otherwise require.

[^{F13}(4A) Section 130A of the Enterprise Act 2002 is to have effect in its application to the CAA by virtue of subsections (1) and (2)—

(a) as if for subsection (1) of that section there were substituted—

“(1) Where the Civil Aviation Authority—

(a) is proposing to carry out its functions under section 64(1) of the Civil Aviation Act 2012 in relation to a matter for the purposes mentioned in subsection (2), and

(b) considers that the matter is one in respect of which it would be appropriate for the Authority to exercise its powers under section 174 (investigation) in connection with deciding whether to make a reference under section 131,

the Authority must publish a notice under this section (referred to in this Part as a “market study notice”).”, and

(b) as if in subsection (2)(a) of that section, for “the acquisition or supply of goods or services of one or more than one description in the United Kingdom” there were substituted “the provision of airport operation services (within the meaning given by section 68 of the Civil Aviation Act 2012)”.]

Textual Amendments

- F1** Words in s. 60(1) substituted (1.4.2014) by [The Enterprise and Regulatory Reform Act 2013 \(Competition\) \(Consequential, Transitional and Saving Provisions\) Order 2014 \(S.I. 2014/892\)](#), art. 1(1), [Sch. 1 para. 197\(2\)\(a\)](#) (with art. 3)
- F2** Word in s. 60(1) substituted (1.4.2014) by [The Enterprise and Regulatory Reform Act 2013 \(Competition\) \(Consequential, Transitional and Saving Provisions\) Order 2014 \(S.I. 2014/892\)](#), art. 1(1), [Sch. 1 para. 197\(2\)\(b\)](#) (with art. 3)
- F3** Word in s. 60(2) substituted (1.4.2014) by [The Enterprise and Regulatory Reform Act 2013 \(Competition\) \(Consequential, Transitional and Saving Provisions\) Order 2014 \(S.I. 2014/892\)](#), art. 1(1), [Sch. 1 para. 197\(3\)\(a\)](#) (with art. 3)
- F4** Words in s. 60(2) inserted (1.4.2014) by [The Enterprise and Regulatory Reform Act 2013 \(Competition\) \(Consequential, Transitional and Saving Provisions\) Order 2014 \(S.I. 2014/892\)](#), art. 1(1), [Sch. 1 para. 197\(3\)\(b\)](#) (with art. 3)
- F5** Words in s. 60(2) substituted (1.4.2014) by [The Enterprise and Regulatory Reform Act 2013 \(Competition\) \(Consequential, Transitional and Saving Provisions\) Order 2014 \(S.I. 2014/892\)](#), art. 1(1), [Sch. 1 para. 197\(3\)\(c\)](#) (with art. 3)
- F6** Words in s. 60(2) omitted (1.4.2014) by virtue of [The Enterprise and Regulatory Reform Act 2013 \(Competition\) \(Consequential, Transitional and Saving Provisions\) Order 2014 \(S.I. 2014/892\)](#), art. 1(1), [Sch. 1 para. 197\(3\)\(d\)](#) (with art. 3)
- F7** Word in s. 60(3) substituted (1.4.2014) by [The Enterprise and Regulatory Reform Act 2013 \(Competition\) \(Consequential, Transitional and Saving Provisions\) Order 2014 \(S.I. 2014/892\)](#), art. 1(1), [Sch. 1 para. 197\(4\)\(a\)](#) (with art. 3)
- F8** Words in s. 60(3) substituted (1.4.2014) by [The Enterprise and Regulatory Reform Act 2013 \(Competition\) \(Consequential, Transitional and Saving Provisions\) Order 2014 \(S.I. 2014/892\)](#), art. 1(1), [Sch. 1 para. 197\(4\)\(b\)](#) (with art. 3)
- F9** S. 60(3A) inserted (1.4.2014) by [The Enterprise and Regulatory Reform Act 2013 \(Competition\) \(Consequential, Transitional and Saving Provisions\) Order 2014 \(S.I. 2014/892\)](#), art. 1(1), [Sch. 1 para. 197\(5\)](#) (with art. 3)

Changes to legislation: There are currently no known outstanding effects for the Civil Aviation Act 2012, Section 60. (See end of Document for details)

- F10** Words in s. 60(4) omitted (1.4.2014) by virtue of The Enterprise and Regulatory Reform Act 2013 (Competition) (Consequential, Transitional and Saving Provisions) Order 2014 (S.I. 2014/892), art. 1(1), **Sch. 1 para. 197(6)(a)** (with art. 3)
- F11** Words in s. 60(4)(a) substituted (1.4.2014) by The Enterprise and Regulatory Reform Act 2013 (Competition) (Consequential, Transitional and Saving Provisions) Order 2014 (S.I. 2014/892), art. 1(1), **Sch. 1 para. 197(6)(b)** (with art. 3)
- F12** Words in s. 60(4)(b) inserted (1.4.2014) by The Enterprise and Regulatory Reform Act 2013 (Competition) (Consequential, Transitional and Saving Provisions) Order 2014 (S.I. 2014/892), art. 1(1), **Sch. 1 para. 197(6)(c)** (with art. 3)
- F13** S. 60(4A) inserted (1.4.2014) by The Enterprise and Regulatory Reform Act 2013 (Competition) (Consequential, Transitional and Saving Provisions) Order 2014 (S.I. 2014/892), art. 1(1), **Sch. 1 para. 197(7)** (with art. 3)

Commencement Information

- I1** S. 60 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 60.