
STATUTORY INSTRUMENTS

2007 No. 3556

**The Civil Aviation (Allocation of
Scarce Capacity) Regulations 2007**

Allocation of scarce capacity on capacity constrained routes

Procedure at hearings

16.—(1) Hearings will be conducted by the CAA, sitting with such employees of the CAA acting as advisers as it thinks fit.

(2) At a hearing every party may—

- (a) appear in person, or be represented by any other person whom he may have authorised to represent him;
- (b) produce oral and written evidence; and
- (c) examine any other party and his witnesses.

(3) Any person who has served an objection or representation, but who does not wish to be heard, may make a written submission which he must submit to the CAA not less than 3 working days before the date fixed for the hearing of the case.

(4) The CAA must serve on every party, as soon as reasonably practicable, a copy of any submission served on him under paragraph (3) and must have regard to it when making its decision.

(5) Every hearing must be held in public except where the CAA is satisfied that, in the interests of public order, national security, or where it considers that publicity would prejudice the interests of justice.

(6) The CAA, with the consent of the parties, may permit any person to attend a hearing, (whether or not it is in public).

(7) The failure of the CAA or of any person—

- (a) to give notice or publish any particulars in the time or manner provided for in these regulations; or
- (b) any other minor procedural irregularity;

will not invalidate any decision taken by the CAA.

(8) The CAA, may if it considers that any person may have been prejudiced, take such steps as it thinks fit before reaching its decision to cure the irregularity (whether by the giving of notice or otherwise).

(9) All the proceedings at a hearing in accordance with this regulation must be recorded in writing.

(10) A copy of the transcript of the proceedings must be made available to any person on the payment of a reasonable fee, except where a decision has been taken to hold the hearing in private pursuant to regulation 16(5), in which case a transcript must only be made available to those present at the hearing.