



Civil Aviation Act 2012

2012 CHAPTER 19

PART 1

AIRPORTS

CHAPTER 1

REGULATION OF OPERATORS OF DOMINANT AIRPORTS

Dominant airports

12 Advance determinations

- (1) The CAA may make a market power determination or an operator determination based entirely or partly on circumstances that have not arisen at the time the determination is made.
- (2) The CAA must specify the circumstances in the determination.
- (3) The CAA may make a determination in reliance on subsection (1) only if it considers that the specified circumstances are likely to arise.
- (4) Sections 8 and 11 do not require the CAA to publish or send a copy of a notice of a determination made in reliance on subsection (1), or reasons for such a determination, at a time when—
 - (a) the circumstances specified in the determination have not arisen, and
 - (b) it considers that doing so would involve disclosing commercially sensitive information.
- (5) If a notice of a market power determination made in reliance on subsection (1) is published before the circumstances specified in the determination arise—
 - (a) an airport area or airport is not dominant by virtue of the determination until those circumstances arise, and

Changes to legislation: There are currently no known outstanding effects for the Civil Aviation Act 2012, Section 12. (See end of Document for details)

- (b) a previous market power determination which would otherwise cease to have effect by virtue of section 7(9) or (10) continues to have effect until those circumstances arise.
- (6) If a notice of an operator determination made in reliance on subsection (1) is published before the circumstances specified in the determination arise, a person is not to be treated as having or not having overall responsibility for the management of an airport area by virtue of the determination until those circumstances arise.

Commencement Information

II S. 12 in force at 6.4.2013 by S.I. 2013/589, art. 2(1)-(3)

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