



# Transport Act 2000

## 2000 CHAPTER 38

### PART I

#### AIR TRAFFIC

### CHAPTER I

#### AIR TRAFFIC SERVICES

#### *Enforcement*

### 23 Validity of orders.

- (1) This section applies if a licence holder to which a final or provisional order relates is aggrieved by the order and wants to question its validity on the ground that—
  - (a) its making or confirmation was not within the powers conferred by sections 20 and 21, or
  - (b) any of the requirements of section 22(1) to (6) have not been complied with.
- (2) The licence holder may apply to the court.
- (3) If a copy of the order as made or confirmed was served on the licence holder the application to the court must be made within the period of 42 days starting with the day the copy was served on it.
- (4) On an application under this section the court may quash the order or any provision of it if satisfied that—
  - (a) the making or confirmation of the order was not within the powers conferred by sections 20 and 21, or
  - (b) the interests of the licence holder have been substantially prejudiced by a failure to comply with the requirements of section 22(1) to (6).

---

*Status: Point in time view as at 01/04/2001. This version of this provision has been superseded.*

*Changes to legislation: Transport Act 2000, Section 23 is up to date with all changes known to be in force on or before 03 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

---

- (5) Except as provided by this section, the validity of a final or provisional order may not be questioned in any legal proceedings.
- (6) A reference to the court is to—
- (a) the High Court in relation to England and Wales or Northern Ireland;
  - (b) the Court of Session in relation to Scotland.

---

**Commencement Information**

- II** S. 23 wholly in force at 1.2.2001, see s. 275(1)(2) and S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to the transitional provision and saving in **Sch. 2 Pt. II**)

**Status:**

Point in time view as at 01/04/2001. This version of this provision has been superseded.

**Changes to legislation:**

Transport Act 2000, Section 23 is up to date with all changes known to be in force on or before 03 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.