
Changes to legislation: There are currently no known outstanding effects for the Civil Aviation Act 2012, Cross
Heading: Effect of suspending or setting aside market power determination. (See end of Document for details)

SCHEDULES

SCHEDULE 1

APPEALS AGAINST DETERMINATIONS

Effect of suspending or setting aside market power determination

- 4 (1) This paragraph applies where—
- (a) the CAA publishes a notice of a market power determination (“determination A”) in respect of an airport area (“area Z”),
 - (b) the CAA subsequently publishes a notice of another market power determination (“determination B”) in respect of all or part of area Z or in respect of an area that includes all or part of area Z,
 - (c) determination A ceases to have effect in respect of all or part of area Z by virtue of section 7(9) or (10), and
 - (d) there is subsequently an appeal under this Schedule against determination B.
- (2) If the effect of determination B is suspended under paragraph 1(3), determination A has effect again during the period of suspension, unless the Competition Appeal Tribunal orders otherwise.
- (3) If all or part of determination B is set aside at the end of a period of suspension, determination A continues to have effect after the end of the period of suspension, unless the Competition Appeal Tribunal orders otherwise.
- (4) If all or part of determination B is set aside otherwise than at the end of a period of suspension, determination A has effect again from the setting aside, unless the Competition Appeal Tribunal orders otherwise.
- (5) If the suspension or setting aside of determination B only affects part of area Z, or an area that includes part of area Z, the references in sub-paragraphs (2) to (4) to determination A are to be treated as references to that determination so far as it relates to that part of area Z.
- (6) Sub-paragraphs (2) to (4) do not apply if determination B is suspended or set aside only so far as it relates to an area that does not include any part of area Z.
- (7) Nothing in sub-paragraphs (3) to (5) affects the operation of section 7(9) or (10) where notice is published of a further market power determination in respect of all or part of area Z or in respect of an area that includes all or part of area Z.

Commencement Information

II Sch. 1 para. 4 in force at 6.4.2013 by S.I. 2013/589, art. 2(1)-(3)

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