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*Changes to legislation:* There are currently no known outstanding effects for the Civil Aviation Act 2012, Cross Heading: Decisions on appeal. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 5

#### APPEALS AGAINST PENALTIES: INFORMATION

##### *Decisions on appeal*

- 2 (1) The Competition Appeal Tribunal may allow an appeal under paragraph 1 only to the extent that it is satisfied that the decision appealed against was wrong on one or more of the following grounds—
- (a) that the decision was based on an error of fact;
  - (b) that the decision was wrong in law;
  - (c) that an error was made in the exercise of a discretion.
- (2) It may—
- (a) confirm or set aside the penalty;
  - (b) give the CAA such directions as it considers appropriate, including directions about the time within which the CAA must act.
- (3) It may not direct the CAA to do anything that the CAA would not have power to do apart from the direction.
- (4) The CAA must comply with directions under this paragraph.
- (5) When deciding an appeal under paragraph 1 (including giving directions), the Competition Appeal Tribunal must have regard to the matters in respect of which duties are imposed on the CAA by section 1.

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#### **Commencement Information**

**II** Sch. 5 para. 2 in force at 6.4.2013 by S.I. 2013/589, art. 2(1)-(3)

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