



Civil Aviation Act 2012

2012 CHAPTER 19

PART 1

AIRPORTS

CHAPTER 1

REGULATION OF OPERATORS OF DOMINANT AIRPORTS

Appeals against licence conditions etc

28 Determination of appeal: time limits

- (1) The Competition Commission must determine an appeal under section 24 or 25 against a decision in respect of a licence within the period of 24 weeks beginning with the day on which the CAA published the relevant notice, subject to subsections (3) to (6).
- (2) In subsection (1) “the relevant notice” means—
 - (a) in the case of an appeal under section 24, the notice published in accordance with section 15 of the decision to grant the licence, and
 - (b) in the case of an appeal under section 25, the notice published in accordance with section 22 of the decision that is the subject of the appeal.
- (3) The Competition Commission may extend the appeal period by not more than 8 weeks if it is satisfied that there are good reasons for doing so.
- (4) The Competition Commission may only extend the appeal period once in reliance on subsection (3).
- (5) The Competition Commission may extend the appeal period by such period as it considers appropriate if—

Status: Point in time view as at 06/04/2013. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Civil Aviation Act 2012, Section 28. (See end of Document for details)

- (a) there is an appeal to the Competition Appeal Tribunal under this Chapter which the Commission considers may be relevant to the appeal under section 24 or 25, and
 - (b) the appeal to the Tribunal has not been determined or withdrawn.
- (6) The Competition Commission may extend the appeal period more than once in reliance on subsection (5).
- (7) If the Competition Commission extends the appeal period it must—
- (a) publish a notice stating the new time limit for determining the appeal, and
 - (b) send a copy of the notice to the persons listed in subsection (8).
- (8) Those persons are—
- (a) the holder of the licence which is the subject of the appeal,
 - (b) if the appeal was brought by someone other than the holder of that licence, the appellant,
 - (c) any other person with a qualifying interest in the decision that is the subject of the appeal (see paragraph 35(4) of Schedule 2),
 - (d) such bodies representing airport operators or providers of air transport services as the Competition Commission considers appropriate, and
 - (e) the CAA.
- (9) The Secretary of State may by regulations modify the periods of time specified in this section.
- (10) In this section “the appeal period”, in relation to an appeal under section 24 or 25, means the period allowed for determining the appeal.

Commencement Information

II S. 28 in force at 6.4.2013 by S.I. 2013/589, art. 2(1)-(3)

Status:

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