SCHEDULES

SCHEDULE 1

Section 7

APPEALS AGAINST DECISIONS TO GIVE OR VARY AIRSPACE CHANGE DIRECTIONS

Appeals against decisions to give or vary directions

1 (1) A person who is given a direction under section 2 or 3 may appeal to the Tribunal against—
(a) the decision to give the direction;
(b) a decision to vary the direction.

(2) The making of an appeal under this paragraph suspends the effect of the direction or the variation (as the case may be) until the appeal is decided or withdrawn, unless the Tribunal orders otherwise.

Commencement Information
I1 Sch. 1 para. 1 in force at 18.2.2022 by S.I. 2022/119, **reg. 2(i)**

Decisions on appeal

2 (1) The 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) If the Tribunal allows the appeal, the Tribunal may set aside or confirm the direction or the variation (as the case may be).

(3) If the Tribunal does not allow the appeal, the Tribunal must confirm the direction or the variation (as the case may be).

(4) When deciding an appeal against a decision made by the CAA, the Tribunal must have regard to any international obligations which the CAA is required to have regard to under section 5(2).

Commencement Information
I2 Sch. 1 para. 2 in force at 18.2.2022 by S.I. 2022/119, **reg. 2(i)**

Further appeals

3 (1) An appeal lies to the appropriate court on a point of law arising from a decision of the Tribunal under paragraph 2.

(2) An appeal under this paragraph may be brought by a party to the proceedings before the Tribunal.

(3) An appeal may not be brought under this paragraph without the permission of—

(a) the Tribunal, or

(b) the appropriate court.

(4) In this paragraph "the appropriate court"—

(a) in the case of an appeal from proceedings in England and Wales or Northern Ireland, means the Court of Appeal;

(b) in the case of an appeal from proceedings in Scotland, means the Court of Session.

Commencement Information

I3 Sch. 1 para. 3 in force at 18.2.2022 by S.I. 2022/119, **reg. 2(i)**

Interpretation

4 In this Schedule "the Tribunal" means the Competition Appeal Tribunal.

Commencement Information

I4 Sch. 1 para. 4 in force at 18.2.2022 by S.I. 2022/119, **reg. 2(i)**

Changes to legislation:
There are currently no known outstanding effects for the Air Traffic Management and Unmanned Aircraft Act 2021, SCHEDULE 1.