

*These notes refer to the Transport Act 2000 (c.38)
which received Royal Assent on 30 November 2000*

TRANSPORT ACT 2000

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part I: Air Traffic

Chapter V: Competition

Sections 85 to 89: Competition

70. These sections give the CAA, as economic regulator, concurrent powers with the Director General of Fair Trading (“the DGFT”) under competition legislation in relation to the supply of air traffic services. This is consistent with the powers granted to other utility regulators (telecoms, gas, electricity, water and railway services). *Section 85* contains definitions. *Section 86* empowers the CAA to exercise concurrently the listed functions exercised by the DGFT under the Fair Trading Act 1973 (so far as they relate to monopoly situations in relation to the supply of air traffic services) and the Competition Act 1998 (so far as they relate to agreements or conduct relating to the supply of air traffic services). *Section 87* requires the CAA to have regard to its general duties under this Act when exercising concurrent functions under the Fair Trading Act 1973 and disapplies its general duties under section 4 of the Civil Aviation Act 1982. *Section 88* allows the CAA to have regard to its general duties under this Act when exercising concurrent functions under the Competition Act 1998.
71. *Section 89* creates procedures for the exercise of concurrent powers by the CAA and DGFT. This is to avoid duplication of regulatory activity. These procedures are also designed to ensure that any action is taken by the most appropriate authority. If the CAA makes a reference to the Competition Commission it must help the Commission with its investigations by providing any relevant information that it has in its possession.