



# Civil Aviation Act 2012

## CHAPTER 19

### CIVIL AVIATION ACT 2012

#### PART 1

##### AIRPORTS

#### CHAPTER 1

##### REGULATION OF OPERATORS OF DOMINANT AIRPORTS

###### *General duties*

- 1 CAA's general duty
- 2 Secretary of State's general duty

###### *Prohibition*

- 3 Prohibition
- 4 Prohibition: exemption

###### *Dominant airports*

- 5 Dominant areas and dominant airports
- 6 Market power test
- 7 Market power determinations
- 8 Publication of market power determinations
- 9 Operators of areas
- 10 Operator determinations
- 11 Publication of operator determinations
- 12 Advance determinations
- 13 Appeals against determinations

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

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### *Licences*

- 14 Application for licence
- 15 Granting licence
- 16 Refusing to grant licence
- 17 Content and effect of licence

### *Licence conditions*

- 18 Licence conditions
- 19 Price control conditions
- 20 Conditions relating to CAA charges
- 21 Content and effect of licence conditions

### *Modifying licences*

- 22 Modifying licence conditions and licence area
- 23 Restriction on power to modify

### *Appeals against licence conditions etc*

- 24 Appeal to Competition and Markets Authority : conditions of new licences
- 25 Appeal to Competition and Markets Authority : modification of licence conditions
- 26 When appeals may be allowed
- 27 Determination of appeal
- 28 Determination of appeal: time limits
- 29 Determination of appeal: publication etc
- 30 Procedure on appeals

### *Enforcement of licence conditions*

- 31 Contravention notice
- 32 Restrictions on giving contravention notices
- 33 Enforcement order
- 34 Enforcement order: modification and revocation
- 35 Urgent enforcement order
- 36 Urgent enforcement order: confirmation
- 37 Urgent enforcement order: modification and revocation
- 38 Civil proceedings
- 39 Penalty for contravention of licence condition
- 40 Penalty for contravention of order
- 41 Procedure before imposing penalty
- 42 Procedure after imposing penalty
- 43 Amount of penalty
- 44 Amount of penalty: fixed amount
- 45 Amount of penalty: daily amounts
- 46 Use of powers under Competition Act 1998
- 47 Appeals against orders and penalties

### *Revocation of licence*

- 48 Revocation of licence
- 49 Appeals against revocation of licence

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

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### *Obtaining information*

- 50 Power to obtain information
- 51 Enforcement of information notice
- 52 Penalty for providing false information, destroying documents etc
- 53 Procedure before imposing penalty
- 54 Procedure after imposing penalty
- 55 Appeals against penalties

### *Penalties*

- 56 Imposing penalties
- 57 Recovering penalties
- 58 Statement of policy on penalties

### *Disclosing information*

- 59 Disclosing information

## **CHAPTER 2**

### COMPETITION

- 60 Functions under Part 4 of Enterprise Act 2002
- 61 Enterprise Act 2002: supplementary
- 62 Functions under Competition Act 1998
- 63 Competition Act 1998: supplementary
- 64 Review etc of airport operation services
- 65 Power to modify CAA's competition powers

## **CHAPTER 3**

### GENERAL PROVISION

#### *Interpretation*

- 66 Airports
- 67 Airports: supplementary
- 68 Airport operation services
- 69 Air transport services
- 70 Joint operators of areas
- 71 Connected persons
- 72 Minor definitions and index

#### *Other general provision*

- 73 Regulations
- 74 Publication and production of documents
- 75 Sending documents
- 76 Minor, consequential and transitional provision
- 77 Crown application

## **PART 2**

### OTHER AVIATION MATTERS

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

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*Aviation security*

- 78 Aviation security directions etc
- 79 Approved providers of aviation security services
- 80 Advice and assistance in connection with aviation security
- 81 Power to modify functions of CAA etc relating to aviation security
- 82 Transfer schemes

*Provision of information about aviation*

- 83 Information for benefit of users of air transport services
- 84 Environmental information
- 85 Power to obtain information
- 86 Enforcement of information notice
- 87 Penalty for providing false information, destroying documents etc
- 88 Procedure before imposing penalty
- 89 Procedure after imposing penalty
- 90 Appeals
- 91 Recovering penalties
- 92 Statement of policy
- 93 Minor definitions

*Regulation of provision of flight accommodation*

- 94 Regulation of provision of flight accommodation

*CAA membership*

- 95 CAA membership
- 96 Non-executive members of CAA
- 97 Executive members of CAA
- 98 CAA's air navigation functions
- 99 Transitional and saving provision

*Further provision about CAA*

- 100 CAA charges
- 101 Criminal proceedings
- 102 CAA efficiency
- 103 Civil sanctions
- 104 Regulatory burdens
- 105 Disclosure of medical information

*Miscellaneous*

- 106 Dangerous flying
- 107 Offences under Civil Aviation Act 1982

**PART 3**

FINAL PROVISIONS

- 108 Power to make consequential and transitional provision
- 109 Financial provision
- 110 Commencement
- 111 Extent
- 112 Channel Islands, Isle of Man and British overseas territories

113 Short title

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## SCHEDULES

### SCHEDULE 1 — Appeals against determinations

#### *Appeals against determinations*

1 (1) The following may appeal to the Competition Appeal Tribunal...

#### *Notice of appeal*

2 (1) An appeal under paragraph 1 against a determination must...

#### *Decisions on appeal*

3 (1) The Competition Appeal Tribunal may allow an appeal under...

#### *Effect of suspending or setting aside market power determination*

4 (1) This paragraph applies where— (a) the CAA publishes a...

#### *Appeals to Competition Appeal Tribunal: supplementary*

5 (1) When deciding an appeal under paragraph 1 (including giving...

#### *Further appeals*

6 (1) An appeal lies to the appropriate court on a...

### SCHEDULE 2 — Appeals under sections 24 and 25

#### PART 1 — PERMISSION TO APPEAL

#### *Application for permission to appeal*

1 (1) An application for permission to appeal under section 24...

#### *Determination of application for permission to appeal*

2 (1) The decision of the Competition and Markets Authority on...

#### *Time limit for CAA to make representations*

3 (1) This paragraph applies where the CAA wishes to make...

#### PART 2 — INTERVENTION IN APPEAL

#### *Application for permission to intervene in appeal*

4 (1) Where an application is made under paragraph 1 for...

#### *Determination of application for permission to intervene*

5 (1) The decision of the Competition and Markets Authority on...

#### PART 3 — AUTOMATIC SUSPENSION OF CONDITION OF NEW LICENCE OR MODIFICATION

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*Automatic suspension of condition of new licence  
including exception for certain financial arrangements*

- 6 (1) Sub-paragraph (2) applies where— (a) the CAA decides to...

*Automatic suspension of modification of existing licence  
involving exception for certain financial arrangements*

- 7 (1) Sub-paragraph (2) applies where— (a) the CAA decides under...  
8 (1) Sub-paragraph (2) applies where— (a) the CAA decides under...

PART 4 — APPLICATION FOR SUSPENSION OF CONDITION OF NEW LICENCE  
OR MODIFICATION

*Application for direction suspending condition of new licence*

- 9 (1) Where an application is made for permission to appeal...

*Effect of early application for direction under paragraph 9*

- 10 (1) This paragraph applies if— (a) an application is made...

*Direction following application under paragraph 9*

- 11 (1) The functions of the Competition and Markets Authority in...

*Application for direction suspending licence modification*

- 12 (1) Where an application for permission to appeal against a...

*Effect of early application for direction under paragraph 12*

- 13 (1) This paragraph applies if— (a) an application is made...

*Direction following application under paragraph 12*

- 14 (1) The functions of the Competition and Markets Authority in...

*Publication of decisions about directions*

- 15 (1) An authorised member of the Competition and Markets Authority...

*Time limit for CAA to make representations*

- 16 (1) This paragraph applies where the CAA wishes to make...  
PART 5 — APPEALS

*Determination of appeal by group*

17

*Replacing members of group*

- 18 (1) The Chairman may select a member of the Competition...

*Representations made by the CAA*

- 19 (1) This paragraph applies where an application for permission to...

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*Matters that may be disregarded*

- 20 (1) The Competition and Markets Authority may disregard matters raised...

*Remitting decision to CAA*

- 21 (1) This paragraph applies where the Competition and Markets Authority...

*Substituting CAA's decision*

- 22 (1) This paragraph applies where the Competition and Markets Authority...

PART 6 — GENERAL

*Consideration of new matters*

- 23 (1) This paragraph applies to— (a) an authorised member of...

*Production of documents*

- 24 (1) The Competition and Markets Authority may by notice require...

*Oral hearings*

- 25 (1) For the purposes of this Schedule the following persons...

*Written evidence*

- 26 (1) The Competition and Markets Authority may by notice require...

*Expert advice*

- 27 Where permission to appeal is granted under paragraph 2, the...

*Enforcement of requirements in relation to evidence etc*

- 28 (1) This paragraph applies where a person (“P”)—

*Destruction of documents*

- 29 (1) A person who intentionally alters, suppresses or destroys a...

*Withdrawal of applications and appeals*

- 30 (1) An application under paragraph 1 for permission to appeal...

*Appeal rules*

- 31 (1) The CMA Board may make rules regulating the conduct...

*Costs*

- 32 (1) Where an application under this Schedule or an appeal...

*Secretary of State's power to modify time limits*

- 33 The Secretary of State may by regulations modify any period...

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*Publication etc*

34 Where the CAA or the Competition and Markets Authority or...

*Interpretation*

35 (1) In this Schedule— “appeal” means an appeal under section...

SCHEDULE 3 — Appeals against orders and penalties

*Appeals against enforcement orders and urgent enforcement orders*

1 (1) A person may appeal to the Competition Appeal Tribunal...

*Appeals against modification and revocation of orders*

2 (1) A person may appeal to the Competition Appeal Tribunal...

*Appeals against penalties*

3 (1) A person may appeal to the Competition Appeal Tribunal...

*Decisions on appeal*

4 (1) The Competition Appeal Tribunal may allow an appeal under...

*Further appeals*

5 (1) An appeal lies to the appropriate court on a...

SCHEDULE 4 — Appeals against revocation of licence

*Appeals against revocation of licence*

1 (1) A person may appeal to the Competition Appeal Tribunal...

*Notice of appeal*

2 (1) An appeal under paragraph 1 must be made by...

*Decisions on appeal*

3 (1) The Competition Appeal Tribunal may allow an appeal under...

*Further appeals*

4 (1) An appeal lies to the appropriate court on a...

SCHEDULE 5 — Appeals against penalties: information

*Appeals against penalties*

1 (1) A person may appeal to the Competition Appeal Tribunal...

*Decisions on appeal*

2 (1) The Competition Appeal Tribunal may allow an appeal under...



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*Further appeals*

- 3 (1) An appeal lies to the appropriate court on a...

SCHEDULE 6 — Restrictions on disclosing information

*Prohibition on disclosure*

- 1 (1) This paragraph applies to information if—

*Disclosure with consent*

- 2 Paragraph 1(2) does not apply to a disclosure made with...

*Disclosure of information already available to public*

- 3 Paragraph 1(2) does not apply to information that has been...

*Other permitted disclosures*

- 4 (1) Paragraph 1(2) does not apply where information is disclosed—...  
5 Paragraph 1(2) does not apply where information is disclosed—  
6 The Secretary of State may by regulations amend paragraph 4...

*Offence*

- 7 A person who discloses information in contravention of paragraph 1(2)...

*Criminal liability of officers of bodies corporate etc*

- 8 (1) Sub-paragraph (2) applies if an offence under this Schedule...

SCHEDULE 7 — Index of defined expressions

This Table lists expressions defined in Part 1 of this...

SCHEDULE 8 — Status of airport operators as statutory undertakers etc  
PART 1 — GREAT BRITAIN

*Airports Act 1986 (c. 31)*

- 1 The Airports Act 1986 is amended as follows.  
2 For section 57 (scope of Part 5: status of certain...  
3 (1) Section 79 (orders and regulations) is amended as follows....

*Consequential repeal*

- 4 In Schedule 4 to the Local Transport Act 2008, omit...

*Power to make provision in relation to operators of airport areas*

- 5 (1) The Secretary of State may by regulations make provision...  
PART 2 — NORTHERN IRELAND

*Airports (Northern Ireland) Order 1994 (S.I. 1994/426 (N.I. 1))*

- 6 The Airports (Northern Ireland) Order 1994 is amended as follows...  
7 In Article 2(2) (interpretation), for the definition of “regulated airport”...

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- 8 In Part 2 (powers in relation to land exercisable in...  
9 (1) Article 70 (regulations and orders) is amended as follows....  
10 The amendments in paragraphs 7 to 9 are without prejudice...

*Power to make provision in relation to operators of airport areas*

- 11 (1) The Secretary of State may by regulations make provision...

SCHEDULE 9 — Regulation of operators of dominant airports: consequential provision

*Fair Trading Act 1973 (c. 41)*

- 1 Omit section 93B (false or misleading information provided to Competition...

*Airports Act 1986 (c. 31)*

- 2 The Airports Act 1986 is amended as follows.  
3 (1) Section 74 (restriction on disclosure of information) is amended...  
4 (1) Section 82 (general interpretation) is amended as follows.

*Water Act 1989 (c. 15)*

- 5 In section 174(3) of the Water Act 1989 (exceptions from...

*Water Industry Act 1991 (c. 56)*

- 6 In Part 2 of Schedule 15 to the Water Industry...

*Water Resources Act 1991 (c. 57)*

- 7 In Part 2 of Schedule 24 to the Water Resources...

*Railways Act 1993 (c. 43)*

- 8 In section 145(3) of the Railways Act 1993 (exceptions from...

*Competition Act 1998 (c. 41)*

- 9 In paragraph 19A of Schedule 7 to the Competition Act...

*Greater London Authority Act 1999 (c. 29)*

- 10 In section 235(3) of the Greater London Authority Act 1999...

*Utilities Act 2000 (c. 27)*

- 11 In section 105(6) of the Utilities Act 2000 (exceptions from...

*Transport Act 2000 (c. 38)*

- 12 In paragraph 3(3) of Schedule 9 to the Transport Act...

*Enterprise Act 2002 (c. 40)*

- 13 The Enterprise Act 2002 is amended as follows.  
14 (1) Section 168 (regulated markets) is amended as follows.  
15 In Schedule 15 (enactments conferring functions for the purposes of...

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*Civil Contingencies Act 2004 (c. 36)*

16 (1) Schedule 1 to the Civil Contingencies Act 2004 (category...

*Further repeals and revocations*

17 The following repeals and revocations are consequential on section 76(1)...

SCHEDULE 10 — Regulation of operators of dominant airports: transitional provision

PART 1 — REGULATION

*Definitions*

1 In this Part of this Schedule— “the 1986 Act” means...

*Market power determinations: designated airports*

2 (1) This paragraph applies where, immediately before the commencement day,...

*Exemption from prohibition for designated airports during interim period*

3 (1) This paragraph applies where, immediately before the commencement day,...

*Designation and de-designation before commencement day*

4 (1) In section 7(5) (disapplication of CAA's duty to make...

*Designation and de-designation during interim period*

5 (1) During the interim period, an order may not be...

*Modification of preceding paragraphs*

6 (1) This paragraph applies where an airport as defined in...

*Power to amend this Schedule*

7 The power under section 108 may not be used—

PART 2 — STATUS OF AIRPORT OPERATORS AS STATUTORY UNDERTAKERS  
ETC

*Great Britain*

8 In paragraphs 9 to 12 “the commencement day” means the...

9 (1) This paragraph applies where, in relation to an airport,...

10 (1) This paragraph applies where, immediately before the commencement day,...

11 Paragraphs 9 and 10 do not apply where the airport...

12 Nothing in this Act affects any rights or liabilities accruing...

13 In paragraphs 9 to 11, “airport” has the same meaning...

*Northern Ireland*

14 In paragraphs 15 to 17 “the commencement day” means the...

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

- 15 (1) This paragraph applies where, in relation to an airport,...
- 16 (1) This paragraph applies where, immediately before the commencement day,...
- 17 Nothing in this Act affects any rights or liabilities accruing...
- 18 In paragraphs 15 to 17, “airport” has the same meaning...

SCHEDULE 11 — Aviation security directions etc: minor and consequential amendments

*Civil Aviation Act 1982 (c. 16)*

- 1 Part 1 of the Civil Aviation Act 1982 (administration) is...
- 2 In section 11 (charges by CAA) at the end insert—...
- 3 In section 20 (supplementary provisions with respect to functions of...

*Aviation Security Act 1982 (c. 36)*

- 4 Part 2 of the Aviation Security Act 1982 (protection of...
- 5 For the heading before section 11 substitute “ Information ”...
- 6 (1) Section 11 (power to require information) is amended as...
- 7 Before section 11A insert— “ Designation of security restricted areas...
- 8 (1) Section 11A (designation of security restricted area) is amended...
- 9 Before section 12 insert— “ Directions ”.
- 10 In section 12(3) (power to impose restrictions in relation to...
- 11 In section 15(2) (matters which may be included in directions...
- 12 (1) After section 17 insert— Copies of directions etc for...
- 13 (1) Section 18A (enforcement notices) is amended as follows.
- 14 (1) Section 18D (objections to enforcement notices) is amended as...
- 15 (1) Section 20B (detention directions) is amended as follows.
- 16 In section 21 (application of provisions to air navigation installations),...
- 17 (1) Section 21G (duty to report certain occurrences) is amended...

*Application of Part 3 of Regulatory Enforcement and Sanctions Act 2008 (“the RESA 2008”)*

- 18 The offences under section 11 of the Aviation Security Act...

SCHEDULE 12 — Aviation security: further provision about transfer schemes

*Transfer*

- 1 (1) The property, rights and liabilities that may be transferred...

*Employment*

- 2 (1) This paragraph has effect where rights, powers, duties and...
- 3 (1) This paragraph has effect where— (a) a transfer scheme...
- 4 (1) If a transfer scheme contains provision for the transfer...

*Civil servants treated as employed under a contract of employment etc*

- 5 (1) This Schedule applies with the following modifications in relation...

*Certificate*

- 6 A certificate issued by the Secretary of State that any...

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*Validity*

7 A transfer under a transfer scheme does not affect the...

*Continuity*

8 (1) A transfer scheme may provide for things done by...

SCHEDULE 13 — Appeals against penalties

*Appeals against penalties*

1 (1) A person may appeal to the Competition Appeal Tribunal...

*Decisions on appeal*

2 (1) The Competition Appeal Tribunal may allow an appeal under...

*Further appeals*

3 (1) An appeal lies to the appropriate court on a...

SCHEDULE 14 — CAA membership: transitional and saving provision

*Commencement day*

1 In this Schedule “the commencement day” means the day after...

*Executive members of CAA*

2 (1) This paragraph applies where a person—

*Chief executive of CAA*

3 If the notice given to a person under paragraph 2(1)(b)...

*Non-executive members of CAA*

4 (1) This paragraph applies where a person—

*Chair of CAA*

5 The person who is the chairman of the CAA immediately...

*Pensions*

6 (1) This paragraph applies where, before the commencement day, the...

7 (1) This paragraph applies where, before the commencement day, the...

*Nominee under section 66 of Transport Act 2000*

8 (1) This paragraph applies where— (a) a nomination of a...

*Nominee under section 67 of Transport Act 2000*

9 (1) This paragraph applies where— (a) a nomination of a...

**Changes to legislation:**

There are currently no known outstanding effects for the Civil Aviation Act 2012.