

## SCHEDULES

### SCHEDULE 10

#### REGULATION OF OPERATORS OF DOMINANT AIRPORTS: TRANSITIONAL PROVISION

##### PART 1

##### REGULATION

###### *Market power determinations: designated airports*

- 2 (1) This paragraph applies where, immediately before the commencement day, an airport is a designated airport.
- (2) The market power test is to be treated as met on the commencement day in relation to the airport area consisting of the whole of the airport.
- (3) Part 1 of this Act has effect on and after the commencement day as if the CAA—
- (a) had made a determination to that effect on the commencement day, and
  - (b) had published a notice of the determination on that day in accordance with section 8.
- (4) In section 7(5) (disapplication of CAA's duty to make market power determination), the reference to a market power determination previously made by the CAA does not include a determination treated as made by virtue of sub-paragraph (3).
- (5) Section 8(3) (CAA's reasons for determination) does not apply in relation to the notice treated as published under sub-paragraph (3).
- (6) A person may not appeal under Schedule 1 against the market power determination treated as made under sub-paragraph (3).

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##### **Commencement Information**

**II** Sch. 10 para. 2 in force at 6.4.2013 by S.I. 2013/589, art. 2(1)-(3)

**Changes to legislation:**

There are currently no known outstanding effects for the Civil Aviation Act 2012, Paragraph 2.