

## SCHEDULES

### SCHEDULE 10

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

##### PART 1

##### REGULATION

###### *Designation and de-designation before commencement day*

- 4 (1) 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 in relation to an airport area (or an area that includes all of a particular airport area) includes any of the following that are made on or after 10 November 2011—
- (a) an order designating the airport at which the area is located for the purposes of section 40 of the 1986 Act or Article 31 of the 1994 Order;
  - (b) an order revoking the designation of that airport for those purposes;
  - (c) a decision by the Secretary of State or the Department of the Environment in Northern Ireland not to make an order mentioned in paragraph (a) or (b).
- (2) Where—
- (a) a request is made before the commencement day for an order designating an airport for the purposes of section 40 of the 1986 Act or Article 31 of the 1994 Order or revoking the designation of an airport for those purposes, and
  - (b) the Secretary of State or the Department of the Environment in Northern Ireland does not make the order, or decide not to make the order, before the commencement day,
- the request is to be treated on and after that day as a request to the CAA for a market power determination in respect of the airport area consisting of the whole of the airport.
- (3) In this paragraph, references to an airport are to an airport as defined in the 1986 Act or the 1994 Order, except in the expression “airport area”.

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#### Commencement Information

**II** Sch. 10 para. 4 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, Cross  
Heading: Designation and de-designation before commencement day.