

## SCHEDULES

### SCHEDULE 10

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

##### PART 1

##### REGULATION

###### *Modification of preceding paragraphs*

- 6 (1) This paragraph applies where an airport as defined in section 66 of this Act (a “2012 Act airport”) consists of an airport as defined in the 1986 Act or the 1994 Order (a “predecessor airport”) and other land, buildings and structures.
- (2) In this paragraph “the main operator's airport area” means the whole of the area at the 2012 Act airport in respect of which the operator (as defined in this Act) on the commencement day is the person who was the operator (as defined in the 1986 Act or the 1994 Order) of the predecessor airport immediately before the commencement day.
- (3) In paragraph 2—
- (a) the reference in sub-paragraph (1) to an airport is to the predecessor airport, and
  - (b) the reference in sub-paragraph (2) to the airport area consisting of the whole of the airport is to the main operator's airport area.
- (4) In paragraph 3—
- (a) the reference in sub-paragraph (1) to an airport is to the predecessor airport,
  - (b) the reference in sub-paragraph (2) to services provided at the airport is to services provided in the main operator's airport area, and
  - (c) the reference in sub-paragraph (2)(b) to the airport is to the predecessor airport.
- (5) An airport area that is not located at the predecessor airport is to be treated as located at that airport for the purposes of paragraph 4(1) if it forms part of the main operator's airport area.
- (6) Where a request falling within paragraph 4(2)(a) and (b) is made in relation to the predecessor airport, the request is to be treated on and after the commencement day as a request for a market power determination in respect of the main operator's airport area.
- (7) In paragraph 5(3), the reference to a determination that the market power test is not met in relation to the designated airport includes a determination that it is not met in relation to an airport area that includes the whole of the predecessor airport.

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

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- (8) Where a request falling within paragraph 5(5)(a) and (b) is made in relation to the predecessor airport, the request is to be treated after the end of the interim period as a request for a market power determination in respect of the main operator's airport area.

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**Commencement Information**

- II** Sch. 10 para. 6 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: Modification of preceding paragraphs.