

SCHEDULES

SCHEDULE 9

Section 76

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 Commission in connection with functions under Airports Act 1986).

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 as follows.
- (2) In subsection (3)—
- (a) omit paragraph (II), and
 - (b) after paragraph (w) insert—
“(x) Part 1 of the Civil Aviation Act 2012”.
- (3) In subsection (4)—
- (a) leave out paragraph (a), and
 - (b) in paragraph (b), for “such a report” substitute “a report of the Competition Commission under section 45”.
- 4 (1) Section 82 (general interpretation) is amended as follows.
- (2) In subsection (1), in paragraph (a) of the definition of “user”, for “the definition of “relevant activities” in section 36(1)” substitute “subsection (1A)”.
- (3) After that subsection insert—
- “(1A) The services and facilities mentioned in the definition of “user” in subsection (1) are services or facilities provided at an airport for the purposes of—
- (a) the landing, parking or taking off of aircraft,
 - (b) the servicing of aircraft (including the supply of fuel), or
 - (c) the handling of passengers or their baggage or of cargo at all stages while on airport premises.
- (1B) The services and facilities mentioned in subsection (1A)(c)—
- (a) include services and facilities provided for the purposes of the transfer of passengers, their baggage or cargo to and from aircraft, but
 - (b) do not include facilities for car parking, for the refreshment of passengers or for the supply of consumer goods or services.”

(4) In subsection (3) omit “or 37”.

Water Act 1989 (c. 15)

- 5 In section 174(3) of the Water Act 1989 (exceptions from restrictions on disclosure of information), after paragraph (m) insert—
“(n) Part 1 of the Civil Aviation Act 2012”.

Water Industry Act 1991 (c. 56)

- 6 In Part 2 of Schedule 15 to the Water Industry Act 1991 (enactments conferring functions for the purposes of which information may be disclosed), at the end insert—
“Part 1 of the Civil Aviation Act 2012.”

Water Resources Act 1991 (c. 57)

- 7 In Part 2 of Schedule 24 to the Water Resources Act 1991 (enactments conferring functions for the purposes of which information may be disclosed), at the end insert—
“Part 1 of the Civil Aviation Act 2012.”

Railways Act 1993 (c. 43)

- 8 In section 145(3) of the Railways Act 1993 (exceptions from restrictions on disclosure of information), after paragraph (r) insert—
“(s) Part 1 of the Civil Aviation Act 2012”.

Competition Act 1998 (c. 41)

- 9 In paragraph 19A of Schedule 7 to the Competition Act 1998 (performance of Commission’s general functions: rules of procedure), in the definition of “special reference group” in sub-paragraph (9), omit paragraphs (c) and (j).

Greater London Authority Act 1999 (c. 29)

- 10 In section 235(3) of the Greater London Authority Act 1999 (exceptions from restrictions on disclosure of information), after paragraph (s) insert—
“(t) Part 1 of the Civil Aviation Act 2012”.

Utilities Act 2000 (c. 27)

- 11 In section 105(6) of the Utilities Act 2000 (exceptions from restrictions on disclosure of information), after paragraph (w) insert—
“(x) Part 1 of the Civil Aviation Act 2012”.

Transport Act 2000 (c. 38)

- 12 In paragraph 3(3) of Schedule 9 to the Transport Act 2000 (exceptions from restrictions on disclosure of information), after paragraph (re) insert—
“(rf) Part 1 of the Civil Aviation Act 2012;”.

Enterprise Act 2002 (c. 40)

- 13 The Enterprise Act 2002 is amended as follows.
- 14 (1) Section 168 (regulated markets) is amended as follows.
- (2) In subsection (3)—
- (a) omit paragraph (b), and
- (b) at the end insert—
- “(q) modifying the conditions of a licence granted under Chapter 1 of Part 1 of the Civil Aviation Act 2012”.
- (3) In subsection (4)—
- (a) omit paragraph (b), and
- (b) at the end insert—
- “(s) in relation to a licence granted under Chapter 1 of Part 1 of the Civil Aviation Act 2012, the duties of the Civil Aviation Authority under section 1 of that Act”.
- 15 In Schedule 15 (enactments conferring functions for the purposes of which information may be disclosed), at the end insert—
- “Civil Aviation Act 2012.”

Civil Contingencies Act 2004 (c. 36)

- 16 (1) Schedule 1 to the Civil Contingencies Act 2004 (category 1 and 2 responders) is amended as follows.
- (2) In Part 3 (category 2 responders: general), after paragraph 26 insert—
- “26A A person who, for the purposes of Part 1 of the Civil Aviation Act 2012, is an operator of an airport area that consists of or forms part of an airport in Great Britain.”
- (3) In Part 4 (category 2 responders: Scotland), after paragraph 36 insert—
- “36A A person who, for the purposes of Part 1 of the Civil Aviation Act 2012, is an operator of an airport area that consists of or forms part of an airport in Scotland.”

Further repeals and revocations

- 17 The following repeals and revocations are consequential on section 76(1) and (2) and the preceding paragraphs of this Schedule.

<i>Act or instrument</i>	<i>Extent of repeal or revocation</i>
Companies Act 1989 (c. 40)	Section 151.
Airports (Northern Ireland) Order 1994 (S.I. 1994/426 (N.I. 1))	In Schedule 9, paragraph 10.
Scotland Act 1998 (Transfer of Functions to Scottish Ministers) Order 1999 (S.I. 1999/1750)	In Schedule 1, in the entry in respect of the Airports Act 1986, the word “37(5).”.
Enterprise Act 2002 (c. 40)	In Schedule 9—

Status: This is the original version (as it was originally enacted).

<i>Act or instrument</i>	<i>Extent of repeal or revocation</i>
	(a) paragraphs 2(2) and (4) and 3; (b) paragraphs 11(2) and (4) and 12.
	In Schedule 25—
	(a) paragraph 5(4)(b); (b) paragraph 14(3) to (5); (c) paragraph 33(3) to (6).
Transport Act 2000 (c. 38)	In Schedule 8, paragraph 10.
Civil Aviation Act 2006 (c. 34)	In Schedule 2, paragraph 5.
Serious Crime Act 2007 (c. 27)	In Schedule 6— (a) paragraph 10; (b) paragraph 26.