
Changes to legislation: Transport Act 2000, PART 2 is up to date with all changes known to be in force on or before 09 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

[^{F1}SCHEDULE A1

APPEALS UNDER SECTION 19A

Textual Amendments

- F1** Sch. A1 inserted (29.6.2021) by [Air Traffic Management and Unmanned Aircraft Act 2021 \(c. 12\)](#), ss. 9(4), 21(3)-(7), [Sch. 4](#); S.I. 2021/748, reg. 2(a)

PART 2

INTERVENTION IN APPEAL

Application for permission to intervene in appeal

- 4 (1) Where an application is made under paragraph 1 for permission to appeal against a decision, an application for permission to intervene in the appeal may be made to the CMA by another person who would be entitled to appeal against the decision.
- (2) An application for permission to intervene—
- (a) may be made before the end of the period of one week beginning with the day of publication of the CMA's decision to grant permission to appeal against the decision;
 - (b) may be made after the end of that period only with the leave of an authorised member of the CMA.
- (3) The applicant must send a copy of the application to the CAA.
- (4) The CAA must—
- (a) publish the application;
 - (b) send a copy of the application to the persons listed in sub-paragraph (5) (other than the applicant).
- (5) The persons are—
- (a) the holder of the licence that is the subject of the appeal;
 - (b) any other person with a qualifying interest in the decision that is the subject of the appeal;
 - (c) any owners or operators of aircraft that the CAA considers appropriate;
 - (d) any owners or managers of prescribed aerodromes that the CAA considers appropriate.

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Determination of application for permission to intervene

- 5 (1) The decision of the CMA on an application for permission to intervene is to be taken by an authorised member of the CMA.
- (2) An authorised member of the CMA may grant permission to intervene in an appeal only if the member is satisfied that allowing the applicant to intervene is necessary or desirable for the proper resolution of the appeal.
- (3) The authorised member—
- (a) may grant permission to intervene for the purposes of supporting or opposing an appeal;
 - (b) must make any permission to intervene for the purpose of supporting an appeal subject to conditions preventing the intervener from putting forward new grounds of appeal;
 - (c) may make permission to intervene subject to other conditions, including conditions which limit the matters that may be raised by the intervener.
- (4) An authorised member of the CMA must—
- (a) publish the decision on an application for permission to intervene and the reasons for the decision;
 - (b) send a copy of the decision and reasons to the persons listed in subparagraph (5).
- (5) Those persons are—
- (a) the holder of the licence that is the subject of the appeal;
 - (b) if the application was made by someone other than the licence holder, the applicant;
 - (c) any other person with a qualifying interest in the decision that is the subject of the appeal;
 - (d) any owners or operators of aircraft that the authorised member considers appropriate;
 - (e) any owners or managers of prescribed aerodromes that the authorised member considers appropriate;
 - (f) the CAA.
- (6) An authorised member of the CMA may exclude from publication under subparagraph (4) any information that the member is satisfied is—
- (a) commercial information the disclosure of which would or might, in the opinion of the member, significantly harm the legitimate business interests of an undertaking to which it relates, or
 - (b) information relating to the private affairs of an individual the disclosure of which would or might, in the opinion of the member, significantly harm the individual's interests.]

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Blanket amendment words substituted by [S.I. 2011/1043 art. 34](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 146(1)(defn.)(a)(b) by [2000 c. 38 s. 274 Sch. 31 Pt. 2](#)
- s. 19(2)(aa) inserted by [S.I. 2019/93, Sch. 1 para. 9\(1C\)\(b\)](#) (as inserted) by [S.I. 2019/1245 reg. 25](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 131A(2)(a) words omitted by [2017 c. 21 Sch. 2 para. 13\(a\)\(i\)](#)
- s. 131A(2)(b) omitted by [2017 c. 21 Sch. 2 para. 13\(a\)\(ii\)](#)
- s. 131A(4) omitted by [2017 c. 21 Sch. 2 para. 13\(b\)](#)
- s. 131A(5)(b) words omitted by [2017 c. 21 Sch. 2 para. 13\(c\)\(i\)](#)
- s. 131A(5)(c) words omitted by [2017 c. 21 Sch. 2 para. 13\(c\)\(ii\)](#)
- s. 132B(1)(a) omitted by [2017 c. 21 Sch. 2 para. 19](#)
- [Sch. 16 para. 34\(4\)\(a\)](#)[para. 34\(4\)\(b\)\(c\)](#) repealed by [2005 c. 14 Sch. 13 Pt. 1](#)