

SCHEDULES

SCHEDULE 2

APPEALS UNDER SECTIONS 24 AND 25

PART 2

INTERVENTION IN APPEAL

Determination of application for permission to intervene

- 5 (1) The Competition Commission's decision on an application for permission to intervene is to be taken by an authorised member of the Commission.
- (2) An authorised member of the Competition Commission may grant permission to intervene in an appeal only if 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 purposes 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) The Competition Commission must—
- (a) publish the decision on an application for permission to intervene and the reasons for the decision, and
 - (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 which is the subject of the application,
 - (b) if the application was made by someone other than the holder of that licence, the applicant,
 - (c) any other person with a qualifying interest in the decision that is the subject of the application,
 - (d) such bodies representing airport operators or providers of air transport services as the Commission considers appropriate, and
 - (e) the CAA.
- (6) Section 29(5) applies to the publication of a decision and reasons under this paragraph as it applies to the publication of an order containing a determination of an appeal.