



Transport Act 2000

2000 CHAPTER 38

PART I

AIR TRAFFIC

CHAPTER V

COMPETITION

86 Functions exercisable by CAA and Director.

- (1) The functions to which subsections (2) and (3) apply shall be concurrent functions of the CAA and [^{F1}the OFT].
- [^{F2}(2) This subsection applies to the OFT's functions under Part 4 of the 2002 Act (other than sections 166 and 171) so far as they relate to the supply of air traffic services.]
- (3) This subsection applies to [^{F3}the OFT's] functions under the provisions of Part I of the 1998 Act (other than sections 38(1) to (6) and 51) so far as they relate to—
 - (a) agreements, decisions or concerted practices which are of the kind mentioned in section 2(1) of the 1998 Act and which relate to the supply of air traffic services, or
 - (b) conduct which is of the kind mentioned in section 18(1) of the 1998 Act and which relates to the supply of air traffic services.
- (4) References to [^{F4}the OFT] in—
 - (a) [^{F5}Part 4 of the 2002 Act (except for sections 166 and 171 but including provisions of that Act applied by that Part)], and
 - (b) Part I of the 1998 Act (except in sections 38(1) to (6), 51, 52(6) and (8) and 54),must be read as including references to the CAA.
- (5) But subsection (4) applies—

Status: Point in time view as at 20/06/2003. This version of this provision has been superseded.

Changes to legislation: Transport Act 2000, Section 86 is up to date with all changes known to be in force on or before 30 July 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)

- (a) only so far as it is consequential on subsections (1) to (3) above, and
 - (b) only if the context does not otherwise require.
- (6) If a question arises as to whether subsections (1) to (3) above apply to a particular case the question must be referred to and determined by the Secretary of State.
- (7) No objection may be taken to anything done by or in relation to the CAA—
- (a) [^{F6}Part 4 of the 2002 Act], or
 - (b) under Part I of the 1998 Act (except under section 38(1) to (6) or 51), on the ground that it should have been done by or in relation to [^{F7}the OFT].

Textual Amendments

- F1** Words in s. 86(1) substituted (1.4.2003) by [Enterprise Act 2002 \(c. 40\)](#), s. 279, **Sch. 25 para. 44(7)(a)**; [S.I. 2003/766](#), art. 2, Sch. (with art. 3) (as amended (20.7.2007) by [S.I. 2007/1846](#), reg. 3(2), Sch.)
- F2** S. 86(2) substituted (20.6.2003) by [Enterprise Act 2002 \(c. 40\)](#), s. 279, **Sch. 9 para. 24(2)**; [S.I. 2003/1397](#), art. 2(1), Sch.
- F3** Words in s. 86(3) substituted (1.4.2003) by [Enterprise Act 2002 \(c. 40\)](#), s. 279, **Sch. 25 para. 44(7)(b)**; [S.I. 2003/766](#), art. 2, Sch. (with art. 3) (as amended (20.7.2007) by [S.I. 2007/1846](#), reg. 3(2), Sch.)
- F4** Words in s. 86(4) substituted (1.4.2003) by [Enterprise Act 2002 \(c. 40\)](#), s. 279, **Sch. 25 para. 44(7)(a)**; [S.I. 2003/766](#), art. 2, Sch. (with art. 3) (as amended (20.7.2007) by [S.I. 2007/1846](#), reg. 3(2), Sch.)
- F5** Words in s. 86(4)(a) substituted (20.6.2003) by [Enterprise Act 2002 \(c. 40\)](#), s. 279, **Sch. 9 para. 24(3)**; [S.I. 2003/1397](#), art. 2(1), Sch.
- F6** Words in s. 86(7)(a) substituted (20.6.2003) by [Enterprise Act 2002 \(c. 40\)](#), s. 279, **Sch. 9 para. 24(4)**; [S.I. 2003/1397](#), art. 2(1), Sch.
- F7** Words in s. 86(7) substituted (1.4.2003) by [Enterprise Act 2002 \(c. 40\)](#), s. 279, **Sch. 25 para. 44(7)(a)**; [S.I. 2003/766](#), art. 2, Sch. (with art. 3) (as amended (20.7.2007) by [S.I. 2007/1846](#), reg. 3(2), Sch.)

Commencement Information

- I1** S. 86 wholly in force at 1.2.2001, see s. 275(1)(2) and [S.I. 2001/57](#), art. 3(1), **Sch. 2 Pt. I** (subject to the transitional provision and saving in [Sch. 2 Pt. II](#))

Status:

Point in time view as at 20/06/2003. This version of this provision has been superseded.

Changes to legislation:

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