



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 the Director.
- (2) This subsection applies to the Director's functions under sections 44, 50, 52, 53, 56A to 56G, 86 and 88 of the 1973 Act so far as they relate to monopoly situations which exist or may exist in relation to the supply of air traffic services.
- (3) This subsection applies to the Director'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 the Director in—
 - (a) Part IV and sections 86, 88, 93B(1)(a) and 133(4) of the 1973 Act, 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Status: This is the original version (as it was originally enacted).

- (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) under Part IV or section 86 or 88 of the 1973 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 the Director.