
STATUTORY INSTRUMENTS

1991 No. 1672

The Civil Aviation Authority Regulations 1991

PART III

AIR TRANSPORT LICENSING

Hearings in connection with licences

25.—(1) Before any decision to grant, refuse to grant, revoke, suspend or vary (other than provisionally) an air transport licence [^{F1}or a route licence] is made, the following persons shall have a right to be heard:

- (a) the applicant;
- (b) the holder of [^{F2}an operating licence,] any air transport licence [^{F1}or a route licence];
- (c) the holder of any air operator's certificate granted under an Air Navigation Order [^{F3}or under other retained EU law regarding aviation safety];
- (d) the holder of any aerodrome licence granted under an Air Navigation Order;
- (e) such persons (being persons who wish to be heard and who have served objections or representations pursuant to regulation 20 expressing the views of passengers or shippers of cargo) as appear to the Authority to be representative of those who have served such objections or representations;
- (f) here the Authority has designated the case as an environmental case pursuant to regulation 19, such persons (being persons who wish to be heard and who have served objections or representations on grounds of noise, vibration, pollution or other disturbance pursuant to regulation 20(2)) as appear to it to be representative of those who have served such objections or representations:

Provided that—

- (i) no person (other than the applicant and the holder of the licence to which the decision will relate) shall have a right to be heard unless he has served an objection or representation pursuant to regulation 20 and (unless he is a person of a description specified in subparagraph (e) or (f) of this regulation) in so doing has stated that he wishes to be heard;
- (ii) no person shall be heard before a decision is made by the Authority in a case where the Secretary of State has directed that the licence be granted, refused, revoked, suspended or varied or where the Authority's duty under section 31(2) of the Airports Act 1986 [^{F4}or under section 69A(4) of the Act] requires that the licence be refused, revoked, suspended or varied.

(2) Notwithstanding that a person does not have the right to be heard, the Authority may, if it thinks fit, hear him:

Provided that no person shall be heard pursuant to this paragraph—

- (i) unless he has served an objection or a representation pursuant to regulation 20;
- (ii) in a case where such a direction as is referred to in proviso (ii) to paragraph (1) of this regulation has been given.

(3) No hearing shall be held pursuant to this regulation unless the Authority has served on all persons having a right to be heard and whom it proposes to hear in connection with the case and on any person who has been consulted by the Authority pursuant to regulation 21 and who has responded in writing not less than 14 days' notice of the date, time and place of the hearing, and the notice shall clearly identify the application or proposal to which it relates: a similar notice shall be published not less than 7 days before the date of the hearing, and shall be exhibited in a public place in the Authority's principal office during the 7 days immediately preceding the date of the hearing:

Provided that in cases where the Authority is satisfied that for reasons of urgency it is desirable to do so, a hearing may be held without such notice having been served, published and exhibited as aforesaid if the Authority has given notice of the date, time and place of the hearing, being notice of such length and by such means (whether oral or written) as it thinks fit, to the applicant and any person of a description specified in paragraph (1) of this regulation whose interests are in the opinion of the Authority likely to be prejudiced by the granting of the application and to any person consulted by the Authority pursuant to regulation 21.

(4) Two or more cases may be heard together, if the Authority thinks fit, but a party to one case shall not on that account be deemed to be a party to any other case.

Textual Amendments

- F1** Words in [reg. 25](#) inserted (1.1.1993) by [The Licensing of Air Carriers Regulations 1992 \(S.I. 1992/2992\)](#), [reg. 1](#), [Sch. 2 para. 18](#)
- F2** Words in [reg. 25\(1\)\(b\)](#) inserted (1.1.1993) by [The Licensing of Air Carriers Regulations 1992 \(S.I. 1992/2992\)](#), [reg. 1](#), [Sch. 2 para. 24](#)
- F3** Words in [reg. 25\(1\)\(c\)](#) inserted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), [regs. 1, 4](#) (with [Sch. 3](#)) (as amended by [S.I. 2019/1098](#), [regs. 1\(3\), 12](#)); [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)
- F4** Words in [reg. 25\(1\)\(ii\)](#) inserted (1.1.1993) by [The Licensing of Air Carriers Regulations 1992 \(S.I. 1992/2992\)](#), [reg. 1](#), [Sch. 2 para. 25](#)

Commencement Information

- I1** [Reg. 25](#) in force at 1.9.1991, see [reg. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Civil Aviation Authority Regulations 1991, Section 25.