
STATUTORY INSTRUMENTS

1991 No. 1672

The Civil Aviation Authority Regulations 1991

PART III

AIR TRANSPORT LICENSING

Decisions on appeals

29.—(1) The Secretary of State may if he thinks fit uphold the decision of the Authority or direct it to re-hear the case which is the subject of the appeal or to reverse or vary its decision.

(2) The Secretary of State shall notify the Authority, the appellant and the persons who have been served with the notice of appeal pursuant to regulation 27(3) of his decision and of the reasons for it and the Authority shall publish the Secretary of State's notification.

(3) Where the Secretary of State directs the Authority to re-hear a case he shall at the same time notify the Authority and persons referred to in paragraph (2) of this regulation whether the Authority's decision is to have effect pending the further decision of the Authority.

(a) (4) (a) Subject to paragraph (5) of this regulation, in determining an appeal the Secretary of State may, if he thinks fit, order the appellant to pay to any other party thereto either a specified sum in respect of the costs incurred by him in connection with the appeal, or the taxed amount of those costs or any part thereof;

(b) any costs required by an order under the foregoing subparagraph to be taxed may be taxed in the county court on such scale as may be directed by the order;

(c) any sum payable by virtue of an order under subparagraph (a) of this paragraph shall, if the county court so orders, be recoverable by execution issued from the county court or otherwise as if payable under an order of that court;

(d) the powers of the county court under the foregoing provisions of this paragraph may be exercised by the District Judge, or in Northern Ireland by the clerk of the Crown and Peace.

(a) (5) (a) In determining an appeal where the appellant resides or has his registered or principal office in Scotland the Secretary of State may, if he thinks fit, order the appellant to pay to any other party thereto either a specified sum in respect of the expenses incurred by him in connection with the appeal, or the taxed amount of those expenses or any part thereof;

(b) any expenses required by an order under the foregoing subparagraph to be taxed may be taxed by the Auditor of the Court of Session on such a scale as may be directed by the order;

(c) any award of expenses by the Secretary of State under the foregoing provisions of this paragraph may be enforced in like manner as a recorded decree arbitral.

(6) An appeal to the Secretary of State shall not preclude him from consulting the competent authorities of any country or territory outside the United Kingdom for the purposes of section 6(2) (a) to (d) of the Act (which relates to national security, relations with other countries and territories and similar matters) notwithstanding that the consultation may relate to matters affecting the appeal.

Changes to legislation: There are currently no known outstanding effects for the The Civil Aviation Authority Regulations 1991, Section 29. (See end of Document for details)

(7) The failure of any person (other than the appellant in serving notice of appeal on the Secretary of State within the time prescribed in regulation 27(4)) to serve any notice, submission or reply, or copies thereof or to furnish any particulars in the time or manner provided for in the Act or in these Regulations or any other procedural irregularity shall not invalidate the decision of the Secretary of State; and the Secretary of State may, and shall if he considers that any person may have been prejudiced, take such steps as he thinks fit before deciding the appeal to cure the irregularity.

Commencement Information

II [Reg. 29](#) in force at 1.9.1991, see [reg. 1](#)

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