

STATUTORY INSTRUMENTS

**1991 No. 1672**

**The Civil Aviation Authority Regulations 1991**

**[<sup>F1</sup>PART IIIA**

**REFERENCES IN RESPECT OF AN AIR TRAFFIC SERVICES LICENCE**

**[<sup>F1</sup>Procedure at hearings**

**31D.**—(1) Hearings shall be conducted by the Authority.

(2) At a hearing any person entitled to be heard may appear in person or be represented by any other person whom he may have authorised to represent him, and may produce oral and written evidence and may examine any other person whom the Authority hears pursuant to regulation 31C and any witnesses produced by any such person.

(3) Any person who has served a representation within the time permitted by regulation 31B(2) but who does not wish to be heard, may make a written submission which he shall serve on the Authority not less than 3 working days before the date fixed for the hearing of the case.

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<sup>F2</sup>(4)] Where an oral hearing is held it shall be held in public unless, having regard to the subject matter of the hearing and any representations from the licence holder the Authority directs that the hearing or any part of the hearing shall take place in private.

<sup>F3</sup>(b) .....

(5) The failure of the Authority or of any person to give notice or publish 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 action taken by the Authority; and the Authority may, and shall if it considers that any person may have been prejudiced, take such steps as it thinks fit before reaching its determination to cure the irregularity, whether by the giving of notice or otherwise.

- (a) (6) (a) Subject to sub-paragraph (b) all the proceedings at a hearing of the Authority in connection with a case shall be recorded by a shorthand writer or by some other means, and if any person requests a record of the proceedings the Authority shall cause a mechanical recording or transcript of the shorthand or other record to be made available for purchase by that person at a reasonable price.
- (b) (i) the Authority shall not be required to make available a mechanical recording or transcript of the record of the proceedings at any time after the expiry of one year from the day of publication of its determination of the case.
- (ii) A mechanical recording or transcript of the record of proceedings conducted otherwise than in public shall only be required to be made available for purchase by any person heard by the Authority at those proceedings.]

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**Changes to legislation:** There are currently no known outstanding effects for the The Civil Aviation Authority Regulations 1991, Section 31D. (See end of Document for details)

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**Textual Amendments**

- F1** Pt. 3A inserted (31.7.2001) by The Civil Aviation Authority (Amendment) Regulations 2001 (S.I. 2001/2448), regs. 1, **2(10)**
- F2** Reg. 31D(4)(a) renumbered as reg. 31D(4) (3.11.2008) by The Tribunals, Courts and Enforcement Act 2007 (Transitional and Consequential Provisions) Order 2008 (S.I. 2008/2683), art. 1, **Sch. 1 para. 49(b)**
- F3** Reg. 31D(4)(b) omitted (3.11.2008) by virtue of The Tribunals, Courts and Enforcement Act 2007 (Transitional and Consequential Provisions) Order 2008 (S.I. 2008/2683), art. 1, **Sch. 1 para. 49(a)**

**Changes to legislation:**

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