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STATUTORY INSTRUMENTS

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**1998 No. 2918**

**The Airports (Groundhandling) (Amendment) Regulations 1998**

**9.** In Schedule 1—

- (a) in paragraph 1(a), the words “, subject to paragraph 3 below,” shall be omitted;
- (b) in paragraph 3, after the words “and (13), 14(1)” there shall be inserted the words “and (4)”;
- (c) after paragraph 5, there shall be inserted the following paragraph—

“**5A.** Where, pursuant to regulation 14(4), the CAA proposes to revoke or vary a determination made pursuant to regulation 14(1), it shall serve on—

- (a) the managing body of the airport concerned, and
- (b) the person for whom has been reserved the management of the centralised infrastructures in question, where that person is not the managing body of the airport concerned,

notice of the proposal together with the reasons for it.”;

- (d) in paragraph 7, after the words “paragraph 5”, there shall be inserted the words “or paragraph 5A”;
- (e) for paragraph 11, there shall be substituted the following paragraph—

“**11.**—(1) Before the date fixed for the hearing of an application pursuant to paragraph 12 below, and subject to sub-paragraphs (2) and (3) below, the CAA shall serve on any person who has the right to be heard in connection with the application or whom the CAA proposes to hear a copy of, or a summary of, any information in the possession of the CAA which has been provided in connection with the application or which the CAA has reason to believe will be referred to at the hearing of the application.

(2) Before serving any information provided by a supplier the CAA shall consult that supplier.

(3) If, having consulted the supplier, the CAA is of the opinion that both—

- (i) the information concerned relates to the commercial or financial affairs of the supplier, and
- (ii) the supplier would be more prejudiced if the information were disclosed than would be the public or the prospective recipient if the information were not disclosed,

then the CAA shall not serve the information.

(4) In this paragraph, “supplier” means a person who has provided to the CAA information in connection with an application to which the provisions of this Schedule apply.”;

- (f) in paragraph 14(b), after the words “regulation 10(8)”, there shall be inserted the words “or regulation 14(4)”.