

SCHEDULE 1 **U.K.**

Regulation 17

Review of penalties placed on airport users

1. A decision to impose a penalty under regulation 16 may be made on behalf of the CAA by a CAA employee.

2. If the decision to impose a penalty under regulation 16 is made by a CAA employee then—

(1) the person on whom the penalty is imposed may within 14 days of receiving a notice under regulation 16(5) serve on the CAA a written request that the decision to impose a penalty be retaken by CAA Members on behalf of the CAA, and

(2) the notice given under regulation 16(5) must inform the person to whom it is given of the right to serve a request under sub-paragraph (1).

3. Where a request is served under paragraph 2(1)—

(1) the notice given under regulation 16(5) has no further effect, and

(2) a decision as to whether or not to impose a penalty in the circumstances of the case must be retaken by at least two CAA Members who were not involved in the original decision taken by the CAA employee.

4. Before taking a decision the CAA Members must consider—

(1) any briefing supplied by the CAA employee who took the original decision, and

(2) any representations by the person requesting the decision to be retaken, served on the CAA within 21 days of that person receiving a notice under regulation 16(5) or such additional period as the CAA Members may determine.

5. When the CAA retakes a decision under this Schedule it must—

(1) give a notice setting out the decision and a statement of its reasons for that decision to the person who requested the original decision to be retaken, and

(2) publish the decision and the statement of its reasons for the decision.

6. If the decision is to impose a penalty then the notice under paragraph 5(1) must specify that the penalty is to be paid within 30 days.

7. For the purposes of this Schedule, “CAA Member” means a member of the CAA appointed by the Secretary of State under section 2^{M1} of the Civil Aviation Act 1982.

Marginal Citations

M1 Section 2(2) was amended by section 72 of the [Airports Act 1986 \(c. 31\)](#).

Changes to legislation:

There are currently no known outstanding effects for the The Airport Charges Regulations 2011, SCHEDULE 1.