
STATUTORY INSTRUMENTS

2019 No. 646

The Aviation Statistics (Amendment etc.) (EU Exit) Regulations 2019

PART 2

Collection of statistical data by the CAA

Representations and variation of proposed penalty

5.—(1) If, within a period of 21 days beginning with the day after the day on which a penalty proposal notice is served on a respondent, that respondent serves representations on the CAA in accordance with the penalty proposal notice, the CAA must consider those representations and decide whether to vary the amount of the proposed penalty under paragraph (2), to withdraw the proposed penalty under paragraph (5), or to impose the proposed penalty under regulation 6(1).

(2) If, following representations made by a respondent in accordance with regulation 4(2) or paragraph (3), it appears to the CAA appropriate to vary the amount of the proposed penalty, the CAA must serve on the respondent a notice about the proposed variation (a “notice of variation”).

(3) A notice of variation must—

- (a) refer to the penalty proposal notice and any previous notice of variation containing the proposal that is being varied;
- (b) state the new proposed amount of the penalty;
- (c) state that the respondent may serve representations on the CAA objecting to the new proposed amount of the penalty within a period of 21 days beginning with the day after the day on which the notice of variation is served;
- (d) include an explanation of the manner and form in which any representations must be served.

(4) If, within a period of 21 days beginning with the day after the day on which a notice of variation is served on a respondent, that respondent serves representations on the CAA in accordance with the notice of variation, the CAA must consider those representations and decide whether to vary the amount of the proposed penalty under paragraph (2), to withdraw the proposed penalty under paragraph (5), or to impose the proposed penalty under regulation 6(1).

(5) If the CAA, having served a penalty proposal notice, decides not to impose any penalty, it must withdraw the notice by informing the respondent in writing.

Commencement Information

II Reg. 5 in force at 27.3.2019, see [reg. 1\(2\)](#)

Status:

Point in time view as at 27/03/2019. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the The Aviation Statistics (Amendment etc.) (EU Exit) Regulations 2019, Section 5.