

Civil Aviation Authority of Singapore (Appeals to Minister) Rules 2009

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No. S 359

**CIVIL AVIATION AUTHORITY OF SINGAPORE ACT 2009
(ACT 17 OF 2009)**

**CIVIL AVIATION AUTHORITY OF SINGAPORE (APPEALS TO MINISTER)
RULES 2009**

In exercise of the powers conferred by section 55(10) of the Civil Aviation Authority of Singapore Act 2009, the Minister for Transport hereby makes the following Rules:

PART I

PRELIMINARY

Citation and commencement

1. These Rules may be cited as the Civil Aviation Authority of Singapore (Appeals to Minister) Rules 2009 and shall come into operation on 31st July 2009.

Definitions

2. In these Rules, unless the context otherwise requires —

“address for service” means the address for service of documents referred to in rule 4;

“appeal” means an appeal under section 55(1) or (2) of the Act;

“appealable decision” means —

- (a) any decision of the Authority referred to in section 55(1)(a) of the Act;
- (b) any direction of the Authority under section 40, 45 or 60 of the Act;
- (c) any price control determination;
- (d) any notice of the Authority under section 83(2)(b) of the Act;
- (e) any issue or approval of, or amendment or revocation of, a code of practice or standard of performance or any provision therein; or
- (f) any decision or direction of the Authority given by or under section 60 of the Act;

“Appeals Secretary” means the Appeals Secretary appointed under rule 3;

“appellant” means —

- (a) in the case of an appealable decision that is a decision or direction of the Authority given by or under section 60 of the Act — any person other than an airport licensee who is aggrieved by and appealing to the Minister against that decision; or
- (b) in the case of any other appealable decision — an airport licensee who is aggrieved by and appealing to the Minister against that decision;

“chairperson” means the chairperson of the Panel;

“member” means any member of the Panel;

“Panel” means the Appeals Advisory Panel appointed under section 56 of the Act;

“parties”, in relation to any appeal against an appealable decision, means the appellant against the appealable decision and the Authority, and “party” means either one of them;

“price control determination” means a decision made by the Authority in respect of aeronautical charges under section 52(1) of the Act, and includes a determination under the Civil Aviation Authority of Singapore (Price Control for Aeronautical Charges) Rules 2009 (G.N. No. S 298/2009) —

- (a) to confirm a price control determination for the first regulatory period;
- (b) to amend any price control determination;
- (c) to revoke any price control determination;
- (d) to revoke and substitute any price control determination;

“working day” means any day except a Saturday, Sunday or public holiday.

Appeals Secretary

3.—(1) The Minister may appoint a public officer to be the Appeals Secretary for the purposes of these Rules.

(2) The Appeals Secretary shall provide administrative and secretarial support —

- (a) to the Minister; and
- (b) with the approval of the Minister, to the Panel,

in relation to every appeal under section 55 of the Act.

(3) The Appeals Secretary shall act in accordance with such instructions as may be given by the chairperson or the Minister from time to time and shall, in particular, be responsible for —

- (a) the acceptance, transmission, service and custody of documents in accordance with these Rules;
- (b) the establishment and maintenance of a list of all notices of appeal lodged with the Minister; and
- (c) the keeping of a record of the proceedings of the Panel in such form as the chairperson may direct.

(4) The Appeals Secretary shall attend at every hearing of an appeal by the Minister and at every proceeding of the Panel.

Addresses for service

4.—(1) Any document to be lodged with, sent to or served on the Panel under these Rules shall be addressed to the “Appeals Secretary, Advisory Appeals Panel” and sent to the following address:

- (a) 460 Alexandra Road, #39-00 PSA Building, Singapore 119963; or