

L.N. 189 of 2011

CONSUMER AFFAIRS ACT
(CAP. 378)
Pricing of Air Services Regulations, 2011

IN the exercise of the powers conferred by article 7 of the Consumer Affairs Act, the Minister responsible for Consumer Affairs, after consultation with the Consumer Affairs Council, has made the following regulations:-

- Title. **1.** The title of these regulations is the Pricing of Air Services Regulations, 2011.
- Definitions. **2.** In these regulations, unless the context otherwise requires:-
- Cap. 378. "the Act" means the Consumer Affairs Act;
- "the Director" means the Director of Consumer Affairs as defined in the Act; and
- "Regulation" means Regulation (EC) No 1008/2008 of the European Parliament and of the Council of 24 September 2008 on common rules for the operation of air services in the Community (Recast).
- Designated person. **3.** (1) The Director shall be responsible for the enforcement of the provisions of Article 23 of the Regulation.
- (2) In discharging his functions under these regulations, the Director shall have the powers as prescribed under the Act and, in particular, shall issue such order or decision, or take such measure as he deems appropriate in terms of the Act.
- Administrative fines. **4.** Any person who contravenes or fails to comply with Article 23 of the Regulation shall be guilty of an infringement punishable by an administrative fine of not less than four hundred and seventy euro (€470) and not exceeding five thousand euro (€5000):
- Provided that in the case of non-compliance with a compliance order, the Director may impose a daily fine of not less than one hundred and twenty euro (€120) and not more than two hundred and thirty euro (€230) for each day of non-compliance.
- Right to appeal. **5.** Any person who feels aggrieved by a decision, order, administrative fine or measure taken by the Director, may file an appeal before the Consumer Affairs Appeals Board, in terms of the
- Cap. 378. Act.

