1966 No. 689

CIVIL AVIATION

The Air Navigation (Guernsey) Order 1966

Made - - - - -	*9th June* 1966
Laid before Parliament	*15th June* 1966
Coming into Operation—	
for making regulations	*1st July* 1966
for all other purposes	*1st August* 1966

At the Court at Buckingham Palace, the 9th day of June 1966

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by sections 8, 41, 57, 58, 59 and 61 of the Civil Aviation Act 1949(a), as extended to the Channel Islands by the Civil Aviation Act (Channel Islands) Order 1953(b) and by the Civil Aviation Act (Channel Islands) Order 1966(c), and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows :—

1. The Air Navigation Order 1960(d), as amended(e), shall apply in relation to Guernsey as it applies in relation to the United Kingdom, with the modifications and adaptations specified in the Schedule to this Order.

2. In this Order the expression "Guernsey" means the Bailiwick of Guernsey and the territorial waters thereof.

3. Any certificate, licence or other document issued under, validated by or otherwise in force under the Air Navigation Order 1960, or under that Order as amended, shall be deemed to have been issued or validated or to be otherwise in force under that Order as hereby applied in relation to Guernsey.

4. The Interpretation Act 1889(f) shall apply for the purpose of the interpretation of this Order as it applies for the purpose of the interpretation of an Act of Parliament.

5. This Order may be cited as the Air Navigation (Guernsey) Order 1966 and shall come into operation on 1st August 1966, except that for the purpose of enabling regulations to be made thereunder it shall come into operation on 1st July 1966.

W. G. Agnew.

(a) 1949 c. 67.
(b) S.I. 1953/393 (1953 I, p. 270).
(c) S.I. 1966/688 (1966 II, p. 1546).
(d) S.I. 1960/972 (1960 I, p. 599).
(e) S.I. 1960/2410, 1962/1332, 1963/608, 1488, 1964/55, 1965/126, 1884, 1966/442 (1960 I, p. 680; 1962 II, p. 1423; 1963 I, p. 724; II, p. 2620; 1964 I, p. 80; 1965 I, p. 241; III, p. 5679; 1966 I, p. 948).
(f) 1889 c. 63.

SCHEDULE

MODIFICATIONS AND ADAPTATIONS OF THE AIR NAVIGATION ORDER 1960, AS AMENDED

1. Any reference to the Civil Aviation Act 1949 shall be construed as a reference to that Act as extended to Guernsey by the Civil Aviation Act (Channel Islands) Order 1953 and the Civil Aviation Act (Channel Islands) Order 1966.

2.—(1) Subject to any express substitution made by this Schedule, any reference to the United Kingdom (except in the case of the references specified in the next following sub-paragraph) shall be construed as a reference to Guernsey.

(2) The references to the United Kingdom which are not to be construed as references to Guernsey are references to Her Majesty's Government in the United Kingdom, to aircraft registered in, or in a country other than, or outside, the United Kingdom and to a country or state other than the United Kingdom, and references in Article 74, in Article 77(2), in the definitions in Article 79(1) of "The Commonwealth", "Competent authority", "Contracting State" and "Notified" and in Schedules 9, 10 and 11.

3. Article 2 shall be omitted.

4. In Article 3A(7) at the end of sub-paragraph (*b*) the word "and" shall be omitted and there shall be inserted the following sub-paragraph:—

"(*bb*) where the appellant has his principal place of business in Guernsey, by the Bailiff, and".

5. In Article 21(3) the references to the Minister in the first sentence shall be construed as including the Board.

6. In Article 25(1) for the reference to the Minister there shall be substituted a reference to the Board and accordingly for the word "he" there shall be substituted the words "the Board".

7. In Article 34(1)(*b*) after the word "Minister" there shall be inserted the words "or of the Board".

8. In Article 45(7) after the word "Minister" there shall be inserted the words "or by the Board".

9.—(1) In Article 56(1) for the reference to the Minister there shall be substituted a reference to the Board.

(2) In Article 56(3) sub-paragraph (*b*) shall be omitted.

(3) In Article 56(4) for the words from "the competent authority" to the end of the paragraph there shall be substituted the words "the Board".

10. In Article 57(1) for the references to the Minister there shall be substituted references to the Board.

11. In Article 58(1) for the reference to the Minister there shall be substituted a reference to the Board.

12. In Article 59(1) for the words preceding the proviso there shall be substituted the following words:—

"An aircraft engaged on a flight for the purpose of the public transport of passengers or for the purpose of instruction in flying shall not take off or land at any place in Guernsey other than an aerodrome licensed under this Order for the take-off and landing of aircraft so engaged, and in accordance with any condition subject to which the aerodrome may have been so licensed:".

13. Article 60 shall be omitted.

14.—(1) In Article 61(1) and (2) for any reference to the Minister there shall be substituted a reference to the Royal Court.

(2) For Article 61(5) there shall be substituted the following paragraph :—

" (5) A licence granted under this Article shall remain in force as may be specified in the licence but may at any time be varied, suspended or revoked by the Royal Court.".

15. Article 62 shall be omitted.

16. In Article 64 for the references to the Minister there shall be substituted references to the Board, and the words " Government aerodromes " shall be omitted.

17. In Article 65(1), (2) and (4) for the references to the Minister there shall be substituted references to the Board, and Article 65(3) shall be omitted.

18.—(1) In Article 66(2) for the references to the Minister there shall be substituted references to the Board.

(2) Article 66(4) shall be omitted.

19. For Article 67 there shall be substituted the following Article :—

" 67.—(1) The Board may, subject to such conditions as the Board think fit, by order designate any aerodrome to be a place for the landing or departure of aircraft for the purpose of the enactments for the time being in force relating to customs.

(2) The Board may by order revoke any designation so made.".

20. In Article 69(1) and (2) after the word " Minister " wherever it occurs there shall be inserted the words " the Board ".

21. In Article 70 after the word " Minister " there shall be inserted the words " the Board " and the proviso shall be omitted.

22. In Article 72 after the word " Minister " there shall be inserted the words " by the Board ".

23. Article 73 shall be omitted.

24. In Article 75(4) and (5) the words " on summary conviction " shall be omitted and in Article 75(6) the words " on summary conviction or indictment " shall be omitted.

25. For Article 76 and the heading thereto there shall be substituted the following heading and Article :—

" *Extent of the Order*

76. The provisions of this Order shall apply to all aircraft within Guernsey.".

26. In Article 78 for the reference to the Minister there shall be substituted a reference to the Board in relation to any provision of this Order where the Board is substituted for the Minister by this Order and in relation to any regulation made under that provision.

27. In Article 79(1)—

(i) in the definition of " Air traffic control unit " for the word " Minister " there shall be substituted the word " Committee " ;

(ii) for the definition of " Authorised person " there shall be substituted the following definition :—

' " Authorised person " for the purposes of any provision of this Order means—

(*a*) any police officer ; and

(*b*) any person authorised by the Minister or the Board either generally or in relation to a particular case or class of cases ; ' ;

(iii) after the definition of " Beneficial interest " there shall be inserted the following definition :—

' " The Board " means the Board of Administration of the States of Guernsey ; ' ;

(iv) the definition of " General lighthouse authority " shall be omitted ;

(v) the definition of " Government aerodrome " shall be omitted ;

(vi) after the definition of " Pilot in command " there shall be inserted the following definition :—

' " Police officer " means, in relation to Guernsey, a member of the salaried police force of the Island of Guernsey and also, within the limit of his jurisdiction, a member of the special constabulary of that Island, and, in relation to Alderney, a member of any police force which may be established by the States of Alderney and, in relation to Sark, the Constable and the Vingtenier of that Island ; ' ;

(vii) for the definition of " Prescribed " there shall be substituted the following definition :—

' " Prescribed " means prescribed by regulations made by the Minister or the Board under this Order, and the expression " prescribe " shall be construed accordingly ; '.

28. For Article 82(1) there shall be substituted the following paragraph :—

" (1) Subject to the following provisions of this Article, the Air Navigation (Guernsey) Order 1926(a), the Air Navigation (Amendment) (Guernsey) Order 1929(b) and the Air Navigation (Guernsey) Order 1936(c) are hereby revoked and the Air Navigation (Amendment) (Channel Islands) Order 1937(d) is hereby revoked in its application to Guernsey.".

29. Article 83(2) shall be omitted.

30. In Schedule 2, any reference to a Government aerodrome shall be omitted.

31. In Schedule 11, the reference to the Wireless Telegraphy Act 1949(e) shall be construed as a reference to that Act as extended to Guernsey by the Wireless Telegraphy (Channel Islands) Order 1952(f).

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order extends to the Bailiwick of Guernsey the provisions of the Air Navigation Order 1960, as amended, with the modifications and adaptations set out in the Schedule.

(a) S.R. & O. 1926/1583 (Rev. I, p. 1129: 1926, p. 27).
(b) S.R. & O. 1929/1019 (Rev. I, p. 1129: 1929, p. 64).
(c) S.R. & O. 1936/300 (Rev. I, p. 1129: 1936 I, p. 69).
(d) S.R. & O. 1937/1211 (Rev. I, pp. 1094, 1129: 1937, p. 121).
(e) 1949 c. 54.
(f) S.I. 1952/1900 (1952 III, p. 3414).