STATUTORY INSTRUMENTS

1966 No. 690

CIVIL AVIATION

The Air Navigation (Jersey) 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 Jersey 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 "Jersey" means the Bailiwick of Jersey 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 Jersey.

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 (Jersey) 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 Jersey 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 Jersey.

(2) The references to the United Kingdom which are not to be construed as references to Jersey 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 Jersey, by the Bailiff, and".

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

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

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

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

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

(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 Committee".

(4) At the end of Article 56 there shall be added the following paragraph:—

"(6) The Subordinate Legislation (Jersey) Law 1960 shall apply to regulations made under this Article.".

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

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

12. For Article 59(1) there shall be substituted the following paragraph:—

"(1) An aircraft shall not take off or land at any place in Jersey other than a Government aerodrome or a licensed aerodrome and in accordance with any condition subject to which the aerodrome may have been notified under Article 60 or licensed under Article 61 of this Order.".

13. For Article 60 there shall be substituted the following Article:—

"60. The Committee may specify, subject to such conditions as it thinks fit, any Government aerodrome as an aerodrome available for the take-off and landing of aircraft or any class of aircraft; and where it has so specified an aerodrome, the Committee shall inform the Minister, who shall cause the information to be notified.".

14.—(1) For Article 61(1) there shall be substituted the following paragraph:—

"(1) The Committee may license any aerodrome in Jersey subject to such conditions as it thinks fit for the take-off and landing of aircraft or any class of aircraft and may at any time vary, suspend or revoke such a licence.".

(2) Accordingly, in Article 61(2) and (5) for the references to the Minister there shall be substituted references to the Committee and in Article 61(5) for the words "Article 54 of this Order" there shall be substituted the words "paragraph (1) of this Article".

15. Article 62 shall be omitted.

16. In Article 64 for the references to the Minister there shall be substituted references to the States of Jersey.

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

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

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

"67.—(1) The Committee may, with the concurrence of the Finance Committee of the States of Jersey and subject to such conditions as the Committee thinks 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 Committee may, with the concurrence of the Finance Committee of the States, by order revoke any designation so made.".

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

21. Article 70 shall be numbered as paragraph (1) of that Article and at the end there shall be added the following paragraph:—

"(2) The Committee shall have the same right of access as the Minister has under this Article, save that in relation to the Committee the proviso to paragraph (1) of this Article shall not apply.".

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

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 Jersey.".

26. In Article 78 for the reference to the Minister there shall be substituted a reference to the Committee in relation to any provision of this Order where the Committee 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 Committee either generally or in relation to a particular case or class of cases;';

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

'"The Committee" means the Harbours and Airport Committee of the States of Jersey;';

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

(v) for the definition of "Government aerodrome" there shall be substituted the following definition:—

'"Government aerodrome" means an aerodrome which is in the occupation of any administration of the States of Jersey;';

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

'"Prescribed" means prescribed by regulations made by the States of Jersey or by the Committee under this Order or by regulations made by the Minister under the Air Navigation Order 1960 as extended to Jersey, 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 (Jersey) Order 1928(a), the Air Navigation (Amendment) (Jersey) Order 1929(b) and the Air Navigation (Jersey) Order 1936(c) are hereby revoked and the Air Navigation (Amendment) (Channel Islands) Order 1937(d) is hereby revoked in its application to Jersey.".

29. Article 83(2) shall be omitted.

30. In Schedule 11, the reference to the Wireless Telegraphy Act 1949(e) shall be construed as a reference to that Act as extended to Jersey 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 Jersey the provisions of the Air Navigation Order 1960, as amended, subject to the modifications and adaptations set out in the Schedule.

(a) S.R. & O. 1928/91 (Rev. I, p. 1094: 1928, p. 36).
(b) S.R. & O. 1929/1020 (Rev. I, p. 1094: 1929, p. 74).
(c) S.R. & O. 1936/301 (Rev. I, p. 1094: 1936 I, p. 70).
(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).