(*b*) Whenever aeroplanes carrying passengers for hire or reward are making use of or may be expected to make use of any aerodrome or other place (not being an aerodrome referred to in Rule 45) by night the Rules in this Section, excepting Rule 56, shall be complied with;

(*c*) Whenever aeroplanes not carrying passengers for hire or reward are making use of or may be expected to make use of any aerodrome or other place (not being an aerodrome referred to in Rule 45) by night lights shall be provided which shall be adequate for the purposes of such use;

except in so far as exemption from any of the foregoing requirements may be notified in respect of any such aerodrome or place:

Provided that at a water aerodrome the Rules in this Section shall apply only in so far as compliance therewith is practicable in the circumstances.

SECOND SCHEDULE

Amendments in Schedule IV to the principal Order

1. In paragraph 8 after the words and figures "paragraph (2) of Article 11" there shall be inserted the words, letter and figures "or sub-paragraph (*b*) of paragraph (3) of Article 13".

2. Paragraph 22 shall be omitted.

3. In paragraph 24 after the word "destroyed" there shall be inserted the words "except in the case of a flight manual, where a fee equivalent to the amount of the cost of preparing the copy or document in replacement shall be chargeable subject to a maximum charge of £5 5s. 0d.".

4. In paragraph 26 for the word and letter "sub-paragraph (*a*)" there shall be substituted the word, letter and figures "sub-paragraph (*a*) (ii)".

EXPLANATORY NOTE

(*This note is not part of the Order, but is intended to indicate its general purport.*)

This Order amends the Colonial Air Navigation Order, 1949, as amended by the Colonial Air Navigation (Amendment) Order, 1950. The amendments relate to a number of matters, including aircraft performance, the grant of instructors' ratings, the approval of radio apparatus, the rules of the air and air traffic control.

AIR REGISTRATION BOARD

The Civil Aviation (Air Registration Board) Order, 1951

1951 No. 812

Draft Laid before Parliament	7*th March*, 1951
Made - - - -	4th *May*, 1951
Coming into Operation	15*th May*, 1951

Whereas by subsection (1) of section seven of the Civil Aviation Act, 1949(**a**), it is enacted that the Minister of Civil Aviation may by order provide for delegating to a body appearing to him to be so constituted as to consist of the persons therein described such of the administrative functions of the

(**a**) 12, 13 & 14 Geo. 6. c. 67.

Minister with respect to the matters to which that subsection applies as may be specified in the order, and for entrusting to that body such advisory functions in connection with any of the said matters as may be so specified and that an order under that section may direct that any fees for the time being prescribed by an Order in Council under section eight of that Act in relation to matters with respect to which functions are delegated under that section to such a body as aforesaid shall be paid to, and may be retained by, that body: and that the matters to which that subsection applies are the design, construction and maintenance of aircraft, and matters connected therewith:

And Whereas by subsection (2) of the said section it is enacted that an order under that section may contain such incidental and supplementary provisions as appear to the Minister to be necessary or expedient for the purposes of the order:

And Whereas it appears to the Minister of Civil Aviation that the Air Registration Board (hereinafter referred to as "the Board") is such a body as aforesaid:

Now, therefore, the Minister of Civil Aviation in exercise of the powers conferred upon him by the said section and of all other powers enabling him in that behalf hereby makes the following Order:—

1. Subject to the provisions of paragraphs 2 and 3 of this Order such of the administrative functions of the Minister of Civil Aviation (hereinafter referred to as "the Minister") shall be delegated and such advisory functions shall be entrusted to the Board as are hereinafter specified, that is to say:—

(*a*) the formulation and publication of technical requirements as regards the design, construction and maintenance of aircraft and engines, components, accessories, instruments, equipment and apparatus of aircraft;

(*b*) the investigation of aircraft (including their engines, components, accessories, instruments, equipment and apparatus (excluding radio apparatus) and the manner of the installation of the same) for the purposes of the issue and renewal of certificates of airworthiness or of validations of such certificates and for the purposes of the variation of particulars and conditions specified in such certificates or any flight manual or performance schedule issued therewith;

(*c*) the making of recommendations to the Minister as to the issue of certificates of airworthiness and of validations of such certificates and as to the variation of particulars and conditions specified in such certificates or any flight manual or performance schedule issued therewith;

(*d*) the renewal of certificates of airworthiness and of validations of such certificates and to such extent as may be determined by the Minister in writing the variation of particulars and conditions specified in such certificates or any flight manual or performance schedule issued therewith;

(*e*) the making of any investigation required in connection with an application for a special permission for an aircraft to fly without a certificate of airworthiness being in force in respect thereof and the making of recommendations to the Minister as to the giving of such a special permission;

(*f*) the approval of engines for aircraft;

(*g*) the making of inspections of organisations of persons or firms desiring to furnish reports or certificates as to compliance by aircraft and engines, components, accessories, instruments, equipment and apparatus

of aircraft with airworthiness requirements, the approval of any such firm or persons as qualified to furnish such reports or certificates, and the acceptance of such reports or certificates;

(*h*) the preparation of flight manuals and performance schedules for aircraft;

(*i*) the approval of modifications of aircraft (including their engines, components, accessories, instruments, equipment and apparatus (excluding radio apparatus) and the manner of the installation of the same);

(*j*) the making of any investigation required in connection with an application for approval of a course of training for intending applicants for aircraft maintenance engineers' licences or aircraft radio maintenance engineers' licences;

(*k*) the examination of any person for the purpose of determining whether he is qualified to hold an aircraft maintenance engineer's licence or an aircraft radio maintenance engineer's licence or to have any extension of the ratings included in such licences or to have such licences renewed and (subject to the provisions of paragraph (7) of Article 14 and of paragraph (3) (*f*) of Article 31 of the Air Navigation Order, 1949(**a**)) the issue, extension of the ratings in and the renewal of such licences;

(*l*) the examination of any person for the purpose of determining his technical knowledge of any type of aircraft in respect of which he has made an application for or relating to a licence entitling him to act as a member of the operating crew thereof and providing the Minister with a report on such examination;

(*m*) the approval of maintenance schedules in respect of aircraft and aircraft equipment;

(*n*) the approval of loading instructions in respect of aircraft;

(*o*) the approval of types of instruments or equipment prescribed to be carried in aircraft;

(*p*) the approval of the manner of installation of radio apparatus in aircraft;

(*q*) the representation of the Minister at conferences relating to any matters connected with any of the administrative functions hereby delegated or the advisory functions hereby entrusted to the Board and the furnishing to him of such advice as he may require with regard to any such matters.

2. In the exercise of the functions hereby delegated or entrusted to the Board the Board shall have regard to the standards and recommended practices adopted by the International Civil Aviation Organisation.

3. This Order shall have effect in respect of any of the functions hereby delegated or entrusted to the Board as from such date or dates as may be determined by the Minister from time to time in writing, and as from the date or dates so determined those functions shall be taken over and exercised by the Board.

4. There shall be paid to and retained by the Board such fees as for the time being are prescribed by the Air Navigation Order, 1949, (being an Order in Council under section eight of the Civil Aviation Act, 1949) in relation to the following matters that is to say:—

(i) an investigation in connection with an application for a special permission for an aircraft to fly without a certificate of airworthiness being in force in respect thereof;

(a) S.I. 1949 (No. 349) I, p. 165.

(ii) the issue and renewal of a certificate of airworthiness;

(iii) the issue and renewal of a validation of a certificate of airworthiness;

(iv) the approval of an engine;

(v) the making of inspections of the organisation or organisations of a person or firm for the purpose of approving them as qualified to furnish reports or certificates as to compliance by aircraft or by engines, components, accessories, instruments, equipment and apparatus of aircraft with airworthiness requirements;

(vi) the approval of any modification of an aircraft;

(vii) licences for aircraft maintenance engineers and aircraft radio maintenance engineers;

(viii) the approval of any type of instrument or equipment prescribed to be carried in an aircraft, or of any modification of a type after such approval has been given;

in all cases where with respect to the said matters the Board performs the administrative functions hereby delegated to the Board.

5.—(1) In this Order the expressions "investigation", "radio apparatus", "modification" and "rating" have the same respective meanings as in the Air Navigation Order, 1949.

(2) References in this Order to the Air Navigation Order, 1949, shall be taken as referring to that Order as amended by any subsequent Order.

6. The Orders made by the Secretary of State for Air under section two of the Air Navigation Act, 1936(a), dated the twenty-eighth day of March, 1937, and the nineteenth day of October, 1942, respectively are hereby revoked.

7. This Order may be cited as the Civil Aviation (Air Registration Board) Order, 1951, and shall come into operation on the fifteenth day of May, 1951.

Dated this fourth day of May, 1951.

Pakenham,
Minister of Civil Aviation.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order made under section 7 of the Civil Aviation Act, 1949, replaces and revokes the two Orders dated 28th March, 1937, and 19th October, 1942, made by the Secretary of State for Air under Section 2 of the Air Navigation Act, 1936. The Order includes all the duties which the Board at present exercise on behalf of the Minister relating to the design, construction and maintenance of aircraft and matters connected therewith and also provides for delegation to the Board of powers to (i) renew certificates of airworthiness of aircraft and validations of such certificates, (ii) approve courses of training for and to examine persons desiring to obtain licences to act as aircraft radio maintenance engineers and (iii) approve loading instructions in respect of aircraft.

(a) 26 Geo. 5. & 1 Edw. 8. c. 44.