ADMINISTRATION

1960 No. 1321

The Civil Aviation (Air Registration Board) Order, 1960

Laid before Parliament in draft
Made - - - - 27*th July*, 1960
Coming into Operation 15*th August*, 1960

Whereas under sub-section (1) of section seven of the Civil Aviation Act, 1949(a) the Minister of Aviation (hereinafter referred to as " the Minister ") 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 Minister with respect to the design, construction and maintenance of aircraft, and matters connected therewith, 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 Whereas the said order 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 the said section seven to such a body as aforesaid shall be paid to, and may be retained by, that body:

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

Now, therefore, the Minister of Aviation in exercise of his powers under the said section seven and of all other powers enabling him in that behalf hereby makes the following Order:—

1. Subject to the provisions of Articles 2 and 3 of this Order such of the administrative functions of 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 grant and revocation of such approvals as may be required under Part II of the Air Navigation Order, 1960(b);

(*b*) the formulation and publication of requirements in respect of the matter to which Part II of the said Order relates;

(*c*) the investigation of the extent to which those requirements are complied with either generally or in particular cases;

(*d*) the making of recommendations to the Minister as to the issue, validation, suspension and revocation of certificates of airworthiness under the said Order;

(*e*) the renewal and variation of certificates of airworthiness and of validation as aforesaid;

(a) 12, 13 & 14 Geo. 6. c. 67. (b) S.I. 1960/972 (Pt. I, p. 599, of this vol.).

(*f*) the making of recommendations to the Minister as to the issue of permits to fly for the purposes of paragraph (1) (*e*) of article 4 of the said Order;

(*g*) the grant, validation, renewal, suspension, revocation and variation of licences (including ratings) of aircraft maintenance engineers under the said Order;

(*h*) the preparation, preservation and production of the record referred to in paragraph (9) of Article 5 of the said Order;

(*i*) the making of recommendations to the Minister as to the fitness of any person to hold a licence under the said Order as a member of the flight crew of an aircraft, having regard to his technical knowledge of aircraft;

(*j*) advising the Minister as to the competence of any operator to secure that aircraft operated by him are operated safely having regard to his arrangements for the carrying out of work in respect of which a certificate of maintenance or compliance is required under the said Order.

2. In the exercise of the functions hereby delegated or entrusted to the Board the Board shall have regard to the relevant provisions of the Chicago Convention and the Annexes thereto, referred to in sub-section (1) of section eight of the Civil Aviation Act, 1949.

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 may be retained by the Board such fees as for the time being are prescribed under the Air Navigation Order, 1960 (being an Order in Council under section eight of the Civil Aviation Act, 1949) in relation to matters with respect to which functions are delegated to the Board under this Order.

5.—(1) Expressions used in this Order shall, unless the context otherwise requires, have the same respective meanings as in the Air Navigation Order, 1960.

(2) References in this Order to the Air Navigation Order, 1960, shall be taken as referring to that Order as amended by any subsequent Order.

(3) The Interpretation Act, 1889(a) applies for the purpose of the interpretation of this Order as it applies for the purpose of the interpretation of an Act of Parliament.

6—(1). The Civil Aviation (Air Registration Board) Order, 1951(b) and the Civil Aviation (Air Registration Board) (Amendment) Order, 1954(c) are hereby revoked.

(2) Subsection (2) of Section thirty-eight of the Interpretation Act, 1889 (which relates to the effect of repeals), shall apply to this Order as if this Order were an Act of Parliament and as if the Orders revoked by paragraph (1) of this Article were Acts of Parliament thereby repealed.

(a) 52 & 53 Vict. c. 63. (b) S.I. 1951/812 (1951 I, p. 224). (c) S.I. 1954/983 (1954 I, p. 462).

7. This Order may be cited as the Civil Aviation (Air Registration Board) Order, 1960 and shall come into operation on the 15th day of August, 1960.

Dated this 27th day of July, 1960.

Duncan Sandys,
Minister of Aviation.

EXPLANATORY NOTE

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

This Order makes provision for the delegation to the Air Registration Board of certain functions of the Minister of Aviation under the Air Navigation Order, 1960 (S.I. 1960/972), and for the receipt and retention by the Board of fees in connection with those functions. It replaces the Civil Aviation (Air Registration Board) Order, 1951 as amended.

The Board is now entrusted with the function of advising the Minister as to the competence of any operator to operate aircraft safely, having regard to his arrangements for the maintenance of aircraft.