STATUTORY INSTRUMENTS

1967 No. 1060

CIVIL AVIATION

The Civil Aviation (Air Registration Board) Order 1967

Laid before Parliament in draft

Made - - - 14*th July* 1967

Coming into Operation 1*st August* 1967

Whereas under section 7 of the Civil Aviation Act 1949(a) (hereinafter referred to as "the Act"), as having effect by virtue of the Transfer of Functions (Civil Aviation) Order 1966(b), the Board of Trade may by order provide for delegating to a body appearing to them to be so constituted as to consist of the persons therein described such of the administrative functions of the Board of Trade 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 it appears to the Board of Trade that the Air Registration Board is such a body as aforesaid:

Now, therefore, the Board of Trade in exercise of their powers under sections 7 and 63(8) of the Act, as having effect by virtue of the Transfer of Functions (Civil Aviation) Order 1966, and of all other powers enabling them in that behalf hereby make the following Order:

1.—(1) This Order may be cited as the Civil Aviation (Air Registration Board) Order 1967 and shall come into operation on 1st August 1967.

(2) The Interpretation Act 1889(c) applies for the purpose of the interpretation of this Order as it applies for the purpose of the interpretation of an Act of Parliament.

2. The following administrative functions of the Board of Trade under section 8 of the Act, being functions with respect to the design, construction or maintenance of aircraft, or matters connected therewith, are hereby delegated to the Air Registration Board:

(*a*) the grant and revocation of approvals relating to the airworthiness and equipment of aircraft;

(a) 1949 c. 67. (b) S.I. 1966/741 (1966 II, p. 1732). (c) 1889 c. 63.

(*b*) the renewal and variation of certificates of airworthiness and of validations thereof;

(*c*) the formulation and publication of requirements for the grant of such approvals and certificates as aforesaid;

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

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

(*f*) the preparation and production of records enabling an aircraft (including in particular its engines) and such of its equipment as is necessary for its airworthiness, to be identified with drawings and other documents on the basis of which the aircraft's certificate of airworthiness was issued, varied, or rendered valid.

3. The following advisory functions in connection with the design, construction and maintenance of aircraft, and matters connected therewith, are hereby entrusted to the Air Registration Board:

(*a*) the making of recommendations to the Board of Trade as to the issue, validation, suspension and revocation of certificates of airworthiness;

(*b*) the making of recommendations to the Board of Trade as to the issue of permits for an aircraft to fly without a certificate of airworthiness being in force in respect of that aircraft;

(*c*) the making of recommendations to the Board of Trade as to the fitness of any person to hold a licence as a member of the flight crew of an aircraft, having regard to his technical knowledge of aircraft;

(*d*) the making of recommendations to the Director of Aviation Safety as to the competence of any operator to secure that aircraft operated by him are operated safely, having regard to his arrangements for carrying out work in respect of which a certificate of maintenance or compliance is required.

4. In the exercise of the functions delegated or entrusted to them under this Order, the Air Registration Board shall have regard to the relevant provisions of the Chicago Convention and the Annexes thereto, referred to in section 8(1) of the Act.

5. There shall be paid to and retained by the Air Registration Board such fees as are for the time being prescribed under section 8 of the Act in relation to matters with respect to which functions are for the time being delegated to them under this Order.

6.—(1) The Civil Aviation (Air Registration Board) Order 1960(a) is hereby revoked.

(2) Section 38(2) 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 Order revoked by paragraph (1) of this Article were an Act of Parliament thereby repealed.

14th July 1967.

J. P. W. Mallalieu,
Minister of State,
Board of Trade.

(a) S.I. 1960/1321 (1960 I, p. 576).

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order, made under section 7 of the Civil Aviation Act 1949, delegates to the Air Registration Board ("the ARB") administrative functions of the Board of Trade under section 8 of that Act in relation to the design, construction and maintenance of aircraft and matters connected therewith, and entrusts to the ARB advisory functions in relation to such matters. It authorises the ARB to receive and retain fees prescribed in relation to matters in respect of which they exercise delegated functions. The Order revokes the Civil Aviation (Air Registration Board) Order 1960, and takes account of the transfer of functions in respect of civil aviation from the Minister of Aviation to the Board of Trade.