3. CIVIL AVIATION (APPLICATION OF ENACTMENTS)

The Civil Aviation (Application of Enactments) Order, 1948

1948 No. 2790

Made - - - -	*22nd December,* 1948
Laid before Parliament	*23rd December,* 1948
Coming into Operation	*24th December,* 1948

At the Court at Buckingham Palace, the 22nd day of December, 1948

Present,

The King's Most Excellent Majesty in Council

Whereas by subsection (1) of section 26 of the Air Navigation Act, 1936(a), as applied to the Minister of Civil Aviation by subsection (1) of section 2 of, and the Schedule to, the Ministry of Civil Aviation Act, 1945(b), it is provided that His Majesty may by Order in Council apply in relation to the Minister of Civil Aviation, with any necessary modifications or adaptations, the enactments set out in Part I of the Fourth Schedule to the Air Navigation Act, 1936, so as to confer on the Minister all such powers, rights and privileges in relation to the acquisition and holding of land for the purpose of discharging any of his functions, and in relation to the management, use and disposal in any manner of land acquired for that purpose, as under the said enactments are, by virtue of any Order in Council made under section 13 of the Air Force (Constitution) Act, 1917(c), as amended by the said Act of 1936, for the time being vested in the Secretary of State for Air in relation to the acquisition and holding of land for the use of the Air Force or for Air Force services or purposes, and in relation to the management, use and disposal of land acquired for use of the Air Force or for Air Force services or purposes:

And Whereas the enactments set out in Part I of the Fourth Schedule to the Air Navigation Act, 1936, include the enactments hereinafter mentioned:

And Whereas the enactments hereinafter mentioned are by virtue of the Air Force (Application of Enactments) (No. 1) Order, 1918(d), and the Air Force (Application of Enactments) (No. 2) Order, 1918(e), as amended by subsection (2) of Section 24 of the Air Navigation Act, 1936, applied with the necessary adaptations and modifications therein set out to the Secretary of State for Air in relation to the management and use of land acquired for the use of the Air Force or for Air Force services or purposes:

Now, therefore, His Majesty is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered as follows:—

1. Section two hundred and fifty-four of the Municipal Corporations Act, 1882(f), shall apply and have effect in relation to the management and use of land acquired by the Minister of Civil Aviation for the purpose of discharging any of his functions, as set out with modifications as follows:—

(a) 26 Geo. 5 & 1 Edw. 8. c. 44.
(b) 8 & 9 Geo. 6. c. 21.
(c) 7 & 8 Geo. 5. c. 51.
(d) S.R. & O. 1918 (No. 538) I, p. 66.
(e) S.R. & O. 1918 (No. 548) I, p. 50.
(f) 45 & 46 Vict. c. 50.

254. Nothing in this Act shall affect the watching, paving, or lighting, or the internal regulations for the government, of any lands, buildings or establishments, vested in or occupied by the Minister of Civil Aviation for the purpose of discharging any of his functions or make the tenements therein or the inhabitants thereof liable to any rate for watching, paving or lighting except in the case of a tenement demised to an inhabitant thereof.

2. Part II of the Military Lands Act, 1892(a), shall apply and have effect in relation to the Minister of Civil Aviation and in relation to land appropriated or used for the purpose of discharging any of his functions subject to the following modifications and adaptations, that is to say:—

(*a*) the words " the Minister of Civil Aviation " shall be substituted for the words " a Secretary of State " and " the Secretary of State " wherever those words occur;

(*b*) all references to " Volunteer Corps " and to " land belonging to a Volunteer Corps " shall be omitted; and

(*c*) in subsection (1) of section 14 and in section 15 the words " the purpose of discharging any of his functions " shall be substituted for the words " any military purpose " and in subsection (2) of section 14 the word " military " immediately preceding the word " purpose " where that word occurs for the second time shall be omitted.

3. The Civil Aviation (Application of Enactments) Order, 1936(b), is hereby revoked.

4.—(1) This Order may be cited as the Civil Aviation (Application of Enactments) Order, 1948.

(2) This Order shall come into operation on the 24th day of December, 1948.

E. C. E. Leadbitter.

EXPLANATORY NOTE

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

The purpose of this Order is to confer on the Minister of Civil Aviation certain powers in relation to the management and use of land acquired for the purpose of discharging any of his functions, including powers under the Military Lands Act, 1892, to make byelaws regulating the use of such land which, under the Civil Aviation (Application of Enactments) Order, 1936, (hereby revoked) were vested in the Secretary of State for Air.

(a) 55 & 56 Vict. c. 43. (b) S.R. & O. 1936 (No. 1377) I, p. 85.