STATUTORY INSTRUMENTS

1969 No. 1746

CIVIL AVIATION

The Civil Aviation (Documentary Evidence) Regulations 1969

Made - - -	*5th December* 1969
Laid before Parliament	16*th December* 1969
Coming into Operation	1*st January* 1970

The Board of Trade, in exercise of the powers conferred upon them by section 6 of the Tokyo Convention Act 1967(a) and of all other powers enabling them in that behalf, hereby make the following Regulations:—

1. These Regulations may be cited as the Civil Aviation (Documentary Evidence) Regulations 1969 and shall come into operation on 1st January 1970.

2. Article 58 of the Air Navigation Order 1966(b), as amended (c), is hereby revoked.

3.—(1) The Interpretation Act 1889(d) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

(2) Section 38(2) of the Interpretation Act 1889 (which relates to the effect of repeals) shall apply to these Regulations as if these Regulations were an Act of Parliament and as if Article 58 of the Air Navigation Order 1966 (which is revoked by regulation 2 of these Regulations) were an Act of Parliament thereby repealed.

4. Each of the authorities or persons named in column 1 of the Schedule hereto is hereby designated for the purpose of certifying a document as being, or being a true copy of, or of part of, a document or record of a description appearing opposite their respective names in column 2 of the said Schedule.

5. The Board of Trade and the Secretary of State for Defence are hereby designated for the purposes of section 5(1) of the Civil Aviation (Eurocontrol) Act 1962(e).

Goronwy Roberts,
Minister of State,
Board of Trade.

5th December 1969.

(a) 1967 c. 52. (b) S.I. 1966/1184 (1966 III, p. 3073).
(c) There are no relevant amending Orders. (d) 1889 c. 63. (e) 1962 c. 8.

SCHEDULE

Authorities and persons designated for the purpose of certifying documents

Column 1 Authorities and Persons	Column 2 Documents and Records
The Board of Trade.	All documents issued and records kept by the Board of Trade or by the person for the time being holding the office of Director of Aviation Safety or of deputy to the said Director (being an official of the Board of Trade), in pursuance of an Order in Council made under section 8 of the Civil Aviation Act 1949(a) or in pursuance of the Civil Aviation (Licensing) Act 1960(b).
The person for the time being holding the office of the Secretary or Deputy Secretary of the Air Registration Board.	All documents issued and records kept by the Air Registration Board in pursuance of an Order in Council made under section 8 of the Civil Aviation Act 1949.
The person for the time being holding the office of the Secretary or Deputy Secretary of the Air Transport Licensing Board.	All documents issued and records kept by the Air Transport Licensing Board in pursuance of the Civil Aviation (Licensing) Act 1960.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

Section 6(1) of the Tokyo Convention Act 1967 provides that a document purporting to be certified by such authority or person as may be designated for the purpose by regulations made by the Board of Trade as being, or being a true copy of, or of part of, a document issued or record kept in pursuance of an Order in Council made under section 8 of the Civil Aviation Act 1949, or in pursuance of the Civil Aviation (Licensing) Act 1960, shall be evidence of the matters referred to in that document. These Regulations designate the authorities and persons who may certify such documents.

The Regulations also designate the Board of Trade and the Secretary of State for Defence for the purposes of section 5(1) of the Civil Aviation (Eurocontrol) Act 1962, which, as amended by section 6(2) of the Tokyo Convention Act 1967, provides for the use as evidence in any legal proceedings of records made by designated authorities and persons which purport to show the position of an aircraft or the terms or content of any message or signal transmitted to or received from an aircraft by such authorities or persons.

The Regulations revoke Article 58 of the Air Navigation Order 1966.

(a) 1949 c. 67. (b) 1960 c. 38.