



# Civil Aviation Act 1980

## 1980 CHAPTER 60

### PART II

#### MISCELLANEOUS AMENDMENTS OF THE LAW RELATING TO CIVIL AVIATION

##### *Aircraft accident investigations*

#### **21 Miscellaneous amendments with respect to the investigation of accidents involving aircraft**

- (1) For section 10(1) of the Act of 1949 there shall be substituted the following subsection—

“(1) Without prejudice to section 8 of this Act, the Secretary of State may by regulations under this section make such provision as appears to him to be requisite or expedient—

- (a) for the investigation of any accident arising out of or in the course of air navigation, and either occurring in or over the United Kingdom or occurring elsewhere to aircraft registered in the United Kingdom; and
- (b) for carrying out any Annex to the Convention mentioned in section 8(1) of this Act (being an Annex adopted in accordance with the Convention and relating to the investigation of accidents involving aircraft) as it has effect from time to time with any amendment made in accordance with the Convention (hereinafter referred to as 'the Annex').”;

and (without prejudice to section 17 (2) (6) of the Interpretation Act 1978) any regulations made by virtue of the proviso to section 10(1) by the Secretary of State and the Board of Trade acting jointly which are in force at the passing of this Act shall have effect as if made by the Secretary of State under section 10(1) as amended by this section.

- (2) After section 10(1) there shall be inserted the following subsection—

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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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- “(1A) Without prejudice to the generality of subsection (1)(b) of this section, the provision there authorised includes provision with respect to any of the following matters, that is to say—
- (a) the definition of 'accident' for the purposes of this section so as to correspond to the meaning adopted for the time being in the Annex;
  - (b) the participation of any persons authorised for the purpose in accordance with the regulations in any investigation held in accordance with the requirements of the Annex by the competent authorities of any other State ; and
  - (c) the investigation of any accident other than one to which subsection (1)(a) of this section applies for the purpose of securing any information, articles or other material which it is the duty of the United Kingdom in accordance with any requirements of the Annex to furnish to any other State.”
- (3) In section 10(2)(a), for the word " aforesaid " there shall be substituted the words " is mentioned in subsection (1)(a) of this section ".
- (4) For section 10(2)(b) there shall be substituted the following paragraph—
- “(b) applying any of the provisions of section 3 of the Notice of Accidents Act 1894 (with or without modifications) for the purposes of any investigations held in accordance with the regulations or any inquiries undertaken in accordance with the regulations with a view to determining whether any such investigation should be held”.
- (5) In section 10(2)(c)—
- (a) after the word " investigation" (in the second place where it occurs) there shall be inserted the words " or for the purpose of determining whether an investigation should be held ";
  - (b) after the word " remove " there shall be inserted the word " test ";
  - (c) at the end there shall be added the words " and any other aircraft ".
- (6) After section 10(2) there shall be added the following subsection—
- “(2A) Without prejudice to subsection (1A)(a) of this section, in this section ' accident' shall be construed as including any fortuitous or unexpected event by which the safety of an aircraft or any person is threatened.”.
- (7) In section 10(3) for the words " fifty pounds " there shall be substituted the words " one thousand pounds ".
- (8) In section 23 of the Civil Aviation Act 1968 (provisions relating to aircraft accidents) for subsection (4) there shall be substituted the following subsection—
- “(4) In this section ' accident' has the same meaning as it has for the time being for the purposes of the said section 10.”.