
STATUTORY INSTRUMENTS

1948 No. 1411

AIR NAVIGATION

**The Civil Aviation (Births, Deaths and
Missing Persons) Regulations, 1948**

Made - - - - *9th June 1948*
Coming into Operation *1st October 1948*

The Minister of Civil Aviation, in exercise of the powers conferred upon him by Section 43 of the Civil Aviation Act, 1946, and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

Citation and Commencement

1. These Regulations may be cited as the Civil Aviation (Births, Deaths and Missing Persons) Regulations, 1948, and shall come into operation on the first day of October, 1948.

Interpretation

2. In these Regulations:—

- (1) “Aircraft” includes all balloons, whether captive or free, gliders, airships and flying machines;
- (2) “Journey” is deemed to commence when a traveller enters an aircraft registered in Great Britain and Northern Ireland for the purpose of the journey and to continue until that traveller alights therefrom on completion of the journey, notwithstanding any intermediate stop or break in the journey;
- (3) “Minister” means the Minister of Civil Aviation;
- (4) “Missing Persons” mean persons with respect to whom there are reasonable grounds for believing that they have died in consequence of an accident to an aircraft registered in Great Britain and Northern Ireland;
- (5) “Person in command” of an aircraft means, in a case where a person other than the pilot is in command of the aircraft, that person, and in any other case, the pilot;
- (6) “Traveller” in relation to an aircraft includes a member of the crew.

Application of The Interpretation Act, 1889

3. The Interpretation Act, 1889, shall apply to the interpretation of these Regulations in like manner as it applies to the interpretation of an Act of Parliament.

Returns relating to births and deaths by owners of aircraft

4.—(1) The owner of an aircraft registered in Great Britain and Northern Ireland shall, as soon as practicable but not later than six months after the occurrence in any part of the world of a birth or death in the aircraft, or of a death outside the United Kingdom of a traveller on the aircraft who is killed on the journey in consequence of an accident, transmit to the Minister a return of such birth or death in the form, in accordance with the instructions, and containing the particulars prescribed in Appendix A to these Regulations (in the case of a birth) or Appendix B to these Regulations (in the case of a death):

Provided that if such particulars are not known to the owner of the aircraft, he shall transmit as aforesaid so many of such particulars as he is reasonably able to ascertain having regard to the circumstances of the birth or death.

(2) To facilitate the rendering of returns in accordance with this Regulation the person in command of an aircraft registered in Great Britain and Northern Ireland shall forthwith on the occurrence in any part of the world of a birth or death in the aircraft, or of the death outside the United Kingdom of a traveller in the aircraft who is killed on the journey in consequence of an accident, record in the journey log book, or other appropriate documents relating to that aircraft, the particulars of the birth or death mentioned in paragraph (1) of this Regulation and shall make such record available to the owner as soon as practicable:

Provided that if all such particulars are not known to the person in command of an aircraft and cannot be readily ascertained by him he shall record and make available as aforesaid so many of such particulars as are readily ascertainable.

(3) Where any aircraft has been bona fide demised, let, or hired out for a period exceeding fourteen days to any other person by the owner thereof, and no pilot, commander, navigator, or operative member of the crew of the aircraft is in the employment of the owner, the provisions of this Regulation shall have effect as though for references to the owner there were substituted references to the person to whom the aircraft has been so demised, let, or hired out.

Records to be kept in Ministry of Civil Aviation

5. The Minister shall keep in his Department:—

(1) a separate record of births in the form in Appendix C to these Regulations in which shall be recorded the particulars transmitted to him of births occurring in any part of the world in aircraft registered in Great Britain and Northern Ireland;

(2) a separate record of deaths in the form in Appendix D to these Regulations in which shall be recorded the particulars transmitted to him of deaths occurring in any part of the world in aircraft registered as aforesaid, and of deaths outside the United Kingdom of travellers on such aircraft killed on the journey in consequence of an accident; and

(3) a separate record in the form in Appendix E to these Regulations of persons reported to him as missing persons.

Transmission of copies of entries to appropriate Registrar-General

6. The Minister shall within seven days of the completion of an entry in any record kept in his Department pursuant to these Regulations cause a certified copy of such entry to be transmitted to the appropriate Registrar-General.

Rules for ascertaining appropriate Registrar-General

7. For the purpose of these Regulations, the appropriate Registrar-General shall be ascertained as follows:—

- (a) where it appears to the Minister that an entry in the record of births relates to the birth of a child the father of whom, or, if the child is illegitimate, the mother of whom, was at the time of the birth usually resident in Scotland or Northern Ireland, a certified copy of the entry shall be sent to the Registrar-General of Births, Deaths and Marriages in Scotland, or the Registrar-General for Northern Ireland, as the case may require;
- (b) where it appears to the Minister that an entry in the record of deaths or missing persons relates to a person who, at the time of his death, or (in the case of a missing person) at the time when he was reported missing, was usually resident in Scotland or Northern Ireland, a certified copy of the entry shall be sent to the Registrar-General of Births, Deaths and Marriages in Scotland, or the Registrar-General for Northern Ireland, as the case may require;
- (c) in every other case, a certified copy of an entry in the record of births, deaths, or missing persons, shall be sent to the Registrar-General of Births, Deaths and Marriages in England.

Saving for father of illegitimate child

8. In the case of the birth of an illegitimate child, the name of any person as father of such child shall not be entered in any return or record of particulars of the birth of such child unless the mother of the child and the person acknowledging himself to be the father of the child shall have signed a completed form of return as informants.

Rectification of entries of births, deaths and missing persons

9.—(1) If the Minister is satisfied that there is an error or omission in any entry made in the record of births, deaths, or missing persons kept in his Department, he may, in accordance with evidence of the true facts relating to the entry, rectify it in such manner as may appear to him appropriate.

(2) Within seven days after the correction of any entry in his records in accordance with this Regulation, the Minister shall cause a certified copy of such corrected entry to be transmitted to the appropriate Registrar-General.

Dated this 9th day of June, 1948

Pakenham
Minister of Civil Aviation

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EXPLANATORY NOTE

The Regulations provide for the keeping of records of births, deaths, deaths by accident and of persons missing and believed to have died in consequence of an accident occurring in any part of the world in, or during a journey in any aircraft registered in Great Britain or Northern Ireland. Provision is also made for the preservation of such records by the appropriate Registrar-General in a book to be known as the Air Register Book of Births and Deaths.