

1972 No. 862

CIVIL AVIATION

**The Civil Aviation Authority (Hovercraft)
Regulations 1972**

<i>Made</i>	- - - -	<i>6th June 1972</i>
<i>Laid before Parliament</i>		<i>14th June 1972</i>
<i>Coming into Operation</i>		<i>10th July 1972</i>

The Secretary of State, in exercise of his powers under sections 1(3) and 5(1) and (2) of and paragraph 16 of Schedule 1 to the Civil Aviation Act 1971^(a) and of all other powers enabling him in that behalf, and after consultation with the Council on Tribunals under section 10 of the Tribunals and Inquiries Act 1971^(b), hereby makes the following Regulations:—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Civil Aviation Authority (Hovercraft) Regulations 1972 and shall come into operation on 10th July 1972.

(2) In these Regulations “the Act” means the Civil Aviation Act 1971.

(3) Any period of time specified in these Regulations by reference to days shall be exclusive of the first day and inclusive of the last day unless the last day falls on a Saturday, Sunday, Christmas Day, Good Friday or any day appointed by law to be a bank holiday in any part of the United Kingdom, in which case the time shall be reckoned exclusively of that day also.

(4) Any document to be served on any person under these Regulations may be served either—

- (a) by delivering it to that person; or
- (b) by leaving it at his proper address; or
- (c) by post,

and where the person is a body corporate the document may be served upon the secretary of that body.

(5) For purposes of paragraph (4) of this regulation, the proper address of any person shall, in the case of a body corporate, be the registered or principal office of that body and in any other case be the last known address of the person to be served.

(6) The Interpretation Act 1889^(c) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

(a) 1971 c. 75.
(c) 1889 c. 63.

(b) 1971 c. 62.

Regulation of the conduct of the Authority

2.—(1) The functions conferred on the Authority by or under an order under section 1(1)(c) of the Hovercraft Act 1968(a) with respect to the grant, refusal, revocation, suspension and variation of Safety Certificates, Experimental Certificates and Type Certificates and the approval of persons as qualified to submit reports to the Authority are hereby prescribed for purposes of section 5(2) of the Act.

(2) A decision to grant, refuse to grant, revoke, suspend or vary such a certificate or approval as is referred to in paragraph (1) of this regulation may be made on behalf of the Authority only by a member or employee of the Authority.

(3) Subject to paragraph (7) of this regulation, where an application for the grant or variation of such a certificate or approval as is referred to in paragraph (1) of this regulation has been refused or granted in terms other than those requested by the applicant, the Authority shall serve on the applicant a notice stating the reasons for the decision, and the applicant may within 14 days from the date of service of that notice request that the case be reviewed by the Authority.

(4) Subject to paragraph (7) of this regulation, where it is proposed to revoke, suspend or vary such a certificate or approval as is referred to in paragraph (1) of this regulation otherwise than on the application of the holder, the Authority shall serve on the holder notice of the proposal together with the reasons for it, and the holder may within 14 days from the date of service of that notice, serve on the Authority a request that the case be decided by the Authority and not by any other person on its behalf.

(5) The function of deciding a case where such a request as is referred to in paragraph (3) or (4) of this regulation has been duly served on the Authority is hereby prescribed for the purposes of section 5(1) of the Act: and for the purpose of making any decision in such a case a quorum of the Authority shall be one member.

(6) Where such a request has been duly served the Authority shall, before making a decision, consider any representations which may have been served on it by the applicant for or holder of the certificate or approval, as the case may be, within 21 days of the date of service of the notice given by the Authority pursuant to paragraph (3) or (4) of this regulation.

(7) Nothing in this regulation shall—

(a) prevent the Authority provisionally suspending or varying any certificate or approval pending inquiry into or consideration of the case:

Provided that within 48 hours of so doing the Authority shall serve on the holder of the certificate or approval a statement of its reasons;

(b) apply to the variation of a document incorporated by reference in a certificate.

Reasons for decision

3. Where the Authority makes a decision pursuant to regulation 2(5) of these Regulations, it shall be the duty of the Authority to furnish a statement of its reasons for the decision to the applicant for or holder of the certificate or approval, as the case may be.

6th June 1972.

Michael Noble,
Minister for Trade,
Department of Trade and Industry.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations prescribe the procedure to be followed by the Civil Aviation Authority in connection with the performance by it of its functions under an order made pursuant to section 1(1)(c) of the Hovercraft Act 1968 in connection with the certification of fitness of hovercraft and the approval of persons as qualified to submit reports to the Authority. The relevant Order is the Hovercraft (General) Order 1972 (S.I. 1972/674).

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