
STATUTORY INSTRUMENTS

2022 No. 172

CIVIL AVIATION

The Air Navigation (Isle of Man) (Amendment) Order 2022

Made - - - - 16th February 2022

Coming into force in accordance with article 1

At the Court at Windsor Castle, the 16th day of February 2022

Present,

The Queen's Most Excellent Majesty in Council

This Order is made in exercise of the powers conferred by sections 60 and 61 of the Civil Aviation Act 1982⁽¹⁾.

Her Majesty, by and with the advice of Her Privy Council, orders as follows:

Citation and commencement

1.—(1) This Order may be cited as the Air Navigation (Isle of Man) (Amendment) Order 2022.

(2) Subject to paragraphs (3) and (4), this Order comes into force on the date of the coming into operation of the Civil Aviation (Aircraft Registration and Marking) Order 2022⁽²⁾.

(3) Articles 7, 12 and 13(1)(b), (2)(b) and (3)(a) come into force on the date of the coming into operation of the Civil Aviation (Aerodromes) Order 2022⁽³⁾.

(4) Articles 8, [F18A, 8B(b), 8C,] 9(2), 11(a) and 13(3)(b) come into force on the date of the coming into operation of the Civil Aviation (Miscellaneous Amendments) Order 2022⁽⁴⁾.

Textual Amendments

F1 Words in art. 1(4) inserted (6.4.2022) by [The Air Navigation \(Isle of Man\) \(Amendment\) \(No. 2\) Order 2022 \(S.I. 2022/324\)](#), arts. 1(2), 3

(1) 1982 c. 16; sections 60 and 61 are extended to the Isle of Man by the Civil Aviation (Isle of Man) Order 2007 (S.I. 2007/614).
(2) SD No 2022/0073.
(3) SD No 2022/0074.
(4) SD No 2022/0075.

Status: Point in time view as at 06/04/2022.

Changes to legislation: There are currently no known outstanding effects for the The Air Navigation (Isle of Man) (Amendment) Order 2022. (See end of Document for details)

Commencement Information

I1 Art. 1 comes into force in accordance with art. 1(2)-(4) (as amended by [S.I. 2022/324](#), arts. 1(2), 3)

Amendment to the Air Navigation (Isle of Man) Order 2015

2. The Air Navigation (Isle of Man) Order 2015(5) is amended as follows.

Commencement Information

I2 Art. 2 comes into force in accordance with art. 1(2)-(4) (as amended by [S.I. 2022/324](#), arts. 1(2), 3)

Registration and marking of aircraft

3. Omit articles 4 to 10.

Commencement Information

I3 Art. 3 comes into force in accordance with art. 1(2)-(4) (as amended by [S.I. 2022/324](#), arts. 1(2), 3)

Operations

4. In article 11, after “an aircraft registered in the Isle of Man”, insert “prior to the date of the coming into operation of the Civil Aviation (Aircraft Registration and Marking) Order 2022 [^{F2}(SD 2022/0073)]”.

Textual Amendments

F2 Word in [art. 4](#) substituted (6.4.2022) by [The Air Navigation \(Isle of Man\) \(Amendment\) \(No. 2\) Order 2022 \(S.I. 2022/324\)](#), arts. 1(2), 4

Commencement Information

I4 Art. 4 comes into force in accordance with art. 1(2)-(4) (as amended by [S.I. 2022/324](#), arts. 1(2), 3)

Certificate of airworthiness

5. In article 15(2), for subparagraph (g) substitute—

“(g) a single-seat deregulated aeroplane which is flying on a private flight.”.

Commencement Information

I5 Art. 5 comes into force in accordance with art. 1(2)-(4) (as amended by [S.I. 2022/324](#), arts. 1(2), 3)

Marking of break-in areas

6. Omit article 63.

(5) [S.I. 2015/870](#), as amended by [S.I. 2016/155](#), [2016/765](#), [2020/1280](#) and [2021/751](#).

Commencement Information

I6 Art. 6 comes into force in accordance with art. 1(2)-(4) (as amended by [S.I. 2022/324](#), arts. 1(2), 3)

Aerodromes, aeronautical lights and dangerous lights

7. Omit articles 126 to 134.

Commencement Information

I7 Art. 7 comes into force in accordance with art. 1(2)-(4) (as amended by [S.I. 2022/324](#), arts. 1(2), 3)

Restriction on aerial photography, aerial survey and aerial work

8. Omit article 141.

Commencement Information

I8 Art. 8 comes into force in accordance with art. 1(2)-(4) (as amended by [S.I. 2022/324](#), arts. 1(2), 3)

[^{F3}Revocation, suspension and variation of permissions, etc

8A. In article 145—

- (a) in the heading, omit “or article 141”;
- (b) in paragraph (1), omit “or article 141”.

Textual Amendments

F3 Arts. 8A-8C inserted (6.4.2022) by [The Air Navigation \(Isle of Man\) \(Amendment\) \(No. 2\) Order 2022 \(S.I. 2022/324\)](#), arts. 1(2), 5

Commencement Information

I9 Art. 8A comes into force in accordance with art. 1(2)-(4) (as amended by [S.I. 2022/324](#), arts. 1(2), 3)

Department’s power to prevent aircraft flying

8B. In article 147(2)(a)—

- (a) omit “10,”;
- (b) for “, 139 or 141” substitute “or 139”.

Textual Amendments

F3 Arts. 8A-8C inserted (6.4.2022) by [The Air Navigation \(Isle of Man\) \(Amendment\) \(No. 2\) Order 2022 \(S.I. 2022/324\)](#), arts. 1(2), 5

Commencement Information

I10 Art. 8B comes into force in accordance with art. 1(2)-(4) (as amended by [S.I. 2022/324](#), arts. 1(2), 3)

Exemption from Order

8C. In article 156, omit “141,.”.]

Textual Amendments

F3 Arts. 8A-8C inserted (6.4.2022) by [The Air Navigation \(Isle of Man\) \(Amendment\) \(No. 2\) Order 2022 \(S.I. 2022/324\)](#), arts. 1(2), **5**

Commencement Information

I11 Art. 8C comes into force in accordance with art. 1(2)-(4) (as amended by [S.I. 2022/324](#), arts. 1(2), **3**)

[^{F4} Interpretation

9.—(1) In article 167(1)—

(a) after the definition of “Authorised person”, insert—

““Basic Regulation” means Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91;”;

(b) for the definition of “the Department”, substitute—

““the Department” means the Department for Enterprise of the Isle of Man Government;”;

(c) in the definition of “EASA”—

- (i) after “European” insert “Union”;
- (ii) delete “EASA” in the second place it occurs;

(d) omit the definition of “Microlight aeroplane”;

(e) after the definition of “Night”, insert—

““Non-Part 21 aircraft” means an aircraft which would not be required by the Basic Regulation to hold a certificate of airworthiness or a restricted certificate of airworthiness under subpart H of Part 21 or a permit to fly under subpart P of Part 21;”;

(f) for the definition of “Part 21”, substitute—

““Part 21” means the Annex so entitled to [Commission Regulation \(EU\) No 748/2012](#) of 3 August 2012 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations;”;

(g) after the definition of “Self-sustaining glider”, insert—

““Single-seat deregulated aeroplane” means a non-Part 21 aircraft, other than an unmanned aircraft, which is designed to carry not more than one person, which has—

- (a) a maximum take-off mass not exceeding—
 - (i) 300kg for a landplane (or 390kg for a landplane of which at least 51% was built by an amateur, or non-profit making association of amateurs

- (“the association”), for the amateur or the association’s own purposes and without any commercial objective, in respect of which a permit to fly issued by the CAA was in force prior to 1st January 2003);
- (ii) 330kg for an amphibian or floatplane; or
 - (iii) 315kg for a landplane equipped with an airframe mounted total recovery parachute system; and
- (b) a stalling speed, or minimum steady flight speed in the landing configuration, at the maximum take-off mass not exceeding 35 knots calibrated airspeed;”.
- (2) For article 167(3), substitute—
- “(3) Aircraft shall be classified in accordance with the Classification of Aircraft in the Schedule to the Civil Aviation (Miscellaneous Provisions) Order 2020 (SD 2020/0134).”.]

Textual Amendments

- F4** Art. 9 substituted (6.4.2022) by [The Air Navigation \(Isle of Man\) \(Amendment\) \(No. 2\) Order 2022 \(S.I. 2022/324\)](#), arts. 1(2), 6

Commencement Information

- I12** Art. 9 comes into force in accordance with art. 1(2)-(4) (as amended by [S.I. 2022/324](#), arts. 1(2), 3)

Commercial air transport and aerial work

10. In article 172, after “commercial air transport flight”, insert “by an aircraft registered in the Isle of Man prior to the date of the coming into operation of the Civil Aviation (Aircraft Registration and Marking) Order 2022 [^{F5}(SD 2022/0073)]”.

Textual Amendments

- F5** Word in art. 10 substituted (6.4.2022) by [The Air Navigation \(Isle of Man\) \(Amendment\) \(No. 2\) Order 2022 \(S.I. 2022/324\)](#), arts. 1(2), 7

Commencement Information

- I13** Art. 10 comes into force in accordance with art. 1(2)-(4) (as amended by [S.I. 2022/324](#), arts. 1(2), 3)

Classification and marking of aircraft and dealer certification

- 11.** In Schedule 2, omit—
- (a) Part 1 (classification of aircraft); and
 - (b) Parts 2 (conditions in aircraft dealer’s certificate) and 3 (nationality and registration marks of aircraft registered in the Isle of Man).

Commencement Information

- I14** Art. 11 comes into force in accordance with art. 1(2)-(4) (as amended by [S.I. 2022/324](#), arts. 1(2), 3)

Information and instructions to be included in an aerodrome manual

- 12.** Omit Schedule 9.

Status: Point in time view as at 06/04/2022.

Changes to legislation: There are currently no known outstanding effects for the The Air Navigation (Isle of Man) (Amendment) Order 2022. (See end of Document for details)

Commencement Information

I15 Art. 12 comes into force in accordance with art. 1(2)-(4) (as amended by [S.I. 2022/324](#), arts. 1(2), 3)

Penalties

13.—(1) In Part 1 of Schedule 11, omit the entries in respect of—

- (a) articles 6(6) and 7(1) to 7(3);
- (b) articles 129(3), 130(4), 131 and 132.

(2) In Part 2 of Schedule 11, omit the entries in respect of—

- (a) articles 10(1), 10(3) and 63(2);
- (b) articles 126, 128, 129(4), 129(5), 129(7) to 129(10), 132A(3), 134(1) and 134(2), and 134(4) and 134(5).

(3) In Part 3 of Schedule 11, omit the entries in respect of—

- (a) articles 134(6) and 134(7);
- (b) article 141.

Commencement Information

I16 Art. 13 comes into force in accordance with art. 1(2)-(4) (as amended by [S.I. 2022/324](#), arts. 1(2), 3)

[^{F6}Transitional and saving provision

14. Notwithstanding the revocation by article 3 of this Order of article 6 of the Air Navigation (Isle of Man) Order 2015, where an aircraft has been registered and a certificate of registration issued under article 6 of that Order, and the registration and certificate of registration are valid immediately before that revocation comes into force, the registration has effect as if done, and the certificate has effect as if issued, by the Department for Enterprise of the Isle of Man Government under article 9 of the Civil Aviation (Aircraft Registration and Marking) Order 2022.]

Textual Amendments

F6 Art. 14 substituted (6.4.2022) by [The Air Navigation \(Isle of Man\) \(Amendment\) \(No. 2\) Order 2022](#) ([S.I. 2022/324](#)), arts. 1(2), 8

Commencement Information

I17 Art. 14 comes into force in accordance with art. 1(2)-(4) (as amended by [S.I. 2022/324](#), arts. 1(2), 3)

Ceri King
Deputy Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

The Air Navigation (Isle of Man) Order 2015 ([S.I. 2015/870](#)) makes provision for the Isle of Man in relation to the registration, marking, airworthiness, equipment, manning, operation, movement and safety of aircraft and the licensing and welfare of flight crew.

The Airports and Civil Aviation Act 1987 (AT 10 of 1987) (an Act of Tynwald), as amended by the Airports and Civil Aviation (Amendment) Act 2018 (AT 12 of 2018) (an Act of Tynwald), provides enabling powers so that the Isle of Man is able to make its own secondary legislation in relation to civil aviation.

This Order accordingly amends the Air Navigation (Isle of Man) Order 2015 by revoking provisions relating to the registration and marking of aircraft, certain aircraft operations, aircraft classification and aerodromes.

These revocations have effect from the date when replacement provisions made by the Isle of Man come into force. These can be found in the Civil Aviation (Aircraft Registration and Marking) Order 2022 (SD No 2022/0073), the Civil Aviation (Aerodromes) Order 2022 (SD No 2022/0074) and the Civil Aviation (Miscellaneous Amendments) Order 2022 (SD No 2022/0075).

Provision relating to the requirement for a certificate of airworthiness is also amended to provide an exemption for certain flights of single-seat deregulated aeroplanes, and will also take effect upon commencement of the Civil Aviation (Aircraft Registration and Marking) Order 2022. The exemption for single-seat deregulated aeroplanes replaces the previous exemption which referred to microlight aeroplanes to align with recent changes to the Air Navigation Order 2016 ([S.I. 2016/765](#)) made by the Air Navigation (Amendment) Order 2021 ([S.I. 2021/879](#)).

Status:

Point in time view as at 06/04/2022.

Changes to legislation:

There are currently no known outstanding effects for the The Air Navigation (Isle of Man) (Amendment) Order 2022.