
STATUTORY INSTRUMENTS

1996 No. 3173

HOVERCRAFT

The Hovercraft (General) (Amendment) Order 1996

Made - - - - *19th December 1996*
Laid before Parliament *7th January 1997*
Coming into force - - *1st February 1997*

At the Court at Buckingham Palace, the 19th day of December 1996

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by section 1(1)(b) and (n) and by section 1(3) of the Hovercraft Act 1968⁽¹⁾, and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1. This Order may be cited as the Hovercraft (General) (Amendment) Order 1996 and shall come into force on 1st February 1997.
2. The Hovercraft (General) Order 1972⁽²⁾ is hereby amended as follows.
3. In article 3 the definition of "The CAA" shall be omitted.
4. In article 4, sub-paragraph (i) of the proviso shall be omitted.
5. In Part II there shall be inserted before article 8 the following article:

"7A. This Part does not apply to hovercraft to which the Merchant Shipping (High-Speed Craft) Regulations 1996⁽³⁾ apply."
6. In article 8, paragraph (a) of the proviso shall be omitted.
7. In the following provisions, for the reference to "the CAA" there shall be substituted "the Secretary of State"—
 - (i) article 8, paragraph (b) of the proviso;
 - (ii) articles 11, 12, 13, 14, 15, and 16.
8. Articles 9 and 10 shall be omitted.

⁽¹⁾ 1968 c. 59.

⁽²⁾ S.I.1972/674, amended by S.I. 1989/1351.

⁽³⁾ S.I. 1996/3188.

9. In article 11(1), sub-paragraph (a) shall be omitted.
10. In article 15(1) “10(3) or” shall be omitted.
11. In article 16 for “an Experimental or” there shall be substituted “a”
12. In Part III there shall be inserted before article 18 the following article:

“17A. This Part does not apply to hovercraft to which the Merchant Shipping (High-Speed Craft) Regulations 1996 apply.”.
13. In article 18(1) the last sentence shall be omitted.
14. In article 23—
 - (a) in paragraph (1) the words “or operating unregistered in the United Kingdom in accordance with proviso (i) in Article 4” shall be omitted; and
 - (b) in paragraph (1) (a) “or Experimental Certificate if any” shall be omitted.
15. In article 24(2) the words “or was operating unregistered in accordance with proviso (i) in Article 4 of this Order” shall be omitted.
16. In article 33 for paragraphs (3) to (5) there shall be substituted the following—
 - “(3) If any person contravenes any provision of this Order, not being a provision referred to in paragraph (4) or paragraph (5) of this article, he shall be liable on summary conviction to a fine not exceeding level 1 on the standard scale.
 - (4) If any person contravenes any provision specified in Part A of the Schedule to this Order he shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.
 - (5) If any person contravenes any provision specified in Part B of the said Schedule he shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.”

N.H. Nicholls
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order further amends the Hovercraft (General) Order 1972. It removes references to the Civil Aviation Authority, and includes references to the Secretary of State (consequential upon the Marine Safety Agency of the Department of Transport taking over responsibility for the certification of the safety of hovercraft).

In addition Parts II and III of the Order cease to apply to certain hovercraft to which the High-Speed Craft Code (made mandatory by the Safety of Life at Sea Convention 1974) applies. These are now regulated by the Merchant Shipping (High Speed Craft) Regulations 1996 (*Articles 5 and 12*).

Experimental Certificates and Type Certificates will no longer be issued (*Article 8*).