
 STATUTORY INSTRUMENTS

1969 No. 595

CIVIL AVIATION

The Air Navigation (Isle of Man) Order 1969

<i>Made</i> - - -	23rd April 1969
<i>Laid before Parliament</i>	29th April 1969
<i>Coming into Operation—</i>	
<i>for making regulations</i>	1st May 1969
<i>for all other purposes</i>	1st June 1969

At the Court at Windsor Castle, the 23rd day of April 1969
Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by sections 8, 41, 57, 58 and 61 of the Civil Aviation Act 1949(a), as extended to the Isle of Man by the Civil Aviation Act (Isle of Man) Order 1952(b) and the Civil Aviation Act (Isle of Man) Order 1969(c), 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.—(1) This Order may be cited as the Air Navigation (Isle of Man) Order 1969.

(2) This Order shall come into operation—

- (a) on 1st May 1969, for the purpose of enabling regulations to be made thereunder, and
- (b) on 1st June 1969, for all other purposes.

2.—(1) The Interpretation Act 1889(d) shall apply for the purpose of the interpretation of this Order as it applies for the purpose of the interpretation of an Act of Parliament.

(2) In this Order the expression “Manx Board” means the Isle of Man Airports Board.

3.—(1) The Air Navigation Order 1966(e), as amended by the Air Navigation (Amendment) Order 1966(f), the Air Navigation (Second Amendment) Order 1967(g) and the Air Navigation (Third Amendment) Order 1968(h), shall apply in relation to the Isle of Man with the exceptions, modifications and adaptations specified in the Schedule to this Order.

(2) Any certificate, licence or other document issued under, validated by or otherwise in force under the said Order of 1966 shall be deemed to have been issued or validated or to be otherwise in force under that Order as hereby applied in relation to the Isle of Man.

W. G. Agnew.

(a) 1949 c. 67.

(c) S.I. 1969/594 (1969 I, p. 1681).

(e) S.I. 1966/1184 (1966 III, p. 3073).

(g) S.I. 1967/1678 (1967 III, p. 4592).

(b) S.I. 1952/1032 (1952 I, p. 561).

(d) 1889 c. 63.

(f) S.I. 1966/1408 (1966 III, p. 3769).

(h) S.I. 1968/1857 (1968 III, p. 4883).

SCHEDULE

EXCEPTIONS, MODIFICATIONS AND ADAPTATIONS OF THE
AIR NAVIGATION ORDER 1966 AS AMENDED

1. Any reference to the Civil Aviation Act 1949 shall be construed as a reference to that Act as extended to the Isle of Man by the Civil Aviation Act (Isle of Man) Order 1952 as amended.

2.—(1) Subject to any express substitution made by this Schedule and to subparagraph (2) below, any reference to the United Kingdom shall be construed as a reference to the Isle of Man.

(2) The references to the United Kingdom which are not to be so construed are references to Her Majesty's Government in the United Kingdom, to aircraft registered in, or in a country other than, or outside, the United Kingdom, and to a country or state other than the United Kingdom, and references in Article 81(2), in the definitions in Article 83(1) of "the Commonwealth", "Contracting State" and "notified", and in Schedules 9 and 10.

3. Article 2 shall be omitted.

4. In Article 22, at the end of paragraph (3), there shall be added the following words:—

"If the operator has his principal place of business in the Isle of Man, references in the first sentence of this paragraph to the Board shall include the Manx Board".

5. In Article 26(1) for the word "Board" there shall be substituted the words "Manx Board".

6. In Article 36(1)(b) after the word "Board" there shall be inserted the words "or of the Manx Board".

7. In Article 47(7) after the word "Board" there shall be inserted the words "or of the Manx Board".

8. At the end of Article 56 there shall be added the following paragraph:—

"(5) The foregoing provisions of this Article shall apply in relation to aerodrome licences granted by the Manx Board under Article 64 of this Order as if for references to the Board there were substituted references to the Manx Board."

9.—(1) In Article 59(3) paragraph (b) shall be omitted.

(2) In Article 59(4) for the words from "to the competent authority" to the end there shall be substituted the words "to the Manx Board".

(3) After Article 59(5) there shall be added the following paragraph:—

"(6) The foregoing provisions of this Article shall apply in relation to Rules of the Air and Air Traffic Control in the Isle of Man as if for the reference to the Board in paragraph (1) there were substituted a reference to the Manx Board."

10. At the end of Article 60 there shall be added the following paragraph:—

"(3) The foregoing provisions of this Article shall apply in relation to areas or routes in the Isle of Man as if for references to the Board there were substituted references to the Manx Board."

11. In Article 61(1) for the word "Board" there shall be substituted the words "Manx Board".

12. In Article 64 for the word "Board" wherever it occurs there shall be substituted the words "Manx Board".

13. In Article 65 for the word "Board" in both places where it occurs there shall be substituted the words "Manx Board".

14. In Article 66 for the word "Board" wherever it occurs there shall be substituted the words "Manx Board".

15. In Article 68 for the word "Board" in both places where it occurs there shall be substituted the words "Manx Board".

16. In Article 70(2) and (4) after the word "Board" wherever it occurs there shall be inserted the words "or the Manx Board".

17.—(1) In Article 71(1) for the word "Board" there shall be substituted the word "Governor", the words "with the concurrence of the Commissioners of Customs and Excise and" shall be omitted and for the word "they" there shall be substituted the word "he".

(2) In Article 71(2) for the word "Board" there shall be substituted the word "Governor" and the words "with the concurrence of the Commissioners of Customs and Excise" shall be omitted.

18. In Article 73 for the word "Board" wherever it occurs there shall be substituted the words "Manx Board".

19. In Article 74 after the word "Board" there shall be inserted the words "the Manx Board".

20. In Article 76 after the word "Board" there shall be inserted the words "by the Manx Board".

21. In Article 77 for the words "The Board may, with the consent of the Treasury," there shall be substituted the words "The Manx Board may".

22. For Article 80 and the heading thereto there shall be substituted the following heading and Article:—

"Extent of the Order

80. The provisions of this Order shall apply to all aircraft within the Isle of Man."

23. In Article 82 for the reference to the Board there shall be substituted a reference to the Manx Board in relation to any provision of this Order where the Manx Board is substituted for the Board by this Order.

24. In Article 83, in paragraph (1)—

(a) in the definition of "Air traffic control unit" for the word "Board" there shall be substituted the words "Manx Board";

(b) in the definition of "Authorised person" after the word "Board" there shall be inserted the words "the Manx Board or the Governor";

(c) after the definition of "Government aerodrome" there shall be inserted the following definition:—

‘ "Governor" means the Governor, Lieutenant Governor, Deputy Governor, Deputy Lieutenant Governor and acting Governor or acting Lieutenant Governor of the Isle of Man for the time being;’

(d) in the definition of "Prescribed" after the word "Board" there shall be inserted the words "or by the Manx Board";

(e) after the definition of "Special VFR flight" there shall be inserted the following definition:—

‘ "Summary conviction" means conviction subject to and in accordance with the Summary Jurisdiction Acts 1927 to 1960, being Acts of Tynwald, and any Acts amending or consolidating those Acts;’

25. For Article 86(1) there shall be substituted the following paragraph:—

"(1) Subject to the following provisions of this Article, the following Orders, in so far as they apply to the Isle of Man, are hereby revoked, that is to say:—

The Air Navigation (Consolidation) Order 1923(a),
 The Air Navigation (Amendment) Order 1925(b),
 The Air Navigation (Amendment) Order 1927(c),
 The Air Navigation (Amendment) Order 1928(d),
 The Air Navigation (Amendment) (No. 2) Order 1928(e),
 The Air Navigation (Amendment) (No. 3) Order 1928(f),
 The Air Navigation (Amendment) (No. 4) Order 1928(g),
 The Air Navigation (Amendment) (No. 2) Order 1929(h),
 The Air Navigation (Amendment) (No. 3) Order 1929(i),
 The Air Navigation (Amendment) Order 1930(j),
 The Air Navigation (Amendment) (No. 2) Order 1930(k),
 The Air Navigation (Amendment) (No. 3) Order 1930(l),
 The Air Navigation (Amendment) Order 1931(m),
 The Air Navigation (Amendment) Order 1932(n),
 The Air Navigation (Amendment) (No. 2) Order 1932(o),
 The Air Navigation (Amendment) Order 1933(p),
 The Air Navigation (Amendment) Order 1934(q),
 The Air Navigation (Amendment) (No. 2) Order 1934(r),
 The Air Navigation (Amendment) (No. 3) Order 1934(s),
 The Air Navigation (Amendment) Order 1935(t),
 The Air Navigation (Amendment) Order 1936(u),
 The Air Navigation (Isle of Man) (Amendment) Order 1937(v),
 The Air Navigation Acts (Extension to the Isle of Man) Order 1938(w),
 The Air Navigation (Amendment) (Ministry of Civil Aviation) Order 1945(x).”

26. Article 87(2) shall be omitted.

27. In Schedule 2 (and its heading) the references to Article 2(8) shall be omitted.

28. In Schedule 11 the reference to the Wireless Telegraphy Act 1949(y) shall be construed as a reference to that Act as extended to the Isle of Man by the Wireless Telegraphy (Isle of Man) Order 1952(z).

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order provides that the provisions of the Air Navigation Order 1966 as amended shall apply, with certain exceptions, adaptations and modifications, to the Isle of Man.

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| (a) S.R. & O. 1923/1508 (1923, p. 13). | (b) S.R. & O. 1925/1260 (1925, p. 4). |
| (c) S.R. & O. 1927/263 (1927, p. 4). | (d) S.R. & O. 1928/36 (1928, p. 20). |
| (e) S.R. & O. 1928/588 (1928, p. 26). | (f) S.R. & O. 1928/591 (1928, p. 28). |
| (g) S.R. & O. 1928/900 (1928, p. 32). | (h) S.R. & O. 1929/984 (1929, p. 59). |
| (i) S.R. & O. 1929/1001 (1929, p. 60). | (j) S.R. & O. 1930/334 (1930, p. 31). |
| (k) S.R. & O. 1931/84 (1931, p. 19). | (l) S.R. & O. 1931/85 (1931, p. 21). |
| (m) S.R. & O. 1931/419 (1931, p. 23). | (n) S.R. & O. 1932/585 (1932, p. 67). |
| (o) S.R. & O. 1932/851 (1932, p. 77). | |
| (p) S.R. & O. 1933/743 (1933, p. 346). | (q) S.R. & O. 1934/712 (1934 I, p. 123). |
| (r) S.R. & O. 1934/905 (1934 I, p. 128). | (s) S.R. & O. 1934/1102 (1934 I, p. 130). |
| (t) S.R. & O. 1935/513 (1935, p. 100). | (u) S.R. & O. 1936/571 (1936 I, p. 61). |
| (v) S.R. & O. 1937/1065 (Rev. I, p. 1165: 1937, p. 102). | |
| (w) S.R. & O. 1938/1329 (Rev. I, p. 1197: 1938 I, p. 29). | |
| (x) S.R. & O. 1945/1637 (Rev. I, p. 1184: 1945 I, p. 9). | |
| (y) 1949 c. 54. | (z) S.I. 1952/1899 (1952 III, p. 3418). |