
STATUTORY INSTRUMENTS

2001 No. 2128

The Air Navigation (Overseas Territories) Order 2001

PART X

Aerodromes, Aeronautical Lights and Dangerous Lights

Licensing of aerodromes

103.—(1) The Governor shall grant a licence in respect of any aerodrome in the Territory if he is satisfied that:

- (a) the applicant is competent, having regard to his previous conduct and experience, his equipment, organisation, staffing, maintenance and other arrangements, to secure that the aerodrome and the airspace within which its visual traffic pattern is normally contained are safe for use by aircraft;
- (b) the aerodrome is safe for use by aircraft, having regard in particular to the physical characteristics of the aerodrome and of its surroundings; and
- (c) the aerodrome manual submitted pursuant to paragraph (7) is adequate.

(2) An aerodrome licence may be granted subject to such conditions as the Governor thinks fit and shall, subject to article 81 of this Order, remain in force for the period specified in the licence.

(3) Without prejudice to the generality of paragraph (2), if the applicant so requests the Governor may grant a licence (in this Order referred to as “a licence for public use”) which shall be subject to the condition that the aerodrome shall at all times when it is available for the take-off or landing of aircraft be so available to all persons on equal terms and conditions.

(4) The holder of an aerodrome licence granted under this Order (in this article called “an aerodrome licence holder”) shall:

- (a) furnish to any person on request information concerning the terms of the licence; and
- (b) in the case of a licence for public use, cause to be notified the time during which the aerodrome will be available for the take-off or landing of aircraft engaged on flights for the purpose of the public transport of passengers or instruction in flying.

(5) The holder of an aerodrome licence granted under this Order shall not contravene or cause or permit to be contravened any condition of the aerodrome licence at any time in relation to such aircraft engaged on such flights as are specified in article 101(2) of this Order, but the licence shall not cease to be valid by reason only of such a contravention.

(6) An aerodrome licence holder shall take all reasonable steps to secure that the aerodrome and the airspace within which its visual traffic pattern is normally contained are safe at all times for use by aircraft.

(7) Upon making an application for an aerodrome licence the applicant shall submit to the Governor an aerodrome manual for that aerodrome.

(8) An aerodrome manual required pursuant to this article shall contain all such information and instructions as may be necessary to enable the aerodrome operating staff to perform their duties

as such including, in particular, information and instructions relating to the matters specified in Schedule 16 to this Order.

- (9) Every aerodrome licence holder shall:
- (a) furnish to the Governor any amendments or additions to the aerodrome manual before or immediately after they come into effect;
 - (b) without prejudice to sub-paragraph (a), make such amendments or additions to the aerodrome manual as the Governor may require for the purpose of ensuring the safe operation of aircraft at the aerodrome or the safety of air navigation; and
 - (c) maintain the aerodrome manual and make such amendments as may be necessary for the purpose of keeping its contents up to date.
- (10) (a) Every aerodrome licence holder shall make available to each member of the aerodrome operating staff a copy of the aerodrome manual, or a copy of every part of the aerodrome manual which is relevant to his duties and shall ensure that each such copy is kept up to date.
- (b) Every aerodrome licence holder shall take all reasonable steps to secure that each member of the aerodrome operating staff:
- (i) is aware of the contents of every part of the aerodrome manual which is relevant to his duties as such; and
 - (ii) undertakes his duties as such in conformity with the relevant provisions of the manual.
- (11) For the purposes of this article:
- (a) “aerodrome operating staff” means all persons, whether or not the aerodrome licence holder and whether or not employed by the aerodrome licence holder, whose duties are concerned either with ensuring that the aerodrome and airspace within which its visual traffic pattern is normally contained are safe for use by aircraft, or whose duties require them to have access to the aerodrome manoeuvring area or apron;
 - (b) “visual traffic pattern” means the aerodrome traffic zone of the aerodrome, or, in the case of an aerodrome which is not notified for the purposes of rule 39 of the Rules of the Air, the airspace which would comprise the aerodrome traffic zone of the aerodrome if it was so notified.