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STATUTORY INSTRUMENTS

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**1990 No. 2145**

**CIVIL AVIATION**

**The Civil Aviation Act 1982 (Jersey) Order 1990**

*Made - - - - 31st October 1990*

*Coming into force - - 1st December 1990*

At the Court at Buckingham Palace, the 31st day of October 1990

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of section 108(1) of the Civil Aviation Act 1982(1), 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 Civil Aviation Act 1982 (Jersey) Order 1990 and shall come into force on 1st December 1990.
2. The provisions of the Civil Aviation Act 1982 which are listed in Part I of Schedule 1 to this Order shall extend to the Bailiwick of Jersey with the modifications specified in Part II of that Schedule.
3. The Orders specified in Schedule 2 to this Order are hereby revoked to the extent that they relate to the extension to the Bailiwick of Jersey of any enactment which is repealed by and re-enacted in the Civil Aviation Act 1982.

*G. I. de Deney*  
Clerk of the Privy Council

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(1) 1982 c. 16; section 108(1) was amended by paragraph 8(2) of Schedule 4 to the Airports Act 1986 (c. 31) and the power in that provision was extended by section 4(3) of the Civil Aviation (Eurocontrol) Act 1983 (c. 11).

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SCHEDULE 1

Article 2

EXTENSION OF PROVISIONS OF THE CIVIL  
AVIATION ACT 1982 TO THE BAILIWICK OF JERSEY

PART I

PROVISIONS EXTENDED

- Section 2 (constitution of CAA), together with paragraphs 11 and 17 of Schedule 1.
- Section 24 (Eurocontrol), together with Schedule 4(2)
- Subsection of section 38 (fixing by reference to noise factors the charges for using licensed aerodromes).
- Section 60 (power to give effect to Chicago Convention and to regulate air navigation, etc.)(3).
- Subsections and (2) of section 61 (Air Navigation Orders etc.: supplemental).
- Section 62 (control of aviation in time of war or emergency).
- Section 63 (control of CAA and air transport undertakings in time of war or emergency).
- Section 64 (restriction of unlicensed carriage by air for reward).
- Subsection of section 67 (supplementary provisions relating to air transport licensing).
- Section 71 (regulation of provision of accommodation in aircraft).
- Section 74A (enforcement of foreign judgments etc. in respect of route charges)(4).
- Section 75 (investigation of accidents)(5).
- Section 76 (liability of aircraft in respect of trespass, nuisance and surface damage).
- Section 77 (nuisance caused by aircraft on aerodromes).
- Subsections to (5) and (12) of section 78 (regulation of noise and vibration from aircraft).
- Section 81 (dangerous flying)(6).
- Section 84 (provision by others of information for the CAA and the Secretary of State)(7).
- Section 87 (application of law of wreck and salvage to aircraft).
- Section 89 (exemption of aircraft and parts thereof from seizure on patent claims), together with Schedule 12.
- Section 90 (power to give effect to Convention on rights in aircraft).
- Section 92 (application of criminal law to aircraft).
- Section 94 (powers of commander of aircraft)(8).
- Section 95 (provisions as to evidence in connection with aircraft).
- Section 96 (use of records and documentary evidence).

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- (2) In section 24 the definition of “the Eurocontrol Convention” was amended by section 3 of the Civil Aviation (Eurocontrol) Act 1983 (c. 11), and Schedule 4 was amended by section 2 of that Act.
- (3) Section 60(3)(o) was repealed by Part II of Schedule 6 to the Airports Act 1986 (c. 31).
- (4) Section 74A was inserted by the Civil Aviation (Eurocontrol) Act 1983, section 1.
- (5) In section 75(5) the reference to a fine on the standard scale was substituted by virtue of section 46 of the Criminal Justice Act 1982 (c. 48).
- (6) In section 81(1) the reference to a fine on the standard scale was substituted by virtue of section 46 of the Criminal Justice Act 1982.
- (7) In section 84(4)(a) the reference to a fine on the standard scale was substituted by virtue of section 46 of the Criminal Justice Act 1982.
- (8) In section 94(6) the reference to a fine on the standard scale was substituted by virtue of section 46 of the Criminal Justice Act 1982.

Section 97 (seaplanes).

Section 98 (construction of certain provisions of Part IV).

Section 99 (offences)(9).

Section 101 (power to apply certain provisions to Crown aircraft).

Subsections and (2) of section 102 (powers to make Orders in Council, orders and regulations), together with Schedule 13.

Section 105 (general interpretation)(10).

Section 106 (application of Act to territorial waters).

Section 109 (transitional provisions, consequential amendments, repeals etc.), together with paragraphs 1, 2, 3, 6, 7 and 13 of Schedule 14, paragraphs 6, 10, 13 and 21 of Schedule 15 and Schedule 16.

Subsection (1) of section 110 (citation and commencement).

## PART II

### MODIFICATIONS (INCLUDING ADDITIONS, OMISSIONS AND AMENDMENTS) TO THE PROVISIONS OF THE CIVIL AVIATION ACT 1982 WHICH ARE EXTENDED TO THE BAILIWICK OF JERSEY BY PART I OF THIS SCHEDULE

1. Any reference in the Act to the Act or a provision of it is a reference to the Act or provision as extended to the Bailiwick of Jersey.
2. In section 2 (constitution of CAA):
  - (a) in subsection (1) for the words “the following provisions of this section” there shall be substituted “this section as it has effect in the United Kingdom”; and
  - (b) subsection (2) shall be omitted.
3. In section 38(1) (fixing by reference to noise factors the charges for using licensed aerodromes):
  - (a) for the words “any aerodrome authority” and “an aerodrome authority” there shall be substituted “the Committee”;and
  - (b) for the words “its charges” there shall be substituted “the charges it makes for the use of an aerodrome”.
4. After section 38 there shall be inserted the following section:

#### “Order in respect of property

**38A.** The Committee may by order make provision for securing the safe custody and redelivery of any property which, while not in its proper custody, is found on any premises belonging to the Committee or under its control, or in any aircraft on any such premises, and any such order may in particular provide for —

- (a) requiring charges to be paid in respect of any such property before it is redelivered; and

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(9) Section 99(5)(a) was repealed by Part II of Schedule 6 to the Airports Act 1986.

(10) In section 105(1) the definition of “the BAA” was repealed by Part I of Schedule 6 to the Airports Act 1986 and the definition of “United Kingdom national” was amended by the Hong Kong (British Nationality) Order 1986 (S.I. 1986/948); and section 105(8) was repealed by Schedule 7 to the Fines and Penalties (Northern Ireland) Order 1984 (S.I. 1984/703 (N.I.3)).

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(b) authorising the disposal of any such property if it is not redelivered before the expiration of such period as may be specified in the order.”.

5. Section 60 (power to give effect to Chicago Convention and to regulate air navigation, etc.) shall be amended as follows:

- (a) in subsection (1) the words “Subject to section 11(7) above,” shall be omitted;
- (b) in subsection (3), for the words “the United Kingdom” wherever those words, except in paragraph (a), occur there shall be substituted “Jersey”;
- (c) in subsection (4), for the words “the United Kingdom” in the first place where those words occur there shall be substituted “Jersey”; and
- (d) subsection (5) shall be omitted.

6. In subsection (2) of section 61 (Air Navigation Orders etc.: supplemental), paragraphs (a) and (b) and the words “on indictment” in paragraph (c) shall be omitted.

7. Section 62 (control of aviation in time of war or emergency) shall be amended as follows:

- (a) in subsection (1)(a) for the words “the United Kingdom” there shall be substituted “Jersey”;
- (b) in subsection (3) for the words “by the Lands Tribunal” there shall be substituted “by reference to arbitration conducted in accordance with subsections (4) and (5) below”; and
- (c) for subsection (4) there shall be substituted the following subsections:

“(4) For the purpose of subsection (3) above there shall be two arbitrators, one appointed by the Secretary of State and the other appointed by the person claiming to have suffered direct injury or loss; before the arbitration is proceeded with, the Royal Court shall appoint an umpire.

(5) The award of the arbitrators, or, in default of agreement between them, the umpire, appointed under subsection (4) above, shall be final and binding.

(6) No compensation shall be payable by reason of the operation of a general order under this section prohibiting flying in Jersey or any part thereof or over any area of sea.”.

8. Section 63 (control of CAA and air transport undertakings in time of war or emergency) shall be amended as follows:

- (a) in subsection (1), paragraph (a) shall be omitted;
- (b) in subsection (2), for the words “the United Kingdom” there shall be substituted “Jersey”;
- (c) subsection (3) shall be omitted;
- (d) in subsection (5), paragraph (a) and, in paragraph (b), the words “on indictment” shall be omitted;
- (e) in subsection (6), for the words from “by the Lands Tribunal” to the end of the subsection there shall be substituted “by reference to arbitration conducted in accordance with subsections (7) and (8) below”; and
- (f) after subsection (6) there shall be inserted the following subsections:

“(7) For the purpose of subsection (6) above there shall be two arbitrators, one appointed by the Secretary of State and the other appointed by the person claiming to have suffered direct injury or loss; before the arbitration is proceeded with, the Royal Court shall appoint an umpire.

(8) The award of the arbitrators, or, in default of agreement between them, the umpire, appointed under subsection (7) above, shall be final and binding.”.

9. Section 64 (restriction of unlicensed carriage by air for reward) shall be amended as follows:

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- (a) in subsection (1)(a) after the word “below” there shall be inserted “as it has effect in the United Kingdom”;
- (b) in subsection (2), for the words “the United Kingdom” in the second place where those words occur there shall be substituted “Jersey”;
- (c) in subsection (3) for the words “prescribed manner”, in both places where those words occur, there shall be substituted “in the manner prescribed by regulations made or having effect as if made under this section as it applies in the United Kingdom”;
- (d) at the end of subsection (6) there shall be added: “In this subsection any reference to the United Kingdom, except references to a United Kingdom national, shall be construed as including a reference to Jersey.”;
- (e) in subsection (7), for the words “the United Kingdom” there shall be substituted “Jersey”;  
and
- (f) in subsection (8) paragraph (a) and the words “on conviction on indictment” in paragraph (b) shall be omitted.

**10.** In section 67(6) (supplementary provisions relating to air transport licensing), paragraph (a) and the words “on conviction on indictment” in paragraph (b) shall be omitted.

**11.** Section 71 (regulation of provision of accommodation in aircraft) shall be amended as follows:

- (a) for any reference to regulations there shall be substituted a reference to an order or the order, as appropriate;
- (b) for the words “Secretary of State”, wherever those words occur, there shall be substituted “Committee”;
- (c) in subsection (1), for the words “the United Kingdom” there shall be substituted “Jersey”;  
and
- (d) in subsection (2):
  - (i) the words “after consultation with the CAA” shall be omitted;
  - (ii) in paragraph (d) the words “a Minister of the Crown” shall be omitted;
  - (iii) in paragraph (e) the words “a fine of the statutory maximum on summary conviction and” and “on conviction on indictment” shall be omitted; and
  - (iv) paragraph (f) shall be omitted.

**12.** Section 74A (enforcement of foreign judgments etc. in respect of route charges) shall be amended as follows:

- (a) in subsection (1), for the words “the United Kingdom” there shall be substituted “Jersey”;
- (b) in subsection (2) —
  - (i) for the words “any part of the United Kingdom” there shall be substituted “Jersey”;
  - (ii) for the words “sections 2, 3(1) and 5(2) and (3) of the Foreign Judgments (Reciprocal Enforcement) Act 1933”<sup>(11)</sup> there shall be substituted “Articles 4, 5(1) and 7(2) and (3) of the Judgments (Reciprocal Enforcement) (Jersey) Law 1960”;
  - (iii) for the words “Part I of that Act” there shall be substituted “Part II of that Law”;
  - (iv) for the words “subsection (2) of section 5 of that Act” there shall be substituted “paragraph (2) of Article 7 of that Law”; and
  - (v) for the words “subsection (1) of that section” there shall be substituted “paragraph (1) of that Article”;

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(11) 1933 c. 13.

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- (c) in subsection (3)(c), for the words from “the part” to the end of the subsection there shall be substituted “Jersey”;
  - (d) in subsection (4) —
    - (i) for the words “a part of the United Kingdom” there shall be substituted “Jersey”;
    - (ii) in paragraph (c), the words from “in the part” to the end of the paragraph shall be omitted;
    - (iii) in paragraphs (e) and (f), for the words “any part of the United Kingdom” there shall be substituted “Jersey”; and
    - (iv) in paragraph (g), for the words from “the part” to “determination is sought” there shall be substituted “Jersey”; and
  - (e) in subsection (9), for the words from “coming into force” to the end of the subsection there shall be substituted “date of the extension of this section to the Bailiwick of Jersey”.
- 13.** Section 75 (investigation of accidents) shall be amended as follows:
- (a) in subsection (1) for the words from “the Secretary” to “him” there shall be substituted “Her Majesty may by Order in Council under this section make such provision as appears to Her Majesty” and in paragraph (a) of that subsection for the words from “either” to the end of that paragraph there shall be substituted “occurring in or over Jersey”;
  - (b) in subsection (2)(b) for the word “regulations” there shall be substituted “Order in Council”;
  - (c) in subsection (3):
    - (i) for the words “regulations under” there shall be substituted “an Order in Council under”;
    - (ii) in paragraph (a) for the words “the regulations” there shall be substituted “the Order in Council”; and
    - (iii) paragraph (b) shall be omitted; and
  - (d) in subsection (5):
    - (i) for the words “any regulations” there shall be substituted “any provision in an Order in Council”; and
    - (ii) the words “on summary conviction” and “not exceeding level 5 on the standard scale” shall be omitted.
- 14.** Section 78 (regulation of noise and vibration from aircraft) shall be amended as follows:
- (a) for the words “Secretary of State”, wherever those words occur, there shall be substituted “Committee” together with (where necessary) the consequential substitution of “it” for “he” or “him”;
  - (b) for the words “a designated aerodrome”, wherever those words occur, there shall be substituted “an aerodrome”;
  - (c) in subsections (1), (3), (4) and (5) for the words “in the prescribed manner” there shall be substituted “by order made by the Committee”;
  - (d) in subsection (2) for the words from “give to the person” to the end of the subsection there shall be substituted “take such steps as may be necessary to ensure that facilities for using the aerodrome are withheld to such extent as the Committee may determine from aircraft of which the person aforesaid is the operator and from his servants”;
  - (e) in subsection (3) the words from “and subject to subsection (4) below” to the end of the subsection shall be omitted;

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- (f) in subsection (4) for the words “person for the time being managing the aerodrome or a person authorised by him for the purpose,” in paragraph (b) there shall be substituted “Committee” and the words from “but it shall be” to the end of the subsection shall be omitted; and
- (g) in subsection (5) —
  - (i) the words “without prejudice to the powers exercisable by virtue of that subsection by the person managing the relevant aerodrome” in paragraph (c) shall be omitted;
  - (ii) paragraph (d) shall be omitted;
  - (iii) for paragraph (e) there shall be substituted:
    - “(e) nothing in that subsection requires the Committee to prevent an aircraft from landing at an aerodrome;”;
  - (iv) in paragraph (f) the words “to the person managing an aerodrome to which a notice under that subsection relates” shall be omitted.

**15.** In section 81(1) (dangerous flying) the words “on summary conviction” and “not exceeding level 4 on the standard scale” shall be omitted.

**16.** Section 84 (provision by others of information for the CAA and the Secretary of State) shall be amended as follows:

- (a) in subsection (1) —
  - (i) for the words “prescribed manner” there shall be substituted “manner prescribed by regulations made or having effect as if made under this section as it applies in the United Kingdom”;
  - (ii) after the words “under this Act” in paragraph (a) there shall be inserted “oran aerodrome licence issued by the Committee”;
  - (iii) for the words “the United Kingdom” in paragraphs (c), (d) and (ii) there shall be substituted “Jersey”; and
  - (iv) for the words “CAA under an Air Navigation Order”, where those words last occur, there shall be substituted “Committee”; and
- (b) in subsection (4):
  - (i) in paragraph (a) the words “on summary conviction” and “of an amount not exceeding level 3 on the standard scale” shall be omitted;
  - (ii) in paragraph (b) the words from “on summary conviction” to “on indictment” shall be omitted; and
  - (iii) for the words “outside the United Kingdom” there shall be substituted “outside Jersey”.

**17.** In section 87 (application of law of wreck and salvage to aircraft) the following provision shall be substituted for subsections (4) and (5):

“(4) An Order in Council made or having effect as if made under this subsection as it applies in the United Kingdom shall have effect in Jersey as it has effect in the United Kingdom.”.

**18.** Section 89 (exemption of aircraft and parts thereof from seizure on patent claims) shall be amended as follows:

- (a) in subsections (1), (2) and (3) for the words “the United Kingdom”, wherever those words occur, there shall be substituted “Jersey”; and

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- (b) in subsection (4) after the words “Order in Council”, in both places where those words occur, there shall be inserted “made, or having effect as if made, under this section as it applies in the United Kingdom”.

**19.** Section 90 (power to give effect to Convention on rights in aircraft) shall be amended as follows:

- (a) in subsection (2)(a), for the words “the United Kingdom” there shall be substituted the word “Jersey”;
- (b) in subsection (2)(b), the words from “including” to the end shall be omitted;
- (c) in subsection (2)(c), for the words “any part of the United Kingdom” there shall be substituted the word “Jersey”; and
- (d) in subsection (2)(e), for the words “the United Kingdom” in the first place where they occur there shall be substituted the word “Jersey”.

**20.** Section 92 (application of criminal law to aircraft) shall be amended as follows:

- (a) in subsection (1) for the words “the United Kingdom”, wherever those words occur, there shall be substituted “Jersey” and the words “or in a part of” and “or in that part of” shall be omitted;
- (b) subsection (2) shall be omitted;
- (c) in subsection (3):
  - (i) for the words “in, or in a part of, the United Kingdom” there shall be substituted “in Jersey”; and
  - (ii) for the words “the United Kingdom (or, as the case may be, in that part thereof)” there shall be substituted “Jersey”;
- (d) in subsection (5):
  - (i) the definition of “the air navigation enactments” shall be omitted;
  - (ii) in paragraph (b)(ii) of the definition of “British controlled aircraft” for the words “the United Kingdom” there shall be substituted “Jersey”; and
  - (iii) in paragraph (b) of the definition of “military aircraft” after the words “of this Act” there shall be inserted “as the section applies in any part of the United Kingdom or as extended to Jersey”; and
- (e) subsection (6) shall be omitted.

**21.** Section 94 (powers of commander of aircraft) shall be amended as follows:

- (a) in subsection (1) for the words “the United Kingdom” there shall be substituted “Jersey”; and
- (b) in subsections (5), (6) and (8) —
  - (i) for the words “the United Kingdom”, in each place where they occur, there shall be substituted “Jersey”;
  - (ii) for the word “constable”, in each place where it occurs, there shall be substituted “police officer”;
  - (iii) for the words “immigration officer”, in each place where they occur, there shall be substituted “aliens officer”;
  - (iv) in subsection (5)(b)(ii) the word “other” shall be omitted;
  - (v) in subsection (6)(b), the word “other”, in the first place where it occurs, shall be omitted; and



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(vi) in subsection (6) the words “on summary conviction” and “not exceeding level 3 on the standard scale” shall be omitted.

**22.** Section 95 (provisions as to evidence in connection with aircraft) shall be amended as follows:

- (a) in subsection (1) for the words “the United Kingdom”, except in the last place where those words occur, there shall be substituted “Jersey”; and
- (b) subsection (4) shall be omitted.

**23.** Section 96 (use of records and documentary evidence) shall be amended as follows:

- (a) in subsection (1):
  - (i) after the word “made” there shall be inserted “or having effect as if made”;
  - (ii) after the words “Secretary of State” there shall be inserted “under this subsection as it has effect in the United Kingdom”;
  - (iii) before the words “or by the Air Registration” there shall be inserted “or by the Committee”; and
  - (iv) the words “and in Scotland sufficient evidence” shall be omitted;
- (b) in subsection (2):
  - (i) after the words “regulations made” there shall be inserted “or having effect as if made”;
  - (ii) after the words “Secretary of State” there shall be inserted “under this subsection as it has effect in the United Kingdom”; and
  - (iii) the words “and in Scotland sufficient evidence” shall be omitted;
- (c) in subsection (4) paragraph (a) and the words “on conviction on indictment” in paragraph (b) shall be omitted; and
- (d) for subsection (5) there shall be substituted:
  - “(5) In this section “record” includes in addition to a record in writing —
    - (a) any disc, tape, sound-track or other device in which sounds or signals are embodied so as to be capable (with or without the aid of some other instrument) of being reproduced therefrom;
    - (b) any film, tape or other device in which visual images are embodied so as to be capable (as aforesaid) of being reproduced therefrom; and
    - (c) any photograph;

and any reference to a copy of a record includes in the case of a record falling within paragraph (a) only of this definition, a transcript of the sounds or signals embodied therein, in the case of a record falling within paragraph (b) only of this definition, a still reproduction of the images embodied therein, and in the case of a record falling within both those paragraphs, such a transcript together with a still reproduction.”.

**24.** Section 97 (seaplanes) shall be amended as follows:

- (a) subsections (2) and (3) shall be omitted;
- (b) for subsection (4) there shall be substituted the following subsection:

“(4) Subject to subsection (5) below, any power or duty to regulate ships or vessels exercisable by any authority in Jersey shall be construed as including a power or duty to regulate seaplanes when on the surface of the water and a power to authorise a harbour master or other officer of the authority to exercise, as respects seaplanes on the surface of

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- the water, all or any of the functions which he is authorised to exercise as respects ships or vessels.”;
- (c) in subsection (5) for the words from the beginning to “authorise” there shall be substituted “The powers conferred by subsection (4) above do not include power to require, or to authorise”;
  - (d) the first subsection (6) shall be omitted; and
  - (e) in the second subsection (6) the definitions of “byelaws”, “conservancy authority”, “harbour authority” and “enactment” shall be omitted.
- 25.** At the end of section 98 (construction of certain provisions of Part IV) there shall be added:  
“An order made or having effect as if made under this section as it applies in the United Kingdom shall have effect in Jersey as it has effect in the United Kingdom.”.
- 26.** Section 99 (offences) shall be amended as follows:
- (a) in subsection (4) the words “44, 45, 50”, “82, 83” and “or under regulations made by virtue of section 7(2)(b) or 71 above” shall be omitted;
  - (b) in subsection (5):
    - (i) in paragraph (b) the words “44, 45, 50, 83 or” shall be omitted; and
    - (ii) paragraphs (d) and (e) shall be omitted.
- 27.** In subsection (2) of section 101 (power to apply certain provisions to Crown aircraft):
- (a) for the word “73” there shall be substituted “74A”; and
  - (b) the word “91” shall be omitted.
- 28.** Section 102 (powers to make Orders in Council, orders and regulations) shall be amended as follows:
- (a) in subsection (1) the words “other than a power conferred by a provision of this Act specified in Part I of Schedule 13 to this Act” shall be omitted; and
  - (b) in subsection (2), paragraph (a) shall be omitted.
- 29.** Section 105 (general interpretation) shall be amended as follows:
- (a) in subsection (1):
    - (i) the definitions of “accounting year”, “enactment”, “the initial debt”, “the Land Compensation Act”, “the Lands Tribunal”, “local authority”, “prescribed”, “the statutory maximum”, “statutory undertaker”, “statutory undertaking” and “subsidiary” shall be omitted;
    - (ii) after the definition of “the Chicago Convention” there shall be inserted the following:  
““the Committee” means the Harbours and Airport Committee of the States of Jersey;”;
    - (iii) after the definition of “functions” there shall be inserted the following:  
““Jersey” means the Bailiwick of Jersey;”;
    - (iv) after the definition of “operator” there shall be inserted the following:  
““police officer” means a member of the Honorary Police or a member of the States of Jersey Police Force or the Airport Commandant or any person having the powers of the Airport Commandant by virtue of Article 2 of the Aerodromes (Administration) (Jersey) Law 1952;”;
    - (v) after the definition of “reward” there shall be inserted the following:

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“the Royal Court” means the Inferior Number of the Royal Court of Jersey;”;  
and

(b) subsections (5), (6) and (7) shall be omitted.

**30.** Section 106 (application of Act to territorial waters) shall be amended as follows:

(a) in subsection (1) for the words “the United Kingdom” in both places where they occur there shall be substituted “Jersey”; and

(b) in subsection (2) for the words “63 to 74” there shall be substituted “63, 64, 67(6) and 71”.

**31.** Paragraph 11 of Schedule 1 (additional provisions relating to constitution, etc. of CAA) shall be amended as follows:

(a) after the word “member” there shall be inserted “of the CAA”; and

(b) for the word “above” there shall be substituted “of this Schedule as it applies in the United Kingdom”.

**32.** Schedule 4 (Eurocontrol) shall be amended as follows:

(a) in paragraph 1(4) for the word “constable” in both places where it occurs there shall be substituted “police officer”;

(b) in paragraph 1(4B)(12) for the words “the United Kingdom” there shall be substituted “Jersey”;

(c) in paragraph 1(5), in the definition of “record”, for the word “73” there shall be substituted “96(5)”;

(d) paragraph 2 shall be omitted; and

(e) in paragraph 3(1) for the words “the United Kingdom” there shall be substituted “Jersey”.

**33.** Schedule 12 (patent claims against aircraft not protected under Chicago Convention) shall be amended as follows:

(a) for the words “the United Kingdom”, wherever those words occur, there shall be substituted “Jersey”; and

(b) for the words “Secretary of State”, wherever those words occur, there shall be substituted “the Committee”.

**34.** Schedule 13 (subordinate instruments) shall be amended as follows:

(a) Part I shall be omitted;

(b) in Part II:

(i) all the entries, except those referring to sections 60, 62, 63, 71, 75, 90 and 101, shall be omitted;

(ii) the entry relating to section 63 —

(A) in column 2, shall be amended by omitting the words “CAA’s undertaking or other”;

(B) in column 3, shall be omitted;

(C) in column 4, shall be replaced by the words “Paragraph 4 applies”;

(iii) in the entry in column 2 relating to section 75 for the word “Regulations” there shall be substituted “Order in Council”; and

(iv) the entries in column 3 relating to sections 60, 71, 90 and 101 shall be omitted; and

(c) in Part III:

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(12) Paragraph 1(4B) was inserted by section 2 of the Civil Aviation (Eurocontrol) Act 1983 (c. 11).

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- (i) in paragraph 4(2), the reference to sections 73 and 74 shall be omitted; and
- (ii) in paragraph 6(1), for the words “the United Kingdom” in the first place where they occur, there shall be substituted the word “Jersey”.

**35.** In Schedule 14:

- (a) in paragraph 7 (lighthouse authorities), for the words “sections 39, 41, 43, 47, 60, 62, 73 to 77, 81, 87, 89, 96, 97 and 107(2)” there shall be substituted the words “60, 62, 74A to 77, 81, 87, 89, 96 and 97”; and
- (b) paragraph 13 (interpretation) for the words “this Act” there shall be substituted “the Civil Aviation Act 1982 (Jersey) Order 1990”.

**36.** Paragraph 6 of Schedule 15 (consequential amendments) shall be amended as follows:

- (a) after the words “Convention Act” there shall be inserted “as extended to Jersey by the Tokyo Convention Act 1967 (Jersey) Order 1969(13)”; and
- (b) after the words “said section 92” there shall be inserted, so as to be included in the passage quoted, “References to the Civil Aviation Act 1982 are to that Act as extended to Jersey by the Civil Aviation Act 1982 (Jersey) Order 1990”.

**37.** Paragraph 10 of Schedule 15 shall be amended as follows:

- (a) after the words “Act 1971” there shall be inserted “as extended to Jersey by the Hijacking Act 1971 (Jersey) Order 1971(14)”; and
- (b) after the words “Act 1967” there shall be inserted, so as to be included in the passage quoted, “as extended to Jersey by the Tokyo Convention Act 1967 (Jersey) Order 1969”; and
- (c) after the words “Act 1982” there shall be inserted, so as to be included in the passage quoted, “as extended to Jersey by the Civil Aviation Act 1982 (Jersey) Order 1990”.

**38.** Paragraph 13 of Schedule 15 shall be amended as follows:

- (a) after the words “Act 1973” there shall be inserted “as extended to Jersey by the Protection of Aircraft Act 1973 (Jersey) Order 1973(15)”; and
- (b) paragraph (a) shall be omitted; and
- (c) in paragraph (b) after the words “Act 1982” there shall be inserted, so as to be included in the passage quoted, “as extended to Jersey by the Civil Aviation Act 1982 (Jersey) Order 1990”.

**39.** Paragraph 21 of Schedule 15 shall be amended as follows:

- (a) after the words “Act 1978” there shall be inserted the words “as extended to Jersey by the Suppression of Terrorism Act 1978 (Jersey) Order 1978(16)”; and
- (b) after the words “Act 1982” there shall be inserted the words “as extended to Jersey by the Civil Aviation Act 1982 (Jersey) Order 1990”.

**40.** In Schedule 16 (repeals) all of the entries, except those relating to the Civil Aviation Act 1949(17), the Civil Aviation (Licensing) Act 1960(18), the Tokyo Convention Act 1967(19) and the Civil Aviation Act 1971(20), shall be omitted and references to those Acts shall be construed

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(13) S.I. 1969/598.

(14) S.I. 1971/1746.

(15) S.I. 1973/1761.

(16) S.I. 1978/1531.

(17) 1949 c. 67 (12, 13 & 14 Geo. 6).

(18) 1960 c. 38 (8 & 9 Eliz.2).

(19) 1967 c. 52.

(20) 1971 c. 75.

as references to them as extended to the Bailiwick of Jersey by the Civil Aviation Act (Channel Islands) Order 1953(21), the Civil Aviation (Licensing) Act 1960 (Channel Islands) Order 1961(22), the Tokyo Convention Act 1967 (Jersey) Order 1969(23) and the Civil Aviation Act 1971 (Channel Islands) Order 1972(24), respectively, and the repeal by Schedule 16 of any provision which was not extended to the Bailiwick of Jersey by those Orders shall be disregarded.

## SCHEDULE 2

Article 3

### ORDERS REVOKED

Instruments	References
The Civil Aviation Act (Channel Islands) Order 1953	<a href="#">S.I. 1953/393</a>
The Civil Aviation Act (Channel Islands) Order 1966	<a href="#">S.I. 1966/688</a>
The Tokyo Convention Act 1967 (Jersey) Order 1969	<a href="#">S.I. 1969/598</a>
The Civil Aviation Act 1971 (Channel Islands) Order 1972	<a href="#">S.I. 1972/450</a>

### EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order extends those provisions of the Civil Aviation Act 1982 which are set out in Part I of Schedule 1 to this Order to the Bailiwick of Jersey; the provisions are subject to the modifications specified in Part II of that Schedule. The Order also revokes the Orders specified in Schedule 2 to this Order to the extent that they relate to the extension to the Bailiwick of Jersey of enactments replaced by that Act.

(21) S.I. [1953/393](#), as amended by the Civil Aviation Act (Channel Islands) Order 1966 (S.I. [1966/688](#)).

(22) S.I. [1961/574](#).

(23) S.I. [1969/598](#).

(24) S.I. [1972/450](#).