

Island of



Guernsey

Ordinance of the States **XXXVI**

1956

Made 21st November, 1956.

Coming into Operation.. 1st January, 1957.

The Aircraft Charges (Guernsey) Ordinance, 1956.

THE STATES, in pursuance of their Resolution of the twenty-fifth day of July, nineteen hundred and fifty-six, and of the powers now vested in them by paragraph (3) of Article seven of the Air Navigation (Guernsey) Order, 1926, and of all other powers thereunto them enabling, hereby order:—

1. (1) In this Ordinance, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

“the Airport” means—

- (a) as respects the Island of Guernsey, the Guernsey Airport;
- (b) as respects the Island of Alderney, the Alderney Airport;

- “ the Alderney Airport ” means the premises for the time being used in the Island of Alderney for the landing and departure of aircraft or for purposes ancillary thereto;
- “ the Board ” means the States Board of Administration;
- “ Contracting State ” has the same meaning as in the principal Law;
- “ freight ” means any goods or effects whatsoever carried in an aircraft but does not include any fuel, engine cooling fluid, instruments, equipment, apparatus and documents required for or in respect of the operation of that aircraft;
- “ freight aircraft ” means an aircraft which for the time being is in the opinion of the Board intended to be and is used only for the carriage of freight;
- “ freighter aircraft ” means an aircraft of which the maximum permissible weight is not less than forty thousand pounds and which is designed or intended and is wholly or mainly used for the carriage of freight;
- “ goods ” includes mails and animals;
- “ the Guernsey Airport ” means the premises for the time being belonging to the States of Guernsey and situate at La Villiaze and used from time to time for the landing and departure of aircraft or for purposes ancillary thereto;
- “ maximum permissible weight ” means the maximum permissible weight authorised by the certificate of airworthiness;
- “ military aircraft ” has the same meaning as in the principal Law;

- “operating crew” in relation to an aircraft includes pilots, flight navigators, flight engineers and flight radio operators;
- “operator” means a person operating aircraft;
- “particular rate” in relation to a prescribed period means the rate determined by dividing the total fees payable by an operator in respect of the operation at the Guernsey Airport or at the Alderney Airport, as the case may be, of passenger aircraft during that period by the total number of passengers landed from and of passengers embarked in passenger aircraft at the Airport by that operator during that period;
- “passenger” means any person, not being a member of the operating crew, carried in an aircraft and includes a person carried for the purposes of instruction in flying for which payment is made;
- “passenger aircraft” means an aircraft, not being a freighter aircraft, used for the carriage of any passenger and operated for hire or reward;
- “personnel” in relation to an aircraft includes the operating crew and other persons having any duties to perform in the aircraft;
- “prescribed period” means such period as shall be prescribed from time to time by the Board;
- “the principal Law” means the Air Navigation (Guernsey) Order, 1926;
- “space occupied” in relation to an aircraft means the product of the span of the aircraft and its maximum length;
- “standard rate” in relation to a prescribed period means the rate determined by dividing the total fees payable in respect of the operation at

the Guernsey Airport or at the Alderney Airport, as the case may be, of passenger aircraft during that period by the total number of passengers landed from and of passengers embarked in passenger aircraft at the Airport during that period;

“test flight” means a flight for the purpose of a mechanical test of an aircraft or of the engine or accessories thereof or of a qualifying test for any member of the crew of an aircraft;

“weight” means weight avoirdupois.

(2) For the purposes of this Ordinance—

(a) a passenger who disembarks from an aircraft and who, as soon as may be, departs from the Airport by that aircraft on its next departure or by another aircraft shall not be deemed to have disembarked therefrom provided that he remains within the precincts of the Airport and departs within the two hours next following the arrival of the first-mentioned aircraft or so soon thereafter as circumstances beyond the control of the operator of the aircraft permit;

(b) any freight which is unloaded from an aircraft and which, as soon as may be, is taken from the Airport by that aircraft on its next departure or by another aircraft shall not be deemed to have been unloaded therefrom provided that it remains within the precincts of the Airport and is taken away within the two hours next following the arrival of the first-mentioned aircraft or so soon thereafter as circumstances beyond the control of the operator of the aircraft permit.

(3) Any reference in this Ordinance to the carriage of passengers or to the operation of an air-

craft for hire or reward includes a reference to the carriage of any passenger or the operation of any aircraft, as the case may be, for the purpose of instruction in flying for which payment is made.

(4) Except in so far as the context otherwise requires, any reference in this Ordinance to any other enactment shall be construed as a reference to that enactment as amended, extended or applied by or under any other enactment.

2. (1) Subject to the provisions of this Ordinance, there shall be payable in respect of each departure from and of each arrival at the Airport of a passenger aircraft to or from a destination outside a radius of fifty-five nautical miles from the Airport—

(a) as respects the Guernsey Airport, a fee of three shillings and eleven pence for each one thousand pounds weight or part thereof of the maximum permissible weight of the aircraft;

(b) as respects the Alderney Airport, a fee of three shillings and three pence for each one thousand pounds weight or part thereof of the maximum permissible weight of the aircraft.

(2) Subject to the provisions of this Ordinance, there shall be payable in respect of each departure from and of each arrival at the Airport of a passenger aircraft to or from a destination within a radius of fifty-five nautical miles from the Airport—

(a) as respects the Guernsey Airport, a fee of two shillings and sixpence for each one thousand pounds weight or part thereof of the maximum permissible weight of the aircraft;

(b) as respects the Alderney Airport, a fee of one shilling and ten pence for each one thousand

pounds weight or part thereof of the maximum permissible weight of the aircraft.

(3) Where in respect of any departure from or of any arrival at the Airport of a passenger aircraft—

- (a) the aircraft departs or arrives without passengers and without freight; or
- (b) no passenger and no freight is disembarked or landed or is embarked or loaded, as the case may be;

any fee chargeable under the foregoing provisions of this section shall be reduced by fifty per centum.

3. Where, as respects the operation at the Guernsey Airport or at the Alderney Airport, as the case may be, of passenger aircraft by an operator during a prescribed period, the particular rate exceeds the standard rate, that operator shall be entitled to a refund of an amount determined by multiplying the difference between the particular rate and the standard rate by the total number of passengers landed and of passengers embarked at the Airport by that operator during that period.

4. Subject to the provisions of this Ordinance, there shall be payable in respect of each departure from and of each arrival at the Airport of a freight aircraft—

- (a) if the aircraft is carrying freight, the appropriate fee chargeable in pursuance of section two of this Ordinance in respect of a passenger aircraft reduced by thirty-three and one-third per centum;
- (b) if—
 - (i) the aircraft departs or arrives without freight; or

(ii) no freight is landed or is loaded, as the case may be;

the appropriate fee chargeable as aforesaid reduced by sixty-six and two-thirds per centum.

5. (1) Subject to the provisions of this Ordinance, there shall be payable in respect of each departure from and of each arrival at the Airport of a freighter aircraft—

(a) if the aircraft is carrying any passenger or any freight, the appropriate fee chargeable in pursuance of section two of this Ordinance in respect of a passenger aircraft reduced by fifty per centum;

(b) if—

(i) the aircraft departs or arrives without passengers and without freight; or

(ii) no passenger and no freight is disembarked or landed or is embarked or loaded, as the case may be;

the appropriate fee chargeable as aforesaid reduced by seventy-five per centum.

(2) There shall be payable in respect of each passenger landed from or embarked in a freighter aircraft at the Airport a fee of two shillings.

6. There shall be payable in respect of each departure and arrival of an aircraft engaged in a pleasure flight for hire or reward over and around the Island of Guernsey or the Island of Alderney, as the case may be, and which departs from and lands at the Airport without having landed at any place during the flight—

- (a) a fee of six pence for each thousand pounds weight or part thereof of the maximum permissible weight of the aircraft or a fee of one shilling, whichever is the greater; and
- (b) a fee of nine pence in respect of each passenger carried in the aircraft or a fee of one shilling and six pence, whichever is the greater.

7. There shall be payable in respect of each departure and of each arrival of an aircraft not operated for hire or reward a fee of one shilling for each one thousand pounds weight or part thereof of the maximum permissible weight of the aircraft or a fee of two shillings and sixpence, whichever is the greater.

8. There shall be payable in respect of each departure and arrival of an aircraft not operated for hire or reward which departs from and lands at the Airport without having landed at any place during the flight a fee of one shilling for each thousand pounds weight or part thereof of the maximum permissible weight of the aircraft or a fee of two shillings and six pence, whichever is the greater.

9. So much of the provisions of this Ordinance as applies to fees in respect of the landing and of the departure of an aircraft shall not apply—

- (a) to an aircraft not operated for hire or reward during the operation of an agreement for a period of not less than one year between the Board and the operator of that aircraft and providing for the housing of that aircraft during that period;
- (b) in respect of a flight which is in the opinion of the Board a bona fide test flight on which

only personnel for carrying out the test are carried.

10. Where after the departure of an aircraft from the Airport the aircraft is unable to reach its destination owing to stress of weather or other circumstances beyond the control of the operator and returns to the Airport without having landed elsewhere, the fee in respect of the arrival shall not be chargeable and the fee in respect of the subsequent departure shall not be chargeable provided that as soon as may be the aircraft departs for its original destination without any passenger or any freight not carried in the aircraft on its arrival as aforesaid.

11. Where an aircraft not bound for the Airport, through stress of weather or other circumstances beyond the control of the operator, lands at the Airport, the fee in respect of the arrival shall not be chargeable and the fee in respect of the subsequent departure shall not be chargeable provided that as soon as may be the aircraft departs for its original destination without any passenger or any freight not carried in the aircraft on its arrival as aforesaid.

12. Nothing in the foregoing provisions of this Ordinance shall apply in relation to British military aircraft or to military aircraft of a Contracting State.

13. (1) Subject to the provisions of this section and to any agreement between the Board and an operator of an aircraft, there shall be payable in respect of the housing or parking of any aircraft at the Airport a charge assessed in accordance with the provisions of the First Schedule to this Ordinance:

PROVIDED that the minimum charge payable as aforesaid shall be—

- (a) as respects the housing of an aircraft, the sum of five shillings;
- (b) as respects the parking of an aircraft, the sum of one shilling and six pence.

(2) In the computation of any charge payable as aforesaid in respect of the parking of an aircraft the first six hours during which the aircraft is parked shall be disregarded.

(3) The charge in respect of the parking of an aircraft payable under the foregoing provisions of this section shall apply whether or not the aircraft is secured to the ground or to any structure.

14. The Ordinances set out in the Second Schedule to this Ordinance are hereby repealed.

15. This Ordinance may be cited as the Aircraft Charges (Guernsey) Ordinance, 1956, and shall come into force on the first day of January, nineteen hundred and fifty-seven.

FIRST SCHEDULE Section thirteen

Housing and parking charges

	For each period of twenty-four consecutive hours or part thereof	For each period of twenty-eight consecutive days	For each period of three hundred and sixty-five consecutive days
Housing charge per square foot of space occupied	$\frac{1}{8}$ d.	Twenty times the twenty-four hour period rate	Two hundred and sixteen times the twenty-four hour rate
Parking charge per square foot of space occupied	$\frac{1}{20}$ d.	Twenty times the twenty-four hour period rate	Two hundred and sixteen times the twenty-four hour rate

SECOND SCHEDULE Section fourteen

Ordinances repealed

Ordinance Directing a Scale of Charges Applicable to Aircraft, 1946 [No. XXXI of 1946].

The Aircraft Charges (Alderney Freight) Exemption Ordinance, 1950 [No. XXXVIII of 1950].

The Aircraft Charges (Alderney Foodstuffs) Exemption Ordinance, 1951 [No. XIV of 1951].

The Aircraft Charges (Temporary Amendment) Ordinance, 1954 [No. VII of 1954].

JAMES E. LE PAGE,

Her Majesty's Greffier.