

# Island of Guernsey

## Ordinance of the States **XXIV**

**1971**

Made ... .. 26th May, 1971.  
Coming into Operation ... 1st June, 1971.

### **The Airport Fees Ordinance, 1971**

THE STATES, in pursuance of their Resolution of the twenty-eighth day of April, nineteen hundred and seventy-one, and in exercise of the powers conferred upon them by section one of the Alderney (Application of Legislation) Law, 1948(a), and of all other powers enabling them in that behalf, hereby order:—

1. (1) Subject to the succeeding 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 place outside a radius of fifty-five nautical miles from the Airport:—

Passenger  
aircraft.

- (a) as respects the Guernsey Airport, a fee of forty new pence for each five hundred kilogrammes weight or part thereof of the maximum permissible weight of the aircraft;

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(a) Ordres en Conseil Vol. XIII, p. 448.

- (b) as respects the Alderney Airport, a fee of forty new pence for each five hundred kilogrammes weight or part thereof of the maximum permissible weight of the aircraft.

(2) Subject to the succeeding 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 place within a radius of fifty-five nautical miles from the Airport:—

- (a) as respects the Guernsey Airport, a fee of twenty-four new pence for each five hundred kilogrammes weight or part thereof of the maximum permissible weight of the aircraft;

- (b) as respects the Alderney Airport, a fee of thirteen new pence for each five hundred kilogrammes 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 payable in pursuance of the foregoing provisions of this section shall be reduced by fifty per centum.

2. Notwithstanding the provisions of subsection (1) of the last preceding section, during the months of January, February, March, November and December the fees payable in any year in pursuance of the provisions of that subsection shall be reduced by fifteen per centum.

Reduced fees for passenger aircraft during certain months.

3. Subject to the succeeding 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:—

Freight aircraft.

(a) if the aircraft is carrying freight, the appropriate fee payable in pursuance of the provisions of section one of this Ordinance in respect of a passenger aircraft reduced by fifty 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 payable as aforesaid reduced by seventy-five per centum.

4. (1) Subject to the succeeding 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:—

Freighter aircraft.

(a) if the aircraft is carrying any passenger or any freight, the appropriate fee payable in pursuance of the provisions of section one of this Ordinance in respect of a passenger aircraft reduced by sixty-one 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 payable as aforesaid reduced by eighty 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 thirty new pence.

Local flights  
for hire or  
reward.

5. (1) There shall be payable in respect of each departure and arrival of an aircraft of which the maximum permissible weight does not exceed five thousand kilogrammes operated for hire or reward which departs from and lands at the Airport without having landed at any place during the flight:—

- (a) a fee of seven new pence for each five hundred kilogrammes weight or part thereof of the maximum permissible weight of the aircraft; and
- (b) a fee of four new pence in respect of each passenger carried in the aircraft or a fee of eight new pence, whichever is the greater.

(2) There shall be payable in respect of each departure and arrival of an aircraft of which the maximum permissible weight exceeds five thousand kilogrammes 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 twenty-four new pence for each five hundred kilogrammes or part thereof of the maximum permissible weight of the aircraft.

Flights not  
for hire or  
reward.

6. (1) Subject to the provisions of subsection (3) of this section, there shall be payable in respect of each departure from and of each arrival at the Airport of an aircraft of which the maximum permis-

sible weight does not exceed five thousand kilogrammes not operated for hire or reward, a fee of seven new pence for each five hundred kilogrammes or part thereof of the maximum permissible weight of the aircraft or a fee of fifteen new pence, whichever is the greater.

(2) Subject to the provisions of subsection (4) of this section, there shall be payable in respect of each departure from and of each arrival at the Airport of an aircraft of which the maximum permissible weight exceeds five thousand kilogrammes not operated for hire or reward, the fee which would be payable in pursuance of the provisions of section one, section three or section four of this Ordinance if that aircraft were a passenger aircraft, a freight aircraft or a freighter aircraft, as the case may be.

(3) There shall be payable in respect of each departure and arrival of an aircraft of which the maximum permissible weight does not exceed five thousand kilogrammes 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 seven new pence for each five hundred kilogrammes or part thereof of the maximum permissible weight of the aircraft or a fee of fifteen new pence, whichever is the greater.

(4) There shall be payable in respect of each departure and arrival of an aircraft of which the maximum permissible weight exceeds five thousand kilogrammes 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 twenty-four new pence for each five hundred kilogrammes or part thereof of the maximum permissible weight of the aircraft.

Test, familiarisation and training flights.

7. There shall be payable in respect of each departure from and of each arrival at the Airport of an aircraft on a flight which is, in the opinion of the Board, a bona fide test flight or a familiarisation or training flight on which only personnel for carrying out the test, familiarisation or under training, as the case may be, are carried, the appropriate fee which would be payable in pursuance of the provisions of subsection (1) or subsection (2) of section one of this Ordinance if that aircraft were a passenger aircraft, reduced by fifty per centum.

Additional fee outside promulgated hours.

8. Where the Airport is made available for use by an aircraft before the commencement or after the expiration of the promulgated hours on any day, there may be payable, at the discretion of the Board, by the operator of that aircraft in addition to any other fee otherwise payable in pursuance of the provisions of this Ordinance, a fee calculated in accordance with the provisions of the First Schedule to this Ordinance.

Exceptions.

9. So much of the provisions of this Ordinance as applies to fees in respect of the departure from and arrival at the Airport of an aircraft shall not apply in respect of an aircraft during the operation of an agreement for a period of not less than one year between the Board and the operator of that aircraft for the payment of such fees as may be contained in that agreement.

Arrivals and departures due to weather, etc.

10. (1) Where after the departure of an aircraft from the Airport the aircraft is unable to reach its destination through stress of weather or other circumstances beyond the control of the operator and returns to the Airport without having landed at any place during the flight, a fee in respect of the arrival on return shall not be payable and a fee in respect

of the subsequent departure shall not be payable if, as soon as may be after such arrival, the aircraft departs for its original destination without any passenger or any freight not carried in the aircraft on its arrival as aforesaid.

(2) Where an aircraft not bound for the Airport, through stress of weather or other circumstances beyond the control of the operator, arrives at the Airport, a fee in respect of the arrival shall not be payable and a fee in respect of the subsequent departure shall not be payable if, as soon as may be after such arrival, the aircraft departs for its original destination without any passenger or any freight not carried in the aircraft on its arrival as aforesaid.

11. Nothing in the foregoing provisions of this Ordinance shall apply in relation to the naval, military or air force aircraft of any country or to aircraft owned by a department of the government of any country. Exemptions.

12. (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 parking of any aircraft at the Airport a fee calculated in accordance with the provisions of the Second Schedule to this Ordinance. Parking fees.

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

(3) The fee 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.

Payment  
and recovery  
of fees.

13. (1) Any fee payable in pursuance of the provisions of this Ordinance shall be paid by the operator of the aircraft concerned.

(2) Any fee payable in pursuance of the provisions of this Ordinance may be recovered from the operator concerned as a civil debt due to the States of Guernsey.

Interpreta-  
tion.

14. (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;

“air transport service” means the carriage of passengers or of mails or other cargo by air for reward;

“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;

“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 twenty thousand kilogrammes 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 take-off weight authorised by the certificate of airworthiness;

“operating crew” in relation to an aircraft includes pilots, flight navigators, flight engineers and flight radio operators;

“operator” in relation to an aircraft means the person for the time being having the business management of that aircraft;

“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;

“the promulgated hours” means the hours for the time being promulgated for or on behalf of the Board as being the hours in any day

during which the Airport is available for use;

“space occupied” in relation to an aircraft means the product of the span of the aircraft and its maximum length;

“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 metric.

(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 aircraft for hire or reward includes a reference to the carriage of any passenger or the operation of any aircraft for the purpose of instruction in flying for which payment is made.

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

15. This Ordinance shall have effect in the Islands of Guernsey and Alderney. Extent.

16. The Ordinances set out in the Third Schedule to this Ordinance are hereby repealed. Repeals.

17. This Ordinance may be cited as the Airport Fees Ordinance, 1971. Citation.

18. This Ordinance shall come into force on the first day of June, nineteen hundred and seventy-one. Commencement.

## FIRST SCHEDULE Section eight

*Additional fee for departures and arrivals outside promulgated hours*

	Passenger aircraft		Freight and Freighter aircraft	
	For the first hour or part thereof before or after the promulgated hours	For the second or subsequent hours or part thereof before or after the promulgated hours	For the first hour or part thereof before or after the promulgated hours	For the second or subsequent hours or part thereof before or after the promulgated hours
Fee	£10	£25 per hour	£5	£10 per hour

## SECOND SCHEDULE Section twelve

*Parking Fees*

	For each period of twenty-four consecutive hours or part thereof	For each period of seven consecutive days	For each period of twenty-eight consecutive days	For each period of three hundred and sixty-five consecutive days
Parking fee per square metre of space occupied	One half new penny	Six times the twenty-four hour period rate	Twenty times the twenty-four hour period rate	Two hundred and sixteen times the twenty-four hour rate

## THIRD SCHEDULE Section sixteen

*Ordinances repealed*

The Airport Fees Ordinance, 1968(b).

The Airport Fees (Amendment) Ordinance, 1970(c).

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Her Majesty's Greffier.

(b) Recueil d'Ordonnances Tome XV, p. 313.

(c) No. XXX of 1970.

Copies may be purchased from  
Her Majesty's Greffier, Royal Court House, Guernsey.

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