

Island of  Guernsey

Ordinance of the States **VIII**  
1975

Made ... .. 26th March, 1975.  
Coming into Operation ... 1st April, 1975.

**The Airport Fees Ordinance, 1975**

THE STATES, in pursuance of their Resolution of the twenty-seventh day of February, nineteen hundred and seventy-five, 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:—

PART I

*General airport fees*

1. (1) Subject to the succeeding provisions of this Ordinance, there shall be payable in respect of each arrival at the Airport of an aircraft:—

Standard  
airport  
fees.

(a) a landing fee in respect of the classes of aircraft set out in the left hand column of Part I of the First Schedule to this Ordinance calculated in accordance with the rates

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

set out in the right hand column of Part I of the said First Schedule in relation to those classes respectively;

- (b) a navigational services fee in respect of the classes of aircraft set out in the left hand column of Part II of the First Schedule to this Ordinance calculated in accordance with the rates set out in the right hand column of Part II of the said First Schedule in relation to those classes respectively.

(2) Subject to the succeeding provisions of this Ordinance, in addition to the fees payable in pursuance of the provisions of the last preceding subsection there shall be payable in respect of each arrival at the Airport of an aircraft:—

- (a) in the case of an aircraft which last departed from a place in the United Kingdom or the Isle of Man, a passenger fee calculated by multiplying fifty new pence by the number of passengers on board the aircraft at the time of its arrival as aforesaid;
- (b) in the case of an aircraft which last departed from a place outside the United Kingdom, the Isle of Man and the Channel Islands, a passenger fee calculated by multiplying one pound by the number of passengers on board the aircraft at the time of its arrival as aforesaid.

Short haul  
passenger  
aircraft.

2. (1) There shall be payable in respect of each arrival at the Airport of an aircraft in passenger configuration which last departed from a place within a radius of fifty-five nautical miles from the Airport, a fee equal to the aggregate of the appropriate fees which would otherwise be payable in pursuance of the provisions of subsection (1) of the last preceding section reduced by forty-five per centum.

(2) In addition to the fee payable in pursuance of the provisions of the last preceding subsection there shall be payable in respect of each arrival at the Airport of an aircraft in passenger configuration which last departed from a place outside the Channel Islands, a fee calculated by multiplying fifty-five new pence by the number of passengers on board the aircraft at the time of its arrival as aforesaid.

3. (1) There shall be payable in respect of each arrival at the Airport of an aircraft in cargo configuration which last departed from a place outside a radius of fifty-five nautical miles from the Airport, a fee equal to the aggregate of the appropriate fees which would otherwise be payable in pursuance of the provisions of subsection (1) of section one of this Ordinance reduced by fifty per centum. Cargo  
aircraft.

(2) There shall be payable in respect of each arrival at the Airport of an aircraft in cargo configuration which last departed from a place inside a radius of fifty-five nautical miles from the Airport, a fee equal to the aggregate of the appropriate fees which would otherwise be payable in pursuance of the provisions of subsection (1) of section one of this Ordinance reduced by sixty-five per centum.

4. (1) There shall be payable in respect of each arrival at the Airport of an aircraft in mixed configuration which last departed from a place outside a radius of fifty-five nautical miles from the Airport, a fee equal to the aggregate of the appropriate fees which would otherwise be payable in pursuance of the provisions of subsection (1) of section one of this Ordinance reduced by fifty per centum. Passenger  
—cargo  
aircraft.

(2) There shall be payable in respect of each arrival at the Airport of an aircraft in mixed configuration which last departed from a place inside a

radius of fifty-five nautical miles from the Airport, a fee equal to the aggregate of the appropriate fees which would otherwise be payable in pursuance of the provisions of subsection (1) of section one of this Ordinance reduced by sixty-five per centum.

(3) In addition to the fee payable in pursuance of the provisions of subsection (1) of this section there shall be payable in respect of each arrival at the Airport of an aircraft in mixed configuration:—

(a) in the case of such an aircraft which last departed from a place in the United Kingdom or the Isle of Man, a passenger fee calculated by multiplying fifty new pence by the number of passengers on board the aircraft at the time of its arrival as aforesaid;

(b) in the case of such an aircraft which last departed from a place outside the United Kingdom, the Isle of Man and the Channel Islands, a passenger fee calculated by multiplying one pound by the number of passengers on board the aircraft at the time of its arrival as aforesaid.

(4) In addition to the fee payable in pursuance of the provisions of subsection (2) of this section there shall be payable in respect of each arrival at the Airport of an aircraft in mixed configuration which last departed from a place outside the Channel Islands, a passenger fee calculated by multiplying fifty-five new pence by the number of passengers on board the aircraft at the time of its arrival as aforesaid.

Local  
flights.

5. There shall be payable in respect of each arrival at the Airport of an aircraft after a flight, not being a flight which, in the opinion of the Board, is a bona

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, which began at the Airport and during which the aircraft did not land at any other place, a fee equal to the aggregate of the appropriate fees which would otherwise be payable in pursuance of the provisions of subsection (1) of section one of this Ordinance reduced by sixty per centum.

6. There shall be payable in respect of each arrival at the Airport of a private aircraft a fee, if payment thereof is made immediately on arrival at the Airport, in respect of the classes of private aircraft set out in the left hand column of Part III of the First Schedule to this Ordinance of the amount set out in the right hand column of Part III of the said First Schedule in relation to those classes respectively:

Private  
aircraft.

Provided that if payment of the fee as aforesaid is not made immediately on arrival at the Airport there shall not be payable the passenger fee which would otherwise be payable in pursuance of the provisions of subsection (2) of section one of this Ordinance.

7. (1) There shall be payable in respect 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:—

Test,  
familiari-  
sation and  
training  
flights.

- (a) the appropriate landing fee which would otherwise be payable in pursuance of the provisions of paragraph (a) of subsection (1) of section one of this Ordinance reduced by seventy-five per centum; and

(b) the appropriate navigational services fee payable in pursuance of the provisions of paragraph (b) of subsection (1) of section one of this Ordinance.

(2) In the case 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, there shall be payable, if the aircraft approaches the runway of the Airport for the purposes of making a simulated landing but does not land at the Airport, only the appropriate navigational services fee payable in pursuance of the provisions of paragraph (b) of subsection (1) of section one of this Ordinance in respect of each such approach to the runway.

(3) Any person who is desirous that a flight should, for the purposes of either of the last two preceding subsections, be treated by the Board as a bona fide test flight or a familiarisation or training flight shall, before the flight is to take place, supply the Airport Commandant with such information, including the circumstances in which it is to take place, as the said Commandant may require.

Reduced  
fees for  
passenger  
aircraft  
during  
certain  
months.

8. During the months of January, February, March, November and December in any year, instead of the aggregate of the appropriate fees which would otherwise be payable in pursuance of the provisions of subsection (1) of section one of this Ordinance in respect of each arrival at the Airport of an aircraft in passenger configuration which last departed from a place outside a radius of fifty-five nautical miles from the Airport, there shall be payable a fee equal to the said aggregate reduced by ten per centum.

9. Where the Airport is made available for the arrival thereat or the departure therefrom of 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, in addition to any other fee payable in pursuance of the provisions of this Ordinance, a fee calculated in accordance with the provisions of the Second Schedule to this Ordinance.

Additional  
fees  
outside  
promul-  
gated  
hours.

10. So much of the provisions of this Ordinance as prescribe the fees which shall be payable in respect of the arrival at the Airport of an aircraft may be varied or suspended during the operation of an agreement between the Board and the operator of that aircraft or during such period and subject to such conditions as may be contained in that agreement.

Exceptions.

11. (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 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.

Arrivals  
due to  
weather,  
etc.

(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 such arrival 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.

(3) Where an aircraft bound for the Airport, through stress of weather or other circumstances beyond the control of the operator, is diverted to another place at which no landing fee, navigational services fee, passenger fee or other similar fee by whatever name called is paid, then on the arrival of that aircraft at the Airport from that other place there shall be payable in respect of such arrival at the Airport the appropriate fees payable in pursuance of the provisions of this Ordinance as if the aircraft had arrived from its original place of departure on the flight concerned and had not been diverted.

**Exemptions.**

12. 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.

**Parking fees.**

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 parking of any aircraft at the Airport a fee calculated in accordance with the provisions of the Third Schedule to this Ordinance.

(2) In the calculation of any fee payable as aforesaid—

- (a) in respect of the parking of an aircraft other than a private aircraft not exceeding three metric tons maximum permissible weight, the first two hours during which such an aircraft is parked after its last arrival at the Airport shall be disregarded;
- (b) in respect of the parking of a private aircraft not exceeding three metric tons maximum permissible weight, the first forty-eight hours during which such an aircraft

is parked after its last arrival at the Airport 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.

## PART II

### *Commuted airport fees*

14. (1) Notwithstanding any of the provisions of Part I of this Ordinance, there may be payable by an operator in respect of all arrivals at the Guernsey Airport and the Alderney Airport of aircraft owned by the operator during each year a commuted fee of such amount as shall be agreed between the Board and the operator and approved by Resolution of the States of Guernsey as respects each year.

Commuted  
fee  
payable  
by an  
operator.

(2) Any Resolution passed by the States of Guernsey under the provisions of section three of the Airport Fees (Commuted) Ordinance, 1973(b), and valid immediately before the coming into force of this Ordinance shall be deemed to have effect as though it were a Resolution passed under the provisions of the last preceding subsection.

(3) The power conferred by subsection (1) of this section to pass any Resolution shall be construed as including a power exercisable in the like manner to vary or repeal the Resolution.

## PART III

### *General*

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

Payment  
and  
recovery  
of fees.

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(b) No. XLI of 1973.

(2) Any fee payable in pursuance of any 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.

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

“aircraft in cargo configuration” means an aircraft which for the time being is in the opinion of the Board intended to be and is used for the carriage of freight and in which no passengers are carried;

“aircraft in mixed configuration” means an aircraft which is designed or intended and is wholly or mainly used for the carriage of freight;

“aircraft in passenger configuration” means an aircraft, not being an aircraft in mixed configuration, used for the carriage of passengers and operated for hire or reward;

“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 hire or 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;
- “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 engineers and flight radio operators and members of the cabin staff;
- “operator” in relation to an aircraft means the person for the time being having the business management of that aircraft;
- “owned” includes chartered;
- “passenger” means any person carried in an aircraft and includes a person carried for the purposes of instruction in flying for which payment is made but does not include a member of the operating crew or a passenger in respect of whom a fare has not been paid;
- “personnel” in relation to an aircraft includes the operating crew and other persons having any duties to perform in the aircraft;

“private aircraft” means an aircraft which is not used to operate an air transport service;

“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;

“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.

17. The Ordinances set out in the Fourth Schedule Repeals. to this Ordinance are hereby repealed.

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

19. This Ordinance may be cited as the Airport Citation. Fees Ordinance, 1975.

20. This Ordinance shall come into force on the Commence- first day of April, nineteen hundred and seventy- ment. five.

## FIRST SCHEDULE Sections one and six

## PART I

*Landing fees*

Classes of aircraft	Rates of landing fee
Aircraft not exceeding three metric tons maximum permissible weight	60p per five hundred kilograms or part thereof
Aircraft exceeding three metric tons maximum permissible weight	£1.20 per metric ton or part thereof

## PART II

*Navigational services fees*

Classes of aircraft	Rates of navigational services fee
Aircraft not exceeding three metric tons maximum permissible weight	37.5p per five hundred kilograms or part thereof
Aircraft exceeding three metric tons maximum permissible weight	75p per metric ton or part thereof

## PART III

*Private aircraft fees*

Classes of private aircraft	Amount of fee
Aircraft not exceeding one metric ton maximum permissible weight	£1.50
Aircraft exceeding one metric ton but not exceeding one and one half metric tons maximum permissible weight	£2.25

Classes of private aircraft	Amount of fee
Aircraft exceeding one and one half metric tons but not exceeding two metric tons maximum permissible weight	£3.00
Aircraft exceeding two metric tons but not exceeding two and one half metric tons maximum permissible weight	£3.75
Aircraft exceeding two and one half metric tons but not exceeding three metric tons maximum permissible weight	£4.50

## SECOND SCHEDULE

Section nine

*Additional fee for availability of Airport outside promulgated hours*

	Aircraft in passenger configuration		Aircraft in cargo or mixed configuration and private 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	£12.50	£25 per hour	£6.25	£12.50 per hour

## THIRD SCHEDULE

Section thirteen

*Parking Fees*

Classes of aircraft	For each period of twenty-four consecutive hours or part thereof
Aircraft not exceeding four metric tons maximum permissible weight	30p for each five hundred kilogrammes
Aircraft exceeding four metric tons but not exceeding ten metric tons maximum permissible weight	£2.40
Aircraft exceeding ten metric tons but not exceeding twenty metric tons maximum permissible weight	£4.80
Aircraft exceeding twenty metric tons but not exceeding thirty metric tons maximum permissible weight	£7.20
Aircraft exceeding thirty metric tons but not exceeding one hundred metric tons maximum permissible weight	£7.20 plus £1.50 for each ten metric tons or part thereof in excess of thirty metric tons maximum permissible weight
Aircraft exceeding one hundred metric tons maximum permissible weight	£17.70 plus £1.00 for each ten metric tons or part thereof in excess of one hundred metric tons maximum permissible weight

## FOURTH SCHEDULE

Section seventeen

*Ordinances repealed*

The Airport Fees Ordinance, 1973(c).

The Airport Fees (Commuted) Ordinance, 1973(d).

The Airport Fees (Amendment) Ordinance, 1974(e).

R. H. VIDELO.

Her Majesty's Greffier.

(c) No. XIV of 1973.

(d) No. XLI of 1973.

(e) No. VI of 1974.