

Island of



Guernsey

## Ordinance of the States

**XVII**  
**2016**

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Made ..... 2nd March, 2016

Coming into Operation ..... 8th March, 2016

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## **The Air Navigation (Bailiwick of Guernsey) (Amendment) Ordinance, 2016**



## **The Air Navigation (Bailiwick of Guernsey) (Amendment) Ordinance, 2016**

THE STATES, in pursuance of their Resolution of the 11<sup>th</sup> day of December, 2015<sup>a</sup>, and in exercise of the powers conferred on them by sections 145 and 151 of the Air Navigation (Bailiwick of Guernsey) Law, 2012<sup>b</sup> and all other powers enabling them in that behalf, hereby order:-

### **Amendment of nationality mark.**

1. In section 2(2) of the Air Navigation (Bailiwick of Guernsey) Law, 2012 ("**the Law**") for the words "shall consist of a group of four capital letters in Roman character and both the nationality mark and the registration mark shall comply with requirements published by the Director of Civil Aviation under section 135" substitute "may comprise letters, numbers or a combination thereof; letters shall be displayed as Roman characters and numbers as Arabic numerals and the marks shall comply with the requirements of the Aviation (Registry) (Guernsey) Law, 2013".

### **Amendment of reference to Category I operation, etc.**

2. In -

- (a) section 40(10)(b) of the Law, for "68(9)" substitute "68(8)", and
- (b) section 152 of the Law, in the definition of "Category I operation, Category II operation and Other than Standard Category II operation" for "68(7)" substitute "68(8)".

### **Issue of an air operator's certificate.**

3. Insert the following section after the heading to Part I, Chapter VII of the Law -

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<sup>a</sup> Article X of Billet d'État No. XIII of 2015.

<sup>b</sup> Order in Council No. XI of 2013.

**"Issue of air operator's certificate.**

**59A.** (1) An aircraft registered in Guernsey must not fly on any flight for the purpose of commercial air transport except under and in accordance with the terms of an air operator's certificate granted to the operator of the aircraft under subsection (2), certifying that the holder of the certificate is competent to ensure that aircraft operated by the holder on such flights are operated safely.

(2) The Director of Civil Aviation must grant an air operator's certificate to an operator, having its principal place of business in the Bailiwick, upon being satisfied that the applicant is competent to secure the safe operation of aircraft of the types specified in the certificate on flights of the description and for the purposes specified, having regard in particular to the applicant's -

- (a) previous conduct and experience,
- (b) equipment,
- (c) organisation and staffing, and
- (d) maintenance and other arrangements.

(3) The operator of an aircraft to which this section applies must establish and maintain to the satisfaction of the Director of Civil Aviation a safety management system appropriate to the size and complexity of the operation.

(4) A person must not hold himself or herself, or any other person, out as being a person who may offer flights on an aircraft registered in Guernsey for the purpose of commercial air transport unless the person, or that other person (as the case may be), holds a valid air operator's certificate granted under this section.

(5) The Department may by regulations make further provision for the issue of air operator's certificates, and regulations under section 149 may also make provision for the issue of air operator's certificates to operators of aircraft registered in Guernsey."

**Interpretation.**

4. (1) In this Ordinance "**the Law**" means the Air Navigation (Bailiwick of Guernsey) Law, 2012, and other words or expressions have the same meaning as in the Law.

(2) The Interpretation (Guernsey) Law, 1948<sup>c</sup> applies to the interpretation of this Ordinance throughout the Bailiwick.

(3) Any reference in this Ordinance to an enactment is a reference thereto as from time to time amended, repealed and replaced (with or without modification), extended or applied.

**Citation.**

5. This Ordinance may be cited as the Air Navigation (Bailiwick of Guernsey) (Amendment) Ordinance, 2016.

**Commencement.**

6. This Ordinance shall come into force on 8<sup>th</sup> March, 2016.

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<sup>c</sup> Ordres en Conseil Vol. XIII, p. 355





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Printed by Colour Monster Printshop, The Guernsey Press Building, Braye Road, St. Sampsons, GY2 4WX.