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Airports and Civil Aviation (Amendment) Act 2001

Chapter 19

Arrangement of sections

1. Amendment of Airports and Civil Aviation Act 1987.
2. Short title and commencement.



Signed in Tynwald: 10th July 2001
Received Royal Assent: 10th July 2001
Announced to Tynwald: 11th July 2001
Passed: 11th July 2001

AN ACT

to provide for the application to the Isle of Man
of European Community instruments relating to
civil aviation

WE, your Majesty's most dutiful and loyal subjects, the Council and Keys of the said Isle, do humbly beseech your Majesty that it may be enacted, and be it enacted, by the Queen's Most Excellent Majesty, by and with the advice and consent of the Council and Keys in Tynwald assembled, and by the authority of the same, as follows (that is to say):—

1. Amendment of Airports and Civil Aviation Act 1987.

After section 11 of the Airports and Civil Aviation Act 1987¹ insert —

“11A Application to Island of Community instruments.

(1) Notwithstanding the provisions of any other enactment, the Department may by order apply to the Island as part of the law of the Island, subject to such exceptions, adaptations and modifications as may be specified in the order, any provision of any Community instrument (within the meaning of section 1(1) of the European Communities (Isle of Man) Act 1973²) which has effect in the United Kingdom and concerns, directly or indirectly —

- (a) airports;
- (b) air traffic control;
- (c) air safety;
- (d) air navigation;
- (e) air routes;
- (f) aircraft and their operation;

¹ 1987 c.10

² 1973 c.14

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- (g) the effect on the environment of airports and civil aviation;
- (h) air crew;
- (i) carriage by air of passengers, luggage and cargo; or
- (j) civil aviation.

(2) An order under subsection (1), may include provision repealing or amending any provision of any enactment (other than this section) which is inconsistent with, or is unnecessary or requires modification in consequence of any Community instrument applied to the Island by the order.

- (3) An order under subsection (1) may —
 - (a) specify the exceptions, adaptations and modifications subject to which the Community instrument applies to the Island; or
 - (b) set out the Community instrument applied by the order, incorporating the exceptions, adaptations and modifications subject to which it applies to the Island.

(4) The Department shall, as soon as is practical after the coming into operation of an order to which subsection (3)(a) applies cause a text to be prepared of the Community instrument applied by the order, incorporating the exceptions, adaptations and modifications specified in the order.

(5) The Department shall supply a copy of the text prepared under subsection (4) to any person requesting the same, at such reasonable charge as the Department may determine.

(6) An order under subsection (1) shall not come into operation until it is approved by Tynwald.”.

2. Short title and commencement.

(1) This Act may be cited as the Civil Aviation (Amendment) Act 2001.

(2) This Act shall come into operation on such day as the Department of Transport may by order appoint.