

Jersey Law 17/1952

AERODROMES (ADMINISTRATION) (JERSEY) LAW, 1952.

A LAW to revise the Law with regard to the policing, control and administration of the aerodromes of the Island, sanctioned by Order of Her Majesty in Council of the

23rd day of MAY, 1952.

(Registered on the 21st day of June, 1952).

STATES OF JERSEY.

The 19th day of February, 1952.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, have adopted the following Law: -

ARTICLE 1

In this Law –

“aerodrome” means any area of land designed, set apart or commonly used for affording facilities for the landing and departure of aircraft, and includes a seadrome;

“Airport Commandant” has the meaning assigned thereto by paragraph (1) of Article 2;

“the Committee” means the Harbours and Airport Committee;

“the Harbour Master” means the Harbour Master appointed in pursuance of Article 1 of the “Loi (1928) sur l’Administration

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des Ports”, as amended,¹ and includes any person for the time being exercising the functions of the Harbour Master;

“seadrome” means any area of water designed, set apart or commonly used for affording facilities for the landing and departure of aircraft.

ARTICLE 2

(1) The Harbours and Airport Committee shall appoint a chief executive officer, to be called “the Airport Commandant”, who shall be entrusted with the policing, control and administration of the aerodromes of the Island and shall perform such duties as may be imposed on him by the Committee for the carrying into effect of any legislation for the time being in force relating to air navigation.

(2) The Committee shall appoint one or more persons to deputize for the Airport Commandant when the Airport Commandant is not on duty, and a person so appointed shall, when so deputizing, have the same powers and be subject to the same duties as the Airport Commandant.

(3) The Airport Commandant and every person appointed under paragraph (2) of this Article shall, on appointment or as soon as may be thereafter, take oath before the Royal Court well and faithfully to discharge the duties of their respective offices.

ARTICLE 3

(1) The Airport Commandant shall, within the territorial limits of every aerodrome, have the same powers of detention and arrest and of enforcing the maintenance of public order as are possessed by a Centenier.

(2) The prosecution of any person arrested by the Airport Commandant under the powers conferred upon him by this Article shall

¹ See now Article 2 of the Harbours (Administration) (Jersey) Law, 1961 (Volume 1961–1962, page 164).

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be undertaken by the Constable of the Parish in which the person was arrested.

ARTICLE 4

(1) Subject to the provisions of any legislation for the time being in force relating to air navigation, the State may make regulations for the policing, control and administration of aerodromes.

(2) Regulations made under this Article may be amended by subsequent regulations and shall remain in force until repealed.

[ARTICLE 4A

(1) Any fine imposable for an offence under any regulations made under Article 4 of this Law, may be inflicted and levied summarily by the Constable or any Centenier of the parish in which the offence was committed:

Provided that this paragraph shall not apply –

- (a) where the offender, if convicted by a court, would be liable to a fine exceeding five pounds; or
- (b) where the offender refuses to accept the decision of the Constable or Centenier.

(2) Where any fine is levied by a Constable or Centenier in pursuance of the powers conferred on him by this Article, he shall give a receipt for the same.

ARTICLE 4B

All fines imposed for offences under any regulations made under Article 4 of this Law shall be awarded for the benefit of the General Revenues of the States, except where the maximum fine which may be inflicted for the offence does not exceed five pounds, in which case one half of the fine shall be awarded for the benefit of the General

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Revenues of the State and one half for the benefit of the parish in which the offence was committed and shall be applied towards the cost of maintenance of the by-roads of the parish.]²

ARTICLE 5

The Committee may direct that any powers conferred or duties imposed upon the Airport Commandant under or by virtue of this Law may, in relation to any seadrome, also be exercised by the Harbour Master, and the provisions of this Law and of the regulations made thereunder shall have effect accordingly.

ARTICLE 6

(1) The “Loi sur la Police, le Contrôle et la Régie des Ports Aériens et des Aérodrômes de cette Ile”, confirmed by Order of His Majesty in Council of the 1st day of July 1937,³ and the Airports (Administration) (Jersey) Law, 1948,⁴ are hereby repealed:

Provided that –

- (a) the person appointed as Airport Controller under the first-mentioned Law shall be deemed to have been appointed as Airport Commandant under this Law; and
- (b) any regulations made under the first-mentioned Law and in force at the time of the commencement of this Law shall continue in force and have effect as if they had been made under this Law.

(2) References in any enactment to the Airport Controller and the Deputy Airport Controller (whether such references be in the French or the English language) shall be construed as references to the

² Articles inserted by Aerodromes (Administration) (Amendment) (Jersey) 1967 (Volume 1966–1967, page 725).

³ Volume 1937–1938, page 119.

⁴ Volume 1946–1948, page 393.

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Airport Commandant and a person appointed under paragraph (2) of Article 2 of this Law respectively.

ARTICLE 7

This Law may be cited as the Aerodromes (Administration) (Jersey) Law, 1952.