

No. 293.

THE COLONIAL AIR NAVIGATION (APPLICATION OF ACTS)
ORDERS, 1937 TO 1947.

REGULATIONS.

WINSTER,
Governor.

In exercise of the powers conferred on me by section 5 of the Air Navigation Act, 1936, as applied to the Colonies by the Colonial Air Navigation (Application of Acts) Orders, 1937 to 1947, I, the Governor, do hereby, with the approval of the Secretary of State, make the following regulations:—

1. These regulations may be cited as the Air Transport (Licensing of Air Services) Regulations, 1948.

PART I.

INTERPRETATION.

2. In these regulations unless the context otherwise requires—

“air service” means any service performed by any aircraft for hire or reward:

Provided that a member of a club carried in an aircraft belonging to the club for the purposes of instruction shall not, if the instructor is also a member of the club, be deemed to be carried for hire or reward, notwithstanding that payment is made for such instruction or carriage;

“The Convention on International Civil Aviation” and “The International Air Services Transit Agreement” mean, respectively, the Convention and the Agreement so styled which were signed at Chicago on behalf of the Government of the United Kingdom on the 7th December, 1944;

“the Chairman” means the Chairman of the Air Transport Licensing Authority and includes the person for the time being lawfully discharging in the Colony the functions of such Chairman;

“licence” means a licence granted under regulation 6 of these regulations;

“the Licensing Authority” means the Air Transport Licensing Authority constituted by regulation 5 of these regulations;

“permit” means a permit granted under regulation 25 of these regulations;

“scheduled journey” means one of a series of journeys which are undertaken between the same two places and which together amount to a systematic service operated in such a manner that the benefits thereof are available to members of the public from time to time seeking to take advantage of them.

“the ~~three~~ Corporations” means the British Overseas Airways Corporation established in pursuance of the British Overseas Airways Act, 1939, and the British European Airways Corporation and the ~~British South American Airways Corporation established in pursuance of the Civil Aviation Act, 1946.~~

PART II.

LICENCES FOR SCHEDULED JOURNEYS.

3. This Part of these regulations shall not apply to the carriage of passengers, mail or cargo by air for hire or reward upon journeys other than scheduled journeys.

A.M. 520/24-18-50, p. 367
S.L. 13-8-53 p. 459.

“provisional licence”
MODER. S.L. 13-8-53,
p. 459.

A.M. 520/24-18-50,
p. 368.

4.—(1) Subject to the provisions of these regulations, it shall not be lawful for any person to use any aircraft in the Colony for the carriage of passengers, mail or cargo for hire or reward upon any scheduled journey between two places, of which at least one is in the Colony except under, and in accordance with the provisions of, a licence granted by the Licensing Authority hereinafter specified.

(2) Any person who uses any aircraft in contravention of the provisions of this regulation shall be liable on conviction in the case of a first offence to a fine not exceeding five hundred pounds or to imprisonment for a term, not exceeding three months or to both such fine and such imprisonment, and in the case of a second or subsequent offence to a fine not exceeding five thousand pounds or to imprisonment for a term not exceeding two years or to both such fine and such imprisonment.

(3) The provisions of this regulation shall not apply in respect of the aircraft of any State, which is a party to the International Air Services Transit Agreement, which fly across the Colony without landing, or land in the Colony in accordance with the provisions of that Agreement.

5.—(1) The Licensing Authority for the purposes of this Part of these regulations shall consist of such number of members, not being less than three, one of whom shall be a person with legal experience, as the Governor may from time to time determine, and shall be known as the "Air Transport Licensing Authority".

(2) Every member of the Licensing Authority shall be appointed by the Governor and, unless he shall earlier resign his office by writing under his hand addressed to the Governor, shall hold office for such term as the Governor shall at the time of making the appointment determine but shall be eligible for re-appointment from time to time on the expiration of his term of office. The Governor shall nominate one of the members to be Chairman.

(3) The Governor may from time to time appoint deputy members to act in the place of members who are ill or absent. Such deputy members may be appointed either for a specified term or to act in the place of a specified member during his illness or absence.

(4) The Governor may remove any member or deputy member from this office for inability or misbehaviour.

(5) Where the Governor proposes to appoint a person to be a member or deputy member of the Licensing Authority he shall, before making the appointment, require that person to declare whether he has any, and if so what, financial interest in any undertaking which provides transport for passengers or goods or which owns or operates aerodromes, manufactures aircraft, aircraft engines or accessories, or supplies aircraft fuel or lubricants. If any member or deputy member of the Licensing Authority acquires any such financial interest he shall, within four weeks after so doing, give notice thereof in writing to the Governor specifying the interest so acquired, and the Governor after taking the matter into consideration may, if he thinks fit, declare that the member or deputy member has vacated his office and the seat of such member or deputy member shall thereupon become vacant.

(6)—(a) The Governor may appoint a person to be Secretary to the Licensing Authority.

(b) The Licensing Authority may appoint such officers and servants as may, in the opinion of the Governor, be necessary to enable them to discharge their duties.

(c) The number of members which shall form a quorum of the Licensing Authority for the despatch of business, and the way in which the Licensing Authority shall determine questions for their decision shall be such as the Governor may prescribe.

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S.L. 138-53,
p. 459.

6.—(1) The Licensing Authority may grant to any person applying therefor a licence to carry passengers, mail or cargo by air for hire or reward on such scheduled journeys, and subject to such conditions, as may be specified in the licence.

(2) The Licensing Authority may attach such conditions to any licence as they may think fit having regard to the nature and circumstances of the application therefor.

(3) It shall be a condition of every licence that—

(a) the holder of the licence and any person having a financial interest in the business of the holder of the licence shall refrain from stipulating that any other person shall—

- (i) refuse booking facilities to any other holder of a licence ;
- (ii) grant such facilities to any other holder only on onerous terms ; and

(b) the holder of the licence shall perform all such reasonable services as the Postmaster-General may from time to time require in regard to the conveyance of mails (and of any persons who may be in charge thereof) upon journeys made under the licence. The remuneration for any such services shall be such as may be from time to time determined by agreement between the Postmaster-General and the holder of the licence.

(c) The wages, salaries or other remuneration paid by the holder of a licence to all persons employed in connection with the operation of the services authorized by the licence, or paid to persons employed in connection with the operation of aircraft hired by him for the purposes of those services, and the conditions of their employment shall not be less favourable to them than the wages, salaries or other remuneration which would be payable and the conditions which would have to be observed under a contract which complied with the requirements of any law or of any rules observed for the time being by the Government of Cyprus in connection with Government and public contracts :

Provided that if complaint is made to the Licensing Authority that the above-mentioned condition is not being observed, the Licensing Authority, if the complaint is not otherwise disposed of, shall report the matter to the Commissioner of Labour, and the Licensing Authority shall be guided by the advice of the Commissioner of Labour in deciding whether the above-mentioned conditions are satisfied.

(4) Any dispute, difference or question which may arise as to the remuneration to be paid to the licence-holder in respect of such services or as to the rights, duties or liabilities of the licence-holder or the Postmaster-General hereunder or otherwise in relation to any of the matters aforesaid shall in default of agreement be referred to a single arbitrator in pursuance of the provisions of the Arbitration Law, 1944.

7. Applications for licences shall be made in the form and manner, and shall contain the particulars prescribed in the First Schedule hereto. Every applicant shall furnish to the Licensing Authority such further information as the Licensing Authority may reasonably require for the discharge of their duties in relation to the application. First
Schedule.

8. The Licensing Authority shall cause to be published, in the manner prescribed in the First Schedule hereto, such particulars of any applications for licences received by them as are prescribed in the said Schedule. First
Schedule.

9. Any person may, in the form and manner, and within the time, prescribed in the First Schedule hereto, make representations or objections with regard to any application for a licence. First
Schedule.

10. The Licensing Authority may, if they think fit, for the purpose of determining applications for licences, hold enquiries in public or in private and shall hold an enquiry in public if the applicant, or any person who has duly made an objection, requires the Licensing Authority, by such notice and in such form as is prescribed in the First Schedule hereto, so to do. Before holding any such enquiry the Licensing Authority shall give to the applicant and to any person who has duly made representations or objections with regard to the application, a notice of the date and time fixed for such enquiry and shall give to the applicant and to any such person an opportunity of being heard at the enquiry.

11. Where an application is made to the Licensing Authority for a licence to remain in force for a period not exceeding 60 days and they are satisfied that it is in the public interest that the application should be determined with expedition, they may determine the application and grant a licence accordingly ; and the provisions of this Part of these regulations as to the publication of particulars of applications, the making of objections and representations, and the holding of enquiries at the instance of the applicant or an objector shall not in that case apply.

12. In exercising their discretion to grant, or to refuse, a licence and their discretion to attach conditions to any licence, the Licensing Authority shall have regard to the co-ordination and development of air services generally with the object of ensuring the most effective service to the public while avoiding uneconomical overlapping and generally to the interests of the public, including those of persons requiring or likely to require facilities for air transport, as well as those of persons providing such facilities. In particular the Licensing Authority shall have regard to the following matters :—

- (a) the existence of other air services in the area through which the proposed services are to be operated ;
- (b) the demand for air transport in that area ;
- (c) the degree of efficiency and regularity of the air services, if any, already provided in that area, whether by the applicant or by other operators ;
- (d) the period for which such services have been operated by the applicant or by other operators ;
- (e) the extent to which it is probable that the applicant will be able to provide a satisfactory service in respect of safety, continuity, regularity of operation, frequency, punctuality, reasonableness of charges, and general efficiency ;
- (f) the financial resources of the applicant ;
- (g) the type of aircraft proposed to be used ;
- (h) the remuneration and general conditions of employment of aircrew and other personnel employed by the applicant ;

and the Licensing Authority shall take into consideration any objections or representations duly made in accordance with the provisions of these regulations.

13. The Licensing Authority may grant licences to remain in force for such period, not exceeding five years, as they may in each case determine, commencing on the date on which the licence is expressed to take effect :

Provided that if, on the date of the expiration of a licence, an application to the Licensing Authority is pending for the grant of a new licence in substitution for an existing licence held by the applicant, the existing licence shall continue in force until the application is granted or refused.

14. The Licensing Authority may, if they think fit, pending the determination of an application for a licence, grant to the applicant a provisional licence which shall remain in force until the application is determined.

15. Where a person has, within one month of the date when the provisions of these regulations as to applications for licences come into operation, duly applied for a licence authorizing him to perform such journeys as may be necessary to enable him to continue to operate any air service and satisfies the Licensing Authority that he was immediately before that date operating that service the Licensing Authority shall grant to the applicant a provisional licence authorizing him to continue to operate that service, and such provisional licence shall remain in force—

- (a) if the application is granted, until the date from which the licence is expressed to take effect ; or
- (b) if the application is refused; for a period of three months from the date of the decision of the Licensing Authority.

16. The Licensing Authority shall cause to be published in the manner prescribed in the First Schedule hereto such particulars of their decisions on applications for licences and of their decisions to revoke or suspend a licence as are prescribed in the said First Schedule. First
Schedule.

17.—(1) Subject to the provisions of paragraph (2) of this regulation, the Licensing Authority may revoke or suspend a licence if—

- (a) the holder of the licence has, since the licence was granted, been convicted of an offence against regulation 4 or 23 of these regulations ; or
- (b) where the holder of the licence is a body corporate, has, since the licence was granted, been convicted, in his capacity as such officer, of an offence against regulation 4 or 23 of these regulations ; or
- (c) the holder of the licence has failed to comply with any condition subject to which the licence was granted.

(2) Before revoking or suspending any licence under sub-paragraph (c) of paragraph (1) of this regulation, the Licensing Authority shall give to the holder of the licence such notice as is prescribed in the First Schedule hereto specifying the grounds upon which it is proposed to revoke or suspend the licence, and shall not revoke or suspend the licence unless they are satisfied, after holding a public enquiry if the holder of the licence (by such notice and in such form as is prescribed in the First Schedule hereto) requires them so to do, that owing to the frequency of the failure on the part of the holder to comply with conditions or to the failure having been wilful, the licence should be revoked or suspended. First
Schedule.

(3) The expression "officer" in sub-paragraph (b) of paragraph (1) of this regulation means a Director, General Manager, Secretary or other similar officer and includes any person, who, with the authority of the body corporate, acts as such officer. First
Schedule.

18. A licence may at any time be surrendered by the holder to the Licensing Authority for cancellation. If, during the currency of a licence, the holder applies to the Licensing Authority for a new licence in substitution for the current licence, he shall, if a new licence granted, surrender the current licence for cancellation on the date from which the new licence is expressed to take effect.

19.—(1) There shall be paid to the Secretary to the Licensing Authority, in respect of every licence a fee of £25 in respect of the first year (or part thereof) of the term for which the licence is expressed to remain in force and a fee of £10 for each subsequent year or part thereof of such term.

} AM. 24/12 853
p-459.

(2) There shall be paid to the Secretary to the Licensing Authority in respect of any provisional licence granted under regulation 15 of these regulations a fee of two pounds.

(3) No refund of any fee paid in respect of the grant of a licence shall be made, whether on the surrender of the licence or otherwise, save where a licence is surrendered before its normal date of expiry upon the grant of a new licence authorizing a service over the same route, in which case there shall be refunded the sum of ten pounds for each full year of the unexpired period of the licence but the holder shall, in addition to the normal fee for the new licence, pay the special additional fee of two pounds.

Second
Schedule.

20.—(1) Every holder of a licence shall make a monthly return in writing to the Licensing Authority giving, in respect of the month to which the return relates, the particulars set out in the Second Schedule hereto with regard to all air services authorized by the licence.

(2) Such return shall be sent to the Licensing Authority not later than two months after the expiration of the month to which the return relates.

21. The Licensing Authority shall make an annual report to the Governor as to the exercise of their functions during the year.

PART III.

PERMITS FOR JOURNEYS OTHER THAN SCHEDULED JOURNEYS.

22. This Part of these regulations shall not apply to the carriage of passengers, mail or cargo by air for hire or reward on scheduled journeys.

23.—(1) Subject to the provisions of these regulations, it shall not be lawful for any person to use in the Colony any aircraft for the provision of any air service except under, and in accordance with the conditions of, a permit granted by the Chairman or any person authorized in writing by him in that behalf.

(2) Any person who uses any aircraft in contravention of the provisions of this regulation shall be liable on conviction in the case of a first offence to a fine not exceeding two hundred and fifty pounds or to imprisonment for a term not exceeding three months or to both such fine and such imprisonment and in the case of a second or subsequent offence to a fine not exceeding two thousand pounds or to imprisonment for a term not exceeding two years or to both such fine and such imprisonment.

(3) The provisions of this regulation shall not apply in respect of the aircraft of any State, which is a party to the Convention of International Civil Aviation, which fly across the Colony without landing or land in the Colony for non-traffic purposes, only.

24. There shall be paid to the Secretary to the Licensing Authority in respect of every permit a fee of one pound.

25.—(1) The Chairman may grant to any person applying therefor a permit to use aircraft for the provision in the Colony of such air services (other than such a service as is referred to in paragraph (1) of regulation 4 of these regulations) for such period and on such conditions as may be specified in the permit.

(2) The Chairman may attach such conditions to any permits as he may think fit having regard to the nature and circumstances of the application therefor.

26. Applications for permits shall be made in such form, and shall contain such information as the Chairman may require.

27.—(1) The Chairman may revoke or suspend any permit if—

(a) the holder of the permit has, since the permit was granted, been convicted of an offence against regulation 4 or 23 of these regulations; or

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S32.24.8.50,
p. 368-

- (b) where the holder of the permit is a body corporate, has, since the permit was granted, been convicted, in his capacity as such officer, of an offence against regulation 4 of these regulations ; or
 (c) the holder of the permit has failed to comply with any condition subject to which the permit was granted.

ATT. S.L. 13.8.53,
p. 457

(2) The expression "officer" in paragraph (1) of this regulation means a Director, General Manager, Secretary or other officer and includes any person who, with the authority of the body corporate, acts as such officer.

PART IV.

GENERAL PROVISIONS.

28. It shall be a condition of every licence or permit that the requirements of any law or instrument having the force of law, for the time being in force in the Colony, relating to air navigation or air transport shall be complied with at all times during the currency of the licence or permit in connection with all journeys made under the licence or permit.

29. A licence or permit shall not be capable of being transferred or assigned :

Provided that in the event of the death, incapacity, bankruptcy, sequestration or liquidation of the holder of a licence or permit, or of the appointment of a receiver or manager or trustee in relation to the business of the holder of a licence or permit the person for the time being carrying on that business shall, if within fourteen days of his commencing so to do, he makes application to the Licensing Authority or the Chairman (as the case may be) for a new licence or permit, be entitled to provide the air services authorized by the existing licence or permit subject to the conditions thereof, until the application is determined.

30. Nothing in these regulations shall require the disclosure by any applicant for a licence or permit to any person other than the Licensing Authority or the Chairman (as the case may be) of information as to the financial resources of the applicant and any such information received by the Licensing Authority or the Chairman from any such applicant shall be treated as confidential.

REG. 30A ADDED.
S.L. 13.8.53,
p. 460.

31. Nothing in these regulations shall confer upon the holder of a licence or permit or upon any other person any right to the continuance of any benefits arising from the provisions of these regulations or from any licence or permit granted thereunder or from any conditions attached to any such licence or permit.

32. For the purposes of any offence against these regulations each of the following persons shall be deemed to have taken part in committing the offence and to be guilty of the offence, and may be charged and tried with actually committing the offence and may be punished accordingly, that is to say :—

- (a) every person who actually does the act or makes the omission which constitutes the offence ;
- (b) every person who does or omits to do any act for the purpose of enabling or aiding another person to commit the offence ;
- (c) every person who procures, aids or abets another person in committing the offence ;
- (d) every person who solicits or incites or endeavours to persuade another person to commit the offence ;
- (e) every person who does any act preparatory to the commission of the offence ;
- (f) every person who attempts to commit the offence ;
- (g) every person who suffers, allows or causes the offence to be committed.

33.—(1) Proceedings for an offence against these regulations shall not be instituted except by or with the consent of the Attorney-General.

(2) Where an offence against these regulations has been committed by a body corporate, every person who, at the time of the commission of the offence was a Director, General Manager, Secretary or other similar officer of the body corporate, or was purporting to act in any such capacity, shall be deemed to be guilty of that offence, unless he proves that the offence was committed without his consent or connivance and that he exercised all such diligence to prevent the commission of the offence as he ought to have exercised having regard to the nature of his functions in that capacity and to all the circumstances.

34. The custody, production and surrender of licences, the records to be kept by the Licensing Authority and the procedure in public enquiries shall be as set out in the First Schedule to these regulations.

35. In all cases in which any period of time is mentioned in these regulations the same shall be reckoned exclusively of the first day and inclusively of the last day, unless the last day shall happen to fall on a Sunday, Christmas Day, or Good Friday, on any day appointed by law to be a Bank Holiday, or a day appointed for a public fast or thanksgiving, in which case the time shall be reckoned exclusively of that day also.

First
Schedule.

PART V.

EXEMPTIONS.

36. Nothing in these regulations shall apply to—

- (a) any of the three corporations in respect of such journeys, on such routes, as the Governor may from time to time specify;
- (b) any air transport operator, whose principal place of business is in a country other than—
- (i) the United Kingdom; or
 - (ii) a territory for whose foreign relations His Majesty's

Government in the United Kingdom is responsible; in respect of journeys performed by such operator in accordance with the provisions of any agreement for the time being in force between His Majesty's Government in the United Kingdom and the Government of that country.

PART VI.

REPEAL.

Gazette :
Suppl. No. 3 :
15.8.1946

37. The Air Navigation (Licensing of Public Transport) Regulations, 1946, are hereby repealed, without prejudice to anything done or left undone thereunder :

Provided that all licences granted under the regulations hereby repealed shall be deemed to have been granted under these regulations.

FIRST SCHEDULE.

Applications for Licences.

1. Every application for a licence shall be made to the Licensing Authority in the form and shall contain the particulars, set out in Appendix A to this Schedule.

2. Every application for a licence shall be signed by the person applying for the licence and if made by any corporate body or partnership firm shall be signed by a person duly authorized in that behalf by such body, or a partner of the partnership firm as the case may be.

3. Every application for a licence, other than a licence to remain in force for a period not exceeding 60 days, shall be sent to the Licensing Authority so as to reach them on a date not less than 8 weeks and for a

REPEAL.
S.L. 24.8.50,
p. 368.

licence to remain in force for a period not exceeding 60 days on a date not less than 14 days before the date on which it is desired that the licence shall take effect :

Provided that the Licensing Authority may, in their discretion, accept and deal with any application for a licence received by them after the prescribed date.

4. A copy of every application shall be available for inspection at the office of the Licensing Authority until the application has been determined by the Licensing Authority :

Provided that information contained in the application as to the financial resources of the applicant shall not be available for inspection.

5. The Licensing Authority shall within 14 days of the receipt of an application for a licence, other than an application for a licence to remain in force for a period not exceeding 60 days in respect of which the Licensing Authority are satisfied that it is in the public interest that the application should be determined with expedition, cause to be published in the manner prescribed in paragraph 23 hereof a notice containing the particulars of the application specified in Appendix B to this Schedule and specifying a date not less than 14 days nor more than 21 days after the publication of the notice by which any representations or objections with regard to the application must be made to the Licensing Authority.

6. Every representation or objection with regard to an application for a licence shall be in the form set out in Appendix C to this Schedule and shall state the specific grounds on which it is based and shall specify any conditions which it may be desired should be attached to the licence if granted. If the representation or objection is made by any corporate body or partnership firm, it shall be signed by a person duly authorized in that behalf by such body or a partner of the partnership firm as the case may be. A copy of every such representation or objection shall be sent by the person making the same to the applicant for the licence at the same time as it is sent to the Licensing Authority.

7. In cases where the applicant for a licence or any person who has duly made an objection with regard to the application requires the Licensing Authority to hold an enquiry in public for the purpose of determining the application, notice in the form set out in Appendix D to this Schedule shall be sent by the applicant or such person to the Licensing Authority so as to reach them within 7 days after the expiration of the time within which representations or objections must be made under paragraph 5 of this Schedule.

8. In cases where for the purpose of determining an application for a licence, an enquiry in public or in private is to be held by the Licensing Authority, the notice to be given by the Licensing Authority to the applicant and to any person who has duly made representations or objections with regard to the application shall be not less than 7 days notice and in the form set out in Appendix E to this Schedule.

9. The Licensing Authority may at their discretion hear and consider any other representations or objections which may be advanced at any public enquiry at which the application is heard.

Revocation or Suspension of a Licence.

10.—(1) The notice to be given by the Licensing Authority to the holder of a licence specifying the grounds upon which it is proposed to revoke or suspend the licence shall be not less than 28 days' notice and shall be in the form set out in Appendix F to this Schedule. A similar notice shall be published in the manner provided in paragraph 23 of this Schedule.

(2) Every request by the holder of the licence that a public enquiry shall be held shall be in the form set out in Appendix G to this Schedule and shall be sent to the Licensing Authority so as to reach them within 7 days from the date of such notice.

Publication of Decisions.

11. Particulars of the decisions of the Licensing Authority (i) on applications for licences and (ii) to revoke or suspend a licence, as specified in Appendix H and Appendix I, respectively, to this Schedule shall be published by the Licensing Authority in the manner prescribed in paragraph 23 hereof.

Procedure.

12. Notice that a public enquiry is to be held by the Licensing Authority for the purpose of determining an application for a licence shall be published by the Licensing Authority in the manner prescribed in paragraph 23 hereof not less than 7 days before the date fixed for the holding of the enquiry and such notice shall specify the name and address of the applicant, the nature of the application including the places to be served by the proposed service, the date and manner of publication of the particulars of the application and the place where and the time when the public enquiry is to be held.

13. In cases where it is proposed to revoke or suspend a licence and the holder of the licence requests the Licensing Authority to hold a public enquiry, notice that the public enquiry is to be held shall be published by the Licensing Authority in the manner prescribed in paragraph 23 hereof not less than 7 days before the date fixed for the holding of the enquiry and such notice shall contain such particulars as will enable the licence in question to be identified and shall specify the grounds on which it is proposed to revoke or suspend the licence and the place where and the time when the enquiry is to be held.

A copy of such notice shall be sent by the Licensing Authority to the holder of the licence.

14. On the holding of any public enquiry the Licensing Authority shall, after hearing representations or objections with regard to an application for a licence, give the applicant an opportunity of replying to such representations or objections but otherwise may determine the order of procedure.

15. The Licensing Authority may adjourn from time to time the consideration of any application :

Provided that in cases where notice that a public enquiry is to be held has been published, notice of any such adjournment other than an adjournment at the enquiry shall be published in the same manner as the notice that the enquiry was to be held.

Custody, Production and Surrender of Licences.

16. The holder of a licence shall produce it for examination if required to do so by any police constable or by any person duly authorized by the Licensing Authority in that behalf but may elect whether to produce it at an aerodrome used in connection with the journeys authorized by the licence or at his head office or principal place of business.

17. In the event of the holder of a licence ceasing to operate the service authorized thereby he shall forthwith notify the Licensing Authority and return the licence to them for cancellation :

Provided that where owing to the death, incapacity, bankruptcy, sequestration or liquidation of the holder of a licence or to the appointment of a receiver or manager or trustee in relation to the business of the holder he ceases to operate the service authorized by the licence, if the business

of the holder is being carried on by some other person, that person shall forthwith notify the Licensing Authority and, unless application has been made within 14 days for a new licence, shall return the licence to them for cancellation.

18. The holder of a licence shall, if he changes his address during the currency of the licence, notify such change to the Licensing Authority within 7 days from the date of such change and shall at the same time send or deliver the licence to the Licensing Authority and they shall thereupon endorse upon the licence his new address and return the licence to the holder forthwith.

19. If a licence ceases to have effect, otherwise than by the effluxion of time, or is suspended or revoked, the holder thereof shall, within 5 days after a notice to that effect has been delivered to him personally or sent to him by registered post at the address shown in his application or last notified in accordance with the last preceding regulation, send or deliver the licence to the Licensing Authority for retention during the time of suspension or for cancellation as the case may be and the Licensing Authority shall on the removal of a suspension return the licence to the holder.

20. If a licence has been lost, destroyed or defaced the holder thereof shall forthwith notify the Licensing Authority and the Licensing Authority, if satisfied that it has been so lost, destroyed or defaced, shall issue a duplicate, so marked, and the duplicate so issued shall have the same effect as the original licence :

Provided that in the case of a licence that has been defaced the duplicate shall be so issued only after surrender of the original to the Licensing Authority.

Records to be kept by the Licensing Authority.

21. The Licensing Authority shall keep a record of all applications for licences showing whether the licence was granted or refused and an entry shall be made in the record whenever a licence is revoked or suspended or expires by the effluxion of time.

The record shall contain such particulars as will enable the application to be identified and shall show the terminal places of any journey to which the application relates or which is authorized by a licence and intermediate landing places, the date from which any licence is expressed to operate and the date on which it is expressed to expire.

22. Any police constable and any other person appearing to the Licensing Authority to have a reasonable ground for claiming to do so shall be entitled at any reasonable time to inspect and take copies or extracts from the record.

Publication.

23. Whenever in this Schedule it is required that the Authority should cause to be published notice, advertisement shall be made in the following manner: An advertisement shall be inserted in a newspaper or newspapers selected by the Licensing Authority best calculated to bring the subject matter of the notice to the attention of persons concerned or likely to be concerned.

The Licensing Authority shall consult from time to time with such local authorities and with such associations of owners of aerodromes and of persons providing transport by air for passengers or goods as they may deem expedient and after such consultation shall select a newspaper or newspapers for the insertion of such advertisements.

The Licensing Authority shall, in addition to such advertisements, give such special or general notices as appear to them expedient.

APPENDIX A.

The Air Transport (Licensing of Air Services) Regulations, 1948.—(First Schedule, paragraph 1.)

APPLICATION FOR A LICENCE.

To the Licensing Authority, Cyprus.

I/We, the undersigned, hereby apply for a licence as set out on the Schedule attached hereto and I/we declare that to the best of my/our knowledge and belief the statements made herein are true and correct.

Signature

Full name of person signing

(in block capitals.)

On behalf of

Address

Date

(As per attached application.)

APPLICATION

1.—(a) Name and Address of Applicant.

(b) Places between which passengers or goods are to be carried.

(c) Places at which intermediate landings are to be made for the purpose of loading or landing passengers or goods.

(d) Times or frequency of the service.

(e) Number and Types of aircraft proposed to be used on the service.

(f) Particulars of Certificate of Airworthiness of the aircraft to be used (where issued, date of expiry, etc.)

(g) Whether the service is to carry passengers, goods or both.

(h) Maximum fares to be charged to passengers in respect of any journey or portion of a journey for which separate fares are charged.

(i) Date on which the service is to commence.

(j) Period for which the licence is desired.

2.—(a) All other services operated by the applicant at the time of the application or immediately prior to that time.

(b) Particulars of working arrangements with other companies.

(c) Particulars of any financial interest which any other person providing passenger transport facilities, or controlling the business of any person who provides such facilities, has in the business of the applicant.

(d) Particulars of any financial interest which the applicant has in any other undertaking providing passenger transport facilities or controlling the business of any person who provides such facilities.

(e) The status of the person making the application, whether an individual, partnership, firm or corporate body, public or private, with or without limited liability.

(f) If a company, public or private—

(i) the nominal and issued capital;

(ii) the names of the directors;

(iii) the names of any other companies holding shares in the applicant's business;

(iv) The names of any subsidiary companies of the applicant.

3. Such particulars of the accounts of the applicant's business during the last twelve months as the Licensing Authority shall require. (This paragraph should not be completed except upon a special request by the Licensing Authority.)

NOTES.—1. If additional space is required the information should be given on a separate sheet.

2. The application should be signed by the person applying for a licence and if made by a corporate body or partnership firm it should be signed by a person duly authorized in that behalf by such body or a partner of the partnership firm, as the case may be.

3. The applicant shall, on the request of the Licensing Authority, furnish such additional information as the Licensing Authority may think fit.

APPENDIX B.

The Air Transport (Licensing of Air Services) Regulations, 1948.—(First Schedule, paragraph 5.)

NOTICE ISSUED BY THE LICENSING AUTHORITY.

Notice is hereby given to all persons concerned that an application has been made to the Licensing Authority by Messrs....., of....., for a licence to use aircraft in Cyprus for provision of air service, in accordance with the particulars mentioned hereinbelow :—

Places between which passengers or goods are to be carried.....
 Places at which intermediate landings are to be made for the purpose of loading or landing passengers or goods.....
 Times or frequency of the service.....
 Date on which the service is to commence.....
 Period for which the licence is applied for.....

2. Any representation or objection with regard to the said application should be made in writing to the Licensing Authority c/o the Secretary to the Licensing Authority at the Supplies, Transport and Marketing Department, Nicosia, not later than the....., 19.....

Nicosia, the..... of....., 19.....

NOTES.—(1) A representation or objection should state the specific grounds on which it is based and should specify any conditions which it may be desired should be attached to the licence if granted. If the representation or objection is made by a corporate body or partnership firm, it should be signed by a person duly authorized in that behalf by such body or a partner of the partnership firm, as the case may be. A copy of every such representation or objection should be sent by the person making the same to the Applicant(s) for the licence at the same time as it is sent to the Licensing Authority.

2. Any person who has made a representation or objection may require the Licensing Authority to hold an enquiry in public for the purpose of determining the application, by sending to the Licensing Authority at the above address a notice in writing in that behalf, which should reach the Licensing Authority not later than the....., 19.....

APPENDIX C.

The Air Transport (Licensing of Air Services) Regulations, 1948.—(First Schedule, paragraph 6.)

NOTICE OF REPRESENTATION OR OBJECTION TO APPLICATION FOR A LICENCE.

To the Licensing Authority, Cyprus.

Notice of representation or objection to the application made by....., dated..... and published in..... on..... I/We represent/object

with regard to the above application and to the grant of the licence on the ground(s) that.....

(here insert in full grounds on which representation/objection is based.)

or to the grant of the licence unless conditions to the following effect are attached to it :

(here insert in full conditions desired to be attached with reason therefor.)

A copy of this objection has been sent to the applicant.

Signature

Address

Date

APPENDIX D.

The Air Transport (Licensing of Air Services) Regulations, 1948.—(First Schedule, paragraph 7.)

NOTICE BY AN OBJECTOR OR APPLICANT REQUIRING THE LICENSING AUTHORITY TO HOLD A PUBLIC ENQUIRY.

To the Licensing Authority Cyprus.

With reference to the application dated....., made by....., published on....., I/we, require the Licensing Authority to hold an enquiry in public for the purpose of determining the above application for licence.

Objection has duly been made by me/us to the above application on....., 19.....

Signature of applicant/objector.....

Address

Date.....

APPENDIX E.

The Air Transport (Licensing of Air Services) Regulations, 1948.—(First Schedule, paragraph 8.)

NOTICE BY THE LICENSING AUTHORITY THAT A PUBLIC ENQUIRY SHALL BE HELD FOR THE PURPOSE OF DETERMINING AN APPLICATION FOR A LICENCE.

Notice is hereby given that the application of Messrs., of....., for a licence to use aircraft in Cyprus for the carriage of passengers and/or goods upon the following scheduled journey(s) particulars of which were published on....., in....., will be heard at a public enquiry to be held at....., on the of....., 19....., commencing at.....a.m./p.m.

Nicosia, the..... of....., 19.....

APPENDIX F.

The Air Transport (Licensing of Air Services) Regulations, 1948.—(First Schedule, paragraph 10 (1).)

NOTICE BY THE LICENSING AUTHORITY THAT IT IS PROPOSED TO REVOKE OR SUSPEND A LICENCE.

AIR TRANSPORT LICENSING AUTHORITY,
NICOSIA, CYPRUS.

Date.....

Sir/Gentlemen,

Ref: *Your licence No.*.....

Notice is hereby given to you that the Air Transport Licensing Authority propose to revoke/suspend the licence referred to above on the following grounds :

- (a)
 - (b)
 - (c)
- etc.

I have the honour to be,
Sir/Gentlemen,
Your obedient servant,

.....
Secretary,

for the AIR TRANSPORT LICENSING AUTHORITY.

APPENDIX G.

The Air Transport (Licensing of Air Services) Regulations, 1948.—(First Schedule, paragraph 10 (2).)

NOTICE BY THE HOLDER OF A LICENCE TO THE LICENSING AUTHORITY REQUIRING THE HOLDING OF A PUBLIC ENQUIRY BEFORE THE LICENCE IS REVOKED OR SUSPENDED.

To the Licensing Authority, Cyprus.

Ref. : *Licence No.*.....

With reference to your notice dated....., 19....., notifying me/us that it is proposed to revoke/suspend the licence referred to above I/we hereby require you to hold a public enquiry before revoking/suspending this licence.

I have the honour to be,
Gentlemen,
Your obedient servant,

Signature.....

Address

Date

APPENDIX H.

The Air Transport (Licensing of Air Services) Regulations, 1948.—(First Schedule, paragraph 11.)

NOTICE BY THE LICENSING AUTHORITY OF DECISION TO GRANT LICENCE.

Notice is hereby given to all persons concerned that the application by....., of....., for a licence to use aircraft in Cyprus for provision of air service between..... and....., particulars of which were published in..... on..... has been determined and that the Licensing Authority have decided to grant/refuse the licence, the particulars of which are shown below :—

Places between which passengers or goods are to be carried.....
 Places at which intermediate landings are to be made for the purpose of loading or landing passengers or goods.....
 Times or frequency of the service.....
 Date on which the service is to commence.....
 Period for which the licence has been granted.....
 Nicosia, the....., 19.....

APPENDIX I.

The Air Transport (Licensing of Air Services) Regulations, 1948.—(First Schedule, paragraph 11.)

NOTICE BY THE LICENSING AUTHORITY OF DECISION TO REVOKE OR SUSPEND A LICENCE.

Notice is hereby given to all persons concerned that the Licensing Authority have decided to revoke/suspend the licence granted to....., of....., particulars of which are mentioned hereinbelow :—

Licence No.....
 Places between air service operated.....
 Date from which revocation/suspension takes effect.....
 Period of suspension.....
 The grounds on which the licence is revoked/suspended are :—
 (a)
 (b)
 (c)
 etc.
 Nicosia, the..... day of....., 19.....

SECOND SCHEDULE.

*The Air Transport (Licensing of Air Services) Regulations, 1948.
 (Regulation 20.)*

MONTHLY RETURN WITH REGARD TO AIR SERVICES.

To the Licensing Authority, Cyprus.

I/We hereby make a return in respect of the month of....., 19....., particulars of which are set out hereinbelow with regard to all air services operated by me/us authorized by Licence No.....

Signature
 Address
 Date

MONTHLY RETURN,
 (in form prescribed in attached sheet)

MONTHLY RETURN.

(I) Names of the places between which the services authorized by the licence are operated.

(II) Names of regular stage stopping places *en route* and of places where stops are made on request.

(III) In respect of each stage (distinguishing wherever applicable under each head between journeys on licensed services and other journeys).

- (a) Length of stage in miles.
- (b) Number of paying passengers carried.
- (c) Weight of goods carried.
- (d) Weight of mails carried.
- (e) Total paying load, weight.
- (f) Paying load capacity (weight) on flights commenced.
- (g) Period of month during which services were scheduled during the month.
- (h) Frequency of scheduled services (e.g. once daily each way, week days).
- (i) Number of flights scheduled.
- (j) Number of flights commenced.
- (k) Number of flights completed without interruption.
- (l) Number of flights completed after interruption *en route*.
- (m) Number of flights interrupted *en route* and not completed.
- (n) Number of flights not commenced :—
 - (i) because no passengers, goods or mails required transport.
 - (ii) because no aircraft was available.
 - (iii) because of weather conditions.
 - (iv) for other reasons which should be stated.
- (o) Number of unpremediated landings :—
 - (i) for fuel.
 - (ii) on account of weather conditions.
 - (iii) on account of mechanical failure of aircraft or engines.
 - (iv) on account of wireless equipment failure.
 - (v) for other causes.
- (p) Particulars of the type and characteristics of aircraft used (e.g. landplanes or seaplanes); number, power, and makes of engines; maximum total weight authorized; tare weight; and seating capacity.

(IV) Number of paying passengers, weight of goods and weight of mails carried during the month,

- (a) on licensed services, and
- (b) on other journeys over the same routes.

(V) Number of pilots, number of wireless operators, number of navigators and number of other personnel employed on flying duties during the month.

Made at Troodos, this 8th day of August, 1948.

(M.P. 985/45.)