



Jersey

AIR NAVIGATION ACTS (EXTENSION TO THE CHANNEL ISLANDS) ORDER 1939

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APPENDIX

Jersey Order in Council 5/1939 Air Navigation Acts (Extension to the Channel Islands) Order, 1939



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AIR NAVIGATION ACTS (EXTENSION TO THE CHANNEL ISLANDS) ORDER, 1939.

(Registered on the 6th day of September, 1939).

At the Court at Buckingham Palace.

The 23rd day of June, 1939.

PRESENT:

The King's Most Excellent Majesty in Council.

WHEREAS by Section 4 of the Air Navigation Act, 1920, as amended by the Air Navigation Act, 1936 (which latter Act is hereinafter referred to as "the Act of 1936")¹ it is enacted that His Majesty may by Order in Council direct that any of the provisions of the first mentioned Act other than that Section shall extend, with such exceptions, adaptations and modifications, if any, as may be specified in the Order, to the Isle of Man, any of the Channel Islands, any colony, any British protectorate or any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty and is being exercised by His Majesty's Government in the United Kingdom;

AND WHEREAS by subsection (1) of Section 35 of the Act of 1936 it is provided that that Act shall be construed as one with the Air Navigation Act, 1920, which as amended by the Act of 1936, is hereinafter referred to as "the principal Act";

¹ Repealed by the Civil Aviation Act (Channel Islands) Order, 1953, save the extension to the Channel Islands of Sections 24 & 26 of the Air Navigation Act, 1936.

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AND WHEREAS it is expedient that the provisions of the principal Act, and the provisions of the Act of 1936 shall extend to the Channel Islands with the exceptions, adaptations and modifications specified in the Schedule hereto;

AND WHEREAS by subsection (2) of Section 30 of the Act of 1936 it is enacted that an Order in Council made under any of the provisions of the principal Act and that Act may contain such incidental and supplementary provisions as appear to His Majesty in Council to be necessary or expedient for the purposes of the Order;

NOW THEREFORE, His Majesty, in pursuance of the powers conferred upon Him by the Act of 1936, is pleased, by and with the advice of His Privy Council, to direct, and it is hereby directed, as follows: -

1. The provisions * * * * *² of the Act of 1936, shall extend to the Channel Islands with the exceptions, adaptations and modifications specified in the Schedule hereto.

2. In this Order the expression “the Channel Islands” means Jersey and Guernsey, and references to Jersey and Guernsey include references to the whole Bailiwicks of Jersey and Guernsey respectively and to the territorial waters adjacent thereto.

3. This Order may be cited as the Air Navigation Acts (Extension to the Channel Islands) Order, 1939.

RUPERT B. HOWARTH

² See footnote (1).

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THE SCHEDULE

Exceptions, Adaptations and Modifications

PART I

EXCEPTIONS

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The following provisions of the Act of 1936 shall not apply: -

* * * * *

subsection three of Section twenty-four;

* * * * *

subsections one and five of Section twenty-six;

* * * * *

PART II

A. – GENERAL ADAPTATIONS AND MODIFICATIONS

1. Save as herein otherwise expressly provided the following expressions in the principal Act and in the Act of 1936 shall have the meanings hereinafter provided: -

“the United Kingdom” shall be construed as including the Channel Islands;

“the High Court” shall mean in the case of Jersey the Royal Court (Inferior Number) and in the case of Guernsey the Royal Court sitting as an Ordinary Court;

“imprisonment” shall mean imprisonment with or without hard labour.

2. For the expression “summary conviction” wherever it occurs the expression “conviction before the Royal Court” shall be substituted.

B. – ADAPTATIONS AND MODIFICATIONS OF THE PRINCIPAL ACT

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PART III

C. – ADAPTATIONS AND MODIFICATIONS OF THE ACT OF 1936

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³ See footnote (1).

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In subsection four of Section twenty-six for the words “any land or other property” there shall be substituted the words “any property other than land”.

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