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GUYANA

REGULATIONS

MADE UNDER

THE AIR TRANSPORT (LICENSING OF AIR SERVICES) (AMENDMENT) REGULATIONS, 1969.

BY VIRTUE AND IN EXERCISE OF THE POWERS VESTED IN HIM BY THE CIVIL AVIATION ACTS 1949 AND 1960 AS APPLIED BY THE COLONIAL CIVIL AVIATION (APPLICATION OF ACT) ORDERS 1952 TO 1965 AND ALL OTHER POWERS ENABLING HIM IN THAT BEHALF, THE FOLLOWING REGULATIONS HAVE BEEN MADE BY THE GOVERNOR-GENERAL:—

1. Those Regulations may be cited as the Air Transport (Licensing of Air Services) (Amendment) Regulations, 1969, and shall be construed and read as one with the Air Transport (Licensing of Air Services) Regulations, 1950, hereinafter referred to as the Principal Regulations, and all amendments thereto.

2. The Principal Regulations are hereby amended in the following respects —

- (a) by the substitution of the following definitions for the definitions of “the Convention on International Civil Aviation” and “the International Air Services Transit Agreement” in regulation 2(1)— “the Convention on Civil Aviation” means the Convention concluded at Chicago on the 7th day of December, 1944, and to which Guyana has adhered by notification dated 3rd day of February, 1967; “The International Air Service Transit Agreement” means the Agreement concluded at Chicago on the 7th day of December, 1944;’;
- (b) by the revocation of regulation 5;
- (c) by the insertion therein of the following regulations as regulations 5 and 5A respectively—

“Air Trans-
port
Licensing
Authority.

5.

The Licensing Authority for the purposes of this Part of these Regulations shall be the Minister to whom responsibility for civil aviation has for the time being been

assigned, and shall be known as the Air Transport Licensing Authority.

Air Transport
Advisory
Board.

- SA. (1) There shall be a Board to be called the Air Transport Advisory Board which shall consist of —
- (a) The Permanent Secretary of the Ministry having responsibility for civil aviation, who shall be Chairman;
 - (b) The Director of Civil Aviation; and
 - (c) The Chairman of the Guyana Airways Corporation.
- (2) The Licensing Authority shall appoint a public officer as Secretary to the Board.
- (3) The Licensing Authority may refer to the Board any application for the grant of a Licence under this Part of these Regulations and the Board shall make such recommendations to the Licensing Authority as they think fit in connection with any such application and in connection with such other matters relating to this Part of these Regulations as the Licensing Authority may, from time to time, refer to the Board.
- (4) The Board may invite any person to attend at a meeting of the Board for the purpose of giving advice on any matter which is being considered by the Board, but such person shall not be entitled to vote thereat.
- (5) The Board may regulate their own procedure in any matter not otherwise provided by these Regulations.”
- (d) by the insertion therein of the following regulation as regulation 10A—

“Delegation
of certain
functions of
the Licensing
Authority to
the Air
Transport
Advisory
Board.

- 10A. The Licensing Authority may delegate to the Air Transport Advisory Board any of his functions arising under regulation 10, or sub-paragraph (b) of paragraph 2 of regulation 17, and the Board shall report to the Licensing Authority on the exercise of any function so delegated without prejudice to the discretion conferred on the Licensing Authority by regulation 6 or paragraph (1) of regulation 17”;
- (e) by the substitution of a colon for the full stop at the end of regulation 13 and the addition thereto of the following proviso—

“Provided further that without prejudice to the powers of the Licensing Authority under regulation 17 where that regulation applies, the duration of a licence granted to a designated airline under an air services agreement shall be governed by the provisions of the agreement.”;

- (f) by the revocation of regulation 21 and the substitution therefor of the following regulation—

“Applications made, and licenses issued, in pursuance of air services agreements.

21 (1) Where negotiation are concluded between the Government of Guyana and the Government of another country for an air services agreement, the Licensing Authority in considering an application by a designated air line of that other country under that agreement for a licence shall have regard to the terms of that agreement and to whether the airline is fit, willing and able to operate the proposed service and, except in so far as the Licensing Authority may otherwise direct, regulations 7, 8, 9, 10, 12 and 16 shall not apply to such an application.

(2) Unless the Licensing Authority otherwise directs —

(a) regulation 6(3) and regulation 17 shall not apply to a licence granted to an airline designated under an air services agreement;

(b) regulation 20 shall not apply to the holder of such a licence.”; and

- (g) by the revocation of regulation 32 and the substitution therefor of the following regulation—

“Exemptions from requirements of Regulations.

32. Nothing in these Regulations shall apply to the Guyana Airways Corporation in respect of such journeys, and on such routes, as the Minister may, from time to time, specify.”

3. The Principal Regulations shall apply to the Licensing Authority constituted by regulation 2 of these Regulations as they applied to the Licensing Authority constituted by regulation 5 of the Principal Regulations and every function, power, duty, right and privilege assigned to the Licensing Authority by the Principal Regulations shall be deemed to be assigned to the Licensing Authority constituted by regulation 2 of these Regulations.

4. Notwithstanding the revocation of regulation 32 of the Principal Regulations by these Regulations, until such time as a licence is granted to that air transport operator under Part 11 of the Principal Regulations, as amended by these Regulations, any air transport operator having authority immediately

before the commencement of these Regulations to operate flights on scheduled journeys within the meaning of regulations 2 and 4 (1) of the Principal Regulations may continue to operate such flights.

Made this 4th day of May, 1969.

D. J. G. ROSE,
Governor-General.

EXPLANATORY NOTE

(This Note is not part of the Regulations but is intended to indicate their general purport.)

These Regulations amend the Air Transport (Licensing of Air Service) Regulations, 1950, to make the Minister to whom responsibility for civil aviation has been assigned the Licensing Authority for the purpose of granting and revoking licences to operate scheduled air services. In the exercise of his powers the Minister as the Licensing Authority will be assisted by an Advisory Board to be known as the Air Transport Advisory Board. Transitional provisions are included in the regulations for the continued operation of existing scheduled services by air transport operators.