



CIVIL AVIATION (MISCELLANEOUS PROVISIONS) ORDER 2020

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Statutory Document No. 2020/0134



Airports and Civil Aviation Act 1987

CIVIL AVIATION (MISCELLANEOUS PROVISIONS) ORDER 2020

Approved by Tynwald: 22 July 2020
Coming into operation in accordance with article 2

The Department for Enterprise makes the following Order under section 11B and 11I of the Airports and Civil Aviation Act 1987.

1 Title

This Order is the Civil Aviation (Miscellaneous Provisions) Order 2020.

2 Commencement

If approved by Tynwald¹, this Order comes into operation immediately upon the revocation of article 13 (operational directives) of the Air Navigation (Isle of Man) Order 2015².

3 Application

- (1) This Order applies to -
 - (a) any instrument made under section 11B of the Airports and Civil Aviation Act 1987; and
 - (b) any instrument applied to the Island, after the date this Order comes into operation, under sections 11 or 11A of the Airports and Civil Aviation Act 1987, to the extent that such instrument specifies.
- (2) An instrument to which this Order applies is an “applicable instrument” for the purposes of this Order.
- (3) A reference in this Order to an approval, permission, exemption or other decision or document issued or granted by the Department is a reference to such an approval, permission, exemption or other decision or document issued or granted by the Department under an applicable instrument.

¹ Tynwald approval is required by section 11B(6) of the Airports and Civil Aviation Act 1987

² UK SI 2105 No. 870 (an Order in Council) as amended by UK SI 2016 No. 155

4 Interpretation

In this Order and an applicable instrument -

“**acceptance check list**” means a document used to assist in carrying out a check on the external appearance of packages of dangerous goods and their associated documents to determine that all appropriate requirements have been met;

“**accident**” means an occurrence associated with the operation of an aircraft which, in the case of a manned aircraft, takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, or in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until such time it comes to rest at the end of the flight and the primary propulsion system is shut down, in which -

- (a) a person is fatally or seriously injured as a result of -
 - (i) being in the aircraft;
 - (ii) direct contact with any part of the aircraft, including parts which have become detached from the aircraft; or
 - (iii) direct exposure to jet blast,
except when the injuries are from natural causes, self-inflicted or inflicted by other persons, or when the injuries are to stowaways hiding outside the areas normally available to the passengers and crew;
- (b) the aircraft sustains damage or structural failure which adversely affects the structural strength, performance or flight characteristics of the aircraft, and would normally require major repair or replacement of the affected component, except for engine failure or damage, when the damage is limited to a single engine, (including its cowlings or accessories), to propellers, wing tips, antennas, probes, vanes, tires, brakes, wheels, fairings, panels, landing gear doors, windscreens, the aircraft skin (such as small dents or puncture holes) or minor damages to main rotor blades, tail rotor blades, landing gear, and those resulting from hail or bird strike, (including holes in the radome); or
- (c) the aircraft is missing or is completely inaccessible;

“**advisory airspace**” means an airspace of defined dimensions, or designated route, within which air traffic advisory service is available;

“**aerodrome**” -

- (a) means an area of land or water designed, equipped, set apart or commonly used for affording facilities for the landing and departure of aircraft; and
- (b) includes an area or space, whether on the ground, on the roof of a building or elsewhere, that is designed, equipped or set apart for affording facilities for the landing and departure of aircraft capable of descending or climbing vertically,

but does not include an area the use of which for affording facilities for the landing and departure of aircraft has been abandoned and has not been resumed;

“aerodrome control service” means an air traffic control service for any aircraft that -

- (a) is on the manoeuvring area or apron of the aerodrome for which the service is being provided;
- (b) is flying in, or in the vicinity of, the aerodrome traffic zone of that aerodrome by visual reference to the surface; or
- (c) has been transferred from approach control in accordance with procedures approved by the Department;

“aerodrome control tower” means a unit established to provide an air traffic control service to aerodrome traffic;

“aerodrome flight information service” means a flight information service and alerting service for aerodrome traffic at an aerodrome;

“aerodrome reference point” means the centre of an airport, located at the geometric centre of all the useable runways;

“aerodrome traffic” means all traffic on the manoeuvring area of an aerodrome and all aircraft flying in the vicinity of an aerodrome;

“aerodrome traffic zone” means an airspace of defined dimensions established around an aerodrome for the protection of aerodrome traffic;

“aeronautical radio station” means a radio station on the surface that transmits or receives signals for the purpose of assisting aircraft;

“aeroplane” means a power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight;

“Air Accidents Investigation Branch” means the United Kingdom's Air Accidents Investigation Branch which is part of the United Kingdom's Department for Transport;

“aircraft” means a machine that can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the earth's surface;

“aircraft operator” means a person, organisation or enterprise engaged in or offering to engage in an aircraft operation;

- “**air traffic advisory service**” means a service provided within advisory airspace to ensure separation, in so far as practical, between aircraft which are operating on IFR flight plans;
- “**air traffic control service**” means a service provided for the purpose of preventing collisions between aircraft and, on the manoeuvring area, between aircraft and obstructions, and expediting and maintaining an orderly flow of air traffic;
- “**air traffic control unit**” means an area control centre, an approach control unit or an aerodrome control tower;
- “**air traffic service**” means a flight information service, an alerting service, an air traffic advisory service, or an air traffic control service (whether an area control service, approach control service or aerodrome control service);
- “**air traffic service equipment**” means ground based equipment, including an aeronautical radio station, used or intended to be used in connection with the provision of an air traffic service to an aircraft in flight or on the ground but excluding any public electronic communications network;
- “**air traffic services reporting office**” means a unit established for the purpose of receiving reports concerning air traffic services and flight plans submitted before departure;
- “**air traffic services unit**” means an air traffic control unit, a flight information centre or an air traffic services reporting office;
- “**alerting service**” means a service provided to notify appropriate organisations of aircraft in need of search and rescue aid, and assist such organisations as required;
- “**approach control service**” means an air traffic control service for arriving or departing controlled flights;
- “**approach control unit**” means a unit established to provide an air traffic control service to controlled flights arriving at, or departing from, one or more aerodromes;
- “**area control centre**” means a unit established to provide an air traffic control service to controlled flights in control areas under its jurisdiction;
- “**area control service**” means an air traffic control service for controlled flights in control areas;
- “**cabin crew**” in respect of an aircraft means those persons on a commercial air transport flight carried for the purpose of performing duties to be assigned by the operator or the pilot in command of the aircraft in the interests of the safety of passengers but who do not act as a member of the flight crew;
- “**cargo aircraft**” means any aircraft, other than a passenger aircraft, which is carrying goods or property;

- “**the Chicago Convention**” means the Convention on International Civil Aviation and its Annexes, signed in Chicago on 7th December 1944, as amended;
- “**civil aviation authority**” means a governmental entity or entities, however titled, that are directly responsible for the regulation of all aspects of civil air transport, technical (air navigation and aviation safety) and economic (commercial aspects of air transport);
- “**commercial air transport**” means a flight that is carrying passengers, cargo or mail for remuneration or hire where the principal purpose for their carriage is to transport them, and where a seat on the flight or the right to have cargo or mail carried is available to any member of the public, and includes a flight that carries passengers for remuneration or hire that begins and ends at the same aerodrome;
- “**consignment**” means one or more packages of dangerous goods accepted by an aircraft operator from one shipper at one time and at one address, receipted for in one lot and moving to one consignee at one destination address;
- “**control area**” means a controlled airspace extending upwards from a specified limit above the earth;
- “**controlled airspace**” means airspace that has been notified as Class A airspace, Class B airspace, Class C airspace, Class D airspace or Class E airspace;
- “**controlled flights**” means any flight which is subject to an air traffic control clearance;
- “**corrective lenses**” means spectacles or contact lenses;
- “**country**” includes a territory;
- “**crew**” means persons carried in an aircraft who are -
- (a) members of the flight crew;
 - (b) persons carried on the flight deck who are appointed by the aircraft operator to give or to supervise the training, experience, practice and periodical tests required for the flight crew in accordance with the law of the country in which the aircraft is registered or the State of the operator; or
 - (c) members of the cabin crew;
- “**crew member**” means a person assigned by an aircraft operator to duty on an aircraft during a flight duty period;
- “**custody**” has the same meaning as in the Custody Act 1995;
- “**dangerous goods**” means an article or substance which is capable of posing a hazard to health, safety, property or the environment and which are shown in the list of dangerous goods in the Technical Instructions or which are classified according to those Instructions;

“**dangerous goods accident**” means an occurrence associated with and related to the transport of dangerous goods by air which results in fatal or serious injury to a person or major property or environmental damage;

“**dangerous goods incident**” means an occurrence, other than a dangerous goods accident, whether or not occurring on board an aircraft, that -

- (a) is associated with and related to the transport of dangerous goods by air, which results in injury to a person or property, environmental damage, fire, breakage, spillage, leakage of fluid, radiation or other evidence that the integrity of the packaging has not been maintained; or
- (b) relates to the transport of dangerous goods and which seriously jeopardizes the aircraft or its occupants;

“**dangerous goods transport document**” means a document which is specified by the Technical Instructions and contains information about the dangerous goods that are to be carried on an aircraft;

“**the Department**” means the Department for Enterprise;

“**designated postal operator**” means any governmental or non-governmental entity officially designated by a Universal Postal Union (UPU) member country to operate postal services and to fulfil the related obligations arising from the acts of the Universal Postal Convention³ on its territory;

“**fatigue**” means a physiological state of reduced mental or physical performance capability resulting from sleep loss, extended wakefulness, circadian phase, and/or workload (mental and/or physical activity) that can impair a person’s alertness and ability to perform safety-related operational duties;

“**flight crew member**” means a licensed crew member charged with duties essential to the operation of an aircraft during a flight duty period;

“**flight duty period**” means a period which commences when a crew member is required to report for a duty that includes a flight or a series of flights and which finishes when the aircraft finally comes to rest and the engines are shut down at the end of the last flight on which they are a crew member;

“**flight information centre**” means a unit established to provide a flight information service and an alerting service;

“**flight information service**” means a service provided for the purpose of giving advice and information useful for the safe and efficient conduct of flights;

“**flying machine**” means an aeroplane, a powered lift tilt rotor aircraft, a self-launching motor glider, a helicopter or a gyroplane;

³ The Universal Postal Convention. International Treaty, 1874. The treaty provides a uniform framework of rules and procedures for the exchange of international mails.

“**freight forwarder**” means a person who offers the service of arranging the transport of cargo by air;

“**hazard**” means a condition or an object with the potential to cause or contribute to an aircraft incident or accident;

“**incident**” means an occurrence, other than an accident, associated with the operation of an aircraft which affects or could affect the safety of operation;

“**in flight**” means, in the case of a piloted flying machine, from the moment when, after the embarkation of its crew for the purpose of taking off, it first moves under its own power, until the moment when it next comes to rest after landing, and the expressions ‘**a flight**’ and ‘**to fly**’ are to be construed accordingly;

“**instrument approach procedure**” means a series of predetermined manoeuvres by reference to flight instruments, with specified protection from obstacles, from a specified point to a point from which a landing can be completed and thereafter, if a landing is not completed, to a position at which holding or other obstacle clearance criteria apply;

“**instrument flight procedure**” means -

- (a) a standard instrument arrival;
- (b) an instrument approach procedure;
- (c) a standard instrument departure; or
- (d) an omnidirectional departure;

“**IFR**” means the symbol used to designate the instrument flight rules;

“**manoeuvring area**” means the part of an aerodrome provided for the take-off and landing of aircraft and for the movement of aircraft on the surface, excluding the apron and any part of the aerodrome provided for the maintenance of aircraft;

“**munitions of war**” means any -

- (a) weapon or ammunition;
- (b) article containing an explosive, noxious liquid or gas; or
- (c) other thing,

that is designed or made for use in warfare or against persons, including parts, whether components or accessories, for such weapon, ammunition or article;

“**night**” means the time from half an hour after sunset until half an hour before sunrise (both times inclusive), sunset and sunrise being determined at surface level;

“**notified**” and “**notify**” mean set out with the authority of the UK CAA in a document published by or under an arrangement entered into with the

UK CAA and entitled “United Kingdom NOTAM” or “United Kingdom Aeronautical Information Publication” and for the time being in force;

“**NOTAM**” means a notice distributed by means of telecommunication containing information concerning the establishment, condition or change in any aeronautical facility, service, procedure or hazard, the timely knowledge of which is essential to personnel concerned with flight operations;

“**occurrence**” means any safety-related event which endangers or which, if not corrected or addressed, could endanger an aircraft, its occupants or any other person and includes in particular an accident or serious incident;

“**omnidirectional departure**” means a departure procedure that is designed on the basis that an aircraft maintains the runway direction until it reaches such a height that it can make a turn in any direction and maintain the obstacle clearance prescribed by the procedure;

“**overpack**” means an enclosure used by a single shipper to contain one or more packages and to form one handling unit for convenience of handling and stowage, but does not include a unit load device;

“**package**” means the complete product of the packing operation consisting of the packaging and its contents prepared for transport;

“**packaging**” means receptacles and any other components or materials necessary for the receptacle to perform its containment function;

“**passenger aircraft**” means an aircraft that carries any person other than a crew member, an aircraft operator’s employee in an official capacity, an authorised representative of an appropriate national authority or a person accompanying a consignment or other cargo;

“**pilot in command**” means the pilot in command and charged with the safe conduct of a flight;

“**proper shipping name**” means the name to be used to describe a particular article or substance in all shipping documents and notifications and, where appropriate, on packagings, as required by the Technical Instructions;

“**psychoactive substance**” means alcohol, opioids, cannabinoids, sedatives and hypnotics, cocaine, other psychostimulants, hallucinogens, and volatile solvents, excluding coffee and tobacco;

“**public use licence**” means an aerodrome licence with a public use condition issued by the Department in accordance with article 130 of the Air Navigation (Isle of Man) Order 2015⁴;

“**remote pilot**”, in relation to a small unmanned aircraft, is an individual who -

⁴ SI 2015 No. 870 as amended by SI 2016 No 155

- (a) operates the flight controls of the small unmanned aircraft by manual use of remote controls; or
- (b) when the small unmanned aircraft is flying automatically, monitors its course and is able to intervene and change its course by operating its flight controls;

“**safety**” means the state in which risks associated with aviation activities, related to, or in direct support of the operation of aircraft, are reduced and controlled to an acceptable level;

“**safety management system**” means a systematic approach to managing safety, including the necessary organisational structures, accountabilities, responsibilities, policies and procedures;

“**safety risk**” means the predicted probability and severity of the consequences or outcomes of a hazard;

“**serious incident**” means an incident involving circumstances indicating that there was a high probability of an accident and is associated with the operation of an aircraft, which in the case of a manned aircraft, takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, or in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until such time it comes to rest at the end of the flight and the primary propulsion system is shut down;

“**small unmanned aircraft**” means any unmanned aircraft, other than a balloon or a kite, having a mass of not more than 25 kilograms without its fuel but including any articles or equipment installed in or attached to the aircraft at the commencement of its flight;

“**standard instrument arrival**” means a designated instrument flight rule (IFR) arrival route linking a significant point, normally on an ATS route, with a point from which a published instrument approach procedure can be commenced;

“**standard instrument departure**” means a designated instrument flight rule (IFR) departure route linking the aerodrome or a specified runway of the aerodrome with a specified significant point, normally on a designated ATS route, at which the en-route phase of a flight commences;

“**State aircraft**” means an aircraft carrying out military, customs, police, search and rescue, fire-fighting, coastguard or similar activities or services;

“**State of Origin**” means the State in the territory of which the consignment is first to be loaded on an aircraft;

“**State of Registry**” means the state on whose register the aircraft is entered;

“**State of the aircraft operator**” means the State in which the aircraft operator’s principal place of business is located or, if there is no such place of business, the aircraft operator’s permanent residence;

“**Technical Instructions**” means the Technical Instructions for the Safe Transport of Dangerous Goods by Air (Doc 9284), approved and issued periodically in accordance with the procedure established by the International Civil Aviation Organisation Council and applied to the Island by the Civil Aviation (Safe Transport of Dangerous Goods by Air) Order 2020⁵;

“**UK CAA**” means the United Kingdom Civil Aviation Authority;

“**unit load device**” means any type of freight container, aircraft container, aircraft pallet with a net, or aircraft pallet with a net over an igloo, but does not include an overpack;

“**UN number**” means the four-digit number assigned by the United Nations Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals to identify an article or substance or a particular group of articles or substances; and

“**visiting force**” means any such body, contingent or detachment of the forces of any country as is a visiting force for the purposes of the Visiting Forces Act 1952⁶ -

- (a) which apply to that country by virtue of section 1(1)(a) of that Act; or
- (b) which from time to time apply to that country by virtue of section 1(1)(b) and of any Order in Council made or hereafter to be made under section 1 designating that country for the purposes of that Act following section 2(2) of that Act.

5 Revocation, suspension and variation of approvals, permissions, exemptions and other documents

- (1) Where the Department has reason to believe that there has been a non-compliance, which may have given rise to an unacceptable reduction in safety, the Department may provisionally suspend or vary an approval, permission, exemption or other document issued or granted by the Department pending due inquiry into or consideration of the case.
- (2) The Department may after due inquiry revoke, suspend or vary any such approval, permission, exemption or other document where it has been shown to its satisfaction that there was a non-compliance which caused, or had the potential to cause, an unacceptable reduction in safety.
- (3) A person acting otherwise than in accordance with a condition subject to which an approval, permission, exemption or other document has been issued or granted, in the absence of provision to the contrary in the

⁵ SD No. 2020/0138

⁶ 1952 c.67 (of Parliament), which was extended to the Isle of Man by S.I. 1962/170, as amended by Schedule 3 to the Sexual Offences Act 1992 (of the Isle of Man).

document, renders the approval, permission, exemption or other document invalid while so acting.

6 Conduct of the Department

- (1) Subject to paragraph (6), where an application for the grant or variation of an approval has been refused or has been granted in terms other than those requested by the applicant, the Department must serve on the applicant a notice stating the reasons for the decision, and the applicant may within 14 days after the date of service of that notice request that the case be reviewed by the Department.
- (2) Subject to paragraph (6), where it is proposed to revoke, suspend or vary an approval otherwise than on the application of the holder, the Department must serve on the person concerned notice of the proposal together with the reasons for it, and the person concerned may within 14 days after the date of service of that notice, serve on the Department a request that the Department consider their representations with respect to the proposal.
- (3) Where a person makes a request under paragraph (1) or (2), the Department must, before making a decision -
 - (a) consider any representations made by that person in writing within 14 days after the date of service of the Department's notice under that paragraph; and
 - (b) where, in those representations, they have requested the opportunity to make oral representations, afford them an opportunity of being heard by a person appointed by the Department, and consider the report of that person.
- (4) A person appointed under paragraph (3) shall sit with such technical assessors as the Department may appoint.
- (5) No person who participated in the original decision or proposal which is to be the subject of the Department's decision shall -
 - (a) be appointed under paragraph (3)(b) or (4); or
 - (b) participate in the decision of the Department.
- (6) Nothing in this article prevents the Department from provisionally suspending or varying any approval granted or having effect, pending inquiry into or consideration of the case pursuant to article 5.

7 Reasons for decisions

Where the Department makes a decision pursuant to article 6(3) it shall be the duty of the Department to serve a statement of its reasons for the decision on the person concerned.

8 Safety directives

- (1) The Department may direct by means of a safety directive that an activity is prohibited, or must be limited or is subject to specified conditions.
- (2) A safety directive must state -
 - (a) the reason for its issue;
 - (b) its applicability and duration; and
 - (c) the action required.
- (3) A safety directive may only be issued in the interest of assuring aviation safety.
- (4) A safety directive may be issued either orally or in writing; where an oral directive is issued it must be promptly confirmed in writing.
- (5) A person or class of person to which a safety directive is made must comply with the directive.
- (6) A safety directive shall have immediate effect and shall remain valid for the period specified in the directive unless revoked or suspended by the Department.

9 Service of documents

- (1) Anything required to be served on any person must be set out in a notice in writing which may be served by -
 - (a) delivering it to that person in person;
 - (b) leaving it at that person's proper address;
 - (c) sending it by post to that person's proper address; or
 - (d) sending it by electronic means which produce a document containing a text of the communication, in which event the document must be regarded as served when it is received.
- (2) In the case of a body corporate, any such notice or document may be served on a director of that body or on any other officer or employee of that body who is authorised to accept service of such notices or documents on its behalf.
- (3) A provision that requires the giving of information to the Department in writing may be met by means of an electronic communication if the use of such a communication results in the information contained in it being available to the Department in all material respects as it would appear if given or sent in printed form.
- (4) For the purposes of this article the proper address of any person is -
 - (a) in the case of a body corporate, the registered or principal office of that body;

- (b) and in any other case be the last known address of the place of abode or business of the person to be served.

10 Prohibitions in relation to documents and records

- (1) A person must not with intent to deceive -
 - (a) use an approval, permission, exemption or other document issued or required that has been forged, altered, revoked or suspended, or to which the person is not entitled;
 - (b) lend an approval, permission, exemption or other document issued or having effect or required to, or allow it to be used by, any other person; or
 - (c) make a false representation for the purpose of procuring for a person the grant, issue, renewal or variation of any such approval, permission, exemption or other document.
- (2) In paragraph (1) a reference to an approval, permission, exemption or other document includes a copy or purported copy.
- (3) A person must not intentionally damage, alter or render illegible -
 - (a) a document or record required to be maintained; or
 - (b) an entry made in such a document or record.
- (4) A person must not -
 - (a) knowingly make, or procure or assist in the making of, a false entry in, or material omission from, a document or record referred to in paragraph (3); or
 - (b) destroy any such a document or record during the period for which it is required to be kept.

11 Approval of persons to supply reports

- (1) In relation to any of its functions under any relevant provision the Department may approve a person as qualified to supply reports to it and may accept such reports.
- (2) An approval granted under paragraph (1) may only be granted if the Department is satisfied the person is competent having regard to that person's knowledge and experience.
- (3) An approval may be granted for one or more persons.
- (4) An approval has immediate effect and remains valid for the period specified in the approval unless revoked or suspended by the Department.

12 Offences and penalties

- (1) Subject to paragraphs (2) and (3), a person who contravenes any of the requirements imposed -
 - (a) under article 10(1), (3) or (4) commits an offence and is liable -
 - (i) on summary conviction, to a fine not exceeding level 4 on the standard scale; or
 - (ii) on conviction on information, to a fine or to a term of custody not exceeding two years, or to both;
 - (b) under article 8(5) commits an offence and is liable -
 - (i) on summary conviction, to a fine not exceeding level 5 on the standard scale; or
 - (ii) on conviction on information, to a fine or to a term of custody not exceeding five years, or to both.
- (2) A person is not to be taken to have contravened a provision specified in paragraph (1) if the person proves that -
 - (b) the contravention occurred without the person's consent or connivance; and
 - (a) the person exercised all due diligence to prevent the contravention.
- (3) If it is proved that an act or omission of a person that would otherwise have been a contravention by the person of a provision specified in paragraph (1) was due to any cause not avoidable by the exercise of reasonable care by the person, the act or omission is to be taken not to be a contravention by the person of the provision.

13 Transitional provisions

Any action commenced under regulation 6 of the Civil Aviation Authority Regulations 1991⁷, as they have effect in the Island, corresponding to the provisions of this Order and not yet completed before the coming into operation of this Order, continues under those Regulations.

MADE 3RD JUNE 2020

LAURENCE SKELLY
Minister for Enterprise

⁷ SI 1991 No. 1672, as applied to the Island by SD 909/06



EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision for instruments made under the Airports and Civil Aviation Act 1987 in relation to common administration provisions.

Articles 3 and 4 provide for the meaning of terms used in an instrument to which this Order applies.

Article 5 provides for the Department to revoke, suspend and vary documents.

Articles 6 and 7 prescribe the procedure to be followed by the Department in connection with decisions to be taken by the Department and the right for a person to request a review.

Article 8 provides for the Department to issue a directive in the interests of aviation safety.

Articles 9 prescribes the manner in which documents are to be served.

Article 10 provides for the protection of documents and records.

Article 11 provides for the Department to approve a person to supply reports.

Article 12 provides for failure to comply with the provisions of the Order to be an offence and sets out the penalties.

Article 13 introduces transitional provisions.