

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

House of Representatives,
2nd December, 1918.

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]

Hon. Sir James Allen.

AVIATION.

<p>Title.</p> <p>1. Short Title.</p> <p>2. Interpretation.</p> <p>3. Governor-General may make regulations under this Act.</p> <p>4. Flying-schools not to be established or conducted without a license.</p>	<p>ANALYSIS.</p> <p>5. Offence for person not being the holder of a flying-certificate to have control of aeroplane in flight.</p> <p>6. Prescribed areas for navigation of aeroplanes.</p>
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A BILL INTITULED

AN ACT to control Aviation in New Zealand.

Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Aviation Act, 1918, and shall come into operation on the first day of March, nineteen hundred and nineteen.

Short Title.

2. In this Act, unless a contrary intention appears,—

Interpretation.

Struck out.

“Aeroplane” means any aircraft that is heavier than air:

New.

“Aircraft” means any machine, whether lighter or heavier than air, designed to travel through the air by its own internal means of propulsion:

“Flying-certificate” means a certificate issued pursuant to regulations under this Act, certifying that the holder thereof is qualified in accordance with this Act to control an aeroplane aircraft in flight, and includes a certificate issued out of New Zealand and recognized pursuant to regulations under this Act as the equivalent of a flying-certificate issued in New Zealand:

“Flying-school” means a school or place of instruction licensed under this Act, and conducted for the purpose of affording instruction and training in the control of aeroplanes aircraft in flight.

3. (1.) The Governor-General may from time to time, by Order in Council, make regulations under this Act for all or any of the following purposes, namely:—

Governor-General may make regulations under this Act.

(a.) For the issue of licenses for flying-schools, and for the revocation of such licenses;

(b.) Prescribing courses of instruction and examination for candidates for flying-certificates;

- (c.) Prescribing the physical requirements of candidates for and holders of flying-certificates ;
- (d.) Prescribing forms of flying-certificates, and the conditions on which such certificates may be granted or cancelled ;
- (e.) Prescribing conditions for the recognition in New Zealand of flying-certificates granted elsewhere, and for the withdrawal of such recognition ; 5
- (f.) For the issue and cancellation of licenses authorizing the use of aeroplanes aircraft and prescribing the conditions subject to which such aeroplanes aircraft may be so used, including conditions as to the carriage of passengers and goods ; 10
- (g.) For the registration of aeroplanes aircraft ;
- (h.) Prescribing fees for the examination of candidates for flying-certificates, for the issue of licenses and certificates, and for the registration of aeroplanes aircraft ; 15
- (i.) Prescribing fines for offences against any such regulations, not exceeding one hundred pounds for any such offence ; and
- (j.) For such other purposes as may be deemed necessary to give effect to this Act. 20

(2.) Any license issued under this Act in respect of a flying-school, or authorizing the use of any aeroplane aircraft, and any flying-certificate may be at any time revoked or cancelled, and the recognition of any flying-certificate issued out of New Zealand may be at any time withdrawn, pursuant to such regulations in that behalf as may for the time being be in force under the foregoing provisions of this Act. 25

Flying-schools not to be established or conducted without a license.

4. It shall not be lawful for any person, whether as principal or agent, to establish a flying-school, or to conduct a flying-school (whether established before or after the passing of this Act) except pursuant to a license in that behalf issued in accordance with regulations under this Act. 30

Offence for person not being the holder of a flying-certificate to have control of aeroplane in flight.

5. (1.) Every person who, not being the holder of a flying-certificate, has control of an aeroplane aircraft in flight, except as provided in the next succeeding subsection, is liable on summary conviction to a fine of one hundred pounds. 35

(2.) The foregoing provisions of this section shall not be so construed as to prohibit any pupil of a flying-school from having control of an aeroplane aircraft in flight within such restricted areas as may be prescribed with reference to that flying-school. 40

Prescribed areas for navigation of aeroplanes.

6. (1.) The Governor-General may from time to time, by Order in Council,—

- (a.) Prescribe, with respect to any flying-school, a restricted area beyond the boundaries of which aeroplanes aircraft used in connection with that school shall not, during the course of instruction, be navigated ; or 45
- (b.) Prohibit the navigation of aeroplanes aircraft over any area that may be described in the Order in Council ; or
- (c.) Declare any area of land or water to be a landing-place for aeroplanes aircraft. 50

(2.) If any person navigates an aeroplane aircraft over any area in contravention of the provisions of an Order in Council under this section, or lands any aeroplane aircraft except on a prescribed landing-

29.

place, he shall be guilty of an offence unless he proves that he was compelled to do so by reason of stress of weather or other circumstances over which he had no control.

(3.) Any Order in Council under paragraph (b) of subsection one of this section may prohibit the navigation of ~~aeroplanes~~ *aircraft* over any prescribed area either at all times or on such occasions only as may be specified in the Order, and either absolutely or subject to such exceptions as may be specified.

(4.) Every person who commits an offence against this section shall be liable on summary conviction to imprisonment for a term not exceeding *three* months or to a fine not exceeding *two hundred* pounds.