

WESTERN AUSTRALIA.

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# AIR NAVIGATION.

1° Geo. VI., No. VI.

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No. 6 of 1937.<sup>1</sup>

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[As amended by Acts:

No. 21 of 1945, assented to 9th January, 1946;

No. 25 of 1969, assented to 16th May, 1969;

and reprinted pursuant to the Amendments Incorporation Act, 1938.]

**AN ACT to provide for the application of the Commonwealth Air Navigation Regulations to and in relation to Air Navigation within the State of Western Australia.**

*[Assented to 8th December, 1937.]*

**WHEREAS** at a conference of representatives of the Governments of the Commonwealth and of the States held in April, one thousand nine hundred and thirty-seven, it was resolved that there should be uniform rules throughout the Commonwealth applying to air navigation and air craft, and in particular to the airworthiness of air craft, the licensing and competence of pilots, air traffic rules, and the regulation of aerodromes, and it was agreed that legislation should be introduced in the Parliament of each State to make provision for the

Preamble.

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<sup>1</sup> Came into operation 4th February, 1938. See *Gazette* 4/2/38, p. 159.

application of the Commonwealth Air Navigation Regulations, as in force from time to time, to air navigation and air craft within the jurisdiction of the State:

**BE** it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title.  
Amended by  
No. 25 of  
1969, s. 1.

1. This Act may be cited as the *Air Navigation Act, 1937-1969*.

Commence-  
ment.

2. This Act shall come into operation on a date to be fixed by proclamation.

Interpreta-  
tion.

3. In this Act, subject to the context—

“the Commonwealth Act” means the Air Navigation Act, 1920-1936, of the Commonwealth of Australia, and, if that Act is amended, includes that Act as amended from time to time;

“the Regulations” means the Air Navigation Regulations made and as in force from time to time under the Commonwealth Act;

“the Territories” means territories under the authority of the Commonwealth and includes territories governed by the Commonwealth under a mandate.

Application  
of Common-  
wealth Air  
Navigation  
Regulations  
to air  
navigation,  
etc., within  
the State.

4. The regulations from time to time in force applicable to and in relation to air navigation within the territories shall (except so far as those regulations are by virtue of the Commonwealth Act and the regulations applicable to and in relation to air navigation within the State of Western Australia) apply, *mutatis mutandis*, to and in

relation to air navigation within the State of Western Australia as if those regulations as so applied were incorporated in this Act, and for the purposes of this Act those regulations shall be read and construed and take effect accordingly.

5. Where by or under the regulations any power or function is vested in or exercisable by any person or authority for the purpose of the regulations, or any part thereof, the like power or function under the regulations in their application by virtue of this Act shall be vested in or exercisable by that person or authority for the purposes of the regulations in such application.

Certain powers and functions vested in Commonwealth authorities.

6. Any certificate, license, or registration granted, issued, recognised or effected—

Certificates, licenses, etc.

(a) by or under the regulations in their application under the Commonwealth Act; or

(b) by or under the regulations in their application by virtue of the law of any other State of the Commonwealth,

and any cancellation or suspension of any such certificate, license, or registration, shall in this State have the same force and effect as if it had been granted, issued, recognised, or effected in pursuance of the regulations in their application by virtue of this Act.

7. All fees payable under the regulations in their application by virtue of this Act shall be paid to the Commonwealth to meet the cost of the administration of the regulations in such application.

Fees.

8. The provisions of this Act shall not affect in any way, and shall be deemed not to have affected in any way the operation of Division 4 of Part III of the Road and Air Transport Commission Act, 1966.

This Act not to affect Division 4 of Part III of the Road and Air Transport Commission Act 1966. Added by No. 21 of 1945, s. 2. Amended by No. 25 of 1969, s. 2.

