

No. 346.**THE GAME AND WILD BIRDS LAWS, 1934 TO 1949.****ORDER MADE UNDER SECTION 6.**

A. B. WRIGHT,
Governor.

In exercise of the powers vested in me by paragraph (b) of subsection (1) of section 6 of the Game and Wild Birds Laws, 1934 to 1949, I, the Governor, do hereby order as follows:—

1. This Order may be cited as the Pheasants (Shooting, Killing or Selling) Prohibition Order, 1949.

2. The shooting, killing, taking, pursuing or selling of any pheasant is hereby prohibited during the period between the 1st day of October, 1949, and the 31st day of January, 1950, both days inclusive.

Ordered this 11th day of September, 1949.

(M.P. 643/39/3.)

No. 347.**THE COLONIAL AIR NAVIGATION (APPLICATION OF ACTS) ORDERS, 1937 AND 1948.**

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REGULATIONS MADE BY THE GOVERNOR UNDER PARAGRAPH 9 OF THE FIRST SCHEDULE.

A. B. WRIGHT,
Governor.

In exercise of the powers vested in me by paragraph 9 of the First Schedule to the Colonial Air Navigation (Application of Acts) Orders, 1937 and 1938, I, the Governor, do hereby make the following regulations:—

1. These regulations may be cited as the Air Navigation (Investigation of Accidents) Regulations, 1949.

2. In these regulations, unless the context otherwise requires—
“Civil Aviation Officer” means the officer for the time being performing the duties of Civil Aviation Officer in the Colony;

“Customs Officer” means an officer of the Department of Customs and Excise;

“Police Officer” means any member of the Police Force;

“Serious structural damage” in relation to an aircraft means—

(1) the telescoping or breaking apart of the fuselage;

(2) the breaking of a main spar;

(3) the breaking of any part of the controls; or

(4) damage by fire to any part of the aircraft.

3.—(1) Where an accident to any aircraft occurs in or over the Colony and involves death or personal injury to any person, whether carried in the aircraft or not, or any serious structural damage to the aircraft, or is believed on reasonable grounds to have been caused or contributed to by the failure in the air of any part of the aircraft, the pilot, or, if the pilot is incapacitated by injury, the owner or hirer of the aircraft shall notify the Civil Aviation Officer and a police officer:

Provided that in the case of an aircraft which is engaged on hire at the time of the accident, the owner thereof shall, as between himself and the hirer and in the absence of any agreement to the contrary, be responsible for compliance with this regulation.

(2) The notice shall be sent within twenty-four hours after the occurrence of the accident unless the person whose duty it is to send it proves that it was not possible to send it within that time, and in any case shall state—

- (a) the nationality and registration marks of the aircraft ;
- (b) the name of the owner and hirer (if any) of the aircraft ;
- (c) the name of the pilot of the aircraft ;
- (d) the place where the accident took place ;
- (e) the date and time when the accident took place ;
- (f) the nature of the accident ; and
- (g) whether death or personal injury was caused by the accident, and, if so, to whom.

4. The Governor may hold any inquiry into any accident in any manner he thinks fit and may appoint a competent person to hold the investigation hereinafter called the "Inspector of Accidents".

5. For the purpose of his investigation the Inspector of Accidents shall have power—

- (a) by summons under his hand to require the attendance, unless incapacitated by injury, of any person who is the owner or hirer or the pilot of the aircraft and any other person whom he thinks fit to call before him and examine, and to require answers or returns to such enquiries as he thinks fit to make from any such person ;
- (b) to require any such person to make and sign a declaration of the truth of the statements made by him in his examination ;
- (c) to require the production of all books, papers and documents which he considers material ;
- (d) to have access to and examine the aircraft and the place where the accident occurred.

6. The owner or person in charge of the aircraft and every other person shall give every facility to the Inspector of Accidents to inspect the aircraft or to do any other thing which may be necessary to facilitate the finding of the true cause of the accident.

7. An investigation under these regulations shall be conducted in such a manner that if a charge is made or is likely to be made against any person, that person shall have an opportunity of being present and of making any statement or giving any evidence and producing witnesses on his behalf.

8. An aircraft to which an accident has occurred and in respect of which the Governor has ordered an inquiry under these regulations shall not, except under the authority of the Inspector of Accidents, be removed or otherwise interfered with :

Provided that—

- (a) the aircraft or any parts thereof may be removed or interfered with so far as may be necessary for the purpose of extricating the persons involved, removing any mails carried by the aircraft, preventing destruction by fire or other cause, or preventing any danger or obstruction to the public ; and
- (b) goods or passengers' baggage may be removed from the aircraft under the supervision of a police officer and, in the case of an aircraft which has come from a place outside the Colony, in the presence of a Customs Officer.

9. Upon concluding his investigation the Inspector of Accidents shall make a report thereon to the Governor who may cause the whole or any part of such report to be made public in such manner as he thinks fit.

10.—(1) A person shall not obstruct or impede the Inspector of Accidents or any person acting under his authority in the exercise of any powers or duties under these regulations.

(2) A person shall not without reasonable excuse (proof whereof shall lie on him) fail, after having had the expenses, if any, to which he is entitled tendered to him, to comply with any summons or requisition of the Inspector of Accidents when holding an investigation.

11.—(1) Notwithstanding anything in regulation 3 hereof notice of an accident occurring to an aircraft which, at the time of the accident, is neither—

(a) carrying passengers or goods for hire or reward, nor

(b) being used for the purposes of any trade or business or for purposes of gain, nor

(c) carrying any person for the purpose of the instruction of that person in flying, being instruction for which payment is made, need not be given to the persons mentioned in the said regulation as being the proper persons to whom a report should be made by the pilot, owner or hirer of the aircraft, unless the accident involves death or serious personal injury to some person, whether carried in the aircraft or not; and nothing in regulation 8 hereof shall be taken to restrict the removal of, or interference with, an aircraft to which there has occurred any accident other than an accident of which notice is required to be given as aforesaid by the pilot, owner or hirer of the aircraft under regulation 3 hereof, as amended by this regulation.

(2) In relation to the carrying of a person in an aircraft for the purpose of the instruction of that person in flying, payment shall be deemed, for the purposes of this regulation, to be made for the instruction if any sum is paid or payable in respect of the particular flight either to the instructor himself or to any person by whom the instructor is employed, or to whom he gives his services, as an instructor, or if the instructor is employed for reward to instruct persons in flying aircraft.

12. If any person contravenes or fails to comply with any of these regulations or any provision thereof he shall be guilty of an offence and shall be liable to imprisonment for a term not exceeding three months or to a fine not exceeding twenty-five pounds.

Made this 9th day of September, 1949.

(M.P. 1451/39.)

No. 348.

THE LAND ACQUISITION LAWS, 1899 TO 1947.

NOTICE UNDER SECTIONS 2, 3 AND 4.

A. B. WRIGHT,
Governor.

Whereas it has been represented to me that it is desirable in the public interest to construct, within the municipal limits of the town of Nicosia, a reservoir in connection with a scheme to provide an adequate supply of wholesome water for domestic purposes for the town of Nicosia:

Now, therefore, I, Andrew Barkworth Wright, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Commander of the Most Excellent Order of the British Empire, upon whom has been conferred the Decoration of the Military Cross and Bar, Governor and Commander-in-Chief in and over the Colony of Cyprus, by virtue of the powers vested in me by sections 2 and 3 of the Land Acquisition Laws, 1899 to 1947, do hereby declare the construction,