

CIVIL AVIATION (AMENDMENT) BILL, 2022

EXPLANATORY NOTES

This Bill seeks to amend the Civil Aviation Act, Chapter 54A (“the principal Act”). The principal Act is a model Act existing in Eastern Caribbean territories that are the Participating States to the Agreement Establishing the Eastern Caribbean Civil Aviation Authority (“the Agreement”).

The Agreement established a regional regulatory authority for civil aviation – the Eastern Caribbean Civil Aviation Authority (ECCAA) – which is headed by a Director General and serves nine (9) Participating States, including Grenada. The Agreement was incorporated into the laws of Grenada by the Eastern Caribbean Civil Aviation Authority Act, Chapter 54A.

Accordingly, this Bill seeks to reflect and implement Grenada’s obligations under the Agreement to enact legislation to facilitate the functions of ECCAA for the collective benefit of the Participating States of ECCAA. This Bill forms part of a suite of amending legislation, including the Protocol to amend the Eastern Caribbean Civil Aviation Authority Agreement and the Eastern Caribbean Civil Aviation Authority Agreement (Amendment of Schedule) Order, 2022. This suite of legislation has been recommended by ECCAA to improve legislative deficiencies resulting in ECCAA and the airports of Participating States being downgraded from Category 1 to Category 2 by the Federal Aviation Authority of the United States of America (“FAA”).

This Bill contains 21 clauses.

Clause 1 provides for the short title.

Clause 2 provides for amendment of section 2 of the principal Act – the interpretation section - to insert two new definitions of terms – “State Safety Programme” and “unlawful interference”.

Clause 3 provides for amendment of section 4 of the principal Act - relating to the functions of the Minister - to clarify that the Minister’s powers under section 4 are limited by the substance of sections 10, 11 and 49 as amended by **clauses 6, 7 and 49** respectively.

Clause 4 provides for amendment of section 6 (1) of the principal Act - relating to aerodromes and airport - to expand the expression “for the purpose of promoting the safety of air navigation” to read “for the purpose of promoting the safety and security of air navigation”. Emphasis is being placed on security in addition to safety.

Clause 5 provides for amendment of section 7 (2) (a) of the principal Act - relating to Ministerial orders and directions - to expand an expression referring to “safety” to include “security”.

Clause 6 provides for amendment of section 10 of the principal Act - relating to the appointment of the Director General - to amend subsection (6) and insert a new subsection (7).

The amendment to subsection (6) seeks to:

- expand an expression referring to “safety” to include “security”,
- repeal paragraph (d) for consistency with the amendments to section 31 as amended by **clause 9**;
- revise paragraph (g) to reflect the revised role of the Minister for consistency with sections 49 and 53 as amended by **clauses 15 and 19** respectively;
- insert a new paragraph (h) to reflect the Director General’s new responsibility to develop a State Safety Programme.

The new subsection (7) seeks to clarify that the Director General acts independently in respect of the specified functions from paragraphs (a) to (f).

Clause 7 provides for amendment of section 11 of the principal Act - relating to the Director General’s power to issue directives –

- to expand expressions referring to “safety” to include “security”; and
- to reflect the transfer of specified responsibilities from the Minister to the Director General for consistency with sections 49 and 53 as amended by **clauses 15 and 19** respectively.

Clause 8 provides for amendment of section 13 of the principal Act - relating to the Director General’s power to delegate functions. The amendment seeks to acknowledge the existence of the Director General’s new functions under Part IX under sections 49 and 53 by virtue of **clauses 15 and 19** respectively and to prohibit delegation in respect of these new functions.

Clause 9 provides for amendment of section 31 of the principal Act – relating to the appointment of an investigator-in-charge – revise subsection (1) to confer a new power to Minister to delegate responsibilities of an investigator-in-charge to another State or organisation.

Clause 10 provides for amendment of section 32 of the principal Act – relating to the powers of the investigator-in-charge to conduct investigations – to insert a new subsection (1A) with additional specified powers. Clause 10 also includes

the correction of a citation of Annex 13 of the Chicago Convention for conducting aircraft accident and incident investigations in section 32 (2).

Clause 11 provides for amendment of section 33 of the principal Act – relating to on-board recordings and investigations – to rename the section heading and repeal and replace subsection (1). The new subsection (1) seeks to mandate the confidentiality of specified records relating to aviation occurrences that are under investigation.

Clause 12 provides for amendment of section 38 (4) of the principal Act – relating to suspension of documents as a sanction for contravention of the Act – to reflect the transfer of specified functions under sections 49 and 53 from the Minister to the Director General by virtue of **clauses 15 and 19** respectively.

Clause 13 provides for amendment of section 40 (1) of the principal Act – relating to prohibitions and offences – to insert a new offence as paragraph (jA). The new offence is wilfully committing or attempting to commit any act of unlawful interference that jeopardises the safety of civil aviation and would be an indictable offence.

Secondly, **clause 13** seeks to insert into section 40 of the principal Act two new subsections (6A) and (6B) to specify the penalties for contravention of an indictable offence under the principal Act. While section 40 (2) (a) provides that contraventions of paragraph (a) to (l) of section 40(1) are indictable offences, no penalty was provided. The new subsections provide for the following maximum penalties:

- in the case of an individual, \$50,000, 5 years imprisonment, or both;
- in the case of a corporation, \$150,000.

Additionally, clause 13 seeks to correct a typographical error in section 40 (2) (a) where a reference to subsection (1) (i) should have been a reference to subsection (1) (j).

Clause 14 provides for the repeal and replacement of section 46 of the principal Act to improve the provisions relating to the powers to enter, inspect, seize and detain to facilitate the monitoring of compliance with the Act.

Clause 15 provides for amendment of section 49 of the principal Act – relating to regulations respecting civil aviation – to:

- amend subsection (1) to transfer the power to make regulations respecting the categories specified under subsection (2), from the Minister to the Director General; and
- amend subsection (2) to revise the specified categories to ensure a clear distinction from regulations made under section 50.

Clause 16 provides for amendment of section 50 (1) of the principal Act – relating to regulations made by the Minister to impose charges – to acknowledge the transfer of specified functions from the Minister to the Director General under sections 49 and 53 as amended by **clauses 15 and 19** respectively.

Clause 17 provides for amendment of section 51 (1) of the principal Act – relating to penalty notice offences - to acknowledge the transfer of specified functions under sections 49 and 53 from the Minister to the Director General by virtue of **clauses 15 and 19** respectively.

Clause 18 provides for amendment of section 52 of the principal Act – relating to regulations made by the Minister for miscellaneous matters – to insert new categories for which these regulations may provide. The new categories include:

- matters relating to the minimum amount of liability insurance required of owners and operators of aircraft;
- matters relating to National Emergencies;
- the issuance and administration of air service licences and permits to national and foreign operators.

Additionally, clause 18 seeks to insert new subsections (2) and (3) which constitute the substance of sections 54 and 55 except that these regulation-making and exempting powers would be transferred from the Minister to the Director General.

Clause 19 provides for amendment of section 53 (1) of the principal Act – relating to reporting of occurrences and includes a power to make regulations. This amendment seeks to transfer this power to make regulations from the Minister to the Director General.

Clause 20 provides for the repeal of section 54 of the principal Act, in the light that the provisions have been revised and repositioned as new subsections (2) and (3) of section 52 by virtue of **clause 18**.

Clause 21 provides for the repeal of section 55 of the principal Act, in the light that the provisions have been revised and repositioned as new subsections (2) and (3) of section 52 by virtue of **clause 18**.

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Sen. The Hon. Claudette Joseph
ATTORNEY-GENERAL

CIVIL AVIATION (AMENDMENT) BILL, 2022

ARRANGEMENT OF CLAUSES

1. Short title
2. Amendment of section 2 of principal Act
3. Amendment of section 4 of principal Act
4. Amendment of section 6 of principal Act
5. Amendment of section 7 of principal Act
6. Amendment of section 10 of principal Act
7. Amendment of section 11 of principal Act
8. Amendment of section 13 of principal Act
9. Amendment of section 31 of principal Act
10. Amendment of section 32 of principal Act
11. Amendment of section 33 of principal Act
12. Amendment of section 38 of principal Act
13. Amendment of section 40 of principal Act
14. Repeal and replacement of section 46 of principal Act
15. Amendment of section 49 of principal Act
16. Amendment of section 50 of principal Act
17. Amendment of section 51 of principal Act
18. Amendment of section 52 of principal Act

19. Amendment of section 53 of principal Act
20. Repeal of section 54 of principal Act
21. Repeal of section 55 of principal Act

CIVIL AVIATION (AMENDMENT) BILL, 2022

GRENADA

ACT NO. OF 2022

AN ACT to amend Civil Aviation Act, Chapter 54A.

BE IT ENACTED by the King’s Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Representatives and by the authority of the same as follows—

Short title

1. This Act may be cited as the

CIVIL AVIATION (AMENDMENT) ACT, 2022,

and shall be read as one with the Civil Aviation Act, Chapter 54A hereinafter referred to as the “principal Act”.

Amendment of section 2 of principal Act

2. Section 2 of the principal Act is amended by inserting the following definitions in the appropriate alphabetical position—

“**State Safety Programme**” means an integrated set of regulations and activities aimed at improving safety that assists in managing aviation safety performance;

“**unlawful interference**” means an act or attempted act to jeopardise the safety of civil aviation and air transport, including—

- (a) unlawful seizure of aircraft in flight;
- (b) unlawful seizure of aircraft on the ground;
- (c) hostage-taking on board aircraft or on aerodromes;
- (d) forcible intrusion on board an aircraft, at an airport or on the premises of an aeronautical facility;
- (e) introduction on board an aircraft or at an airport of a weapon or hazardous device or material intended for criminal purposes; or
- (f) communication of false information such as to jeopardise the safety of an aircraft in flight or on the ground, of passengers, crew, ground personnel or the general public, at an airport or on the premises of a civil aviation facility.”.

Amendment of section 4 of principal Act

3. Section 4 of the principal Act is amended as follows—

- (a) in the chapeau, by deleting the words “The Minister” at the beginning and substituting therefor the words “Subject to sections 10, 11 and 49, the Minister”;

- (b) in paragraph (g), by inserting a “Comma” and the word “health” after the word “immigration”.

Amendment of section 6 of principal Act

4. Section 6 of the principal Act is amended in subsection (1) as follows—

- (a) in paragraph (c), by inserting the words “and security” after the word “safety”;
- (b) in paragraph (e), by inserting the words “and security” after the word “safety”.

Amendment of section 7 of principal Act

5. Section 7 of the principal Act is amended in subsection (2) (a) by inserting the words “and secure” after the word “safe”.

Amendment of section 10 of principal Act

6. Section 10 of the principal Act is amended as follows—

- (a) in subsection (6) as follows—
 - (i) in paragraph (c) in the chapeau, by deleting the words “the provision of safety services” after the words “be responsible for” and substituting therefor the words “regulating civil aviation safety and security”;
 - (ii) by repealing paragraph (d);
 - (iii) by repealing paragraph (g) and substituting therefor the following new paragraphs—
 - “(g) inform the Minister in respect of regulations to be made by the Director General pursuant to section 49;
 - (h) develop and establish a State Safety Programme within Grenada to improve aviation safety oversight and practices.”;
- (b) by inserting after subsection (6) the following a new subsection—
 - “(7) In exercising any powers or discharging any functions in relation to—
 - (a) the granting, suspension or revocation of civil aviation documents;

- (b) the issue, suspension or revocation of medical certificates;
- (c) the issue of a validation permit for a foreign licence;
- (d) the granting of recognition of a foreign medical assessment or certificate used in a foreign country;
- (e) the granting of exemptions or deviations or waivers;
- (f) the enforcement of this Act, regulations made by the Director General hereunder or any other law relating to aviation safety, or to aviation security,

the Director General shall act independently and shall not be subject to any influence or directive from any person or authority.”.

Amendment of section 11 of principal Act

7. Section 11 of the principal Act is amended as follows—

- (a) in subsection (1) as follows—
 - (i) inserting the words “or security” after the words “on reasonable grounds, that safety”;
 - (ii) inserting the words “or security” after the words “in respect of the safety”;
- (b) in subsection (2) by deleting the words “Minister specifies by regulation” and substituting therefor the words “Director General may specify”.

Amendment of section 13 of principal Act

8. Section 13 of the principal Act is amended in subsection (2) by inserting the words “and Part IX” after the words “Part VIII”.

Amendment of section 31 of principal Act

9. Section 31 of the principal Act is amended by repealing subsection (1) and substituting therefor the following new subsection—

“(1) Where the Minister determines that it is necessary to investigate an aviation occurrence, he or she shall—

- (a) appoint an investigator-in-charge, who shall have the duties set out in subsection (2); or
- (b) delegate the whole or any part of the conducting of such investigation to another State or a regional accident and incident investigation organisation by mutual arrangement and consent.”.

Amendment of section 32 of principal Act

10. Section 32 of the principal Act is amended as follows—

- (a) by inserting after subsection (1) the following new subsection—

“(1A) In particular, the investigator-in-charge—

- (a) has unhampered access and control over—

- (i) the scene of the accident in order, for example, to protect the aircraft or wreckage as well as the accident site against access by unauthorised persons, pilfering or deterioration;
- (ii) all relevant material and evidence, including flight recorders and air traffic service (ATS) records;

- (b) has the authority to—

- (i) carry out detailed examination of relevant material and evidence without delay;
- (ii) conduct interviews with witnesses and others who can contribute to the investigation.”;

- (b) in subsection (2), deleting the words “ICAO Annex 13 (Aircraft Accident Investigation)” after the words “set out in” and substituting therefor the words “Annex 13 of the Chicago Convention for conducting aircraft accident and incident investigations”.

Amendment of section 33 of principal Act

11. Section 33 of the principal act is amended as follows—

- (a) by deleting the section heading and substituting therefor the new heading “Protection of investigation records”;
- (b) by repealing subsection (1) and substituting therefor the following new subsection—

“(1) The following records that relate to an aviation occurrence being investigated under this Act shall not be disclosed to the public or for purposes other than accident or incident investigation, unless ordered by the court—

- (a) cockpit voice recorder (CVR) recordings and airborne image recordings;
- (b) while in custody or control of the investigation authority—
 - (i) records from interviews with persons by the investigation authorities in the course of the investigation;
 - (ii) communications between persons having been involved in the operation of the aircraft;
 - (iii) medical or private information regarding persons involved in the accident or incident;
 - (iv) recordings and transcripts of recordings from air traffic control units;
 - (v) analysis of and opinions about information (including flight recorder information) made by the accident investigation authority and accredited representatives in relation to the accident or incident; and
 - (vi) the draft Final Report of an accident or incident investigation.”.

Amendment of section 38 of principal Act

12. Section 38 of the principal act is amended in subsection (4) in the chapeau by deleting the words “Minister may by regulation prescribe” after the words “in

such form as” and substituting therefor the words “Director General may prescribe”.

Amendment of section 40 of principal Act

13. Section 40 of the principal Act is amended as follows—

- (a) in subsection (1), by inserting after paragraph (j) the following new paragraph—

“(jA) willfully commit or attempt to commit any act of unlawful interference that jeopardises the safety of civil aviation;”;

- (b) in subsection (2) (a) by deleting the words “subsection (1) (a) to (i)” after the word contravenes and substituting therefor the words “subsection (1) (a) to (l)”;

- (c) by inserting after subsection (6) the following new subsections—

“(6A) An individual who is convicted of an indictable offence under this Act is liable to a fine not exceeding thirty thousand (\$30,000.00) dollars and, in the case of an offence referred to in subsection (1), to imprisonment for a term not exceeding five years, or to both such fine and imprisonment.

“(6B) A corporation that is convicted of a summary offence under this Act is liable to a fine not exceeding one hundred and fifty thousand (\$150,000.00) dollars.”.

Repeal and replacement of section 46 of principal Act

14. Section 46 of the principal Act is repealed and replaced by the following new section—

“Powers to enter, inspect, seize and detain

46. (1) An inspector appointed pursuant to section 12 or any person delegated pursuant to section 13, when so authorised in writing by the Director General, shall at all reasonable times for the purposes of making inspections relating to the oversight and enforcement of this Act or any regulations made thereunder have access to—

- (a) aircraft whether or not in flight and to any place where an aircraft has landed including point of origin of any product or goods being, or to be shipped by air, for the purposes of an investigation of matters concerning aviation safety and security;

- (b) aerodromes and any facility located on the aerodrome, and any land, area or premises outside the aerodrome used by businesses that operate at the aerodrome;
- (c) air navigation services facilities;
- (d) air operator offices and any facility related to civil aviation or any premises used for the design, manufacture, distribution, operation, maintenance or installation of aeronautical products;
- (e) hangars;
- (f) approved maintenance organisations;
- (g) workshops;
- (h) ramps;
- (i) fuel storage facilities;
- (j) cargo handling areas; and
- (k) aviation training organisation's facilities.

(2) An inspector appointed pursuant to section 12 or any person delegated pursuant to section 13, when so authorised in writing by the Director General shall have access to any civil aviation document or records including—

- (a) manuals;
- (b) certificates;
- (c) approvals;
- (d) authorisations;
- (e) permits;
- (f) procedures;
- (g) technical files;
- (h) personnel files;
- (i) airport personnel and aircraft personnel licences; and

(j) other civil aviation documents.

(3) In the performance of his or her functions as an inspector or in the performance of his or her delegation, an inspector appointed pursuant to section 12 or any person delegated pursuant to section 13, shall have the power to—

- (a) interview any relevant person for the purpose of assessing the implementation of civil aviation requirements and procedures;
- (b) require any entity connected with civil aviation to provide information relevant to any oversight activity or investigation;
- (c) test the effectiveness of civil aviation measures and procedures and performance of civil aviation equipment;
- (d) enforce corrective actions, including immediate rectification of any deficiencies, and/or apply enforcement measures for compliance with civil aviation requirements;
- (e) seize any property found by him or her whether in the aircraft, aerodrome, air navigation facility, hangar, approved maintenance organisation, workshop, ramp, fuel storage facility, air operator office, cargo handling area, or aviation training organisation's facility, (but not the aircraft itself) and to subject that property to tests; and
- (f) require the holder or operator of the aircraft, or the person performing the functions of manager of the airport, aerodrome, air navigation facility, hangar, approved maintenance organisation, workshop, ramp, fuel storage facility, air operator office, cargo handling area, or aviation training organisation's facility, to furnish him or her with such information and documents as the inspector or delegated person considers necessary.

(4) For the purpose of the issuance of an aviation document under this Act the Director General, or any inspector or person authorised by the Director General, shall be granted unrestricted access by the applicant seeking the issuance of an aviation document or by the holder of an aviation document to any place, office, hangar, ramp, equipment, document, workshop or facility, including facilities for training, workshops, the provision of air navigation services, maintenance, fuel storage or cargo handling and at any time to conduct any inspection, audit or test, in order to determine that operations are conducted in accordance with prescribed safety, security and other recommended standards.

- (5) For the purpose of subsection (4), the term “document”, shall include manuals, certificates, approvals, authorisations, procedures, technical files, personnel files, and personnel licences.”.

Amendment of section 49 of principal Act

15. Section 49 of the principal Act is amended as follows—

- (a) in subsection (1), by deleting the words “The Minister” at the beginning and substituting therefor the words “The Director General” and inserting the words “respecting safety and security” after the words “all aspects of civil aviation”;
- (b) by repealing subsection (2) and substituting therefor the following new subsections—

“(2) Without restricting the generality of the foregoing, the Director General may make regulations respecting—

- (a) requirements no less than the applicable Standards and Recommended Practices of Annex 1 of the Chicago Convention for licensing and supervision of personnel and for the certification and supervision of Aviation Training Organizations;
- (b) requirements no less than the applicable Standards and Recommended Practices of Annex 2 of the Chicago Convention for rules of the air;
- (c) requirements no less than the applicable Standards and Recommended Practices of Annex 3 of the Chicago Convention for meteorology and for the certification and supervision of aviation meteorological services providers;
- (d) requirements no less than the applicable Standards and Recommended Practices of Annex 4 of the Chicago Convention for aeronautical charts and for the certification and supervision of aviation aeronautical charts services providers;
- (e) requirements no less than the applicable Standards and Recommended Practices of Annex 5 of the Chicago Convention for the units of measurements to be used in air and ground operations;

- (f) requirements no less than the applicable Standards and Recommended Practices of Annex 6 of the Chicago Convention for—
 - (i) international commercial air transport operations – airplanes and helicopters;
 - (ii) international general aviation operations – airplanes and helicopters;
 - (iii) the certification and supervision of aircraft operators and the conditions under which passengers, goods and cargo may be carried by air; and
 - (iv) the certification and supervision of approved maintenance organisations; and,
- (g) requirements no less than the applicable Standards and Recommended Practices of Annex 7 of the Chicago Convention for the registration of civil aircraft in Grenada;
- (h) requirements no less than the applicable Standards and Recommended Practices of Annex 8 of the Chicago Convention for certifying the airworthiness of civil aircraft and for adopting international airworthiness standards for aeronautical products;
- (i) requirements no less than the applicable Standards and Recommended Practices of Annex 9 of the Chicago Convention for securing the efficiency and regularity of the operations of air navigation and the safety and security of aircraft and of persons and property carried thereon and of persons and property on the ground;
- (j) requirements no less than the applicable Standards and Recommended Practices of Annex 10 of the Chicago Convention for aeronautical telecommunication and for adopting international standards for aeronautical telecommunication products;

- (k) requirements no less than the applicable Standards and Recommended Practices of Annex 11 of the Chicago Convention for air traffic control, the certification and supervision of air traffic control services providers and control of the airspace above the territory of Grenada;
- (l) requirements no less than the applicable Standards and Recommended Practices of Annex 12 of the Chicago Convention for search and rescue operations and for search and rescue services providers;
- (m) requirements no less than the applicable Standards and Recommended Practices of Annex 13 of the Chicago Convention for conducting aircraft accident and incident investigations;
- (n) requirements no less than the applicable Standards and Recommended Practices of Annex 14 of the Chicago Convention for licensing and supervision of aerodromes and heliports;
- (o) requirements no less than the applicable Standards and Recommended Practices of Annex 15 of the Chicago Convention for aeronautical information services and the certification and supervision of aeronautical information services providers;
- (p) requirements no less than the applicable Standards and Recommended Practices of Annex 16 of the Chicago Convention for aircraft noise and aircraft engine emissions;
- (q) requirements no less than the applicable Standards and Recommended Practices of Annex 17 of the Chicago Convention for aviation security, the certification and supervision of aviation security services providers;
- (r) requirements no less than the applicable Standards and Recommended Practices of Annex 18 of the Chicago Convention for the safe transport of dangerous goods by air, for prohibiting the carriage by air, such goods as may be specified by the Regulations and the

certification and supervision of organisations that undertake to transport dangerous goods by air;

- (s) requirements no less than the applicable Standards and Recommended Practices of Annex 19 of the Chicago Convention for implementation of the State Safety Programme as well as acceptance and supervision of safety management systems for aviation organisations;
- (t) general aviation operations within the territory and airspace of Grenada that may be subject to conditions, limitations and restrictions to ensure safety and security of civil aviation;
- (u) prescribing the fees to be paid in respect of the issue, validation, renewal, extension or variation of any aviation document or the undergoing of any examination or test required by, or in pursuance of the Regulations, or in respect of any other matter for which it appears to the Minister to be expedient to charge fees;
- (v) ensuring that foreign operators operating in Grenada comply with the safety and security requirements of regulations made under this section;
- (w) designation by the Director General of inspectors and appropriately qualified persons to perform any of the functions under this Act or Regulations made there under where such functions do not include self-regulation;
- (x) granting exemptions, deviations or waivers from Regulations made under this section on such terms and conditions as may be specified;
- (y) conferring on such persons as may be specified, powers relating to the enforcement of any condition or prohibition; including powers to examine, take samples of, seize and detain any goods, to require a passenger of any baggage or packages containing goods to open such baggage or packages for inspection and to produce any document;

- (z) the provision of regulatory safety oversight in keeping with Article 83 bis of the Chicago Convention over foreign air operators which are engaged in commercial air transport operations in the form of charters, leases and interchange arrangements.
- (3) Regulations made under this section shall provide for—
 - (a) examinations and tests to be undergone, and as to the form, custody, production, cancellation, suspension, endorsement and surrender of any document;
 - (b) the imposition of penalties for offences against the regulations, including the suspension or revocation of certificates, licences, and authorisations, and in the case of any particular offence such fines not exceeding fifty thousand dollars (\$50,000.00) or imprisonment of a term of not exceeding 2 years and for the taking of such steps (including the interception of aircraft) as may be prescribed as respects aircraft flying over areas of Grenada over which flying is prohibited by the Regulations.
- (4) In this section a reference to “goods” shall include a reference to mail or animals.
- (5) Regulations made under this section are subject to a negative resolution of Parliament.”.

Amendment of section 50 of principal Act

16. Section 50 of the principal Act is amended in subsection (1) in the chapeau by inserting the words “Subject to section 49” and a “Comma” at the beginning.

Amendment of section 51 of principal Act

17. Section 51 of the principal Act is amended in subsection (1) by inserting the words “made by him or her” after the word “regulations”.

Amendment of section 52 of principal Act

18. Section 52 of the principal Act is amended as follows—

- (a) by inserting before the existing subsection the designation (1);
- (b) in paragraph (j) by deleting the word “and” after the “Semi-colon”;

- (c) in paragraph (k) by deleting the “Full stop” after the words “was detained” and substituting therefor a “Semi-colon”;
- (d) by inserting after paragraph (k) the following new paragraphs—
 - “(l) matters relating to the minimum amount of liability insurance required of owners and operators of aircraft;
 - (m) matters relating to National Emergencies;
 - (n) matters for which he or she is responsible under this Act in respect of which fees are to be paid, the amount of the fees and the persons by whom the fees are to be paid and, authorising the refund of fees in such circumstances as may be prescribed; and
 - (o) the issuance and administration of air service licences and permits that may be subject to conditions, limitations and restrictions, to national and foreign operators where such national and foreign operators use aircraft for commercial purposes.”;
- (e) by inserting after the subsection the following new subsections—
 - “(2) The Minister may make regulations exempting, on such terms and conditions as may be specified in the regulations, any person, aircraft of such description, flights, aerodrome, facility or service from the application of any regulation made under this section.
 - (3) An exemption made pursuant to subsection (2) may be granted to any person, aircraft of such description, flights, aerodrome, facility or service whether or not any civil aviation document has been issued under this Act.”.

Amendment of section 53 of principal Act

19. Section 53 of the principal Act is amended in subsection (1) by deleting the words “The Minister” at the beginning and substituting therefor the words “The Director General”.

Repeal of section 54 of principal Act

20. The principal Act is amended by repealing section 54.

Repeal of section 55 of principal Act

21. The principal Act is amended by repealing section 55.

Passed by the Houses of Representatives this day of 2022.

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Clerk to the House of Representatives

Passed by the Senate this day of 2022.

Clerk to the Senate