

**3. Airports and Civil Aviation (Amendment) Bill 2018 –
First Reading approved**

Mr Crookall to move:

That the Airports and Civil Aviation (Amendment) Bill 2018 be read a first time.

The President: Hon. Members, we resume our sitting of the newly constituted Legislative Council. We turn to Item 3 on our Order Paper, the Airports and Civil Aviation (Amendment) Bill for First Reading, and I call on the mover, Mr Crookall.

5 **Mr Crookall:** Thank you, Mr President.

I am pleased to be before you today to present the Airports and Civil Aviation (Amendment) Bill, which will introduce new primary powers into the Airports and Civil Aviation Act 1987 to enable the Department of Enterprise to make subordinate legislation for the purpose of meeting the Island's international obligations in respect of civil aviation, and for regulating the Island's civil aviation in general.

10 At present, the Island relies on the UK to make orders to regulate civil aviation and to implement the Convention on International Civil Aviation which lays down standards and recommended practices for civil aviation. This is achieved through a UK Act which has been applied to the Island by the UK which requires such orders to be made in the UK Privy Council and therefore in which Tynwald has no input or say.

15 This places a burden on the UK government and progression of legislation on behalf of the Crown Dependencies is inevitably in competition with wider UK priorities, resulting in significant hindrance for the Island in keeping up to date with international requirements. The Airport and Civil Aviation Act 1987 currently enables the Department to extend specific UK and EU civil aviation legislation to the Island, subject to exceptions, adaptations and modifications. Whilst these are useful provisions that must be retained, they are not sufficient to create effective legislation where significant modification or variation from the UK or EU legislation is required.

20 The Bill reflects the legislation in force for the UK that is already extended to the Island. Therefore the aim of the Bill is to introduce a new legislative process, rather than introducing new functions or responsibilities for the Department.

25 The Department has identified a wide range of legislative developments required to ensure continued compliance with international civil aviation standards. The ability to progress the required legislation in a timely and efficient manner can only be achieved through the provision of new powers to make domestic secondary legislation without recourse to Orders in Council. The UK Department for Transport has formally confirmed that it has no objections to the content and purpose of the Bill and is content to see the Bill proceed. The Department for Enterprise will continue to communicate with the UK Department for Transport as the Bill progresses.

30 Mr President, I beg to move that the Airports and Civil Aviation (Amendment) Bill be read for a first time.

35 **The President:** Mr Henderson.

Mr Henderson: Gura mie eu, Eaghtyrane.
40 I beg to second and reserve my remarks.

The President: Do Members have any comment?

45 **Mr Henderson:** I have indeed, Eaghtyrane.

The President: Mr Henderson.

50 **Mr Henderson:** I just want to clarify, although I have seconded the Bill for First Reading, that this to all intents and purposes seems to me to be enabling legislation, therefore allowing us more flexibility and freedom to tailor legislation to Isle of Man needs and not having it imposed, if I can use that word, from the United Kingdom.

If the mover could just clarify that that is what it is, and there is no other purpose – or that is the general purpose of the legislation.

55 **Mr Crookall:** Yes, Mr President.

It is purely a change in the process, rather than any of the contents of the Bill.

60 And for information, Mr President, due to the circumstances we find ourselves in with five new Members, I have had a chat with an officer from the Department who is more than happy, before the Second Reading, to come up and go through the Bill with all the new Members, if they would like to do that.

65 **The President:** Thank you very much, and we note that kind offer. New Members may well wish the opportunity to explore the background of the information a bit more fully before the Second Reading in two weeks' time.

Mr Crookall: I think it is part of the process, as well, Mr President, I think it will help with just the process of taking legislation through, sir. I think it would help with that.

70 **Mr Cretney:** Even older Members might benefit. *(Laughter)*

The President: No matter how long we have been in this place, we never stop learning. **(Mr Crookall:** Absolutely.) We should not turn down the opportunity to do so, myself included.

75 With that then, Mr Crookall, I put the motion that the Airports and Civil Aviation (Amendment) Bill be read for a first time. Those in favour, say aye; against, no. The ayes have it. The ayes have it.