
STATUTORY INSTRUMENTS

1972 No. 674

The Hovercraft (General) Order 1972

PART II

CERTIFICATION AND MAINTENANCE

Safety Certificate to be in force

8. A hovercraft registered in the United Kingdom shall not be used unless there is in force in respect thereof a current Safety Certificate issued in accordance with this Order and any conditions subject to which the Certificate was issued are complied with:

Provided that the foregoing prohibition shall not apply to—

- (a) a hovercraft used in accordance with the conditions of an Experimental Certificate issued by the CAA in respect of that hovercraft; or
- (b) subject to the prior consent of the CAA and to any conditions subject to which that consent was given, a hovercraft in respect of which a Safety Certificate has previously been in force, which is used solely for the purpose of enabling it to—
 - (i) qualify for a renewal of a Safety Certificate or a variation of a certificate after an application has been made for such renewal or variation;
 - (ii) proceed to or from a place at which any inspection or test of the hovercraft is to take place for the purpose referred to in sub-paragraph (i) above; or
 - (iii) proceed to a place at which repairs can be effected.

Issue and renewal of Experimental Certificates

9.—(1) The CAA may, if satisfied by such investigations relating to the safe use of the hovercraft as it may require, issue in respect of any hovercraft an Experimental Certificate, which shall be subject to the condition that the hovercraft is not to carry any persons other than those engaged on the business of the hovercraft, unless the CAA specifically permits such other persons to be carried in a particular case. The Experimental Certificate shall be issued subject to such further conditions relating to safety as the CAA thinks fit.

(2) The CAA may, if satisfied by such investigations relating to the safe use of the hovercraft as it may require, vary an Experimental Certificate at the request of an applicant. Such variation may be subject to such further conditions relating to safety as the CAA thinks fit.

(3) An Experimental Certificate shall, unless cancelled or suspended, remain in force for such period not exceeding one year as may be specified therein, and may be renewed from time to time by the CAA for such further period not exceeding one year as it thinks fit.

Issue of Type Certificates

10.—(1) The CAA may, if satisfied by such investigations of one or more hovercraft as it may require, or by a study of relevant specifications, or by a combination of investigations and a study of

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relevant specifications, that individual examples of a particular type of hovercraft would if suitably constructed be capable of safe use, issue a Type Certificate in respect of the type of hovercraft specified in the Certificate.

(2) The CAA may, if satisfied by such investigations as it may require or by a study of relevant specifications, or by a combination of investigations and a study of relevant specifications, that individual examples of an engine, component, instrument, or equipment intended for use in a hovercraft would if suitably constructed safely fulfil the function for which they are intended, issue a Type Certificate in respect of that type of engine, component, instrument, or equipment.

(3) The CAA may, if satisfied by such investigations as it may require, vary a Type Certificate issued under paragraph (1) and (2) of this Article, at the request of an applicant.

(4) A Type Certificate shall remain in force until cancelled or suspended.

Issue of Safety Certificates

11.—(1) The CAA may issue a Safety Certificate in respect of a hovercraft registered in the United Kingdom upon being satisfied that it is fit to be used, having regard, in particular, to—

- (a) the conformity of the hovercraft, its engines, components, instruments, and equipment to a relevant Type Certificate, and compliance with any conditions subject to which that certificate may have been issued;
- (b) the results of such investigations of the hovercraft as the CAA may require; and
- (c) the quality of the hovercraft's construction.

(a) (2) (a) Every Safety Certificate may specify such categories as have been applied for and are, in the opinion of the CAA, appropriate to the hovercraft, and the Safety Certificate shall be issued subject to the condition that the hovercraft shall be used only for the purposes indicated in sub-paragraph (c) of this paragraph in relation to such categories;

(b) The categories referred to in sub-paragraph (a) of this paragraph are—

- Passenger
- Cargo
- Special

(c) The purposes for which hovercraft may be used are as follows—

Passenger Category:	Carriage of passengers and their baggage, and any other purpose specified in the Certificate.
Cargo Category:	The carriage of cargo generally, or of such cargo as may be specified in the Certificate.
Special Category:	Any purpose specified in the Certificate, but not including the carriage of passengers except as expressly permitted.

(3) The CAA may issue the Safety Certificate subject to such other conditions relating to the safety of the hovercraft as it thinks fit.

(4) The CAA may, having regard to such investigations as it may require, vary a Safety Certificate at the request of an applicant. Such variation may be subject to such other conditions relating to the safety of hovercraft as it thinks fit.

Period of validity of Certificates

12. Subject to the provisions of Articles 11 and 15, a Safety Certificate shall remain in force for such period not exceeding one year as may be specified therein, and may be renewed from time to

time by the CAA for such further period not exceeding one year as it thinks fit. A Safety Certificate shall cease to be valid in the event of a hovercraft ceasing to be registered in the United Kingdom.

Maintenance

13. A hovercraft in respect of which a Safety Certificate is in force under this Order shall not be used unless it is maintained in a condition satisfactory to the CAA, and in accordance with arrangements approved by the CAA.

Approvals

14. For the purposes of this Part of this Order the CAA may accept reports furnished to it by a person whom it may for the time being approve either absolutely or subject to such conditions as it thinks fit as qualified to furnish such reports.

Revocation etc., of Certificates etc., and power to prevent hovercraft being used

15.—(1) The CAA may, if it thinks fit, provisionally suspend or vary any Certificate, approval or other document issued, granted or having effect under this part of this Order, pending inquiry into or consideration of the case. Without prejudice to Article 10(3) or 11(4), the CAA may, on sufficient ground being shown to its satisfaction after due inquiry, revoke, suspend or vary any such Certificate, approval or other document.

(2) The holder or any person having the possession or custody of any Certificate, approval or other document which has been revoked, suspended or varied under this Part of this Order shall surrender it to the CAA within a reasonable time after being required to do so by it.

(3) The breach of any condition subject to which any Certificate, approval or other document, has been granted or issued, or which has effect under this Order shall render the document invalid during the continuance of the breach.

(4) If it appears likely to the CAA that a hovercraft is intended or likely to be used—

- (a) in such circumstances that any conditions on which the Safety Certificate has been granted are breached;
- (b) whilst the approved maintenance arrangements are not adhered to;
- (c) whilst materially damaged; or
- (d) in such circumstances that the CAA has reason to believe that the hovercraft is or may be unsafe;

the CAA may direct the operator or the captain of the hovercraft that he is not to permit the hovercraft to make the particular journey or any other journey of such description as may be specified in the direction, until the direction has been revoked by the CAA, and the CAA may take such steps as are necessary to detain the hovercraft for a period not exceeding seven days.

(5) In the event of the CAA provisionally suspending any Certificate, approval or other document under paragraph (1), or detaining a hovercraft under paragraph (4) above, the CAA shall, within 48 hours, send to the holder of such certificate, approval or other document a statement in writing of its reasons.

(6) Notwithstanding paragraph (1) of this Article any document incorporated by reference in any Certificate may be varied on sufficient ground being shown to the satisfaction of the CAA, whether or not after due inquiry.

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Inspection of hovercraft

16. The CAA may at any reasonable time inspect a hovercraft or part or equipment thereof in respect of which an Experimental or Safety Certificate—

- (a) has been applied for, or
- (b) has been issued and is still in force, or
- (c) has been issued and has ceased within the preceding period of 3 months to be in force,

and may for that purpose enter any premises where persons are employed in the design, construction, maintenance or storage of the hovercraft, or any hoverport.

International Certificates

17.—(1) The Secretary of State may issue in respect of a hovercraft registered in the United Kingdom such certificates as he deems appropriate, as a result of inspection and survey of the hovercraft by the CAA, under the International Convention for the Safety of Life at Sea⁽¹⁾ and the International Convention on Load Lines 1966⁽²⁾ for the purpose of complying with the law of a country other than the United Kingdom.

(2) The Secretary of State may cancel or suspend any certificate issued under this Article where he has reason to believe—

- (a) that the certificate has been issued on the basis of inaccurate information; or
- (b) that since the issue of the certificate the hovercraft has sustained any material damage or that the condition of the hovercraft or of its equipment does not correspond substantially with the particulars of that certificate.

(3) The Secretary of State may require any certificate, issued under this Article which has expired or been suspended or cancelled to be delivered up as he directs.

(1) Cmnd. 2812.
(2) Cmnd. 3070.