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STATUTORY INSTRUMENTS

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**1972 No. 674**

**The Hovercraft (General) Order 1972**

**PART III**

**DUTIES OF OPERATOR AND CAPTAIN**

**Operating Permits**

**18.**—(1) Hovercraft registered in the United Kingdom shall not be used for reward or in connection with a trade or business, otherwise than under and in accordance with a Permit (hereinafter called an “Operating Permit”) granted to the operator of the hovercraft under paragraph (2) of this Article. Operating Permits shall be granted with a view to securing the safe operation of the hovercraft. However this Article shall not apply to a hovercraft operating in accordance with an Experimental Certificate issued pursuant to Article 9.

(2) The Secretary of State may grant or renew to any person applying therefor an Operating Permit for the operation of hovercraft of the types and in relation to the areas of operation specified in the Operating Permit for the purposes so specified. The Operating Permit may be granted subject to such conditions as the Secretary of State thinks fit to impose with a view to securing the safe operation of hovercraft and shall remain in force for such time as may be specified in the Operating Permit or until suspended or revoked by the Secretary of State and may be renewed from time to time by the Secretary of State for such further period as he thinks fit. The Secretary of State may vary an Operating Permit on application by the holder.

(3) The conditions to which the Operating Permit may be subject may include, without prejudice to the generality of the foregoing paragraph, conditions in respect of the following matters—

- (a) crew complement and qualifications;
- (b) type of hovercraft;
- (c) area of operation;
- (d) restrictions with regard to working hours and rest periods of crew;
- (e) safety arrangements at hoverports or terminal areas;
- (f) the weather conditions in which the hovercraft may operate;
- (g) day or night operation;
- (h) life-saving equipment and procedures;
- (i) other equipment and procedures necessary for safety of operation;
- (j) radio and radar;
- (k) the keeping of records.

### **Duties of operator**

**19.**—(1) The operator of a hovercraft registered in the United Kingdom or operating unregistered in the United Kingdom in accordance with proviso(i) in Article 4 of this Order shall not permit the hovercraft to be used without first—

- (a) designating a member of the crew to be captain on that journey;
- (b) ensuring that a minimum number of the crew corresponding to the complement necessary for the journey are adequately trained for their duties for that journey;
- (c) ensuring that the safety equipment required to be carried is in working order.

(2) Without prejudice to his other duties under this Order an operator shall at all times take all reasonable precautions at hoverports and terminal areas so as to ensure the safety of persons and property in the hovercraft and on the ground.

(3) An operator shall not permit any hovercraft to be used if he has reason to believe or suspect it is in an unsafe condition.

### **Duties of captain**

**20.** The captain, before the departure of the hovercraft—

- (a) shall take reasonable steps to ensure
  - (i) that the craft is properly loaded and any cargo adequately secured in the craft;
  - (ii) that there is adequate supply of fuel; and
  - (iii) that the craft is in a fit state and that the safety equipment required to be carried is in a fit condition and ready to be used; and
- (b) shall satisfy himself that the journey can safely be made, taking into account the latest information available to him as to the route and weather.

### **Operational records**

**21.**—(1) The captain of every hovercraft registered in the United Kingdom shall ensure that records are kept of the following matters relating to any journey of the hovercraft—

- (a) Names of terminal and any intermediate points, and the times of departure from and arrival at such points;
- (b) Weather conditions, such as wind, sea condition and visibility experienced;
- (c) Any accidents or unusual occurrences on the journey;
- (d) Any births or deaths which occur on the journey;
- (e) A summary of all communications relating to distress, urgency and safety traffic.

(2) The operator of every hovercraft registered in the United Kingdom shall keep records of—

- (a) crew emergency and distress drills (including names of persons present);
- (b) the names of all crew aboard a hovercraft on any journey.

(3) The captain or operator, as the case may be, shall within a reasonable time after being requested to do so by an authorised person, cause to be produced to that person the records referred to in paragraphs (1) and (2) above respectively.

- (a) (4) (a) The records mentioned above shall be preserved by the operator for at least 12 months after any journey or drill to which they refer;
- (b) The records referred to in paragraph (1) of this Article shall be delivered to the operator of the hovercraft to which the records relate by the captain at the time he ceases to be the captain, or when the operator requires their delivery;

- (c) A person required to preserve any record by reason of his being the operator of a hovercraft shall, if he ceases to be the operator of the hovercraft continue to preserve the record as if he had not ceased to be the operator, and in the event of his death the duty to preserve the record shall fall upon his personal representative.

### **Medical equipment**

**22.** A hovercraft registered in the United Kingdom or used unregistered in accordance with proviso (i) in Article 4, shall carry when in use first-aid equipment of good quality, sufficient in quantity having regard to the number of persons on board and the circumstances of the use of the hovercraft, and including the following—

Roller bandages, triangular bandages, absorbent gauze, adhesive plaster, white absorbent lint, cotton wool (or wound dressings in place of the lint and cotton wool), burn dressings, safety pins; haemostatic bandages or tourniquets, scissors; antiseptic, analgesic and stimulant drugs; a handbook on First Aid.

### **Documents to be carried**

**23.—**(1) A hovercraft registered in the United Kingdom, or operating unregistered in the United Kingdom in accordance with proviso (i) in Article 4 shall, when in operation, carry the following documents or true copies thereof—

- (a) its Safety Certificate, or Experimental Certificate if any;
- (b) its certificate of registration if any;
- (c) any certificate issued to the hovercraft under Article 17.

(2) The Safety Certificate and any certificate issued to the hovercraft under Article 17 or true copies thereof shall be posted in some conspicuous place in the hovercraft.

### **Notification of casualties**

**24.—**(1) When a hovercraft casualty has occurred, the captain or if the captain is incapacitated, the operator of the hovercraft shall—

- (a) by the quickest available means, inform the Secretary of State of the happening of the casualty, stating the registration number or identity of the hovercraft and the place where the casualty occurred or is believed to have occurred and, in the case of a hovercraft which is missing, the route it was on; and
- (b) within 48 hours, or as soon thereafter as possible, transmit to the Secretary of State a report, signed by the captain or operator, of the casualty and of the probable occasion thereof, stating the registration number or identity of the hovercraft and the place where the casualty occurred or is believed to have occurred:

Provided that this Article shall not apply to hovercraft which are less than 1,000 kg. unladen weight and are not used for reward.

(2) For the purpose of this Article a hovercraft casualty shall be deemed to occur when a hovercraft—

- (a) has sustained, caused or been involved in any accident occasioning loss of life or any serious injury to any person;
- (b) becomes lost, abandoned, missing or stranded;
- (c) suffers such damage as the result of any accident that its safety is impaired; or
- (d) becomes involved in a collision with another hovercraft or ship;

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but only when the occurrence takes place—

- (i) on or over the sea or other navigable water; or
- (ii) between the time when any person goes on board the hovercraft for the purpose of making a journey which would involve crossing the sea or other navigable water and the time when it comes to rest at the end of such a journey; or
- (iii) during the testing or maintenance of a hovercraft which normally makes journeys on or over the sea or other navigable water

and also only if at the time the occurrence takes place, the hovercraft was registered in the United Kingdom or was operating unregistered in accordance with proviso(i) in Article 4 of this Order or was within the United Kingdom.