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STATUTORY INSTRUMENTS

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**1992 No. 2673**

**EUROPEAN COMMUNITIES**

**The Civil Aviation (Personnel Licences) Order 1992**

*Made* - - - - 28th October 1992  
*Laid before Parliament* 9th November 1992  
*Coming into force* - - 30th November 1992

At the Court at Buckingham Palace, the 28th day of October 1992

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by section 2(2) and (4) of the European Communities Act 1972<sup>(1)</sup> and all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1. This Order may be cited as the Civil Aviation (Personnel Licences) Order 1992 and shall come into force on 30th November 1992.

2. As from 30th November 1992 it shall be unlawful for a person who admits persons to—
- (a) a training establishment in Northern Ireland for the purpose of providing those persons with training as civil aviation cockpit personnel, or
  - (b) licensing examinations and procedures in Northern Ireland relating to the qualification of persons as civil aviation cockpit personnel,

to apply, as a basis for the admission of a national of a member State other than the United Kingdom, a basis which is not the same as for United Kingdom nationals.

3.—(1) A claim by any person that another person has committed an act which is unlawful by virtue of this Order may be made the subject of civil proceedings in like manner as any other claim in tort.

(2) Proceedings under paragraph (1) of this article shall be brought only in a county court in Northern Ireland but all such remedies shall be obtainable in such proceedings as, apart from this paragraph, would be obtainable in the High Court in Northern Ireland.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(3) For the avoidance of doubt it is hereby declared that damages in respect of an act which is unlawful by virtue of this Order may include compensation for injury to feelings whether or not they include compensation under any other head.

(4) A county court shall not, unless in all the circumstances of the case it considers it is just and equitable to do so, consider a claim under this article unless proceedings in respect of the claim are instituted before the end of the period of six months beginning when the act complained of was done.

4. This Order extends to Northern Ireland only.

*G.I. de Deney*  
Clerk of the Privy Council

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order makes provision necessary to comply with that much of EC Directive 91/670 on mutual acceptance of personnel licences for the exercise of functions in civil aviation as concerns the application of article 5 of that Directive in Northern Ireland.

The Order makes it unlawful for a national of a Member State other than the United Kingdom to be treated otherwise than on the same basis as United Kingdom nationals so far as concerns admission in Northern Ireland to public and private training establishments and to licensing examinations and procedures relating to civil aviation cockpit personnel. It confers a right on a person aggrieved to make a claim by action brought before a county court in Northern Ireland and enables compensation payable to include compensation for damage to feelings.

This Order extends to Northern Ireland only.