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S E C R E T .

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C.P. 303 (37).

C A B I N E T .

THE ESTABLISHMENT OF A CIVIL AIR LICENSING AUTHORITY IN  
THE UNITED KINGDOM.

Memorandum by the Secretary of State for Air.

The Report of the Maybury Committee on the development of Civil Aviation in the United Kingdom which was circulated to the Cabinet as C.P. 25(37), included a recommendation that a system of licensing should be introduced for all regular internal passenger services in the United Kingdom, and this recommendation, together with the other recommendations of the Committee which involved Government action, was approved by the Cabinet on the 10th February, 1937; and an announcement to this effect was made in the memorandum accompanying the Air Estimates (Cmd. 5388)

In anticipation of a recommendation on these lines, power had been taken by the Air Navigation Act, 1936, to require by Order in Council that air transport services in the United Kingdom should be licensed by a licensing authority, and the procedure laid down under Section 5 of the Act requires that the draft of any Order should be laid before Parliament, and that no further proceedings shall be taken except in pursuance of a positive resolution by both Houses of Parliament.

Unfortunately, provision was not taken in the Air Navigation Act for the payment of any salaries, fees, etc., to the members of the licensing authority, and it will be necessary to obtain the necessary constitutional authority by special legislation. This difficulty has only recently come to light, and I accordingly ask Cabinet approval for the submission of the

necessary draft Bill to the Home Affairs Committee as a matter of urgency.

The Order in Council that is necessary to establish the licensing authority has now been drafted in consultation with the Treasury Solicitor, and, as its provisions will be the subject of debate in both Houses, I should like authority to submit the draft of the Order to the Home Affairs Committee at the same time as the draft of the Bill.

It has seemed desirable to allow a considerable measure of latitude to the licensing authority in regard to the issuing of the licences, and in regard to the circumstances which they will take into account when considering applications for the licences. The arrangements contemplated in the Order are generally comparable with and in some cases are closely similar to those laid down for the Road Traffic Acts.

In conclusion, I should perhaps point out that the Order in Council will not be applicable to aircraft flying between this country and foreign countries or between this country and the Dominions, nor to aircraft flying for such purposes as instruction, or on taxi or charter flights.

S.

AIR MINISTRY.

10th December, 1937.