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5th Session 1964-65

Air Navigation (Amendment) Act, No. 42 of 1964

Date of Assent : November 12, 1964

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Air Navigation (Amendment) Act, No. 42 of 1964

L. D.—O. 19/63.

AN ACT TO AMEND THE AIR NAVIGATION ACT.

[Date of Assent: November 12, 1964]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Representatives of Ceylon in this present Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the Air Navigation (Amendment) Act, No. 42 of 1964.

Insertion of new section 13A in Chapter 365.

2. The following new section is hereby inserted immediately after section 13 of the Air Navigation Act, and shall have effect as section 13A of that Act:—

"Power to exercise control over land in the interests of aviation.

13A. (1) The Minister may, by Order published in the *Gazette*, declare any area of land which is adjacent or contiguous to an aerodrome, whether such aerodrome is maintained for the purposes of civil aviation or is maintained on a joint user basis, to be an area to which regulations made under sub-section (3) shall be applicable.

(2) An Order made under sub-section (1) may define the area of land by setting out the extent, the assessment number or the metes and bounds of the land or each of the lands comprised in the area.

(3) Regulations may be made under this Act for securing the safe and efficient use for aviation purposes of any area of land in respect of which an Order has been made by the Minister under sub-section (1). Such regulations may provide for—

(*a*) the regulation or prohibition of the construction, erection or installation of any buildings, structures, masts, poles or objects of natural growth upon any such area;

1——R 925—3,872 (9/64)

(*b*) the total or partial demolition of any buildings or structures within any such area;

(*c*) the restriction of the height of trees upon any land within such area or the cutting down or reduction in height of any trees within any such area;

(*d*) the extinction of any private right of way over land within such area;

(*e*) the restriction of the installation of cables, mains, pipes or other apparatus upon, across, under or over any land within such area;

(*f*) the authorization of entry upon private lands for the purpose of giving effect to the provision of any regulation made under the preceding paragraphs of this sub-section;

(*g*) the giving of notice in the *Gazette* and in one or more newspapers by the Director of Civil Aviation of regulations which are proposed to be made under the preceding paragraphs of this sub-section and which will adversely affect any lands, buildings or structures and calling for objections by the owners of, or persons interested in, such lands, buildings or structures against the making of such regulations;

(*h*) the inquiry into objections, made by owners or other persons in pursuance of any regulation under paragraph (*a*) of this sub-section, by the Director of Civil Aviation or any officer appointed by him;

(*i*) the preferring of appeals to the Permanent Secretary to the Ministry entrusted with the subject or function of air navigation from decisions made on objections inquired into by the Director of Civil Aviation or other officer appointed by him;

(*j*) the payment of compensation for any loss or damage suffered by any person having any interest in any building or structure which is partially or totally demolished in consequence of any regulation made under paragraph (*b*) of this sub-section.".

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