

act or omission shall be deemed not to be a contravention by that person of that provision.

(3) Where a person is charged with contravening a provision of this Order or of any regulations made thereunder by reason of his having been a member of the flight crew of an aircraft on a flight for the purpose of public transport the flight shall be treated (without prejudice to the liability of any other person under this Order) as not having been for that purpose if he proves that he neither knew nor had reason to know that the flight was for that purpose.

(4) If any person contravenes any provision of this Order, or of any regulations made thereunder, not being a provision referred to in paragraph (5) or paragraph (6) of this Article, he shall be liable on conviction, to a fine not exceeding ten pounds; or in the case of a second or subsequent conviction for the like offence to a fine not exceeding twenty pounds.

(5) If any person contravenes any provision specified in Part A of the Fourteenth Schedule to this Order he shall be liable on conviction to a fine not exceeding fifty pounds; or in the case of a second or subsequent conviction for the like offence to a fine of one hundred pounds, or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

(6) If any person contravenes any provision specified in Part B of the said Schedule he shall be liable on conviction or indictment to a fine not exceeding two hundred pounds or to imprisonment for a term of six months or to both such fine and imprisonment.

Extra-territorial effect of the Order

75.—(1) Except where the context otherwise requires, the provisions of this Order—

(a) in so far as they apply (whether by express reference or otherwise) to aircraft registered in the Colony, shall apply to such aircraft wherever they may be;

(b) in so far as they apply as aforesaid to other aircraft shall apply to such aircraft when they are within the Colony;

(c) in so far as they prohibit, require or regulate (whether by express reference or otherwise) the doing of anything by persons in, or by any of the crew of, any aircraft registered in the Colony, shall apply to such persons and crew, wherever they may be; and

(d) in so far as they prohibit, require or regulate as aforesaid the doing of anything in relation to any aircraft registered in the Colony by other persons shall, where such persons are British subjects, British protected persons or citizens of the Republic of Ireland, apply to them wherever they may be.

(2) Nothing in this Article shall be construed as extending to make any person guilty of an offence in any case in which it is provided by subsection (1) of section 3 of the British Nationality Act, 1948^a (which limits the criminal liability of certain persons who are not citizens of the United Kingdom and colonies) that that person shall not be guilty of an offence.

Application of order

76. The provisions of this Order apply to the colonies and other territories mentioned in the Fifteenth Schedule to this Order, any one of which is in this Order referred to in the expression "the Colony".

^a 11 & 12 Geo. 6. c. 56.