

(b) In relation to any territory which is mentioned in the Fifteenth Schedule to this Order and is also mentioned in the First Schedule to the Visiting Forces Act (Application to Colonies) Order, 1954, as amended from time to time, the expression "visiting force" in this Order means any such body, contingent or detachment of the forces of any country as is a visiting force for the purposes of any of the provisions of the Visiting Forces Act, 1952,^b which extend to that territory, in respect of that country, by virtue of any Order in Council made under subsection (2) of section 1 or under section 15 of that Act.

(4) An aircraft shall be deemed to be in flight—

(a) in the case of a piloted flying machine, from the moment when, after the embarkation of its crew for the purpose of taking off, it first moves under its own power, until the moment when it next comes to rest after landing;

(b) in the case of a pilotless flying machine, or a glider from the moment when it first moves for the purpose of taking off until the moment when it next comes to rest after landing;

(c) in the case of an airship or free balloon, from the moment when it first becomes detached from the surface until the moment when it next becomes attached thereto or comes to rest thereon;

and the expressions "a flight" and "to fly" shall be construed accordingly.

(5) Every person employed or engaged in an aircraft in flight on the business of the aircraft shall be deemed to be a member of the crew thereof.

(6) References in this Order to the operator of an aircraft are, for the purpose of the application of any provision of this Order in relation to any particular aircraft, references to the person who at the relevant time has the management of that aircraft:

Provided that for the purposes of the application of any provision in Part II of this Order when by virtue of any charter or other agreement for the hire or loan of an aircraft a person other than an air transport undertaking or an aerial work undertaking has the management of that aircraft for a period not exceeding 14 days the foregoing provisions of this paragraph shall have effect as if that agreement had not been entered into.

(7) (a) Subject to the provisions of this paragraph, an aircraft in flight shall for the purposes of this Order be deemed to fly for the purpose of public transport—

(i) if hire or reward is given or promised for the carriage of passengers or cargo in the aircraft on that flight; or

(ii) if any passengers or cargo are carried gratuitously in the aircraft on that flight by an air transport undertaking, not being persons in the employment of the undertaking (including, in the case of a body corporate, its directors and, in the case of a corporation established by the Air Corporations Act, 1949,^a members of the Corporation), persons authorised by the Governor to witness the training or tests referred to in paragraph (4) of Article 15 of this Order, or cargo intended to be used by any such passengers as aforesaid, or by the undertaking; or

^b 15 & 16 Geo. 6 & 1 Eliz. 2, c. 67.

^a 12, 13 & 14 Geo. 6, c. 91.