



Isle of Man
CIVIL AVIATION ADMINISTRATION

Civil Aviation (Births, Deaths and Missing Persons) Regulations 1948

(as amended and as applied to the Isle of Man)

Contents

Table of Contents

Contents	i
Foreword	ii
1.	Citation and commencement..... 1
2.	Interpretation 1
3.	Application of Interpretation Act 1889..... 1
4.	RETURNS RELATING TO BIRTHS AND DEATHS BY OWNERS OF AIRCRAFT 1
5.	Records to be kept in the Department 2
6.	Transmission of copies of entries to Registrar-General..... 2
7.	Rules for ascertaining appropriate Registrar-General 2
8.	Saving for father of illegitimate child..... 3
9.	Rectification of entries of births, deaths and missing persons..... 3
	APPENDIX A - Birth 4
	APPENDIX B - Death 5
	APPENDIX C - Births in Aircraft Registered in the Isle of Man..... 6
	APPENDIX D - Deaths in Aircraft Registered in the Isle of Man..... 7
	APPENDIX E - Persons Missing and Believed to Have Died in Consequence of Accidents to Aircraft Registered in the Isle of Man..... 8

Amendment Record

Version	Date	Details
1	August 2017	
2	Dec 2017	Change in interpretation of "the Department" resulting from the Transfer of Functions (Economic Development and Education) Order 2017 (SD 2017/0325)

Foreword

1. This document has been prepared to provide stakeholders with an easy reference working copy of the Civil Aviation (Births, Deaths and Missing Persons) Regulations 1948 'as amended' and 'as applied to the Isle of Man'. It is edited by the Isle of Man Civil Aviation Administration. However, Courts of Law will refer only to the source regulatory material.
2. The document content is compiled from the following regulations:
 - (a) Isle of Man Statutory Document No 909/06 – The Civil Aviation (Subordinate Legislation) (Application) Order 2006.
 - (b) UK Statutory Instrument 1948 No 1411 – Civil Aviation (Births, Deaths and Missing Persons) (Amendment) Regulations 1948.
 - (c) UK Statutory Instrument 1973 No 323 – Civil Aviation (Births, Deaths and Missing Persons) Regulations 1973.
3. This document will be updated regularly to take into account further amendments.



1. Citation and commencement

These Regulations may be cited as the Civil Aviation (Births, Deaths and Missing Persons) Regulations 1948.

2. Interpretation

In these Regulations:

- (1) 'Aircraft' includes all balloons, whether captive or free, gliders, airships and flying machines;
- (1A) 'the Department' means the Department for Enterprise;
- (2) 'Journey' is deemed to commence when a traveller enters an aircraft registered in the Isle of Man for the purpose of the journey and to continue until that traveller alights therefrom on completion of the journey, notwithstanding any intermediate stop or break in the journey;
- (3) *[omitted]*
- (4) 'Missing Persons' mean persons with respect to whom there are reasonable grounds for believing that they have died in consequence of an accident to an aircraft registered in the Isle of Man;
- (5) 'Person in command' of an aircraft means, in a case where a person other than the pilot is in command of the aircraft, that person, and in any other case, the pilot;
- (6) 'Traveller' in relation to an aircraft includes a member of the crew.

3. Application of Interpretation Act 1889

The Interpretation Act 1889, shall apply to the interpretation of these Regulations in like manner as it applies to the interpretation of an Act of Parliament.

4. RETURNS RELATING TO BIRTHS AND DEATHS BY OWNERS OF AIRCRAFT

- (1) The owner of an [aircraft registered in the Isle of Man] shall as soon as practicable but not later than six months after the occurrence in any part of the world of a birth or death in the aircraft, or of a death outside the Isle of Man of a traveller on the aircraft who is killed on the journey in consequence of an accident, transmit to the Department a return of such birth or death in the form, in accordance with the instructions. and containing the particulars prescribed in Appendix A to these Regulations (in the case of a birth) or Appendix B to these Regulations (in the case of a death):

Provided that if such particulars are not known to the owner of the aircraft. he shall transmit as aforesaid so many of such particulars as he is reasonably able to ascertain having regard to the circumstances of the birth or death.

- (2) To facilitate the rendering of returns in accordance with this Regulation the person in command of an [aircraft registered in the **Isle of Man**] shall forthwith on the occurrence in any part of the world of a birth or death in the aircraft, or of the death outside the **Isle of Man** of a traveller in the aircraft who is killed on the journey in consequence of an accident. record in the journey log book, or other appropriate document relating to that aircraft, the particulars of the birth or death mentioned in paragraph (1) of this Regulation and shall make such record available to the owner as soon as practicable:

Provided that if all such particulars are not known to the person in command of an aircraft and cannot be readily ascertained by him he shall record and make available as aforesaid so many of such particulars as are readily ascertainable.

- (3) Where any aircraft has been bona fide demised, let, or hired out for a period exceeding fourteen days to any other person by the owner thereof, and no pilot, commander, navigator, or operative member of the crew of the aircraft is in the employment of the owner, the provisions of this Regulation shall have effect as though for references to the owner there were substituted references to the person to whom the aircraft has been so demised, let or hired out.

5. Records to be kept in the Department

The Department shall keep:

- (1) a separate record of births in the form in Appendix C to these Regulations in which shall be recorded the particulars transmitted to [it] of births occurring in any part of the world in [aircraft registered in the Isle of Man];
- (2) a separate record of deaths in the form in Appendix D to these Regulations in which shall be recorded the particulars transmitted to [it] of deaths occurring in any part of the world in aircraft registered as aforesaid, and of deaths outside the Isle of Man of travellers on such aircraft killed on the journey in consequence of an accident; and
- (3) a separate record in the form in Appendix E to these Regulations of persons reported to [it] as missing persons.

6. Transmission of copies of entries to Registrar-General

The Department shall within seven days of the completion of an entry in any record kept pursuant to these Regulations cause a certified copy of such entry to be transmitted to the appropriate Registrar-General.

7. Rules for ascertaining appropriate Registrar-General

For the purpose of these Regulations, the appropriate Registrar-General shall be ascertained as follows:

- a) where it appears to the Department that an entry in the record of births relates to the birth of a child the father of whom, or, if the child is illegitimate, the mother of whom, was at the time of the birth usually resident

in England and Wales, Scotland or Northern Ireland, a certified copy of the entry shall be sent to the Registrar-General for England and Wales, the Registrar-General of Births, Deaths and Marriages in Scotland, or the Registrar-General for Northern Ireland, as the case may require:

- b) where it appears to the Department that an entry in the record of deaths or missing persons relates to a person who, at the time of his death, or (in the case of a missing person) at the time when he was reported missing, was usually resident in England and Wales, Scotland or Northern Ireland, a certified copy of the entry shall be sent to the Registrar-General for England and Wales, the Registrar-General of Births, Deaths and Marriages in Scotland, or the Registrar-General for Northern Ireland, as the case may require:
- (c) in every other case a certified copy of an entry in the record of births, deaths, or missing persons, shall be sent to the Chief Registrar.

8. Saving for father of illegitimate child

In the case of the birth of an illegitimate child, the name of any person as father of such child shall not be entered in any return or record of particulars of the birth of such child unless the mother of the child and the person acknowledging himself to be the father of the child shall have signed a completed form of return as informants.

9. Rectification of entries of births, deaths and missing persons

- (1) If the Department is satisfied that there is an error or omission in any entry made in the record of births, deaths, or missing persons kept [pursuant to these Regulations] [it] may, in accordance with evidence of the facts relating to the entry, rectify it in such manner as may appear to [it] appropriate.
- (2) Within seven days after the correction of any entry in [its] records in accordance with this Regulation, the Department shall cause a certified copy of such corrected entry to be transmitted to the appropriate Registrar-General.

APPENDIX A - Birth

Return for the purposes of section 83 of the Civil Aviation Act 1982

1. Registration marking of aircraft
2. Date of Birth (a)
3. Place of Birth (b)
4. Name (c)
5. Sex
6. Name, surname, usual residence and nationality of father (e)
7. Name, surname, maiden surname, usual residence and nationality of mother (f)
8. Date and place of marriage of parents
9. Profession or occupation of father, and rank or title (if any) (e)
10. Name, description and home address of informant (if any) (g)
11. Signature of informant(s)

Signature and rank of person completing the return

Date (a)

Notes:

- (a) Day and month in words, year in figures.
- (b) Approximate position e.g. '40 miles west of Lisbon', 'over Dieppe', 'over Northern France'.
- (c) Full Christian names of child.
- (d) 'Boy' or 'girl' as the case may be.
- (e) Christian names in full and followed by surname; surname to be written in block letters. If child is illegitimate (see 8 above) the particulars relating to the father must not be recorded in the return unless at the joint request of the mother and of the person acknowledging himself to be the father of the child, in which case such person shall, as well as the mother, sign a completed form of return as informant.
- (f) Christian names in full and married surname followed by the word 'formerly' and the maiden surname.
- (g) The informant's full names, relationship (if any) to the child, and full postal address should be stated.

Except in the circumstances mentioned at (e) above only one person (usually the mother or father) should act as informant.

APPENDIX B - Death

Return for the purposes of section 83 of the Civil Aviation Act 1982

1. Registration marking of aircraft
2. Date of Death (a)
3. Place of Death (b)
4. Name and surname (c)
5. Usual residence at time of death (d)
6. Sex (e)
7. Age (j)
8. Profession or occupation, rank or title (if any) and nationality (g)
9. Cause of death
10. Name, description and home address of informant (if any) (h)
11. Signature of informant

Signature and rank of person completing the return

Date (a)

Notes:

- (a) Day and month in words, year in figures.
- (b) Actual position if known. Otherwise approximate position. e.g. '40 miles west of Lisbon', 'over Northern France'.
- (c) Christian names in full, followed by surname. Surname to be written in block letters.
- (d) The full postal address should be stated.
- (e) 'Male' or 'Female'.
- (f) To be recorded in complete years, or in months or days.
- (g) Women and children. In the case of a married woman or a widow, the words 'wife of' or 'widow of' shall be entered, followed by the name, profession or occupation, rank and title, and nationality of the husband. In the case of an unmarried woman, there shall be inserted (i) the word 'spinster', followed by her profession or occupation (if any), rank or title (if any), and her nationality, and (ii) the words 'daughter of' followed by the name, profession, etc. of her father. In the case of children under the age of 16 years. the words 'son of' or 'daughter of' shall be followed by the name, profession, etc. of the father.
- (h) The informant's full names, relationship (if any) to deceased and full postal address should be stated.



APPENDIX C - Births in Aircraft Registered in the Isle of Man

No	Registration marking of aircraft	Date and place of birth	Name	Sex	Name, surname, usual residence and nationality of father	Name, surname, maiden surname, usual residence and nationality of mother	Profession or occupation of father and rank or title (if any)	Name, description and home address of informant	When registered	Signature of registrar	Baptismal or given name if added after registration of birth
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)



APPENDIX D - Deaths in Aircraft Registered in the Isle of Man

No	Registration marking of aircraft	Date and place of birth	Name, surname and usual residence at time of death	Sex	Age	Profession or occupation, rank or title (if any) and nationality	Cause of death	Name, description and home address of informant	When registered	Signature of registrar
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	



APPENDIX E - Persons Missing and Believed to Have Died in Consequence of Accidents to Aircraft Registered in the Isle of Man

No	Registration marking of aircraft	Name, surname and usual residence of missing person	Sex	Age	Profession or occupation, rank or title (if any) and nationality	Date and place of accident and grounds for presumption of death	When registered	Signature of registrar
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	