

Manual, the required contents of this Manual are particularised in detail. The Manual, and all amendments to it, have to be submitted to the Director of Civil Aviation for approval.

127. The Air Service Certificate conception originated in the United States of America as part of an air transport licensing system. Its purpose was to ensure that the selected operator on any route measured up to a general standard of organisation, thereby guaranteeing the stability of the operation, and to control the activities of a number of competing commercial airline operators. There was a clear responsibility on Government to ensure that competitive practices should not be prejudicial to safety, and the Air Service Certificate scheme is one administrative method of achieving this.

128. The Air Service Certificate scheme is not, in our experience, the only method of securing operational safety, even with commercial operators. It is, we consider, quite inappropriate to national operators. To require a national operator to submit his organisation to the detailed scrutiny and control implicit in the Air Service Certificate Scheme, is in effect to require one organ of Government to supervise the work of another organ of Government. Such a principle is, in our opinion, unsound. It suggests the absurdity that the supervising Government body should itself be supervised by a third Government body, and so on in infinite series.

129. The proper division of function between the Civil Aviation Directorate and a national operator is, in our view, as follows: The Directorate is responsible for defining, in Air Navigation Regulations, the standard of operational safety to be achieved. This standard will be, in the main, an adaptation and amplification of the I.C.A.O. Standards, or anticipations of those Standards in those cases where no I.C.A.O. Standards have yet been adopted. The Regulations will not have regard to specific routes. The operator, on his part, will be responsible for ensuring that, at all times, he conforms with these Regulations. None of his activities will be subject to any prior "approval" by the Directorate. The national operator should have, and be known by the general public to have, full responsibility for safe operation. The ultimate check that this responsibility is being satisfactorily discharged is the accident record. In the case of an accident, the operator has to convince the investigating authority, and through it the general public, that he has taken all practicable steps within the technical possibilities of the day to conform in spirit and in letter to the law of the land, as set out in the Acts of Parliament and regulations made pursuant to those Acts.

130. We therefore recommend that, as regards nationalised operators, the need to obtain from the Directorate of Civil Aviation an Air Service Certificate and an Air Service Certificate Rating for the operator's maintenance organisation should be abolished. The operator would still