



Aviation Security Act 1982

CHAPTER 36

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Aviation Security Act 1982

1982 CHAPTER 36

An Act to consolidate certain enactments relating to aviation security. [23rd July, 1982]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I

OFFENCES AGAINST THE SAFETY OF AIRCRAFT ETC.

1.—(1) A person on board an aircraft in flight who unlawfully, **Hijacking.** by the use of force or by threats of any kind, seizes the aircraft or exercises control of it commits the offence of hijacking, whatever his nationality, whatever the State in which the aircraft is registered and whether the aircraft is in the United Kingdom or elsewhere, but subject to subsection (2) below.

(2) If—

- (a) the aircraft is used in military, customs or police service, or
- (b) both the place of take-off and the place of landing are in the territory of the State in which the aircraft is registered,

PART I subsection (1) above shall not apply unless—

(i) the person seizing or exercising control of the aircraft is a United Kingdom national ; or

(ii) his act is committed in the United Kingdom ;
or

(iii) the aircraft is registered in the United Kingdom or is used in the military or customs service of the United Kingdom or in the service of any police force in the United Kingdom.

(3) A person who commits the offence of hijacking shall be liable, on conviction on indictment, to imprisonment for life.

(4) If the Secretary of State by order made by statutory instrument declares—

(a) that any two or more States named in the order have established an organisation or agency which operates aircraft ; and

(b) that one of those States has been designated as exercising, for aircraft so operated, the powers of the State of registration,

the State declared under paragraph (b) of this subsection shall be deemed for the purposes of this section to be the State in which any aircraft so operated is registered ; but in relation to such an aircraft subsection (2)(b) above shall have effect as if it referred to the territory of any one of the States named in the order.

(5) For the purposes of this section the territorial waters of any State shall be treated as part of its territory.

2.—(1) It shall, subject to subsection (4) below, be an offence for any person unlawfully and intentionally—

(a) to destroy an aircraft in service or so to damage such an aircraft as to render it incapable of flight or as to be likely to endanger its safety in flight ; or

(b) to commit on board an aircraft in flight any act of violence which is likely to endanger the safety of the aircraft.

(2) It shall also, subject to subsection (4) below, be an offence for any person unlawfully and intentionally to place, or cause to be placed, on an aircraft in service any device or substance which is likely to destroy the aircraft, or is likely so to damage it as to render it incapable of flight or as to be likely to endanger its safety in flight ; but nothing in this subsection shall

Destroying,
damaging or
endangering
safety of
aircraft.

be construed as limiting the circumstances in which the commission of any act—

PART I

(a) may constitute an offence under subsection (1) above, or

(b) may constitute attempting or conspiring to commit, or aiding, abetting, counselling or procuring, or being art and part in, the commission of such an offence.

(3) Except as provided by subsection (4) below, subsections (1) and (2) above shall apply whether any such act as is therein mentioned is committed in the United Kingdom or elsewhere, whatever the nationality of the person committing the act and whatever the State in which the aircraft is registered.

(4) Subsections (1) and (2) above shall not apply to any act committed in relation to an aircraft used in military, customs or police service unless—

(a) the act is committed in the United Kingdom, or

(b) where the act is committed outside the United Kingdom, the person committing it is a United Kingdom national.

(5) A person who commits an offence under this section shall be liable, on conviction on indictment, to imprisonment for life.

(6) In this section “unlawfully”—

(a) in relation to the commission of an act in the United Kingdom, means so as (apart from this Act) to constitute an offence under the law of the part of the United Kingdom in which the act is committed, and

(b) in relation to the commission of an act outside the United Kingdom, means so that the commission of the act would (apart from this Act) have been an offence under the law of England and Wales if it had been committed in England and Wales or of Scotland if it had been committed in Scotland.

(7) In this section “act of violence” means—

(a) any act done in the United Kingdom which constitutes the offence of murder, attempted murder, manslaughter, culpable homicide or assault or an offence under section 18, 20, 21, 22, 23, 24, 28 or 29 of the Offences against the Person Act 1861 or under section 2 of the Explosive Substances Act 1883, and

1861 c. 100.
1883 c. 3.

(b) any act done outside the United Kingdom which, if done in the United Kingdom, would constitute such an offence as is mentioned in paragraph (a) above.

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Other acts endangering or likely to endanger safety of aircraft.

3.—(1) It shall, subject to subsections (5) and (6) below, be an offence for any person unlawfully and intentionally to destroy or damage any property to which this subsection applies, or to interfere with the operation of any such property, where the destruction, damage or interference is likely to endanger the safety of aircraft in flight.

(2) Subsection (1) above applies to any property used for the provision of air navigation facilities, including any land, building or ship so used, and including any apparatus or equipment so used, whether it is on board an aircraft or elsewhere.

(3) It shall also, subject to subsections (4) and (5) below, be an offence for any person intentionally to communicate any information which is false, misleading or deceptive in a material particular, where the communication of the information endangers the safety of an aircraft in flight or is likely to endanger the safety of aircraft in flight.

(4) It shall be a defence for a person charged with an offence under subsection (3) above to prove—

- (a) that he believed, and had reasonable grounds for believing, that the information was true ; or
- (b) that, when he communicated the information, he was lawfully employed to perform duties which consisted of or included the communication of information and that he communicated the information in good faith in the performance of those duties.

(5) Subsections (1) and (3) above shall not apply to the commission of any act unless either the act is committed in the United Kingdom, or, where it is committed outside the United Kingdom—

- (a) the person committing it is a United Kingdom national ; or
- (b) the commission of the act endangers or is likely to endanger the safety in flight of a civil aircraft registered in the United Kingdom or chartered by demise to a lessee whose principal place of business, or (if he has no place of business) whose permanent residence, is in the United Kingdom ; or
- (c) the act is committed on board a civil aircraft which is so registered or so chartered ; or
- (d) the act is committed on board a civil aircraft which lands in the United Kingdom with the person who committed the act still on board.

(6) Subsection (1) above shall also not apply to any act committed outside the United Kingdom and so committed in relation

to property which is situated outside the United Kingdom and is not used for the provision of air navigation facilities in connection with international air navigation, unless the person committing the act is a United Kingdom national.

(7) A person who commits an offence under this section shall be liable, on conviction on indictment, to imprisonment for life.

(8) In this section "civil aircraft" means any aircraft other than an aircraft used in military, customs or police service and "unlawfully" has the same meaning as in section 2 of this Act.

4.—(1) It shall be an offence for any person without lawful authority or reasonable excuse (the proof of which shall lie on him) to have with him—

Offences in relation to certain dangerous articles.

- (a) in any aircraft registered in the United Kingdom, whether at a time when the aircraft is in the United Kingdom or not, or
- (b) in any other aircraft at a time when it is in, or in flight over, the United Kingdom, or
- (c) in any part of an aerodrome in the United Kingdom, or
- (d) in any air navigation installation in the United Kingdom which does not form part of an aerodrome,

any article to which this section applies.

(2) This section applies to the following articles, that is to say—

- (a) any firearm, or any article having the appearance of being a firearm, whether capable of being discharged or not;
- (b) any explosive, any article manufactured or adapted (whether in the form of a bomb, grenade or otherwise) so as to have the appearance of being an explosive, whether it is capable of producing a practical effect by explosion or not, or any article marked or labelled so as to indicate that it is or contains an explosive; and
- (c) any article (not falling within either of the preceding paragraphs) made or adapted for use for causing injury to or incapacitating a person or for destroying or damaging property, or intended by the person having it with him for such use, whether by him or by any other person.

(3) For the purposes of this section a person who is for the time being in an aircraft, or in part of an aerodrome, shall be

PART I

treated as having with him in the aircraft, or in that part of the aerodrome, as the case may be, an article to which this section applies if—

- (a) where he is in an aircraft, the article, or an article in which it is contained, is in the aircraft and has been caused (whether by him or by any other person) to be brought there as being, or as forming part of, his baggage on a flight in the aircraft or has been caused by him to be brought there as being, or as forming part of, any other property to be carried on such a flight, or
- (b) where he is in part of an aerodrome (otherwise than in an aircraft), the article, or an article in which it is contained, is in that or any other part of the aerodrome and has been caused (whether by him or by any other person) to be brought into the aerodrome as being, or as forming part of, his baggage on a flight from that aerodrome or has been caused by him to be brought there as being, or as forming part of, any other property to be carried on such a flight on which he is also to be carried,

notwithstanding that the circumstances may be such that (apart from this subsection) he would not be regarded as having the article with him in the aircraft or in a part of the aerodrome, as the case may be.

(4) A person guilty of an offence under this section shall be liable—

- (a) on summary conviction, to a fine not exceeding the statutory maximum or to imprisonment for a term not exceeding three months or to both;
- (b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding five years or to both.

(5) Nothing in subsection (3) above shall be construed as limiting the circumstances in which a person would, apart from that subsection, be regarded as having an article with him as mentioned in subsection (1) above.

Jurisdiction
of courts in
respect of
air piracy.

5.—(1) Any court in the United Kingdom having jurisdiction in respect of piracy committed on the high seas shall have jurisdiction in respect of piracy committed by or against an aircraft, wherever that piracy is committed.

1982 c. 16.

(2) In subsection (1) above, “aircraft” has the same meaning as in section 92 of the Civil Aviation Act 1982 (application of criminal law to aircraft); and, for the purposes of this definition, section 101 of that Act (Crown aircraft) shall apply to this section as it applies to the said section 92.

6.—(1) Without prejudice to section 92 of the Civil Aviation Act 1982 (application of criminal law to aircraft) or to section 2(1)(b) of this Act, where a person (of whatever nationality) does on board any aircraft (wherever registered) and while outside the United Kingdom any act which, if done in the United Kingdom would constitute the offence of murder, attempted murder, manslaughter, culpable homicide or assault or an offence under section 18, 20, 21, 22, 23, 28 or 29 of the Offences against the Person Act 1861 or section 2 of the Explosive Substances Act 1883, his act shall constitute that offence if it is done in connection with the offence of hijacking committed or attempted by him on board that aircraft.

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Ancillary offences.

1982 c. 16.

1861 c. 100.

1883 c. 3.

(2) It shall be an offence for any person in the United Kingdom to induce or assist the commission outside the United Kingdom of any act which—

- (a) would, but for subsection (2) of section 1 of this Act, be an offence under that section ; or
- (b) would, but for subsection (4) of section 2 of this Act, be an offence under that section ; or
- (c) would, but for subsection (5) or (6) of section 3 of this Act, be an offence under that section.

(3) A person who commits an offence under subsection (2) above shall be liable, on conviction on indictment, to imprisonment for life.

(4) Subsection (2) above shall have effect without prejudice to the operation, in relation to any offence under section 1, 2 or 3 of this Act—

- (a) in England and Wales, or in Northern Ireland, of section 8 of the Accessories and Abettors Act 1861 ; or
- (b) in Scotland, of any rule of law relating to art and part guilt.

1861 c. 94.

7.—(1) Where a constable has reasonable cause to suspect that a person about to embark on an aircraft in the United Kingdom, or a person on board such an aircraft, intends to commit, in relation to the aircraft, an offence under any of the preceding provisions of this Part of this Act (other than section 4), the constable may prohibit him from travelling on board the aircraft, and for the purpose of enforcing that prohibition the constable—

Powers exercisable on suspicion of intended offence under Part I.

- (a) may prevent him from embarking on the aircraft or, as the case may be, may remove him from the aircraft ; and

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(b) may arrest him without warrant and detain him for so long as may be necessary for that purpose.

(2) Any person who wilfully obstructs or impedes a person acting in the exercise of a power conferred on him by subsection (1) above shall be guilty of an offence and liable—

(a) on summary conviction, to a fine not exceeding the statutory maximum ;

(b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or to both.

(3) Subsection (1) above shall have effect without prejudice to the operation in relation to any offence under this Act—

1967 c. 58.

(a) in England and Wales, of section 2 of the Criminal Law Act 1967 (which confers power to arrest without warrant) or of section 3 of that Act (use of force in making arrest etc.) ; or

(b) in Scotland, of any rule of law relating to power to arrest without warrant ; or

1967 c. 18
(N.I.).

(c) in Northern Ireland, of section 2 or 3 of the Criminal Law Act (Northern Ireland) 1967.

Prosecution
of offences
and
proceedings.

8.—(1) Proceedings for an offence under any of the preceding provisions of this Part of this Act (other than sections 4 and 7) shall not be instituted—

(a) in England and Wales, except by, or with the consent of, the Attorney General ; and

(b) in Northern Ireland, except by, or with the consent of, the Attorney General for Northern Ireland.

(2) As respects Scotland, for the purpose of conferring on the sheriff jurisdiction to entertain proceedings for an offence under or by virtue of section 2, 3 or 6(2)(b) or (c) of this Act, any such offence shall, without prejudice to any jurisdiction exercisable apart from this subsection, be deemed to have been committed in any place in Scotland where the offender may for the time being be.

Extradition.

9.—(1) There shall be deemed to be included—

1870 c. 52.

(a) in the list of extradition crimes contained in Schedule 1 to the Extradition Act 1870 ; and

1967 c. 68.

(b) among the descriptions of offences set out in Schedule 1 to the Fugitive Offenders Act 1967 ;

any offence under any of the preceding provisions of this Part of this Act (other than sections 4 and 7).

(2) Where no such arrangement as is mentioned in section 2 of the Extradition Act 1870 has been made with a State which is a party to a relevant Convention, an Order in Council applying that Act may be made under that section as if that Convention were such an arrangement with that State ; but where that Act is so applied it shall have effect as if the only extradition crimes within the meaning of that Act were the offences which are offences in pursuance of that Convention.

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1870 c. 52.

(3) For the purposes of subsection (2) above—

(a) the Convention for the Suppression of Unlawful Seizure of Aircraft signed at The Hague on 16th December 1970 is a relevant Convention and the offences which are offences in pursuance of that Convention are the offences under or by virtue of section 1 or 6(1) or (2)(a) of this Act and attempts to commit such offences ; and

(b) the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation signed at Montreal on 23rd September 1971 is the only other relevant Convention and the offences which are offences in pursuance of that Convention are the offences under or by virtue of section 2, 3 or 6(2)(b) or (c) of this Act and attempts to commit such offences.

(4) For the purposes of the Extradition Act 1870, any act wherever committed, which—

(a) is an offence under any of the preceding provisions of this Part of this Act (other than sections 4 and 7) or an attempt to commit such an offence, or would be such an offence or attempt but for section 1(2), 2(4), or 3(5) or (6) of this Act, and

(b) is an offence against the law of any State in the case of which that Act has been applied by an Order in Council under section 2 of that Act,

shall be deemed to be an offence committed within the jurisdiction of that State.

PART II

PROTECTION OF AIRCRAFT, AERODROMES AND AIR NAVIGATION INSTALLATIONS AGAINST ACTS OF VIOLENCE

General purposes

10.—(1) The purposes to which this Part of this Act applies are the protection against acts of violence—

Purposes to which Part II applies.

(a) of aircraft, and of persons or property on board aircraft ;

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(b) of aerodromes, and of such persons or property as (in the case of persons) are at any time present in any part of an aerodrome or (in the case of property) forms part of an aerodrome or is at any time (whether permanently or temporarily) in any part of an aerodrome ; and

(c) of air navigation installations which do not form part of an aerodrome.

(2) In this Part of this Act “act of violence” means any act (whether actual or potential, and whether done or to be done in the United Kingdom or elsewhere) which either—

(a) being an act done in Great Britain, constitutes, or

(b) if done in Great Britain would constitute,

the offence of murder, attempted murder, manslaughter, culpable homicide or assault, or an offence under section 18, 20, 21, 22, 23, 24, 28 or 29 of the Offences against the Person Act 1861, under section 2 of the Explosive Substances Act 1883 or under section 1 of the Criminal Damage Act 1971 or, in Scotland, the offence of malicious mischief.

1861 c. 100.

1883 c. 3.

1971 c. 48.

Powers of Secretary of State

11.—(1) The Secretary of State may, by notice in writing served on any person who is—

(a) the operator of one or more aircraft registered or operating in the United Kingdom, or

(b) the manager of an aerodrome in the United Kingdom,

require that person to inform the Secretary of State of the measures, of a description specified in the notice, which are being taken in respect of aircraft registered or operating in the United Kingdom of which he is the operator or in respect of that aerodrome, as the case may be, for purposes to which this Part of this Act applies.

(2) A notice under subsection (1) above shall specify a date (not being earlier than four weeks from the date on which the notice is served) before which the information required by the notice in accordance with subsection (1) above is to be furnished to the Secretary of State.

(3) Any such notice shall also require the person on whom it is served, after he has furnished to the Secretary of State the

Power for Secretary of State to require information.

information required by the notice in accordance with subsection (1) above, to inform the Secretary of State if at any time—

(a) any further measures, in respect of aircraft registered or operating in the United Kingdom of which at that time he is the operator, or in respect of the aerodrome to which the information so furnished related, as the case may be, are taken for purposes to which this Part of this Act applies, either—

(i) by way of alteration of, or addition to, the measures specified in any information previously furnished by him under this section, or

(ii) by way of applying any measures so specified to aircraft, or to a part of the aerodrome, not comprised in the previous information ;

or

(b) any measures taken as mentioned in that subsection or in paragraph (a) of this subsection are discontinued.

(4) In so far as such a notice requires further information to be furnished to the Secretary of State in accordance with subsection (3) above, it shall require that information to be furnished to him before the end of such period (not being less than seven days from the date on which the further measures in question are taken or the measures are discontinued, as the case may be) as is specified in the notice for the purposes of this subsection.

(5) Any person who—

(a) refuses or, without reasonable excuse, fails to comply with a requirement imposed on him by a notice under this section, or

(b) in furnishing any information so required, makes a statement which he knows to be false in a material particular, or recklessly makes a statement which is false in a material particular,

shall be guilty of an offence and liable—

(i) on summary conviction, to a fine not exceeding the statutory maximum ;

(ii) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or to both.

(6) A notice served on a person under subsection (1) above may at any time be revoked by a further notice served on him by the Secretary of State.

PART II
Power to
impose
restrictions in
relation to
aircraft.

12.—(1) For purposes to which this Part of this Act applies, the Secretary of State may give a direction in writing to the operator of any one or more aircraft registered or operating in the United Kingdom, or to the manager of any aerodrome in the United Kingdom, requiring him—

- (a) not to cause or permit persons or property to go or be taken on board any aircraft to which the direction relates, or to come or be brought into proximity to any such aircraft, unless such searches of those persons or that property as are specified in the direction have been carried out by constables or by other persons of a description specified in the direction, or
- (b) not to cause or permit any such aircraft to fly unless such searches of the aircraft as are specified in the direction have been carried out by constables or by other persons of a description so specified.

(2) Subject to subsection (3) below, the Secretary of State may give a direction in writing to the operator of any one or more aircraft registered in the United Kingdom requiring him not to cause or permit the aircraft to fly unless such modifications or alterations of the aircraft, or of apparatus or equipment installed in the aircraft, as are specified in the direction have first been carried out, or such additional apparatus or equipment as is so specified is first installed in the aircraft.

(3) Before giving any direction under subsection (2) above, the Secretary of State shall inform the Civil Aviation Authority of the modifications, alterations or additional apparatus or equipment proposed to be required, and shall take account of any advice given to him by that Authority with respect to those proposals.

(4) In giving any direction under subsection (2) above, the Secretary of State shall allow, and shall specify in the direction, such period as appears to him to be reasonably required for carrying out the modifications or alterations or installing the additional apparatus or equipment in question; and the direction shall not take effect before the end of the period so specified.

(5) Subject to the following provisions of this Part of this Act, a direction given to an operator of aircraft under subsection (1) above may be given so as to relate—

- (a) either to all the aircraft registered or operating in the United Kingdom of which at the time when the direction is given or at any subsequent time he is the operator or only to one or more such aircraft, or to a class of such aircraft, specified in the direction;
- (b) either to all persons or only to one or more persons, or persons of one or more descriptions, specified in the direction; and

- (c) either to property of every description or only to particular property, or property of one or more descriptions, specified in the direction ;

and a direction given to an operator of aircraft under subsection (2) above may be given so as to relate either to all aircraft registered in the United Kingdom of which at the time when the direction is given or at any subsequent time he is the operator or only to one or more such aircraft, or to a class of such aircraft, specified in the direction.

(6) Subject to the following provisions of this Part of this Act, a direction given to the manager of an aerodrome under subsection (1) above may be given so as to relate—

- (a) either to all aircraft which at the time when the direction is given or at any subsequent time are in any part of the aerodrome, or to a class of such aircraft specified in the direction ;
- (b) either to all persons or only to one or more persons, or persons of one or more descriptions, specified in the direction ; and
- (c) either to property of every description or only to particular property, or property of one or more descriptions, specified in the direction.

(7) Subject to the following provisions of this Part of this Act, any direction given under this section to any person not to cause or permit anything to be done shall be construed as requiring him to take all such steps as in any particular circumstances are practicable and necessary to prevent that thing from being done.

(8) A direction may be given under this section to a person appearing to the Secretary of State to be about to become—

- (a) such an operator as is mentioned in subsection (1) or (2) above ; or
- (b) such a manager as is mentioned in subsection (1) above ;
- but a direction given to a person by virtue of this subsection shall not take effect until he becomes such an operator or manager, and, in relation to a direction so given, the preceding provisions of this section shall apply with the necessary modifications.

(9) Any person who refuses or fails to comply with a direction given to him under this section shall be guilty of an offence and liable—

- (a) on summary conviction, to a fine not exceeding the statutory maximum ;
- (b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or to both.

PART II

Power to require aerodrome managers to promote searches at aerodromes.

13.—(1) For purposes to which this Part of this Act applies, the Secretary of State may give a direction in writing to the manager of any aerodrome in the United Kingdom requiring him to use his best endeavours to secure that such searches to which this section applies as are specified in the direction are carried out by constables or by other persons of a description specified in the direction.

(2) The searches to which this section applies, in relation to an aerodrome, are searches—

- (a) of the aerodrome or any part of it ;
- (b) of any aircraft which at the time when the direction is given or at any subsequent time is in any part of the aerodrome ; and
- (c) of persons or property (other than aircraft) which may at any such time be in any part of the aerodrome.

(3) Without prejudice to section 7(1) of this Act, where a direction given under this section to the manager of an aerodrome is for the time being in force, then if a constable, or any other person specified in the direction in accordance with this section, has reasonable cause to suspect that an article to which section 4 of this Act applies is in, or may be brought into, any part of the aerodrome, he may, by virtue of this subsection and without a warrant, search any part of the aerodrome or any aircraft, vehicle, goods or other moveable property of any description which, or any person who, is for the time being in any part of the aerodrome, and for that purpose—

- (a) may enter any building or works in the aerodrome, or enter upon any land in the aerodrome, if need be by force, and
- (b) may stop any such aircraft, vehicle, goods, property or person and detain it or him for so long as may be necessary for that purpose.

(4) Any person who—

- (a) refuses or fails to comply with a direction given to him under this section , or
- (b) wilfully obstructs or impedes a person acting in the exercise of a power conferred on him by subsection (3) above,

shall be guilty of an offence and liable—

- (i) on summary conviction, to a fine not exceeding the statutory maximum ;
- (ii) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or to both.

(5) Subsection (3) above shall have effect without prejudice to the operation, in relation to any offence under this Act— PART II.

- (a) in England and Wales, of section 2 of the Criminal Law Act 1967 (which confers power to arrest without warrant) or of section 3 of that Act (use of force in making arrest etc.); or
- (b) in Scotland, of any rule of law relating to power to arrest without warrant; or
- (c) in Northern Ireland, of section 2 or 3 of the Criminal Law Act (Northern Ireland) 1967. 1967 c. 18 (N.I.).

14.—(1) Subject to the following provisions of this section, the Secretary of State may give a direction in writing to any person who is— General power to direct measures to be taken for purposes to which Part II applies.

- (a) the operator of one or more aircraft registered or operating in the United Kingdom, or
- (b) the manager of an aerodrome in the United Kingdom,

requiring him to take, in respect of aircraft registered or operating in the United Kingdom of which he is the operator or in respect of that aerodrome, as the case may be, such measures for purposes to which this Part of this Act applies as are specified in the direction.

(2) Without prejudice to the generality of subsection (1) above, the measures to be specified in a direction given under this section to an operator of aircraft, or to the manager of an aerodrome, may include the provision by the operator or manager of persons charged with the duty (at such times as may be specified in the direction)—

- (a) of guarding the aircraft, or
- (b) of guarding the aerodrome, or persons or property (including aircraft) in any part of the aerodrome,

against acts of violence.

(3) A direction given under this section may be either of a general or of a specific character, and may require any measures specified in the direction to be taken at such time or within such period as may be so specified.

(4) A direction given under subsection (1) above to an operator of aircraft may be given so as to relate either to all the aircraft registered or operating in the United Kingdom of which at the time when the direction is given or at any subsequent time he is the operator or only to one or more such aircraft, or to a class of such aircraft, specified in the direction.

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(5) A direction under this section—

- (a) shall not require any search (whether of persons or of property), and
- (b) shall not require the modification or alteration of any aircraft, or of any of its apparatus or equipment, or the installation of additional apparatus or equipment, or prohibit any aircraft from being caused or permitted to fly without some modification or alteration of the aircraft or its apparatus or equipment or the installation of additional apparatus or equipment.

(6) A direction may be given under this section to a person appearing to the Secretary of State to be about to become such an operator or manager as is mentioned in paragraph (a) or (b) of subsection (1) above, but a direction given to a person by virtue of this subsection shall not take effect until he becomes such an operator or manager, and, in relation to a direction so given, the preceding provisions of this section shall apply with the necessary modifications.

(7) Any person—

- (a) who refuses or, without reasonable excuse, fails to comply with a direction given to him under this section, or
- (b) wilfully interferes with any building constructed or works executed on any land in compliance with a direction under this section or with anything installed on, under, over or across any land in compliance with such a direction,

shall be guilty of an offence and liable—

- (i) on summary conviction, to a fine not exceeding the statutory maximum ;
- (ii) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or to both.

(8) The ownership of any property shall not be affected by reason only that it is placed on or under, or affixed to, any land in compliance with a direction under this section.

Supplemental provisions with respect to directions

Matters which may be included in directions under ss. 12 to 14.

15.—(1) A direction under subsection (1) of section 12 or under section 13 of this Act may specify the minimum number of persons by whom any search to which the direction relates is to be carried out, the qualifications which persons carrying out any such search are to have, the manner in which any such search is to be carried out, and any apparatus, equipment or other aids to be used for the purpose of carrying out any such search.

(2) A direction under subsection (2) of section 12 of this Act may specify the qualifications required to be had by persons carrying out any modifications or alterations, or the installation of any additional apparatus or equipment, to which the direction relates.

(3) Before specifying any qualifications in accordance with subsection (2) above, the Secretary of State shall inform the Civil Aviation Authority of the qualifications proposed to be specified, and shall take account of any advice given to him by that Authority with respect to those proposals.

(4) A direction under section 14 of this Act may specify—

- (a) the minimum number of persons to be employed for the purposes of any measures required by the direction to be taken by an operator of aircraft or by the manager of an aerodrome, and the qualifications which persons employed for those purposes are to have, and
- (b) any apparatus, equipment or other aids to be used for those purposes.

(5) In so far as a direction under any of the preceding provisions of this Part of this Act requires searches to be carried out, or other measures to be taken, by constables, the direction may require the person to whom it is given to use his best endeavours to secure that constables will be duly authorised to carry, and will carry, firearms when carrying out the searches or taking the measures in question.

(6) Nothing in subsections (1) to (5) above shall be construed as limiting the generality of any of the preceding provisions of this Part of this Act.

(7) In this section “qualifications” includes training and experience.

16.—(1) Without prejudice to subsection (5) of section 15 of this Act, a direction shall not require or authorise any person to carry a firearm.

Limitations on scope of directions under ss. 12 to 14.

(2) A direction shall not have effect in relation to any aircraft used in military, customs or police service.

(3) A direction shall not have effect in relation to any aircraft of which the operator is the Government of a country outside the United Kingdom, or is a department or agency of such a Government, except at a time when any such aircraft is being used for the carriage of passengers or cargo for reward or is for the time being allocated by that Government, department or agency for such use.

PART II

(4) A direction (except in so far as it requires any building or other works to be constructed, executed, altered, demolished or removed) shall not be construed as requiring or authorising the operator of any aircraft, or the manager of any aerodrome, or any person acting as the servant or agent of such an operator or manager, to do anything which, apart from the direction, would constitute an act of violence ; but nothing in this subsection shall restrict the use of such force as is reasonable in the circumstances (whether at the instance of such an operator or manager or otherwise) by a constable, or its use by any other person in the exercise of a power conferred by section 7(1) or 13(3) of this Act or by any of the following provisions of this Act.

(5) In so far as a direction requires anything to be done or not done at a place outside the United Kingdom—

- (a) it shall not have effect except in relation to aircraft registered in the United Kingdom, and
- (b) it shall not have effect so as to require anything to be done or not done in contravention of any provision of the law (whether civil or criminal) in force at that place, other than any such provision relating to breach of contract.

(6) In so far as a direction given to the manager of an aerodrome requires any building or other works to be constructed, executed, altered, demolished or removed on land outside the aerodrome, or requires any other measures to be taken on such land, the direction shall not confer on the manager of the aerodrome any rights as against a person having—

- (a) an interest in that land, or
- (b) a right to occupy that land, or
- (c) a right restrictive of its use ;

and accordingly the direction shall not be construed as requiring the manager of the aerodrome to do anything which would be actionable at the suit or instance of such a person in his capacity as a person having that interest or right.

(7) Nothing in this section shall be construed as derogating from any exemption or immunity of the Crown in relation to the provisions of this Part of this Act.

(8) In this section “direction” means a direction under section 12, 13 or 14 of this Act.

17.—(1) A direction given to any person under section 12 or 14 of this Act need not be addressed to that particular person, but may be framed in general terms applicable to all persons to whom such a direction may be given or to any class of such persons to which that particular person belongs.

(2) If it appears to the Secretary of State that an exception from any direction given under either of those sections is required as a matter of urgency in any particular case he may, by a notification given (otherwise than in writing) to the person for the time being subject to the direction, authorise that person to disregard the requirements of the direction—

(a) in relation to such aircraft or class of aircraft, or in relation to such persons or property or such description of persons or property, and

(b) on such occasion or series of occasions, or for such period,

as he may specify; and the direction shall have effect in that case subject to any exceptions so specified.

(3) Any notification given to any person under subsection (2) above with respect to any direction shall cease to have effect (if it has not already done so)—

(a) if a direction in writing is subsequently given to that person varying or revoking the original direction; or

(b) if no such direction in writing is given within the period of thirty days beginning with the date on which the notification was given, at the end of that period.

(4) Any notification given under subsection (2) above shall be regarded as given to the person to whom it is directed if it is given—

(a) to any person authorised by that person to receive any such direction or notification;

(b) where that person is a body corporate, to the secretary, clerk or similar officer of the body corporate; and

(c) in any other case, to anyone holding a comparable office or position in that person's employment.

18.—(1) This section applies to any direction given under section 14 of this Act which—

(a) requires a person to take measures consisting of or including the construction, execution, alteration, demolition or removal of a building or other works; and

(b) does not contain a statement that the measures are urgently required and that accordingly the direction is to take effect immediately.

(2) At any time before the end of the period of thirty days beginning with the date on which a direction to which this section applies is given, the person to whom the direction is given may serve on the Secretary of State a notice in writing objecting to the direction, on the grounds that the measures

Objections
to certain
directions
under s. 14.

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specified in the direction, in so far as they relate to the construction, execution, alteration, demolition or removal of a building or other works—

- (a) are unnecessary and should be dispensed with ; or
- (b) are excessively onerous or inconvenient and should be modified in a manner specified in the notice.

(3) Where the person to whom such a direction is given serves a notice under subsection (2) above objecting to the direction, the Secretary of State shall consider the grounds of the objection and, if so required by the objector, shall afford to him an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose, and shall then serve on the objector a notice in writing either—

- (a) confirming the direction as originally given ; or
- (b) confirming it subject to one or more modifications specified in the notice under this subsection ; or
- (c) withdrawing the direction ;

and the direction shall not take effect until it has been confirmed (with or without modifications) by a notice served under this subsection.

Operation of directions under Part II in relation to rights and duties under other laws.

19.—(1) The following provisions of this section, where they refer to a direction under any of the preceding provisions of this Part of this Act, shall be construed as referring to that direction as it has effect subject to any limitation imposed on its operation—

- (a) by section 16 of this Act, or
- (b) by any exemption or immunity of the Crown ;

and any reference in those provisions to compliance with such a direction shall be construed as a reference to compliance with it subject to any limitation so imposed.

(2) In so far as any such direction requires anything to be done or not done in the United Kingdom, the direction shall have effect notwithstanding anything contained in any contract (whether a United Kingdom contract or not) or contained in, or having effect by virtue of, any other Act or any rule of law ; and accordingly no proceedings (whether civil or criminal) shall lie against any person in any United Kingdom court by reason of anything done or not done by him or on his behalf in compliance with such a direction.

(3) In so far as such a direction requires anything to be done or not done at a place outside the United Kingdom, the direction shall have effect notwithstanding anything contained in any contract (whether a United Kingdom contract or not) ; and accordingly, where such a direction is inconsistent with anything in

such a contract, it shall (without prejudice to any proceedings in a court other than a United Kingdom court) be construed as requiring compliance with the direction notwithstanding that compliance would be in breach of that contract.

(4) No proceedings for breach of contract shall lie against any person in a United Kingdom court by reason of anything done or not done by him or on his behalf at a place outside the United Kingdom in compliance with any such direction, if the contract in question is a United Kingdom contract.

(5) In this section "United Kingdom court" means a court exercising jurisdiction in any part of the United Kingdom under the law of the United Kingdom or of part of the United Kingdom, and "United Kingdom contract" means a contract which is either expressed to have effect in accordance with the law of the United Kingdom or of part of the United Kingdom or (not being so expressed) is a contract of which the proper law is the law of the United Kingdom or of part of the United Kingdom.

20.—(1) For the purpose of enabling the Secretary of State to determine whether to give a direction to any person under any of the preceding provisions of this Part of this Act, or of ascertaining whether any such direction is being or has been complied with, any person authorised in writing by the Secretary of State (in this section referred to as an "authorised person") shall have power, on production (if required) of his credentials, to inspect—

Inspection of
aircraft and
aerodromes.

- (a) any aircraft registered or operating in the United Kingdom, at a time when it is in the United Kingdom, or
- (b) any part of any aerodrome in the United Kingdom.

(2) An authorised person inspecting an aircraft or any part of an aerodrome under subsection (1) above shall have power—

- (a) to subject any property found by him in the aircraft (but not the aircraft itself or any apparatus or equipment installed in it) or, as the case may be, to subject that part of the aerodrome or any property found by him there, to such tests, or
- (b) to require the operator of the aircraft, or the manager of the aerodrome, to furnish to him such information, as the authorised person may consider necessary for the purpose for which the inspection is carried out.

(3) Subject to subsection (4) below, an authorised person, for the purpose of exercising any power conferred on him by the preceding provisions of this section in relation to an aircraft or in relation to an aerodrome, shall have power—

- (a) for the purpose of inspecting an aircraft, to enter it and to take all such steps as are necessary to detain it, or

PART II

- (b) for the purpose of inspecting any part of an aerodrome, to enter any building or works in the aerodrome or enter upon any land in the aerodrome.

(4) The powers conferred by subsection (3) above shall not include power for an authorised person to use force for the purpose of entering any aircraft, building or works or entering upon any land.

(5) Any person who—

- (a) wilfully obstructs or impedes a person acting in the exercise of a power conferred on him by or under this section, or
- (b) refuses or, without reasonable excuse, fails to comply with a requirement imposed on him under subsection (2)(b) above, or
- (c) in furnishing any information so required, makes a statement which he knows to be false in a material particular, or recklessly makes a statement which is false in a material particular,

shall be guilty of an offence and liable—

(i) on summary conviction, to a fine not exceeding the statutory maximum ;

(ii) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or to both.

Air navigation installations

Application of provisions of Part II to air navigation installations.

21.—(1) Sections 11, 13, 14, 15, 16 and 20 of this Act shall have effect in relation to air navigation installations in the United Kingdom in accordance with the following provisions of this section.

(2) In relation to any such air navigation installation which does not form part of an aerodrome, those sections shall have effect, subject to subsection (5) below, as if in them any reference to an aerodrome were a reference to such an air navigation installation and any reference to the manager of an aerodrome were a reference to the authority responsible for such an air navigation installation.

(3) Where an air navigation installation forms part of an aerodrome in the United Kingdom, those sections shall have effect, subject to subsection (5) below, as if in them any reference to an aerodrome were a reference either—

(a) to an aerodrome, or

(b) to an air navigation installation which forms part of an aerodrome, or

- (c) to so much of an aerodrome as does not consist of an air navigation installation;

and accordingly a notice under section 11 of this Act or a direction under section 13 or 14 of this Act may be served or given either in respect of the whole of the aerodrome, or in respect of the air navigation installation separately, or in respect of so much of the aerodrome as does not consist of an air navigation installation.

- (4) For the purposes—

- (a) of the service of a notice or the giving of a direction under section 11, 13 or 14 of this Act as modified by subsection (3) above, where the notice is to be served or the direction given in respect of an air navigation installation separately, and
- (b) of the operation of section 16 (6) of this Act in relation to a direction so given,

any reference in any of those sections to the manager of the aerodrome shall be construed as a reference to any person who is either the manager of the aerodrome or the authority responsible for the air navigation installation.

(5) Subsections (2) and (3) above shall not apply to section 13(3) of this Act; but where a direction given under section 13 of this Act, as applied or modified by the preceding provisions of this section, is for the time being in force—

- (a) if it is a direction given in respect of an air navigation installation separately (whether that installation forms part of an aerodrome or not), the said section 13 (3) shall have effect in relation to that direction as if the air navigation installation were an aerodrome and, where the direction was given to the authority responsible for the air navigation installation, as if it had been given to the manager of that aerodrome;
- (b) if it is a direction given in respect of so much of an aerodrome as does not consist of an air navigation installation, the said section 13 (3) shall have effect in relation to that direction as if any air navigation installation comprised in the aerodrome did not form part of the aerodrome.

(6) A direction under section 14 of this Act, as applied or modified by the preceding provisions of this section, may be given to the authority responsible for one or more air navigation installations so as to relate either—

- (a) to all air navigation installations in the United Kingdom for which it is responsible at the time when the direction is given or at any subsequent time, or

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(b) only to one or more such air navigation installations, or to a class of such air navigation installations, specified in the direction.

(7) Any reference in section 17, 18 (1) or 19 (1) of this Act to a direction given under a provision therein mentioned shall be construed as including a reference to a direction given under that provision as applied or modified by the preceding provisions of this section.

(8) Notwithstanding anything in subsection (2) (a) of section 20 of this Act, a person inspecting an air navigation installation under that section (or under that section as applied or modified by the preceding provisions of this section) shall not be empowered thereby to test any apparatus or equipment which constitutes or forms part of the air navigation installation.

Miscellaneous supplemental provisions

Compensation
in respect of
certain
measures
taken under
Part II.

22.—(1) The provisions of this section shall have effect where, in compliance with a direction under section 14 of this Act or under that section as applied or modified by section 21 of this Act, the manager of an aerodrome or the authority responsible for an air navigation installation takes any measures consisting of the construction, execution, alteration, demolition or removal of a building or other works on land either within or outside the aerodrome or that air navigation installation, as the case may be.

(2) If the value of any interest in that land to which a person is entitled is depreciated in consequence of the taking of those measures, or the person having such an interest suffers loss in consequence of them by being disturbed in his enjoyment of any of that land, he shall be entitled to compensation equal to the amount of the depreciation or loss.

(3) If any land other than the land on which the measures are taken is injuriously affected by the taking of those measures, any person having an interest in that other land, who suffers loss in consequence of its being injuriously affected, shall be entitled to compensation equal to the amount of the loss.

(4) Any compensation to which a person is entitled under this section shall be payable to him by the person (whether being a manager of an aerodrome or the authority responsible for an air navigation installation) by whom the measures in question were taken.

(5) The provisions of Schedule 1 to this Act shall have effect for the purposes of this section; and the preceding provisions of this section shall have effect subject to the provisions of that Schedule.

23.—(1) The Secretary of State shall, on or before 31st January in each year, lay before each House of Parliament a report stating the number of notices served by him under section 11 of this Act and the number of directions given by him under sections 12, 13 and 14 of this Act during the period of twelve months which expired with the preceding December.

PART II
Annual report
by Secretary
of State as to
notices and
directions
under Part II.

(2) Each such report shall deal separately with notices served under section 11, directions given under section 12, directions given under section 13 and directions given under section 14 of this Act, and, in relation to each of those matters, shall show separately—

- (a) the number of notices or directions which, during the period to which the report relates, were served on or given to persons as being, or as appearing to the Secretary of State to be about to become, operators of aircraft ;
- (b) the number of notices or directions which during that period were served on or given to persons as being, or as appearing to the Secretary of State to be about to become, managers of aerodromes ; and
- (c) the number of notices or directions which during that period were served on or given to persons as being, or as appearing to the Secretary of State to be about to become, authorities responsible for air navigation installations.

(3) In this section any reference to section 11, 13 or 14 of this Act shall be construed as including a reference to that section as applied or modified by section 21 of this Act.

24. Any notice, any document containing a direction and any other document required or authorised by any provision of this Part of this Act to be served on or given to any person may be served or given—

Service of
documents.

- (a) by delivering it to him, or
- (b) by sending it to him by post at his usual or last-known residence or place of business, whether in the United Kingdom or elsewhere, or
- (c) in the case of a body corporate, by delivering it to the secretary, clerk or similar officer of the body corporate at its registered or principal office in the United Kingdom (or, if it has no office in the United Kingdom, at its principal office, wherever it may be) or sending it by post to the secretary, clerk or similar officer of that body corporate at that office.

PART III

POLICING OF AIRPORTS

Designated
airports.

25.—(1) The Secretary of State may by order designate for the purposes of this Part of this Act any aerodrome used for the purposes of civil aviation if he considers that the policing of that aerodrome should, in the interests of the preservation of the peace and the prevention of crime, be undertaken by constables under the direction and control of the chief officer of police for the police area in which the aerodrome is wholly or mainly situated.

(2) Before making an order under subsection (1) above in relation to any aerodrome the Secretary of State shall consult the manager of the aerodrome and the police authority and chief officer of police for the police area in question.

(3) The power to make an order under subsection (1) above shall be exercisable by statutory instrument and—

- (a) any order containing a statement that it is made with the consent of the manager and the authority mentioned in subsection (2) above shall be subject to annulment in pursuance of a resolution of either House of Parliament ;
- (b) any order not containing such a statement shall be laid before Parliament in draft and shall not be made unless the draft is approved by resolution of each House of Parliament.

Exercise of
police
functions at
designated
airports.

26.—(1) So long as any aerodrome is a designated airport—

- (a) any relevant constable shall, when acting in the execution of his duty and, in particular, for the purpose of exercising the powers conferred on such a constable by or under the following provisions of this Part of this Act, be entitled as against the manager of the aerodrome to enter any part of the aerodrome ; and
- (b) no member of any aerodrome constabulary maintained by the manager shall have the powers and privileges or be liable to the duties and responsibilities of a constable on the aerodrome or exercise there any power conferred by or under any enactment on members of that constabulary or on constables generally.

(2) Paragraph (a) of subsection (1) above is without prejudice to any right of entry existing apart from that paragraph.

(3) The manager of an aerodrome which is a designated airport shall—

- (a) make to the police authority for the relevant police area such payments in respect of the policing of the aerodrome, and

(b) provide, for use in connection with the policing of the aerodrome, such accommodation and facilities, as the manager and that authority may agree or as may, in default of agreement, be determined by the Secretary of State.

(4) Where the relevant police area is the metropolitan police district, subsection (3) above shall have effect with the substitution for references to the police authority of references to the receiver for that district.

27.—(1) Any relevant constable may in any aerodrome which is a designated airport—

Prevention of theft at designated airports.

(a) stop, and without warrant search and arrest, any airport employee whom he has reasonable grounds to suspect of having in his possession or of conveying in any manner anything stolen or unlawfully obtained on the aerodrome; and

(b) if he has reasonable grounds to suspect that anything stolen or unlawfully obtained on the aerodrome may be found in or on any vehicle carrying an airport employee or in or on any aircraft, stop and without warrant search and detain the vehicle or, as the case may be, board and without warrant search the aircraft.

(2) Any relevant constable may—

(a) stop any person who is leaving a cargo area in an aerodrome which is a designated airport and inspect any goods carried by that person;

(b) stop and search any vehicle or aircraft which is leaving any such area and inspect the vehicle or aircraft and any goods carried on or in it; and

(c) detain in the area—

(i) any such goods as aforesaid for which there is not produced a document authorising their removal from the area signed by a person authorised in that behalf by the manager of the aerodrome; and

(ii) any such vehicle or aircraft as aforesaid so long as there are on or in it goods liable to detention under this paragraph.

(3) Nothing in subsection (2) above shall be construed as conferring a power to search any person.

(4) In any cargo area in an aerodrome which is a designated airport the powers of a constable under subsection (1)(b) above—

(a) extend to any vehicle whether or not it is carrying an airport employee; and

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(b) include power, not only to board and search an aircraft, but also to stop and detain it.

(5) In this section “airport employee”, in relation to any aerodrome, means any person in the employment of the manager of the aerodrome and any person employed otherwise than by the manager to work on the aerodrome.

(6) In this section “cargo area” means, subject to subsection (7) below, any area which appears to the Secretary of State to be used wholly or mainly for the storage or handling of cargo in an aerodrome and is designated by an order made by him for the purposes of this section.

1975 c. 78.

(7) Where an aerodrome owned or managed by the British Airports Authority becomes a designated airport at a time when an area in that aerodrome is designated for the purposes of section 12 of the Airports Authority Act 1975 (which makes provision corresponding to subsections (2) to (4) above) that area shall, unless the Secretary of State by order otherwise directs, be treated as a cargo area for the purposes of this section.

(8) Any power to make an order under this section shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.

(9) The powers conferred by this section on a relevant constable are without prejudice to any powers exercisable by him apart from this section.

Byelaws for
designated
airports.

28.—(1) So long as any aerodrome is a designated airport any power of the manager of the aerodrome to make aerodrome byelaws shall, if it would not otherwise do so—

- (a) extend to the making of byelaws in respect of the whole of the aerodrome; and
- (b) include power to make byelaws requiring any person, if so requested by a relevant constable, to leave the aerodrome or any particular part of it or to state his name and address and the purpose of his being on the aerodrome.

(2) A relevant constable may remove from any aerodrome which is a designated airport, or from any part of it—

- (a) any person who, in contravention of any aerodrome byelaws, fails or refuses to leave the aerodrome or part after being requested by the constable to do so;
- (b) any vehicle, animal or thing brought to or left within the aerodrome or part in contravention of any aerodrome byelaws and any vehicle, animal or thing likely to cause danger or obstruction.

(3) A relevant constable may without warrant arrest a person within any aerodrome which is a designated airport—

- (a) if he has reasonable cause to believe that the person has contravened any aerodrome byelaws and he does not know and cannot ascertain that person's name and address ; or
- (b) if that person, in contravention of any aerodrome byelaws, fails or refuses to leave the aerodrome or any particular part of it after being requested by the constable to do so.

29.—(1) So long as any aerodrome is a designated airport, the functions of a chief officer of police under any provisions applying in relation to the aerodrome under section 13(1) to (3) of the Airports Authority Act 1975 or section 37 of the Civil Aviation Act 1982 (application to certain aerodromes of provisions relating to road traffic) shall, notwithstanding any order under those sections, be exercisable by that officer to the exclusion of the chief officer of any aerodrome constabulary ; and for the purposes of any functions of a chief officer of police under those provisions any part of the aerodrome which is not within the relevant police area shall be treated as if it were.

Control of road traffic at designated airports.
1975 c. 78.
1982 c. 16.

(2) So long as any aerodrome is a designated airport—

- (a) traffic wardens appointed by the police authority for the relevant police area (or, if that area is the metropolitan police district, by the commissioner of police of the metropolis) may exercise their functions on the aerodrome and shall be entitled, as against the manager of the aerodrome, to enter the aerodrome accordingly ;
- (b) if the aerodrome is owned or managed by the British Airports Authority, no person employed by the Authority shall exercise in relation to the aerodrome any such functions as are mentioned in section 13(4) of the Airports Authority Act 1975 (appointment of traffic wardens by the Authority).

(3) The reference in subsection (1) above to section 13(1) to (3) of the Airports Authority Act 1975 includes a reference to section 13(2) of that Act as extended by section 14(2) thereof (functions as respects abandoned vehicles) ; and subsection (2)(a) above has effect whether or not the whole of the aerodrome is in the relevant police area.

30.—(1) The Secretary of State may by order make such provision as appears to him to be necessary or expedient in connection with, or in consequence of, any aerodrome becoming or ceasing to be a designated airport.

Supplementary orders.

PART III

(2) Without prejudice to the generality of subsection (1) above and to the preceding provisions of this Part of this Act, any order under this section may in particular—

- (a) modify or suspend the operation of any local Act in so far as it makes provision in relation to the policing of the aerodrome ;
- (b) amend any aerodrome byelaws for the purpose of transferring to relevant constables any functions conferred thereby on members of an aerodrome constabulary, of extending the byelaws to the whole of the aerodrome or of including in them any such requirement as is mentioned in section 28(1)(b) of this Act ;
- (c) make provision for any such transfers of officers and staff as are mentioned in subsection (3) below ;
- (d) make provision in respect of the pension rights of officers and staff so transferred, whether by requiring the making of payments, by modifying or revoking, or transferring or extinguishing liabilities or obligations under, any pension scheme, by transferring or winding up any pension fund or otherwise ;
- (e) require the manager of the aerodrome to make payments by way of compensation to or in respect of persons who suffer any loss of office or employment or loss or diminution of emoluments which is attributable to the aerodrome becoming a designated airport, being payments of such amount and on such terms and conditions as may be specified by or determined in accordance with the order ;
- (f) exclude any part of the aerodrome from the right of entry conferred by section 26(1)(a) or 29(2)(a) of this Act.

(3) The transfers for which provision may be made under this section are transfers, with the consent of the persons to be transferred, of—

- (a) members of any aerodrome constabulary maintained by the manager of the aerodrome to the police force for the relevant police area ;
- (b) persons employed by the British Airports Authority to discharge such functions as are mentioned in section 13(4) of the Airports Authority Act 1975 to employment as traffic wardens by the police authority for the relevant police area or, if that area is the metropolitan police district, by the commissioner of police of the metropolis ;
- (c) other persons employed by the manager of the aerodrome for police purposes to employment by the police

authority for the relevant police area or, if that area is a county, to employment by the police authority or the county council or, if that area is the metropolitan police district, to employment as members of the metropolitan civil staffs.

(4) Any member of an aerodrome constabulary transferred by virtue of an order under this section to the police force for the relevant police area shall be deemed to have been duly appointed as a member of that force and to have been duly attested as such and, unless the order otherwise provides, shall hold in that force the same rank as he held in the aerodrome constabulary.

(5) Any amendment of aerodrome byelaws by an order under this section shall have effect as if duly made by the manager of the aerodrome and confirmed under the enactment authorising the manager of the aerodrome to make aerodrome byelaws.

(6) Before making an order under this section in relation to any aerodrome the Secretary of State shall consult the manager of the aerodrome and the police authority and chief officer of police for the relevant police area.

(7) The power to make an order under this section shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.

31.—(1) In this Part of this Act, subject to the following provisions of this section—

Interpretation and application of Part III to Scotland and Northern Ireland.

“ aerodrome byelaws ” means, in relation to any aerodrome, byelaws having effect under any enactment authorising the manager of the aerodrome to make byelaws in respect of the whole or any part of the aerodrome ;

“ aerodrome constabulary ” means, in relation to any aerodrome, any body of constables which the manager of the aerodrome has power to maintain at the aerodrome ;

“ designated airport ” means any aerodrome for the time being designated under section 25 of this Act ;

“ members of the metropolitan civil staffs ” means persons who are employed under the commissioner of police of the metropolis or the receiver for the metropolitan police district and are not constables and whose salaries are paid out of the metropolitan police fund ;

“ relevant police area ” and “ relevant constable ”, in relation to any aerodrome, mean respectively the police

PART III

area in which the aerodrome is wholly or mainly situated and any constable under the direction and control of the chief officer of police for that area.

(2) In the application of this Part of this Act to Scotland—

(a) references to the police authority shall, where the relevant police area is a combined area, be construed as references to the joint police committee ; and

(b) for the words in paragraph (c) of section 30(3) of this Act from “ if that area is a county ” to the end of the paragraph there shall be substituted the words “ by any local authority exercising functions for that area or any part of that area ”.

(3) In the application of this Part of this Act to Northern Ireland—

(a) the references in section 25(1) of this Act and subsection (1) above to constables or any constable under the direction and control of the chief officer of police for the area there mentioned shall be construed as references to members or any member of the Royal Ulster Constabulary or the Royal Ulster Constabulary Reserve ;

(b) references in other provisions to a chief officer of police shall be construed as references to the Chief Constable of the Royal Ulster Constabulary ; and

(c) references in any provision to the police authority or police force for a police area shall be construed respectively as references to the Police Authority for Northern Ireland and the Royal Ulster Constabulary.

PART IV

THE AVIATION SECURITY FUND

The Aviation Security Fund.

32.—(1) There shall continue to be, under the control and management of the Secretary of State, a fund called the Aviation Security Fund out of which payments shall be made in accordance with this section.

(2) The Secretary of State may, out of the Aviation Security Fund, reimburse to any person who is—

(a) the operator of one or more aircraft registered or operating in the United Kingdom, or

(b) the manager of an aerodrome in the United Kingdom, or

(c) the authority responsible for an air navigation installation in the United Kingdom,

the whole or part of any expenses which, for purposes to which Part II of this Act applies, have at any time on or after 1st June 1972 been, or may at any time after the commencement of this Act be, incurred by that person in relation to those aircraft or to that aerodrome or air navigation installation, as the case may be, whether or not the expenses have been or are incurred in consequence of a direction given under Part II of this Act.

(3) For the purposes of this section any expenses incurred in paying compensation under section 22 of this Act shall be treated as being expenses incurred as mentioned in subsection (2) above.

(4) The Secretary of State may, out of the Aviation Security Fund, reimburse to the manager of an aerodrome such part as he may determine of—

- (a) any payments made or other expenses incurred by the manager under section 26(3) of this Act ;
- (b) any payments made by the manager by virtue of any order under section 30 of this Act.

(5) If the Secretary of State certifies that any payment which, but for this subsection, would be paid out of the Aviation Security Fund under the preceding provisions of this section is of an exceptional nature, that payment may, with the consent of the Treasury, be paid out of money provided by Parliament instead of out of the Fund.

(6) Any money in the Aviation Security Fund which appears to the Secretary of the State not to be immediately required for the purposes of the Fund may be deposited by him with the Bank of England or with a recognised bank or licensed institution within the meaning of the Banking Act 1979, and any interest received by the Secretary of State in respect of money so deposited shall be paid by him into the Fund. 1979 c. 37.

(7) There shall be paid out of the Aviation Security Fund into the Consolidated Fund sums equal to the amount of any expenses incurred by the Secretary of State in the management and control of the first-mentioned Fund.

33.—(1) The Secretary of State may make regulations containing such provisions as he considers appropriate for requiring managers of aerodromes to pay him, in respect of all aerodromes or of aerodromes of a prescribed class, contributions to the Aviation Security Fund calculated in accordance with the following provisions of this section. Contributions to the Fund.

PART IV

(2) Those contributions shall be payable in respect of prescribed periods and the contribution payable for any aerodrome in respect of each such period shall be one of the following amounts, or if the regulations so provide, the aggregate of those amounts, that is to say—

- (a) an amount ascertained by multiplying a prescribed sum by the number of passengers, or passengers of a prescribed description, who during that period arrived by air at or departed by air from that aerodrome or the number of such passengers in excess of a prescribed limit ;
- (b) an amount ascertained by multiplying a prescribed sum by the total prescribed units of weight of each aircraft, or aircraft of a prescribed description, which during that period arrived at or departed from that aerodrome.

(3) Without prejudice to the generality of subsection (1) above, regulations under this section may—

- (a) prescribe the time when any contribution is to be paid ;
- (b) charge interest at a rate prescribed with the consent of the Treasury on so much of any contribution as is overdue ;
- (c) require managers of aerodromes, in relation to the aerodromes under their management, to furnish the Secretary of State with such information, to keep such records and to make such returns to him about the matters mentioned in subsection (2) above as may be prescribed ;
- (d) provide that contravention of any prescribed provision of the regulations (other than a failure to pay a contribution or interest on any overdue contribution) shall be an offence, either triable on indictment or summarily or triable only summarily, and punishable in each case with a fine, not exceeding, in the case of a summary conviction—
 - (i) in Great Britain, the statutory maximum if the offence is also triable on indictment or £1,000 if it is not ;
 - (ii) in Northern Ireland, £1,000 ;
- (e) make such incidental, supplemental and transitional provision as the Secretary of State thinks fit ; and
- (f) make different provision for different cases.

(4) The Secretary of State shall pay into the Aviation Security Fund all money received by him by virtue of regulations made under this section.

(5) The power to make regulations under this section shall be exercisable by statutory instrument; and regulations shall not be made under this section unless a draft of the regulations has been laid before Parliament and approved by a resolution of each House of Parliament.

(6) In this section "prescribed" means prescribed by regulations under this section.

34.—(1) The Secretary of State may borrow temporarily by overdraft or otherwise such sums in sterling as he may require for the purposes of the Aviation Security Fund. Financing of the Fund: borrowing.

(2) The Secretary of State shall pay into the Aviation Security Fund any sum borrowed under subsection (1) above; and the Secretary of State shall make any repayment in respect of the principal of any such sum, and any payment in respect of interest thereon, out of the Fund.

(3) The aggregate amount outstanding by way of principal in respect of sums borrowed by the Secretary of State under subsection (1) above shall not at any time exceed £5 million, or such larger sum, not exceeding £10 million, as the Secretary of State may, by order made by statutory instrument with the consent of the Treasury, determine.

(4) The Treasury may guarantee in such manner and on such conditions as they think fit the repayment of, and the payment of any interest on, any sums borrowed by the Secretary of State under subsection (1) above.

(5) Immediately after any guarantee is given under subsection (4) above, the Treasury shall lay a statement of the guarantee before each House of Parliament.

(6) Any sums required by the Treasury for fulfilling any guarantee given under subsection (4) above shall be charged on and paid out of the Consolidated Fund.

(7) Where any sum is issued out of the Consolidated Fund under subsection (6) above, the Treasury shall, as soon as possible after the end of each financial year (beginning with that in which the sum is issued and ending with that in which all liability in respect of the principal of the sum and in respect of interest thereon is finally discharged) lay before each House of Parliament an account of that sum and of any payments made, during the financial year to which the account relates, by way of repayment of that sum or by way of interest thereon.

(8) Any sum issued for fulfilling a guarantee given under subsection (4) above shall be repaid by the Secretary of State out of the Aviation Security Fund to the Treasury in such

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manner and over such period and with interest thereon at such rate as the Treasury may determine ; and any sums received by the Treasury under this subsection shall be paid into the Consolidated Fund.

(9) An order shall not be made under this section unless a draft of the order has been laid before the House of Commons and approved by a resolution of that House.

(10) References in this section to the borrowing of any sum under subsection (1) above, the giving of a guarantee under subsection (4) above, or the issuing of any sum out of the Consolidated Fund under subsection (6) above shall, in relation to any time before the commencement of this Act, include references to the borrowing of any sum, the giving of a guarantee or the issuing of any sum out of that Fund under subsection (1), (4) or, as the case may be, (6) of section 3 of the Civil Aviation Act 1978.

1978 c. 8.

Accounts of
the Fund.

35. The Secretary of State shall prepare accounts of the Aviation Security Fund in such form as the Treasury may direct and shall send them to the Comptroller and Auditor General not later than the end of the month of November following the end of the financial year to which the accounts relate ; and the Comptroller and Auditor General shall examine and certify every such account and shall lay copies thereof, together with his report thereon, before Parliament.

Power to
wind up the
Fund.

36.—(1) The Secretary of State may at any time by order provide for the winding up of the Aviation Security Fund and, on the completion of the winding up, for the return to each manager of an aerodrome by whom contributions have been made to the Fund of a share of the net assets standing to the credit of the Fund which bears the same proportion to those assets as the manager's contributions to the Fund in the last twelve months during which contributions were made to the Fund bear to the total contributions made by managers of aerodromes to the Fund during those twelve months.

(2) On such day as is declared by the Secretary of State by order to be that on which the winding up was completed sections 32(1), (5), (6) and (7) and 33 of this Act shall cease to have effect, and as from that day subsections (2) and (4) of section 32 of this Act shall have effect as if—

- (a) all payments under those subsections fell to be defrayed out of money provided by Parliament, instead of out of the Aviation Security Fund ; and
- (b) the consent of the Treasury were required for all such payments.

(3) The power to make an order under this section—

(a) shall be exercisable by statutory instrument ; and

(b) shall include power to make such incidental, supplemental or transitional provision as the Secretary of State thinks fit ;

and a statutory instrument containing an order under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.

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PART V

MISCELLANEOUS AND GENERAL

37.—(1) Where an offence under this Act or under regulations made under section 33 of this Act has been committed by a body corporate and is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, he as well as the body corporate shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly. Offences by
bodies
corporate

(2) Where the affairs of a body corporate are managed by its members, subsection (1) above shall apply in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.

38.—(1) In this Act, except in so far as the context otherwise requires— Interpretation
etc.

“act of violence” shall be construed in accordance with section 2(7) or, as the case may require, section 10(2) of this Act ;

“aerodrome” means the aggregate of the land, buildings and works comprised in an aerodrome within the meaning of the Civil Aviation Act 1982 and (if and so far as not comprised in an aerodrome as defined in that Act) any land, building or works situated within the boundaries of an area designated, by an order made by the Secretary of State which is for the time being in force, as constituting the area of an aerodrome for the purposes of this Act ; 1982 c. 16.

“air navigation installation” means any building, works, apparatus or equipment used wholly or mainly for the purpose of assisting air traffic control or as an aid to air navigation, together with any land contiguous

PART V

or adjacent to any such building, works, apparatus or equipment and used wholly or mainly for purposes connected therewith ;

“ aircraft registered or operating in the United Kingdom ” means any aircraft which is either—

(a) an aircraft registered in the United Kingdom, or

(b) an aircraft not so registered which is for the time being allocated for use on flights which (otherwise than in exceptional circumstances) include landing at or taking off from one or more aerodromes in the United Kingdom ;

“ article ” includes any substance, whether in solid or liquid form or in the form of a gas or vapour ;

“ constable ” includes any person having the powers and privileges of a constable ;

“ explosive ” means any article manufactured for the purpose of producing a practical effect by explosion, or intended for that purpose by a person having the article with him ;

“ firearm ” includes an airgun or air pistol ;

“ manager ”, in relation to an aerodrome, means the person (whether the British Airports Authority, the Civil Aviation Authority, a local authority or any other person) by whom the aerodrome is managed ;

“ military service ” includes naval and air force service ;

“ measures ” (without prejudice to the generality of that expression) includes the construction, execution, alteration, demolition or removal of buildings or other works and also includes the institution or modification, and the supervision and enforcement, of any practice or procedure ;

1982 c. 16.

“ operator ” has the same meaning as in the Civil Aviation Act 1982 ;

“ property ” includes any land, buildings or works, any aircraft or vehicle and any baggage, cargo or other article of any description ;

“ the statutory maximum ” means—

1980 c. 43.

(a) in England and Wales, the prescribed sum within the meaning of section 32 of the Magistrates' Courts Act 1980 (that is to say, £1,000 or another sum fixed by order under section 143 of that Act to take account of changes in the value of money) ;

(b) in Scotland, the prescribed sum within the meaning of section 289B of the Criminal Procedure (Scotland) Act 1975 (that is to say, £1,000 or another sum fixed by order under section 289D of that Act for that purpose);

(c) in Northern Ireland, £400;

“United Kingdom national” means an individual who is—

(a) a British citizen, a British Dependent Territories citizen or a British Overseas citizen;

(b) a person who under the British Nationality Act 1981 c. 61. 1981 is a British subject; or

(c) a British protected person (within the meaning of that Act).

(2) For the purposes of this Act—

(a) in the case of an air navigation installation provided by, or used wholly or mainly by, the Civil Aviation Authority, that Authority, and

(b) in the case of any other air navigation installation, the manager of an aerodrome by whom it is provided, or by whom it is wholly or mainly used,

shall be taken to be the authority responsible for that air navigation installation.

(3) For the purposes of this Act—

(a) the period during which an aircraft is in flight shall be deemed to include any period from the moment when all its external doors are closed following embarkation until the moment when any such door is opened for disembarkation, and, in the case of a forced landing, any period until the competent authorities take over responsibility for the aircraft and for persons and property on board; and

(b) an aircraft shall be taken to be in service during the whole of the period which begins with the pre-flight preparation of the aircraft for a flight and ends 24 hours after the aircraft lands having completed that flight, and also at any time (not falling within that period) while, in accordance with the preceding paragraph, the aircraft is in flight,

and anything done on board an aircraft while in flight over any part of the United Kingdom shall be treated as done in that part of the United Kingdom.

(4) For the purposes of this Act the territorial waters adjacent to any part of the United Kingdom shall be treated as included in that part of the United Kingdom.

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(5) Any power to make an order under subsection (1) above shall be exercisable by statutory instrument; and any statutory instrument containing any such order shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(6) Any power to give a direction under any provision of this Act shall be construed as including power to revoke or vary any such direction by a further direction given under that provision.

1978 c. 30.

(7) Subject to section 18 of the Interpretation Act 1978 (which relates to offences under two or more laws), Part I of this Act shall not be construed as—

- (a) conferring a right of action in any civil proceedings in respect of any contravention of this Act, or
- (b) derogating from any right of action or other remedy (whether civil or criminal) in proceedings instituted otherwise than under this Act.

(8) References in this Act to enactments (including the reference to Acts in section 30(2)(a) of this Act) shall include references to Northern Ireland enactments, that is to say, to any enactment contained in an Act of the Parliament of Northern Ireland or a Measure of the Northern Ireland Assembly, and without prejudice to the provisions of the Interpretation Act 1978, in the application of this Act to Northern Ireland, any reference to a Northern Ireland enactment or to an enactment which the Parliament of Northern Ireland had power to amend—

- (a) shall be construed as including a reference to any Northern Ireland enactment passed after this Act and re-enacting the said enactment with or without modifications, and
- (b) shall, except in so far as the context otherwise requires, be construed as a reference to that enactment as amended by any enactment, whether passed before or after this Act, and as including a reference thereto as extended or applied by or under any other enactment, including this Act.

Extension of
Act outside
United
Kingdom.
1870 c. 52.
1967 c. 68.
1967 c. 52.

39.—(1) Sections 17 and 22 of the Extradition Act 1870 and sections 16 and 17 of the Fugitive Offenders Act 1967 (application to Channel Islands, Isle of Man and United Kingdom dependencies) shall extend respectively to the provisions of this Act amending those Acts.

(2) Section 8 of the Tokyo Convention Act 1967 (application to Channel Islands, Isle of Man and United Kingdom dependencies) shall apply to section 5 of this Act as it applies to section 4 of that Act.

(3) Her Majesty may by Order in Council make provision for extending any of the provisions of this Act (other than the provisions to which subsection (1) or (2) above applies and the provisions of Part III) with such exceptions, adaptations or modifications as may be specified in the Order, to any of the Channel Islands, the Isle of Man, any colony, other than a colony for whose external relations a country other than the United Kingdom is responsible, or any country outside Her Majesty's dominions in which Her Majesty has jurisdiction in right of Her Majesty's Government in the United Kingdom.

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(4) Except in pursuance of subsection (1), (2) or (3) above, the provisions of this Act and, in particular, the repeal of the provisions which those subsections re-enact do not affect the law of any country or territory outside the United Kingdom.

40.—(1) Schedule 2 to this Act (which contains consequential amendments and savings) shall have effect; and the provisions of that Schedule are without prejudice to sections 16 and 17 of the Interpretation Act 1978 (which relate to repeals).

Consequential amendments, savings and repeals.
1978 c. 30.

(2) Subject to the provisions of Schedule 2 to this Act, the enactments specified in Schedule 3 to this Act are hereby repealed to the extent specified in the third column of Schedule 3.

41.—(1) This Act may be cited as the Aviation Security Act 1982.

Short title and commencement.

(2) This Act shall come into force on the expiration of the period of three months beginning with its passing.

SCHEDULES

Section 22.

SCHEDULE 1

PROVISIONS RELATING TO COMPENSATION

1. This Schedule applies to compensation under section 22 of this Act (in this Schedule referred to as "the relevant section").

2. No compensation to which this Schedule applies shall be payable unless the person to whom it is payable in accordance with the relevant section (or in accordance with regulations made under the following provisions of this Schedule) serves on the manager of the aerodrome by whom the measures in question were taken a notice in writing claiming compensation under that section, and that notice is served before the end of the period of two years from the completion of the measures.

3. In relation to any measures taken by the manager of an aerodrome on land outside the aerodrome, any reference in the relevant section to a direction, or to compliance with a direction, shall be construed as if subsection (6) of section 16 of this Act were omitted.

4. In calculating value for any of the purposes of the relevant section—

1961 c. 33.

(a) rules (2) to (4) of the rules set out in section 5 of the Land Compensation Act 1961 shall apply with the necessary modifications, and

(b) if the interest to be valued is subject to a mortgage, it shall be treated as if it were not subject to the mortgage.

5. Regulations made by the Secretary of State by statutory instrument may make provision—

(a) requiring compensation to which this Schedule applies, in such cases as may be specified in the regulations, to be paid to a person other than the person entitled to it in accordance with the relevant section ;

(b) as to the application of any compensation to which this Schedule applies, or any part of it, in cases where the right to claim compensation is exercisable by reference to an interest in land which is subject to a mortgage, or to a rentcharge, or to the trusts of a settlement, or, in Scotland, to a feuduty or ground annual or to the purposes of a trust, or which was so subject at a time specified in the regulations ; or

(c) as to any assumptions to be made, or matters to be taken into or left out of account, for the purpose of assessing any compensation to which this Schedule applies.

6. A statutory instrument containing regulations made under paragraph 5 of this Schedule shall be subject to annulment in pursuance of a resolution of either House of Parliament.

7. Any dispute arising under the relevant section or under this Schedule, whether as to the right to any compensation or as to the amount of any compensation or otherwise, shall be referred to and determined by the Lands Tribunal.

SCH. 1

8. For the purposes of the application of paragraphs 2 to 7 of this Schedule to compensation in respect of measures taken by the authority responsible for an air navigation installation, references in those paragraphs to an aerodrome and to the manager of an aerodrome shall be construed respectively as references to an air navigation installation and to the authority responsible for it.

9. In the application of this Schedule to Scotland—

- (a) the reference in paragraph 4(a) to section 5 of the Land Compensation Act 1961 shall be construed as a reference to section 12 of the Land Compensation (Scotland) Act 1963, 1961 c. 33. 1963 c. 51. and
- (b) the reference in paragraph 7 to the Lands Tribunal shall be construed as a reference to the Lands Tribunal for Scotland.

10. In the application of this Schedule to Northern Ireland—

- (a) the reference in paragraph 4(a) to section 5 of the Land Compensation Act 1961 shall be construed, notwithstanding paragraph 4 of Schedule 1 to the Land Compensation (Northern Ireland) Order 1982 (which confines the operation of that Order to matters within the legislative competence of the Parliament of Northern Ireland), as a reference to Article 6(1) of that Order; and
- (b) the reference in paragraph 7 to the Lands Tribunal shall be construed as a reference to the Lands Tribunal for Northern Ireland.

11. In this Schedule “mortgage” includes any charge or lien on any property for securing money or money’s worth, and any heritable security within the meaning of section 9(8) of the Conveyancing and Feudal Reform (Scotland) Act 1970. 1970 c. 35.

SCHEDULE 2

Section 40.

CONSEQUENTIAL AMENDMENTS AND SAVINGS

Periods running at commencement

1. Where any period of time specified in or for the purposes of any enactment re-enacted by this Act is current at the commencement of this Act, this Act shall have effect as if the provision of this Act re-enacting that enactment had been in force when that period began to run.

SCH. 2

Past offences

2. This Act (and, in particular, the following provisions of this Schedule) shall not affect the law applicable to, or to proceedings in respect of, an offence committed before the commencement of this Act under any enactment repealed by this Act.

1952 c. 67.

The Visiting Forces Act 1952

1973 c. 47.

3. Section 3 of the Visiting Forces Act 1952, as amended by the Protection of Aircraft Act 1973, shall, after the commencement of this Act, continue to have effect as so amended notwithstanding the repeal of the said Act of 1973 but subject to the substitution in subsection (1)—

1971 c. 70.

- (a) for the words “section 1(4)(b) of the Hijacking Act 1971” of the words “section 6(2)(a) of the Aviation Security Act 1982”;
- (b) for the words “section 1 or section 2 of the Protection of Aircraft Act 1973” of the words “section 2 or section 3 of that Act”; and
- (c) for the words “section 3(1)” of the words “section 6(2)(b) and (c)”.

The Protection of Aircraft Act 1973

4. Where before the commencement of this Act any land, building or works was or were, by virtue of an order under section 26 of the Protection of Aircraft Act 1973, included in an aerodrome for the purposes of that Act, the land, building or works shall, to the extent that that order has effect on or after the commencement of this Act, be treated as included in that aerodrome not only for the purposes of the provisions of this Act re-enacting provisions of that Act but also for the purposes of the other provisions of this Act.

1975 c. 59.

The Criminal Jurisdiction Act 1975

5. In paragraph 11 of Schedule 1 to the Criminal Jurisdiction Act 1975, for the words “the Hijacking Act 1971” there shall be substituted the words “the Aviation Security Act 1982”.

1978 c. 5.

The Northern Ireland (Emergency Provisions) Act 1978

6. In paragraph 14 of Schedule 4 to the Northern Ireland (Emergency Provisions) Act 1978, for the words “the Hijacking Act 1971” there shall be substituted the words “the Aviation Security Act 1982”.

1978 c. 26.

The Suppression of Terrorism Act 1978

7. For paragraphs 18 and 19 of Schedule 1 to the Suppression of Terrorism Act 1978 there shall be substituted the following paragraph—

- “18. An offence under Part I of the Aviation Security Act 1982 (other than an offence under section 4 or 7 of that Act)”.

The British Nationality Act 1981

SCH. 2

8. Until the commencement of the British Nationality Act 1981 1981 c. 61. section 38(1) of this Act shall have effect as if for the definition "United Kingdom national" there were substituted the following definition—

“ ‘ United Kingdom national ’ means an individual who is—

- (a) a citizen of the United Kingdom and Colonies ; or
- (b) a British subject by virtue of section 2 of the British 1948 c. 56. Nationality Act 1948 ; or
- (c) a British subject without citizenship by virtue of section 13 or 16 of the said Act of 1948 ; or
- (d) a British subject by virtue of the British Nationality Act 1965 c. 34. 1965 ; or
- (e) a British protected person within the meaning of the said Act of 1948.”.

Section 40.

SCHEDULE 3

REPEALS

Chapter	Short title	Extent of repeal
1967 c. 52.	The Tokyo Convention Act 1967.	In section 4, the words from "and any such court" onwards. In section 7(1), the words from "except where" to "the said section 92".
1971 c. 70. 1973 c. 47.	The Hijacking Act 1971. The Protection of Aircraft Act 1973.	The whole Act. The whole Act.
1974 c. 41.	The Policing of Airports Act 1974.	The whole Act.
1975 c. 78.	The Airports Authority Act 1975.	In Part II of Schedule 5, paragraph 7.
1978 c. 8.	The Civil Aviation Act 1978.	Sections 1 to 4. In section 13, in subsection (1) the words from "other" to "regulations", in subsection (2) the words "or to make regulations", and in subsection (3) the words "(including an Order in Council)". Section 16(3) and (4).
1980 c. 43.	The Magistrates' Courts Act 1980.	In Schedule 7, paragraph 156.
1980 c. 60.	The Civil Aviation Act 1980.	Sections 22 and 23.
1981 c. 61.	The British Nationality Act 1981.	In Schedule 7, the entries relating to the Hijacking Act 1971 and the Protection of Aircraft Act 1973.
1982 c. 16.	The Civil Aviation Act 1982.	In Schedule 14, paragraph 10. In Schedule 15, in paragraph 6 the words from "for the definitions" to "the said section 92"; and " and paragraphs 10, 13, 15 and 20(3).

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