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## STATUTORY INSTRUMENTS

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# 1994 No. 426

## The Airports (Northern Ireland) Order 1994

### PART III

#### MANAGEMENT OF AIRPORTS

##### **Appointment of constables for an airport**

**19.**—(1) An airport operator authorised in that behalf by the [<sup>F1</sup>Department of Justice] may appoint any person employed by the operator to be a constable on the airport managed by that operator.

(2) An authorisation under this Article may be granted subject to such conditions as the [<sup>F2</sup>appropriate authority] thinks fit.

[<sup>F3</sup>(2A) In this Article “appropriate authority” means—

- (a) in relation to conditions which affect an excepted or reserved matter otherwise than incidentally, the Secretary of State; and
- (b) otherwise, the Department of Justice;

and for the purposes of this paragraph, “excepted matter” and “reserved matter” have the same meanings as in the Northern Ireland Act 1998.

(2B) An authorisation under this Article shall not be granted until the Secretary of State has given notice in writing to the Department of Justice—

- (a) specifying the conditions of the kind referred to in paragraph (2A)(a) to which the authorisation, if granted, is to be subject; or
- (b) declaring that the authorisation, if granted, is not to be subject to any such conditions.]

(3) Every person appointed under paragraph (1) shall on his appointment make a declaration before a justice of the peace to execute the office of a constable on the airport for which he was appointed, and, when he has made the declaration, he shall on that airport have the powers and privileges and be liable to the duties and responsibilities of a constable.

(4) Constables appointed under this Article shall be under the exclusive control of the airport operator by whom they are appointed and that operator may suspend or terminate the appointment of any such constable.

(5) For the purposes of—

- [<sup>F4</sup>(a) the Employment Rights (Northern Ireland) Order 1996; and]
- (b) the Industrial Relations (Northern Ireland) Order 1992<sup>F5</sup>,

the holding of the office of constable under this Article on any airport shall be treated as work under a contract of employment with the airport operator; and, accordingly, for those purposes, service in such office shall not be treated as police service within the meaning of those Orders.

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**Changes to legislation:** *The Airports (Northern Ireland) Order 1994, Section 19 is up to date with all changes known to be in force on or before 20 October 2022. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- F1** Words in art. 19(1) substituted (18.10.2012) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2012 \(S.I. 2012/2595\)](#), arts. 1(2), **7(2)** (with arts. 24-28)
- F2** Words in art. 19(2) substituted (18.10.2012) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2012 \(S.I. 2012/2595\)](#), arts. 1(2), **7(3)** (with arts. 24-28)
- F3** Art. 19(2A)(2B) inserted (18.10.2012) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2012 \(S.I. 2012/2595\)](#), arts. 1(2), **7(4)** (with arts. 24-28)
- F4** 1996 NI 16
- F5** 1992 NI 5

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[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- Instrument am. (prosp.) by [1998 c. 41 s.74\(1\)Sch.12 para.20\(1\)](#)
- Instrument rev. in pt. by [1998 c. 41 s.74\(3\)Sch.14 Pt. II](#)