

SCHEDULES

SCHEDULE 1

FURTHER AMENDMENTS OF THE AVIATION SECURITY ACT 1982

Supplemental provisions with respect to directions

- 7 (1) Section 15 (matters which may be included in directions under sections 12 to 14) is amended as follows.
- (2) In subsection (1) after “13” there is inserted “or 13A”.
- (3) For subsection (2) there is substituted—
- “(2) A direction under subsection (2) of section 12 of this Act must require all the persons carrying out any modifications or alterations, or the installation of any additional apparatus or equipment, to be persons approved by the Civil Aviation Authority.”
- (4) Subsection (3) is omitted.
- (5) In subsection (4)(a) for the words from “an operator” to “aerodrome” there is substituted “the person to whom it is given”.
- (6) For subsection (5) there is substituted—
- “(5) Where 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 inform the chief officer of police for the police area in which the searches are to be carried out or the other measures taken that the Secretary of State considers it appropriate that constables should be duly authorised to carry, and should carry, firearms when carrying out the searches or taking the measures in question.”
- (7) After subsection (7) there is inserted—
- “(8) In the application of this section to Northern Ireland for the words in subsection (5) above from “chief officer” to “measures taken” there are substituted the words “chief constable of the Royal Ulster Constabulary”.”
- 8 (1) Section 16 (limitations on scope of directions under sections 12 to 14) is amended as follows.
- (2) In subsection (4)—
- (a) for the words from “the operator” to “or agent of such an operator or manager” there is substituted “the person to whom the direction was given, or any person acting as his employee or agent”, and

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- (b) for “(whether at the instance of such an operator or manager or otherwise)” there is substituted “(whether at the instance of the person to whom the direction was given or otherwise)”.
- (3) For subsection (6) there is substituted—
- “(6) In so far as a direction given to the manager of an aerodrome or to any person mentioned in section 14(1)(c) or (d) of this Act requires a 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 person to whom it is given 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 person to whom it is given to do anything which would be actionable at the suit or instance of a person having such interest or right in his capacity as a person having that interest or right.”
- (4) In subsection (8) after “13” there is inserted “, 13A”.
- 9 (1) Section 17 of that Act (general or urgent directions under sections 12 and 14) is amended as follows.
- (2) In subsection (1) for “or 14” there is substituted “, 13, 13A or 14”.
- (3) In subsection (2)—
- (a) for “either” there is substituted “any”, and
 - (b) in paragraph (a) after “class of aircraft,” there is inserted “in relation to such aerodrome or part of an aerodrome, in relation to such land outside an aerodrome, in relation to such activities,”.
- 10 In section 19 (operation of directions under Part II in relation to rights and duties under other laws) after subsection (4) there is inserted—
- “(4A) Any reference in this section to a direction under any of the preceding provisions of this Part of this Act includes a reference to an enforcement notice.”
- 11 (1) Section 20 (inspection of aircraft and aerodromes) is amended as follows.
- (2) In subsection (1)—
- (a) after “any such direction” there is inserted “or any enforcement notice”,
 - (b) for the words from “any person authorised” to ““authorised person”)” there is substituted “an authorised person”, and
 - (c) at the end there is inserted “or
 - (c) any land outside an aerodrome which is occupied for the purposes of a business by a person who—
 - (i) also occupies (or appears to the authorised person to be about to occupy) land within an aerodrome for the purposes of that business, or
 - (ii) is permitted (or appears to the authorised person to be about to be permitted) to have access to a

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restricted zone of an aerodrome for the purposes of the activities of that business”.

- (3) In subsection (2)—
- (a) for “or any part of an aerodrome” there is substituted “, any part of an aerodrome or any land outside an aerodrome”,
 - (b) in paragraph (a) after “there” there is inserted “or on that land”,
 - (c) after paragraph (a) there is inserted the following paragraph—
 - “(aa) to take such steps—
 - (i) to ascertain what practices or procedures are being followed in relation to security, or
 - (ii) to test the effectiveness of any practice or procedure relating to security,” and
 - (d) in paragraph (b) for “or the manager of the aerodrome” there is substituted “the manager of the aerodrome or the occupier of the land”.
- (4) In subsection (3)—
- (a) for “or in relation to an aerodrome” there is substituted “, in relation to an aerodrome or in relation to any land outside an aerodrome”, and
 - (b) at the end there is inserted “or
 - (c) for the purpose of inspecting any land outside an aerodrome, to enter upon the land and to enter any building or works on the land.”
- (5) In subsection (5), paragraph (a) and, in paragraph (b), the words “refuses or” are omitted.