

SCHEDULE 4
TO THIS ORDER

Article 3(2)

SECTIONS 1 AND 50 OF THE AVIATION AND MARITIME SECURITY ACT
1990 AS EXTENDED TO THE TERRITORIES SPECIFIED IN SCHEDULE 1

Endangering safety at aerodromes

1.—(1) It is an offence for any person by means of any device, substance or weapon intentionally to commit at an aerodrome serving international civil aviation any act of violence which—

- (a) causes or is likely to cause death or serious injury, and
- (b) endangers or is likely to endanger the safe operation of the aerodrome or the safety of persons at the aerodrome.

(2) It is also, subject to subsection (4) below, an offence for any person by means of any device, substance or weapon unlawfully and intentionally—

- (a) to destroy or seriously to damage—
 - (i) property used for the provision of any facilities at an aerodrome serving international civil aviation (including any apparatus or equipment so used), or
 - (ii) any aircraft which is at such an aerodrome but is not in service, or
- (b) to disrupt the services of such an aerodrome,

in such a way as to endanger or be likely to endanger the safe operation of the aerodrome or the safety of persons at the aerodrome.

(3) Except as provided by subsection (4) below, subsections (1) and (2) above apply whether any such act as is referred to in those subsections is committed in the Territory or elsewhere and whatever the nationality of the person committing the act.

(4) Subsection (2)(a)(ii) above does 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 Territory, or
- (b) where the act is committed outside the Territory, the person committing it is a United Kingdom national.

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

(6) Section 38(3)(b) (period during which aircraft is in service) of the Aviation Security Act 1982 (as applied to the Territory by the Aviation Security (Overseas Territories) Order 2000) applies for the purposes of this section as it applies for the purposes of that Act and the reference in section 38(7) of that Act (other proceedings) to Part I of that Act and to that Act include references to this section.

(7) Proceedings for an offence under this section shall not be instituted in the Territory except by or with the consent of the person for the time being performing the functions of Attorney General of the Territory.

(9) In this section—

- “act of violence” has the same meaning as in section 2(7) of the Aviation Security Act 1982 as applied to the Territory by the Aviation Security (Overseas Territories) Order 2000;
- “aerodrome” has the same meaning as in the Aviation Security Act 1982, as so applied;
- “military service” and “United Kingdom national” have the same meaning as in the Aviation Security Act 1982, as so applied;
- “unlawfully”

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) in relation to the commission of an act in the Territory, means so as (apart from this section) to constitute an offence under the law of the Territory, and
- (b) in relation to the commission of an act outside the Territory, means so that the commission of the act would (apart from this section) have been an offence under the law of the Territory if it had been committed in the Territory.

Offences by bodies corporate

50.—(1) Where an offence under 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.

(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.