



# Civil Aviation (Amendment) Act 1996

## 1996 CHAPTER 39

### **1 Application of criminal law to United Kingdom-bound foreign aircraft.**

- (1) Section 92 of the <sup>M1</sup>Civil Aviation Act 1982 (application of criminal law to aircraft) shall be amended as follows.
- (2) In subsection (1), after “British-controlled aircraft” there shall be inserted “ or (subject to subsection (1A) below) a foreign aircraft ”.
- (3) After that subsection there shall be inserted—
  - “(1A) Subsection (1) above shall only apply to an act or omission which takes place on board a foreign aircraft where—
    - (a) the next landing of the aircraft is in the United Kingdom, and
    - (b) in the case of an aircraft registered in a country other than the United Kingdom, the act or omission would, if taking place there, also constitute an offence under the law in force in that country.
  - (1B) Any act or omission punishable under the law in force in any country is an offence under that law for the purposes of subsection (1A) above, however it is described in that law.”
- (4) After subsection (2) there shall be inserted—
  - “(2A) The requirement in subsection (1A)(b) above shall be taken to be met unless, not later than the rules of court may provide, the defence serve on the prosecution a notice—
    - (a) stating that, on the facts as alleged with respect to the act or omission, the requirement is not in their opinion met;
    - (b) showing the grounds for their opinion; and
    - (c) requiring the prosecution to prove that it is met.
  - (2B) The court, if it thinks fit, may permit the defence to require the prosecution to prove that the requirement is met without the prior service of a notice under subsection (2A) above.

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*Changes to legislation: There are currently no known outstanding effects for the Civil Aviation (Amendment) Act 1996, Section 1. (See end of Document for details)*

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(2C) In the Crown Court the question whether the requirement is met is to be decided by the judge alone.”

(5) In subsection (5), after the definition of “British-controlled aircraft” there shall be inserted—

““foreign aircraft” means any aircraft other than a British-controlled aircraft;”.

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**Marginal Citations**

**M1** [1982 c. 16.](#)

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There are currently no known outstanding effects for the Civil Aviation (Amendment) Act 1996, Section 1.