



# Aviation Security Act 1982

## 1982 CHAPTER 36

### PART II

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

##### *Supplemental provisions with respect to directions*

#### **[<sup>F1</sup>20A Aviation security services: approved providers**

- (1) In this section aviation security service means a process or activity carried out for the purpose of—
  - (a) complying with a requirement of a direction under any of sections 12 to 14, or
  - (b) facilitating a person's compliance with a requirement of a direction under any of those sections.
- (2) Regulations may [<sup>F2</sup> provide for the CAA to maintain a list of persons who are approved by it ] for the provision of a particular aviation security service.
- (3) The regulations may—
  - [ provide for approval to be given, and persons to be listed, in respect of the provision of the aviation security service generally or only at a particular location;]
  - <sup>F3</sup>(za) (a) prohibit the provision of an aviation security service by a person who is not listed in respect of [<sup>F4</sup> the provision of that service generally or at the relevant location ];
  - (b) prohibit the use or engagement for the provision of an aviation security service of a person who is not listed in respect of [<sup>F5</sup> the provision of that service generally or at the relevant location ];
  - (c) create a criminal offence;
  - (d) make provision about application for inclusion in the list (including provision about fees);

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- [ make provision about factors to be taken into account when deciding whether to grant an application;]  
<sup>F6</sup>(da) (e) make provision about the duration and renewal of entries on the list (including provision about fees);
- [ make provision for employees of persons who are listed in respect of the provision of an aviation security service generally or at a particular location to be treated as listed in respect of the provision of that service generally or at that location (as appropriate) in specified circumstances;]  
<sup>F7</sup>(ea) (f) make provision about training or qualifications which persons who apply to be listed or who are listed [<sup>F8</sup>, or employees of such persons, ] are required to undergo or possess;
- [ make provision about other conditions with which persons who apply to be listed or who are listed, or employees of such persons, must comply;]  
<sup>F9</sup>(fa) (g) make provision about removal from the list <sup>F10</sup> ...;  
 (h) make provision about the inspection of activities carried out by listed persons;  
 (i) confer functions [<sup>F11</sup> on the CAA , ] on the Secretary of State or on a specified person;  
 (j) confer jurisdiction on a court.
- [ The regulations must—  
<sup>F12</sup>(3A) (a) include provision for appeals against the refusal of applications for inclusion in a list,  
 (b) include provision for appeals against removal from a list, and  
 (c) if they make provision described in subsection (3)(f) or (fa), include provision for appeals against the conditions.]
- (4) Regulations under subsection (3)(c)—  
 (a) may not provide for a penalty on summary conviction greater than a fine not exceeding the statutory maximum,  
 (b) may not provide for a penalty of imprisonment on conviction on indictment greater than imprisonment for a term not exceeding two years (whether or not accompanied by a fine), and  
 (c) may create a criminal offence of purporting, with intent to deceive, to do something as a listed person or of doing something, with intent to deceive, which purports to be done by a listed person.
- (5) A direction under any of sections 12 to 14 may—  
 (a) include a requirement to use a listed person for the provision of an aviation security service;  
 (b) provide for all or part of the direction not to apply or to apply with modified effect where a listed person provides an aviation security service.
- [ In subsection (5) “ listed person ”, in relation to an aviation security service, means  
<sup>F13</sup>(5A) a person who is listed in respect of the provision of that service generally or at the relevant location. ]
- (6) Regulations under this section—  
 (a) may make different provision for different cases,  
 (b) may include incidental, supplemental or transitional provision,  
 (c) shall be made by the Secretary of State by statutory instrument,

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- (d) shall not be made unless the Secretary of State has consulted organisations appearing to him to represent persons affected by the regulations, and
- (e) shall be subject to annulment in pursuance of a resolution of either House of Parliament.]

#### Textual Amendments

- F1** S. 20A inserted (14.12.2001) by 2001 c. 24 , s. 85
- F2** Words in s. 20A(2) substituted (1.4.2014) by Civil Aviation Act 2012 (c. 19), ss. 79(2), 110(1) (with Sch. 10 paras. 12, 17); S.I. 2014/262, art. 3(b)
- F3** S. 20A(3)(za) inserted (1.4.2014) by Civil Aviation Act 2012 (c. 19), ss. 79(3)(a), 110(1) (with Sch. 10 paras. 12, 17); S.I. 2014/262, art. 3(b)
- F4** Words in s. 20A(3)(a) substituted (1.4.2014) by Civil Aviation Act 2012 (c. 19), ss. 79(3)(b), 110(1) (with Sch. 10 paras. 12, 17); S.I. 2014/262, art. 3(b)
- F5** Words in s. 20A(3)(b) substituted (1.4.2014) by Civil Aviation Act 2012 (c. 19), ss. 79(3)(b), 110(1) (with Sch. 10 paras. 12, 17); S.I. 2014/262, art. 3(b)
- F6** S. 20A(3)(da) inserted (1.4.2014) by Civil Aviation Act 2012 (c. 19), ss. 79(3)(c), 110(1) (with Sch. 10 paras. 12, 17); S.I. 2014/262, art. 3(b)
- F7** S. 20A(3)(ea) inserted (1.4.2014) by Civil Aviation Act 2012 (c. 19), ss. 79(3)(d), 110(1) (with Sch. 10 paras. 12, 17); S.I. 2014/262, art. 3(b)
- F8** Words in s. 20A(3)(f) inserted (1.4.2014) by Civil Aviation Act 2012 (c. 19), ss. 79(3)(e), 110(1) (with Sch. 10 paras. 12, 17); S.I. 2014/262, art. 3(b)
- F9** S. 20A(3)(fa) inserted (1.4.2014) by Civil Aviation Act 2012 (c. 19), ss. 79(3)(f), 110(1) (with Sch. 10 paras. 12, 17); S.I. 2014/262, art. 3(b)
- F10** Words in s. 20A(3)(g) omitted (1.4.2014) by virtue of Civil Aviation Act 2012 (c. 19), ss. 79(3)(g), 110(1) (with Sch. 10 paras. 12, 17); S.I. 2014/262, art. 3(b)
- F11** Words in s. 20A(3)(i) inserted (1.4.2014) by Civil Aviation Act 2012 (c. 19), ss. 79(3)(h), 110(1) (with Sch. 10 para. 1217); S.I. 2014/262, art. 3(b)
- F12** S. 20A(3A) inserted (1.4.2014) by Civil Aviation Act 2012 (c. 19), ss. 79(4), 110(1) (with Sch. 10 paras. 12, 17); S.I. 2014/262, art. 3(b)
- F13** S. 20A(5A) inserted (1.4.2014) by Civil Aviation Act 2012 (c. 19), ss. 79(5), 110(1) (with Sch. 10 paras. 12, 17); S.I. 2014/262, art. 3(b)

**Changes to legislation:**

There are currently no known outstanding effects for the Aviation Security Act 1982, Section 20A.