



Aviation and Maritime Security Act 1990

1990 CHAPTER 31

PART I

AVIATION SECURITY

Endangering safety at aerodromes

1 Endangering safety at aerodromes

- (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 personal 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 United Kingdom 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—

Status: This is the original version (as it was originally enacted).

- (a) the act is committed in the United Kingdom, or
 - (b) where the act is committed outside the United Kingdom, the person committing it is a United Kingdom national.
- (5) A person who commits an offence under this section is liable on conviction on indictment to imprisonment for life.
- (6) Sections 38(3)(b) (period during which aircraft in service) and 38(4) (territorial waters) of the Aviation Security Act 1982 apply for the purposes of this section as they apply for the purposes of that Act; and the references 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—
 - (a) in England and Wales, except by, or with the consent of, the Attorney General, and
 - (b) in Northern Ireland, except by, or with the consent of, the Attorney General for Northern Ireland.
- (8) As respects Scotland, for the purpose of conferring on the sheriff jurisdiction to entertain proceedings for an offence under this section, any such offence shall, without prejudice to any jurisdiction exercisable apart from this subsection, be deemed to have been committed in any place in Scotland where the offender may for the time being be.
- (9) In this section—
 - “act of violence” means—
 - (a) any act done in the United Kingdom which constitutes the offence of murder, attempted murder, manslaughter, culpable homicide or assault or an offence under section 18, 20, 21, 22, 23, 24, 28 or 29 of the Offences against the Person Act 1861 or under section 2 of the Explosive Substances Act 1883, and
 - (b) any act done outside the United Kingdom which, if done in the United Kingdom, would constitute such an offence as is mentioned in paragraph (a) above;
 - “aerodrome” has the same meaning as in the Civil Aviation Act 1982;
 - “military service” and “United Kingdom national” have the same meaning as in the Aviation Security Act 1982; and
 - “unlawfully”—
 - (a) in relation to the commission of an act in the United Kingdom, means so as (apart from this section) to constitute an offence under the law of the part of the United Kingdom in which the act is committed, and
 - (b) in relation to the commission of an act outside the United Kingdom, means so that the commission of the act would (apart from this section) have been an offence under the law of England and Wales if it had been committed in England and Wales or of Scotland if it had been committed in Scotland.