



Aviation and Maritime Security Act 1990

1990 CHAPTER 31

PART I

AVIATION SECURITY

Offences relating to security at aerodromes etc.

5 Offences relating to security at aerodromes etc.

After section 21 of the ^{M1}Aviation Security Act 1982 there is inserted—

“ Offences relating to security at aerodromes etc.

21A False statements relating to baggage, cargo etc.

- (1) Subject to subsection (3) below, a person commits an offence if, in answer to a question which—
- (a) relates to any baggage, cargo or stores (whether belonging to him or to another) that is or are intended for carriage by a civil aircraft registered or operating in the United Kingdom, and
 - (b) is put to him for purposes to which this Part of this Act applies—
 - (i) by any of the persons mentioned in subsection (2) below,
 - (ii) by any employee or agent of such a person in his capacity as employee or agent, or
 - (iii) by a constable,he makes a statement which he knows to be false in a material particular, or recklessly makes a statement which is false in a material particular.
- (2) The persons referred to in subsection (1)(b) above are—
- (a) the manager of an aerodrome in the United Kingdom,

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- (b) the operator of one or more aircraft registered or operating in the United Kingdom, and
- (c) any person who—
 - (i) is permitted to have access to a restricted zone of an aerodrome for the purposes of the activities of a business carried on by him, and
 - (ii) has control in that restricted zone over the baggage, cargo or stores to which the question relates.
- (3) Subsection (1) above does not apply in relation to any statement made by an authorised person in the exercise of the power conferred by section 20(2)(aa) of this Act.
- (4) A person guilty of an offence under subsection (1) above shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (5) In this section—
 - cargo includes mail;
 - civil aircraft has the same meaning as in section 3 of this Act; and
 - stores means any goods intended for sale or use on an aircraft, including spare parts and other articles of equipment, whether or not for immediate fitting.

21B False statements in connection with identity documents.

- (1) Subject to subsection (4) below, a person commits an offence if—
 - (a) for the purpose of, or in connection with, an application made by him or another for the issue of an identity document to which this subsection applies, or
 - (b) in connection with the continued holding by him or another of any such document which has already been issued,
 he makes to any of the persons specified in subsection (3) below, to any employee or agent of such a person or to a constable, a statement which he knows to be false in a material particular, or recklessly makes to any of those persons, to any such employee or agent or to a constable, a statement which is false in a material particular.
- (2) Subsection (1) above applies to any identity document which is to be or has been issued by any of the persons specified in subsection (3) below in accordance with arrangements the maintenance of which is required by a direction given by the Secretary of State under section 14 of this Act.
- (3) The persons referred to in subsection (1) above are—
 - (a) the manager of an aerodrome in the United Kingdom,
 - (b) the authority responsible for an air navigation installation in the United Kingdom,
 - (c) the operator of one or more aircraft registered or operating in the United Kingdom, and
 - (d) any person who is permitted to have access to a restricted zone of an aerodrome or air navigation installation for the purposes of the activities of a business carried on by him.

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- (4) Subsection (1) above does not apply in relation to any statement made by an authorised person in the exercise of the power conferred by section 20(2)(aa) of this Act.
- (5) A person guilty of an offence under subsection (1) above shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

21C Unauthorised presence in restricted zone.

- (1) A person shall not—
 - (a) go, with or without a vehicle, onto any part of a restricted zone of—
 - (i) an aerodrome, or
 - (ii) an air navigation installation which does not form part of an aerodrome,except with the permission of the manager of the aerodrome, the authority responsible for the air navigation installation or a person acting on behalf of that manager or authority, and in accordance with any conditions subject to which that permission is for the time being granted, or
 - (b) remain on any part of such a restricted zone after being requested to leave by the manager of the aerodrome, the authority responsible for the air navigation installation or a person acting on behalf of that manager or authority.
- (2) Subsection (1)(a) above does not apply unless it is proved that, at the material time, notices stating that the area concerned was a restricted zone were posted so as to be readily seen and read by persons entering the restricted zone.
- (3) A person who contravenes subsection (1) above without lawful authority or reasonable excuse shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.

21D Unauthorised presence on board aircraft.

- (1) A person shall not—
 - (a) get into or onto an aircraft at an aerodrome in the United Kingdom except with the permission of the operator of the aircraft or a person acting on his behalf, or
 - (b) remain on an aircraft at such an aerodrome after being requested to leave by the operator of the aircraft or a person acting on his behalf.
- (2) A person who contravenes subsection (1) above without lawful authority or reasonable excuse shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.

21E Offences relating to authorised persons.

- (1) A person who—
 - (a) intentionally obstructs an authorised person acting in the exercise of a power conferred on him by or under this Part of this Act, or
 - (b) falsely pretends to be an authorised person,

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commits an offence.

- (2) A person guilty of an offence under subsection (1)(a) above shall be liable—
- (a) on summary conviction, to a fine not exceeding the statutory maximum;
 - (b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or to both.
- (3) A person guilty of an offence under subsection (1)(b) above shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.”

Marginal Citations

M1 1982 c. 36.

Changes to legislation:

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