



# Aviation and Maritime Security Act 1990

## 1990 CHAPTER 31

### PART III

#### PROTECTION OF SHIPS AND HARBOUR AREAS AGAINST ACTS OF VIOLENCE

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

#### **34 Operation of directions under Part III in relation to rights and duties under other laws.**

- (1) In subsections (2) to (4) below references to a direction are references to a direction under section 21, 22, 23 or 24 of this Act as the direction has effect subject to any limitation imposed on its operation—
  - (a) by section 26 of this Act, or
  - (b) by any exemption or immunity of the Crown;and any reference in those subsections to compliance with a direction is a reference to compliance with it subject to any limitation so imposed.
- (2) In so far as a direction requires anything to be done or not done in the United Kingdom, the direction shall have effect notwithstanding anything contained in any contract (whether a United Kingdom contract or not) or contained in, or having effect by virtue of, any other Act or any rule of law; and accordingly no proceedings (whether civil or criminal) shall lie against any person in any United Kingdom court by reason of anything done or not done by him or on his behalf in compliance with a direction.
- (3) In so far as a direction requires anything to be done or not done at a place outside the United Kingdom, the direction shall have effect notwithstanding anything contained in any contract (whether a United Kingdom contract or not); and accordingly, where a direction is inconsistent with anything in such a contract, it shall (without prejudice to any proceedings in a court other than a United Kingdom court) be construed as requiring compliance with the direction notwithstanding that compliance would be in breach of that contract.

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***Changes to legislation:*** *There are currently no known outstanding effects for the Aviation and Maritime Security Act 1990, Section 34. (See end of Document for details)*

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- (4) No proceedings for breach of contract shall lie against any person in a United Kingdom court by reason of anything done or not done by him or on his behalf at a place outside the United Kingdom in compliance with a direction, if the contract in question is a United Kingdom contract.
- (5) Subsections (1) to (4) above have effect in relation to an enforcement notice as they have effect in relation to a direction under section 21, 22, 23 or 24 of this Act.
- (6) In this section United Kingdom court means a court exercising jurisdiction in any part of the United Kingdom under the law of the United Kingdom or of part of the United Kingdom, and United Kingdom contract means a contract which is either expressed to have effect in accordance with the law of the United Kingdom or of part of the United Kingdom or (not being so expressed) is a contract the law applicable to which is the law of the United Kingdom or of part of the United Kingdom.

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**Modifications etc. (not altering text)**

- C1** S. 34 extended (with modifications) (Jersey) (1.1.1997) by [S.I. 1996/2881](#), [art. 2](#), [Sch. Pts. I, II](#)
- C2** Ss. 9-43 extended (Jersey) (with modifications) (coming into force in accordance with art. 1(1) of the extending S.I.) by [The Maritime Security \(Jersey\) Order 2014 \(S.I. 2014/265\)](#), [art. 2](#), [Sch.](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Aviation and Maritime Security Act 1990, Section 34.