



Aviation and Maritime Security Act 1990

1990 CHAPTER 31

PART III

PROTECTION OF SHIPS AND HARBOUR AREAS AGAINST ACTS OF VIOLENCE

Offences relating to security of ships and harbour areas.

37 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 sea—
 - (i) by a British ship, or
 - (ii) by any other ship to or from 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) a harbour authority,
 - [^{F1}(aa) a harbour operator,]
 - (b) the owner, charterer or manager of any ship, and
 - (c) any person who—
 - (i) is permitted to have access to a restricted zone of a harbour area for the purposes of the activities of a business carried on by him, and

Changes to legislation: *There are currently no known outstanding effects for the Aviation and Maritime Security Act 1990, Section 37. (See end of Document for details)*

- (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 36(2)(b) of this Act.
- (4) A person guilty of an offence under subsection (1) above is liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (5) In this section—
- cargo includes mail;
 - ship does not include a ship used in naval, customs or police service; and
 - stores means any goods intended for sale or use in a ship, including fuel and spare parts and other articles of equipment, whether or not for immediate fitting.

Textual Amendments

F1 [S. 37\(2\)\(aa\)](#) inserted (17.7.1997) by [1997 c. 28, s. 25, Sch. 4 para. 8](#); S.I. 1997/1539, art. 2, [Sch.](#)

Modifications etc. (not altering text)

C1 [S. 37](#) 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 37.