



# 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.*

#### **38 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 24 of this Act.
- (3) The persons referred to in subsection (1) above are—
- (a) a harbour authority,
  - [<sup>F1</sup>(aa) a harbour operator,]
  - (b) the owner, charterer or manager of any ship, and
  - (c) any person who 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.

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**Changes to legislation:** *There are currently no known outstanding effects for the Aviation and Maritime Security Act 1990, Section 38. (See end of Document for details)*

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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 36(2)(b) of this Act.
- (5) 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.

#### **Textual Amendments**

**F1** [S. 38\(3\)\(aa\)](#) inserted (17.7.1997) by [1997 c. 28, s. 25, Sch. 4 para. 9](#); [S.I. 1997/1539, art. 2, Sch.](#)

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

**C1** [S. 38](#) 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 38.