



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.

39 Unauthorised presence in restricted zone.

(1) A person shall not—

- (a) go, with or without a vehicle or vessel, onto or into any part of a restricted zone of a harbour area except with the permission of [^{F1}the competent authority, or a person acting on behalf of that authority] and in accordance with any conditions subject to which that permission is for the time being granted, or
- (b) remain in any part of such a restricted zone after being requested to leave by [^{F1}the competent authority, or a person acting on behalf of that 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.

[^{F2}(2A) A constable or any person acting on behalf of the competent authority may use such force as is reasonable in the circumstances to remove from a restricted zone a person remaining in it in contravention of subsection (1)(b) above.

(2B) For the purposes of this section the competent authority in relation to a restricted zone is—

- (a) if the zone was designated on the application of a harbour authority, that authority; and
- (b) if the zone was designated on the application of a harbour operator, that operator.]

Changes to legislation: There are currently no known outstanding effects for the
Aviation and Maritime Security Act 1990, Section 39. (See end of Document for details)

- (3) A person who contravenes subsection (1) above without lawful authority or reasonable excuse is guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.

Textual Amendments

- F1** Words in s. 39(1)(a)(b) substituted (17.7.1997) by 1997 c. 28, s. 25, **Sch. 4 para. 10(2)**; S.I. 1997/1539, art. 2, **Sch.**
- F2** S. 39(2A)(2B) inserted (17.7.1997) by 1997 c. 28, s. 25, **Sch. 4 para. 10(3)**; S.I. 1997/1539, art. 2, **Sch.**

Modifications etc. (not altering text)

- C1** S. 39 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 39.