



Aviation and Maritime Security Act 1990

1990 CHAPTER 31

PART III

PROTECTION OF SHIPS AND HARBOUR AREAS AGAINST ACTS OF VIOLENCE

General supplemental provisions

46 Interpretation of Part III.

- (1) In this Part of this Act, except in so far as the context otherwise requires—
- act of violence shall be construed in accordance with section 18(2) of this Act,
 - [^{F1}“address”, in relation to electronic communications, means any number or address used for the purposes of such communications,]
 - article includes any substance, whether in solid or liquid form or in the form of a gas or vapour,
 - authorised person means a person authorised in writing by the Secretary of State for the purposes of this Part of this Act,
 - British ship means a ship which—
 - (a) is registered in the United Kingdom under [^{F2}Part II of the Merchant Shipping Act 1995] or any Order in Council under section 1 of the ^{M1}Hovercraft Act 1968, or
 - (b) is not registered under the law of any country and is entitled to be registered in the United Kingdom under [^{F2}Part II of the Merchant Shipping Act 1995],
 - constable includes any person having the powers and privileges of a constable,
 - [^{F1}“electronic communication” has the same meaning as in the Electronic Communications Act 2000 (c. 7),]
 - employee, in relation to a body corporate, includes officer,
 - enforcement notice has the meaning given by section 29(1) of this Act,

Changes to legislation: *There are currently no known outstanding effects for the Aviation and Maritime Security Act 1990, Section 46. (See end of Document for details)*

explosive means any article manufactured for the purpose of producing a practical effect by explosion, or intended for that purpose by a person having the article with him,

firearm includes an airgun or air pistol,

[^{F3}harbour has the same meaning as in the ^{M2}Merchant Shipping Act 1995;]

harbour area has the meaning given by section 18(3) of this Act,

[^{F4}harbour authority means—

(a) a harbour authority within the meaning of the ^{M3}Merchant Shipping Act 1995, or

(b) the manager of any hoverport which does not form part of an area mentioned in section 18(3)(a)(i) or (ii) of this Act,]

[^{F5}harbour operations means—

(a) the marking or lighting of a harbour or any part of it,

(b) the berthing or dry docking of a ship or the towing or moving of a ship into or out of or within the harbour area,

(c) the transportation, handling or warehousing of goods within the harbour area, or

(d) the embarking, disembarking or movement of passengers within the harbour area;

harbour operator has the meaning given by section 20(9) of this Act;]

hoverport has the same meaning as in the Hovercraft Act 1968,

manager, in relation to a hoverport, means the person by whom the hoverport is managed,

master has the same meaning as in the [^{F6}Merchant Shipping Act 1995],

measures (without prejudice to the generality of that expression) includes the construction, execution, alteration, demolition or removal of any building or other works (whether on dry land or on the seabed or other land covered by water), and also includes the institution or modification, and the supervision and enforcement, of any practice or procedure,

naval service includes military and air force service,

[^{F7}operating area has the meaning given by section 20(9) of this Act;]

owner, in relation to a ship registered in the United Kingdom or in any other country, means registered owner,

property includes any land, buildings or works, any ship or vehicle and any baggage, cargo or other article of any description,

^{F8} . . .

ship includes hovercraft and every other description of vessel used in navigation.

(2) Any power to give a direction under any provision of this Part of this Act includes power to revoke or vary any such direction by a further direction.

[^{F9}(2A) In this Part of this Act restricted zone means an area designated under section 20 of this Act; and references to a restricted zone of a harbour area include references to a restricted zone which is or is part of an operating area.]

(3) For the purposes of this Part of this Act a person is permitted to have access to a restricted zone of a harbour area if he is permitted to enter that zone or if arrangements exist for permitting any of his employees or agents to enter that zone.

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Textual Amendments

- F1** Words in s. 46(1) inserted (30.9.2006) by [The Transport Security \(Electronic Communications\) Order 2006 \(S.I. 2006/2190\)](#), arts. 1(1), **5(2)**
- F2** Words in the definition of "British Ship" in s. 46(1) substituted (1.1.1996) by 1995 c. 21, ss. 314(2), 316(2), **Sch. 13 para. 88(6)(a)(i)(ii)** (with s. 312(1))
- F3** Definition of "harbour" in s. 46(1) substituted (17.7.1997) by 1997 c. 28, s. 25, **Sch. 4 para. 11(2)(a)**; S.I. 1997/1539, art. 2, **Sch.**
- F4** Definition of "harbour authority" in s. 46(1) substituted (17.7.1997) by 1997 c. 28, s. 25, **Sch. 4 para. 11(2)(b)**; S.I. 1997/1539, art. 2, **Sch.**
- F5** Definitions of "harbour operations" and "harbour operator" in s. 46(1) substituted (17.7.1997) by 1997 c. 28, s. 25, **Sch. 4 para. 11(2)(c)**; S.I. 1997/1539, art. 2, **Sch.**
- F6** Words in the definition of "master" in s. 46(1) substituted (1.1.1996) by 1995 c. 21, ss. 314(2), 316(2), **Sch. 13 para. 88(6)(b)** (with s. 312(1))
- F7** Definition of "operating area" in s. 46(1) inserted (17.7.1997) by 1997 c. 28, s. 25, **Sch. 4 para. 11(2)(d)**; S.I. 1997/1539, art. 2, **Sch.**
- F8** Definition of "restricted zone" in s. 46(1) repealed (17.7.1997) by 1997 c. 28, ss. 25, 29(2), Sch. 4 para. 11(2)(e), **Sch. 7 Pt. I**; S.I. 1997/1539, art. 2, **Sch.**
- F9** S. 46(2A) inserted (17.7.1997) by 1997 c. 28, s. 25, **Sch. 4 para. 11(3)**; S.I. 1997/1539, art. 2, **Sch.**

Modifications etc. (not altering text)

- C1** S. 46 extended (with modifications) (Jersey) (1.1.1997) by [S.I. 1996/2881](#), art. 2, **Sch. Pts. I, II**
- C2** Ss. 45, 46 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.**

Marginal Citations

- M1** 1968 c. 59.
- M2** 1995 c. 21.
- M3** 1995 c. 21.

Changes to legislation:

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