



Aviation Security Act 1982

1982 CHAPTER 36

PART II

PROTECTION OF AIRCRAFT, AERODROMES AND AIR NAVIGATION INSTALLATIONS AGAINST ACTS OF VIOLENCE

[^{F1} Directions]

Textual Amendments

- F1** S. 12 cross-heading inserted (1.4.2014) by [Civil Aviation Act 2012 \(c. 19\)](#), s. 110(1), [Sch. 11 para. 9](#) (with [Sch. 10 para. 1217](#)); [S.I. 2014/262](#), art. 3(a)

12 Power to impose restrictions in relation to aircraft.

- (1) For purposes to which this Part of this Act applies, the Secretary of State may give a direction in writing to the operator of any one or more aircraft registered or operating in the United Kingdom, or to the manager of any aerodrome in the United Kingdom, requiring him—
- (a) not to cause or permit persons or property to go or be taken on board any aircraft to which the direction relates, or to come or be brought into proximity to any such aircraft, unless such searches of those persons or that property as are specified in the direction have been carried out by constables or by other persons of a description specified in the direction, or
 - (b) not to cause or permit any such aircraft to [^{F2} fly in or into the United Kingdom unless such searches (of persons or property or of the aircraft itself)] as are specified in the direction have been carried out by constables or by other persons of a description so specified.
- (2) Subject to subsection (3) below, the Secretary of State may give a direction in writing to the operator of any one or more aircraft registered in the United Kingdom requiring him not to cause or permit the aircraft to fly unless such modifications or alterations of the aircraft, or of apparatus or equipment installed in the aircraft, as are specified

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in the direction have first been carried out, or such additional apparatus or equipment as is so specified is first installed in the aircraft.

- (3) Before giving any direction under subsection (2) above, the Secretary of State shall inform [^{F3} the CAA] of the modifications, alterations or additional apparatus or equipment proposed to be required, and shall take account of any advice given to him by [^{F4} the CAA] with respect to those proposals.
- (4) In giving any direction under subsection (2) above, the Secretary of State shall allow, and shall specify in the direction, such period as appears to him to be reasonably required for carrying out the modifications or alterations or installing the additional apparatus or equipment in question; and the direction shall not take effect before the end of the period so specified.
- (5) Subject to the following provisions of this Part of this Act, a direction given to an operator of aircraft under subsection (1) above may be given so as to relate—
- (a) either to all the aircraft registered or operating in the United Kingdom of which at the time when the direction is given or at any subsequent time he is the operator or only to one or more such aircraft, or to a class of such aircraft, specified in the direction;
 - (b) either to all persons or only to one or more persons, or persons of one or more descriptions, specified in the direction; and
 - (c) either to property of every description or only to particular property, or property of one or more descriptions, specified in the direction;
- and a direction given to an operator of aircraft under subsection (2) above may be given so as to relate either to all aircraft registered in the United Kingdom of which at the time when the direction is given or at any subsequent time he is the operator or only to one or more such aircraft, or to a class of such aircraft, specified in the direction.
- (6) Subject to the following provisions of this Part of this Act, a direction given to the manager of an aerodrome under subsection (1) above may be given so as to relate—
- (a) either to all aircraft which at the time when the direction is given or at any subsequent time are in any part of the aerodrome, or to a class of such aircraft specified in the direction;
 - (b) either to all persons or only to one or more persons, or persons of one or more descriptions, specified in the direction; and
 - (c) either to property of every description or only to particular property, or property of one or more descriptions, specified in the direction.
- (7) Subject to the following provisions of this Part of this Act, any direction given under this section to any person not to cause or permit anything to be done shall be construed as requiring him to take all such steps as in any particular circumstances are practicable and necessary to prevent that thing from being done.
- (8) A direction may be given under this section to a person appearing to the Secretary of State to be about to become—
- (a) such an operator as is mentioned in subsection (1) or (2) above; or
 - (b) such a manager as is mentioned in subsection (1) above;

but a direction given to a person by virtue of this subsection shall not take effect until he becomes such an operator or manager, and, in relation to a direction so given, the preceding provisions of this section shall apply with the necessary modifications.

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- (9) Any person who [^{F5}, without reasonable excuse,] fails to comply with a direction given to him under this section shall be guilty of an offence and liable—
- (a) on summary conviction, to a fine not exceeding the statutory maximum;
 - (b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or to both.

[^{F6}(9A) Proceedings for an offence under subsection (9) above may not be instituted against a person who has paid a penalty in respect of the same failure by virtue of regulations made under section 22A.]

[^{F7}(10) Where a person is convicted of an offence under subsection (9) above, then, if without reasonable excuse the failure in respect of which he was convicted is continued after the conviction, he shall be guilty of a further offence and liable on summary conviction to a fine not exceeding [^{F8} £100] for each day on which the failure continues.]

Textual Amendments

- F2** Words in s. 12(1)(b) substituted (12.2.2015) by Counter-Terrorism and Security Act 2015 (c. 6), s. 52(5), **Sch. 5 para. 9(3)**
- F3** Words in s. 12(3) substituted (1.4.2014) by Civil Aviation Act 2012 (c. 19), s. 110(1), **Sch. 11 para. 10(a)** (with **Sch. 10 para. 1217**); S.I. 2014/262, art. 3(a)
- F4** Words in s. 12(3) substituted (1.4.2014) by Civil Aviation Act 2012 (c. 19), s. 110(1), **Sch. 11 para. 10(b)** (with **Sch. 10 para. 1217**); S.I. 2014/262, art. 3(a)
- F5** Words substituted by Aviation and Maritime Security Act 1990 (c. 31, SIF 39:2), s. 8, **Sch. 1 para. 4(2)**
- F6** S. 12(9A) inserted (12.2.2015) by Counter-Terrorism and Security Act 2015 (c. 6), s. 52(5), **Sch. 5 para. 11(4)**
- F7** S. 12(10) inserted (with saving) by Aviation and Maritime Security Act 1990 (c. 31, SIF 39:2), s. 8, **Sch. 1 para. 4(3)**
- F8** Word in s. 12(10) substituted (29.4.2010) by The Aviation Security Regulations 2010 (S.I. 2010/902), regs. 1(1), **7(a)**

Modifications etc. (not altering text)

- C1** S. 12 extended (with modifications) (Jersey) (12.6.1993) by S.I. 1993/1251, art. 2(1), **Sch. 1 Pt. I**
S. 12 extended (with modifications) (Guernsey) (17.1.1998) by S.I. 1997/2989, art. 2(1), **Sch. 1 Pt. I, II**
- C2** S. 12 : Pt. II (ss. 10-24A) applied (with modifications) (1.9.1993) by S.I. 1993/1073, **reg. 11(1)**

13 Power to require aerodrome managers to promote searches at aerodromes.

- (1) For purposes to which this Part of this Act applies, the Secretary of State may give a direction in writing to the manager of any aerodrome in the United Kingdom requiring him to use his best endeavours to secure that such searches to which this section applies as are specified in the direction are carried out by constables or by other persons of a description specified in the direction.
- (2) The searches to which this section applies, in relation to an aerodrome, are searches—
- (a) of the aerodrome or any part of it;
 - (b) of any aircraft which at the time when the direction is given or at any subsequent time is in any part of the aerodrome; and

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- (c) of persons or property (other than aircraft) which may at any such time be in any part of the aerodrome.
- (3) Without prejudice to section 7(1) of this Act, where a direction given under this section to the manager of an aerodrome is for the time being in force, then if a constable, or any other person specified in the direction in accordance with this section, has reasonable cause to suspect that an article to which section 4 of this Act applies is in, or may be brought into, any part of the aerodrome, he may, by virtue of this subsection and without a warrant, search any part of the aerodrome or any aircraft, vehicle, goods or other moveable property of any description which, or any person who, is for the time being in any part of the aerodrome, and for that purpose—
- (a) may enter any building or works in the aerodrome, or enter upon any land in the aerodrome, if need be by force, and
- (b) may stop any such aircraft, vehicle, goods, property or person and detain it or him for so long as may be necessary for that purpose.
- (4) Any person who—
- (a) [^{F9}without reasonable excuse]fails to comply with a direction given to him under this section, or
- (b) [^{F10}intentionally obstructs]a person acting in the exercise of a power conferred on him by subsection (3) above,
- shall be guilty of an offence and liable—
- (i) on summary conviction, to a fine not exceeding the statutory maximum;
- (ii) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or to both.
- [^{F11}(4ZA) Proceedings for an offence under subsection (4) above may not be instituted against a person who has paid a penalty in respect of the same failure by virtue of regulations made under section 22A.]
- [^{F12}(4A) Where a person is convicted of an offence under subsection (4)(a) above, then, if without reasonable excuse the failure in respect of which he was convicted is continued after the conviction, he shall be guilty of a further offence and liable on summary conviction to a fine not exceeding [^{F13} £100] for each day on which the failure continues.]
- (5) Subsection (3) above shall have effect without prejudice to the operation, in relation to any offence under this Act—
- (a) in England and Wales, of [^{F14}sections 17, 24 and [^{F15} 24A] of the Police and Criminal Evidence Act 1984 (which confer power to arrest without warrant and to enter premises for the purpose of making an arrest) or of section 3 of the Criminal Law Act 1967](use of force in making arrest etc.); or
- (b) in Scotland, of any rule of law relating to power to arrest without warrant; or
- (c) in Northern Ireland, of [^{F16}Articles 19, 26 and [^{F17} 27][^{F17}26A] of the Police and Criminal Evidence (Northern Ireland) Order 1989 or of section]3 of the ^{M1}Criminal Law Act (Northern Ireland) 1967.

Textual Amendments

- F9** Words substituted by [Aviation and Maritime Security Act 1990 \(c. 31, SIF 39:2\)](#), s. 8, [Sch. 1 para. 5\(2\)\(a\)](#)

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- F10** Words substituted by [Aviation and Maritime Security Act 1990 \(c. 31, SIF 39:2\)](#), s. 8, **Sch. 1 para. 5(2)(b)**
- F11** S. 13(4ZA) inserted (12.2.2015) by [Counter-Terrorism and Security Act 2015 \(c. 6\)](#), s. 52(5), **Sch. 5 para. 11(5)**
- F12** S. 13(4A) inserted (with saving) by [Aviation and Maritime Security Act 1990 \(c. 31, SIF 39:2\)](#), s. 8, **Sch. 1 para. 5(3)**
- F13** Word in s. 13(4A) substituted (29.4.2010) by [The Aviation Security Regulations 2010 \(S.I. 2010/902\)](#), regs. 1(1), **7(b)**
- F14** Words substituted by [Aviation and Maritime Security Act 1990 \(c. 31, SIF 39:2\)](#), s. 8, **Sch. 1 para. 5(4)(a)**
- F15** Word in s. 13(5)(a) substituted (1.1.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), s. 178(8), **Sch. 7 para. 57**; S.I. 2005/3495, art. 2(1)(m)
- F16** Words substituted by [Aviation and Maritime Security Act 1990 \(c. 31, SIF 39:2\)](#), s. 8, **Sch. 1 para. 5(4)(b)**
- F17** Word in s. 13(5)(c) substituted (N.I.) (1.3.2007) by [The Police and Criminal Evidence \(Amendment\) \(Northern Ireland\) Order 2007 \(S.I. 2007/288\)](#), art. 1(2), **Sch. 1 para. 20(1)**

Modifications etc. (not altering text)

- C3** S. 13 extended (with modifications) (Jersey) (12.6.1993) by [S.I. 1993/1251](#), art. 2(1), **Sch. 1 Pt. I**
S. 13 extended (with modifications) (Guernsey) (17.1.1998) by [S.I. 1997/2989](#), art. 2(1), **Sch. 1 Pt. I, II**
- C4** S. 13: Pt. II (ss. 10-24A) applied (with modifications) (1.9.1993) by [S.I. 1993/1073](#), **reg. 11(1)**

Marginal Citations

- M1** [1967 c. 18 \(N.I.\)](#)

[^{F18} 13A Power to require other persons to promote searches.

- (1) For purposes to which this Part of this Act applies, the Secretary of State may give a direction in writing to any person (other than the manager of an aerodrome) who—
- (a) occupies any land forming part of an aerodrome in the United Kingdom, or
 - (b) is permitted to have access to a [^{F19} security restricted area] of such an aerodrome for the purposes of the activities of a business carried on by him,
- requiring him to use his best endeavours to secure that such searches to which this section applies as are specified in the direction are carried out by constables or by other persons of a description specified in the direction.
- (2) The searches to which this section applies are—
- (a) in relation to a person falling within subsection (1)(a) above, searches—
 - (i) of the land which he occupies within the aerodrome, and
 - (ii) of persons or property which may at any time be on that land; and
 - (b) in relation to a person falling within subsection (1)(b) above, searches—
 - (i) of any land which he occupies outside the aerodrome for the purposes of his business, and
 - (ii) of persons or property which may at any time be on that land.
- (3) Any person who, without reasonable excuse, fails to comply with a direction given to him under this section shall be guilty of an offence and liable—
- (a) on summary conviction, to a fine not exceeding the statutory maximum;
 - (b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years, or to both.

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[Proceedings for an offence under subsection (3) above may not be instituted against a ^{F20}(3A) person who has paid a penalty in respect of the same failure by virtue of regulations made under section 22A.]

(4) Where a person is convicted of an offence under subsection (3) above, then, if without reasonable excuse the failure in respect of which he was convicted is continued after the conviction, he shall be guilty of a further offence and liable on summary conviction to a fine not exceeding [^{F21} £100] for each day on which the failure continues.]

Textual Amendments

- F18** S. 13A inserted by [Aviation and Maritime Security Act 1990 \(c. 31, SIF 39:2\)](#) , **s. 2**
- F19** Words in s. 13A(1)(b) substituted (29.4.2010) by [The Aviation Security Regulations 2010 \(S.I. 2010/902\)](#), regs. **1(1), 9(c)**
- F20** S. 13A(3A) inserted (12.2.2015) by [Counter-Terrorism and Security Act 2015 \(c. 6\)](#), s. 52(5), **Sch. 5 para. 11(6)**
- F21** Word in s. 13A(4) substituted (29.4.2010) by [The Aviation Security Regulations 2010 \(S.I. 2010/902\)](#), regs. **1(1), 7(c)**

Modifications etc. (not altering text)

- C5** S. 13A extended (with modifications) (Jersey) (12.6.1993) by [S.I. 1993/1251](#) , art. 2(1) , **Sch. 1 Pt.I**
 S. 13A extended (with modifications) (Guernsey) (17.1.1998) by [S.I. 1997/2989](#) , art. 2(1) , **Sch. 1 Pt. I, II**
- C6** S. 13A : Pt. II (ss. 10-24A) applied (with modifications) (1.9.1993) by [S.I. 1993/1073](#) , **reg. 11(1)**

14 General power to direct measures to be taken for purposes to which Part II applies.

[^{F22}(1) Subsection (1A) below applies to any person who—

- (a) is the operator of one or more aircraft registered or operating in the United Kingdom,
- (b) is the manager of an aerodrome in the United Kingdom,
- (c) occupies any land forming part of an aerodrome in the United Kingdom, or
- (d) is permitted to have access to a [^{F23} security restricted area] of such an aerodrome for the purposes of the activities of a business carried on by him.

(1A) Subject to the following provisions of this section, the Secretary of State may give a direction in writing to any person to whom this subsection applies requiring him to take such measures for purposes to which this Part of this Act applies as are specified in the direction—

- (a) in the case of a direction given to a person as the operator of any aircraft, in respect of all the aircraft registered or operating in the United Kingdom of which (at the time when the direction is given or at any subsequent time) he is the operator, or in respect of any such aircraft, or any class of such aircraft, specified in the direction;
- (b) in the case of a direction given to a person as the manager of an aerodrome, in respect of that aerodrome;
- (c) in the case of a direction given to a person as a person occupying any land forming part of an aerodrome, in respect of any such land as is specified in the direction; and

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- (d) in the case of a direction given to a person as a person who is permitted to have access to a ^{F23} security restricted area] as mentioned in subsection (1) (d) above, in respect of such activities carried on by that person in ^{F24} that area] as are specified in the direction.
- (2) Without prejudice to the generality of subsection (1A) above, the measures to be specified in a direction given under this section to any person to whom that subsection applies may include the provision by that person of persons charged with the duty (at such times as may be specified in the direction)—
 - (a) where the direction is given to a person as the operator of aircraft, of guarding the aircraft against acts of violence;
 - (b) where the direction is given to a person as the manager of an aerodrome, of guarding the aerodrome, or persons or property (including aircraft) in any part of the aerodrome, against acts of violence;
 - (c) where the direction is given to a person as falling within subsection (1)(c) above, of guarding against acts of violence any aircraft in the aerodrome which is for the time being under his control; or
 - (d) where the direction is given to a person as falling within subsection (1)(d) above, of guarding—
 - (i) any land outside the aerodrome occupied by him for the purposes of his business, any vehicles or equipment used for those purposes and any goods which are in his possession for those purposes, and
 - (ii) any aircraft which is for the time being under his control,
 for purposes to which this Part of this Act applies.]
- (3) A direction given under this section may be either of a general or of a specific character, and may require any measures specified in the direction to be taken at such time or within such period as may be so specified.
- (4) ^{F25}
- (5) A direction under this section—
 - (a) shall not require any search (whether of persons or of property), and
 - (b) shall not require the modification or alteration of any aircraft, or of any of its apparatus or equipment, or the installation of additional apparatus or equipment, or prohibit any aircraft from being caused or permitted to fly without some modification or alteration of the aircraft or its apparatus or equipment or the installation of additional apparatus or equipment.
- (6) A direction may be given under this section to a person appearing to the Secretary of State to be about to become ^{F26}a person to whom subsection (1A) above applies], but a direction given to a person by virtue of this subsection shall not take effect until he becomes such ^{F26}a person], and, in relation to a direction so given, the preceding provisions of this section shall apply with the necessary modifications.
- (7) Any person—
 - (a) who . . . ^{F27}, without reasonable excuse, fails to comply with a direction given to him under this section, or
 - (b) ^{F28}intentionally]interferes with any building constructed or works executed on any land in compliance with a direction under this section or with anything installed on, under, over or across any land in compliance with such a direction,

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shall be guilty of an offence and liable—

- (i) on summary conviction, to a fine not exceeding the statutory maximum;
- (ii) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or to both.

[^{F29}(7ZA) Proceedings for an offence under subsection (7)(a) above may not be instituted against a person who has paid a penalty in respect of the same failure by virtue of regulations made under section 22A.]

[^{F30}(7A) Where a person is convicted of an offence under subsection (7)(a) above, then, if without reasonable excuse the failure in respect of which he was convicted is continued after the conviction, he shall be guilty of a further offence and liable on summary conviction to a fine not exceeding [^{F31} £100] for each day on which the failure continues.]

(8) The ownership of any property shall not be affected by reason only that it is placed on or under, or affixed to, any land in compliance with a direction under this section.

Textual Amendments

- F22** S. 14(1)(1A)(2) substituted for S. 14(1)(2) by [Aviation and Maritime Security Act 1990 \(c. 31, SIF 39:2\)](#) , [s. 3\(1\)](#)
- F23** Words in s. 14 substituted (29.4.2010) by [The Aviation Security Regulations 2010 \(S.I. 2010/902\)](#), [regs. 1\(1\), 9\(d\)](#)
- F24** Words in s. 14(1A)(d) substituted (29.4.2010) by [The Aviation Security Regulations 2010 \(S.I. 2010/902\)](#), [regs. 1\(1\), 10\(a\)](#)
- F25** S. 14(4) repealed by [Aviation and Maritime Security Act 1990 \(c. 31, SIF 39:2\)](#) , [ss. 3\(2\)](#) , [53\(2\)](#) , [Sch. 4](#)
- F26** Words substituted by [Aviation and Maritime Security Act 1990 \(c. 31, SIF 39:2\)](#) , [s. 3\(3\)](#)
- F27** Words repealed by [Aviation and Maritime Security Act 1990 \(c. 31, SIF 39:2\)](#) , [ss. 8\(1\)](#) , [53\(2\)](#) , [Sch. 1 para. 6\(2\)\(a\)](#) , [Sch. 4](#)
- F28** Word substituted by [Aviation and Maritime Security Act 1990 \(c. 31, SIF 39:2\)](#) , [s. 8\(1\)](#) , [Sch. 1 para. 6\(2\)\(b\)](#)
- F29** S. 14(7ZA) inserted (12.2.2015) by [Counter-Terrorism and Security Act 2015 \(c. 6\)](#), [s. 52\(5\)](#), [Sch. 5 para. 11\(7\)](#)
- F30** S. 14(7A) inserted by [Aviation and Maritime Security Act 1990 \(c. 31, SIF 39:2\)](#) , [s. 8](#) , [Sch. 1 para. 6\(3\)](#)
- F31** Word in s. 14(7A) substituted (29.4.2010) by [The Aviation Security Regulations 2010 \(S.I. 2010/902\)](#), [regs. 1\(1\), 7\(d\)](#)

Modifications etc. (not altering text)

- C7** S. 14 extended (with modifications) (Jersey) (12.6.1993) by [S.I. 1993/1251](#) , [art. 2\(1\)](#) , [Sch. 1 Pt. I](#)
 S. 14 extended (with modifications) (Guernsey) (17.1.1998) by [S.I. 1997/2989](#) , [art. 2\(1\)](#) , [Sch. 1 Pt. I](#) , [II](#)
- C8** S. 14 : Pt. II (ss. 10-24A) applied (with modifications) (1.9.1993) by [S.I. 1993/1073](#) , [reg. 11\(1\)](#)
- C9** S. 14(1A)(d) applied (with modifications) (1.9.1993) by [S.I. 1993/1073](#) , [reg. 11\(2\)](#)

[^{F32}14A **Review by CAA**

(1) The CAA must keep under review the directions under sections 12 to 14 for the time being in force.

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- (2) The CAA must, when it considers it appropriate, make recommendations to the Secretary of State about those directions and about the giving of further directions under those sections.
- (3) The CAA must make the recommendations in the form specified by the Secretary of State.]

Textual Amendments

F32 S. 14A inserted (1.4.2014) by Civil Aviation Act 2012 (c. 19), ss. 78(2), 110(1) (with Sch. 10 paras. 12, 17); S.I. 2014/262, art. 3(a)

Changes to legislation:

There are currently no known outstanding effects for the Aviation Security Act 1982, Cross
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