



# Aviation Security Act 1982

## 1982 CHAPTER 36

### PART III

#### POLICING OF <sup>F1</sup> AERODROMES ]

##### Textual Amendments

- F1** Words in Pt. III heading inserted (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), [Sch. 14 para. 8\(2\)](#); [S.I. 2007/709](#), art. 3(p) (with art. 6)

#### *Power to stop and search at aerodromes*

#### **24B Power of constable to stop and search persons, vehicles etc**

- (1) Subject to subsection (2) below, a constable may search—
  - (a) any person, vehicle or aircraft in an aerodrome, or
  - (b) anything which is in or on such a vehicle or aircraft, for stolen or prohibited articles.
- (2) This section does not give a constable power to search a person, vehicle or aircraft, or anything in or on a vehicle or aircraft, unless he has reasonable grounds for suspecting that he will find stolen or prohibited articles.
- (3) For the purposes of exercising the power conferred by subsection (1) above, a constable may—
  - (a) enter any part of an aerodrome;
  - (b) detain a person, vehicle or aircraft;
  - (c) board an aircraft.
- (4) If in the course of a search under subsection (1) above a constable discovers an article which he has reasonable grounds for suspecting to be a stolen or prohibited article, he may seize it.

*Status: Point in time view as at 29/04/2010.*

*Changes to legislation: There are currently no known outstanding effects for the Aviation Security Act 1982, Part III. (See end of Document for details)*

- (5) An article is prohibited for the purposes of this section if it is an article—
  - (a) made or adapted for use in the course of or in connection with criminal conduct, or
  - (b) intended by the person having it with him for such use by him or by some other person.
- (6) In this section “ criminal conduct ” means conduct which—
  - (a) constitutes an offence in the part of the United Kingdom in which the aerodrome is situated, or
  - (b) would constitute an offence in that part of the United Kingdom if it occurred there.
- (7) The powers conferred by this section on a constable are without prejudice to any powers exercisable by him apart from this section.
- (8) The exercise of a power under this section does not require a warrant.
- (9) Nothing in this section authorises a constable to enter a dwelling.

*F2 Policing of designated airports*

**Textual Amendments**

**F2** S. 25 cross-heading repealed (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#) , s. 116(1) , [Sch. 6 para. 2](#) , [Sch. 8 Pt. 7](#) ; [S.I. 2010/125](#) , art. 2(s)(u)

**F3 25 Designated airports.**

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**Textual Amendments**

**F3** S. 25 omitted (29.1.2010 for E.W.S., 1.4.2010 for N.I.) by virtue of [Policing and Crime Act 2009 \(c. 26\)](#) , s. 116(1) , [Sch. 6 para. 2](#) ; [S.I. 2010/125](#) , art. 2(s); [S.I. 2010/507](#) , art. 5(u)

**F4 25A Consultation about policing of designated airports.**

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**Textual Amendments**

**F4** S. 25A repealed (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#) , s. 116(1) , [Sch. 6 para. 3](#) , [Sch. 8 Pt. 7](#) (with [Sch. 6 para. 14\(3\)](#)); [S.I. 2010/125](#) , art. 2(s)(u)

*Status: Point in time view as at 29/04/2010.*

*Changes to legislation: There are currently no known outstanding effects for the Aviation Security Act 1982, Part III. (See end of Document for details)*

### *[<sup>F5</sup>Policing of aerodromes to which Part 2A applies*

#### **Textual Amendments**

- F5** S. 25AA and cross-heading inserted (29.1.2010 for E.W.S., 1.4.2010 for N.I.) by [Policing and Crime Act 2009 \(c. 26\)](#), s. 116(1), [Sch. 6 para. 4](#); S.I. 2010/125, art. 2(s); S.I. 2010/507, art. 5(u)

#### **25AA Relevant aerodromes**

- (1) In this Part, “relevant aerodrome” means an aerodrome to which Part 2A applies (other than an aerodrome specified in an order under subsection (2)).
- (2) The Secretary of State may by order provide that a specified aerodrome to which Part 2A applies is not a relevant aerodrome for the purposes of this Part.
- (3) In subsection (2) “specified” means specified in the order.
- (4) The power to make an order under this section is exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.]

#### **[<sup>F6</sup> 25B Police services agreements**

- (1) There must be a police services agreement in force in relation to a relevant aerodrome at any time when an aerodrome security plan containing policing measures is in force in relation to the aerodrome.
- (2) The requirement in subsection (1) does not apply during the period of 3 months beginning with the day when the first aerodrome security plan for the aerodrome is agreed by the members of the security executive group for the aerodrome.
- (3) A police services agreement is an agreement between the relevant persons which specifies—
  - (a) the level of policing to be provided for the aerodrome in accordance with section 26(2A) during the period for which the agreement is in force,
  - (b) whether any payments are to be made by the manager of the aerodrome in connection with that policing and, if so, the amount of the payments or the manner in which their amount is to be assessed, and
  - (c) the accommodation and facilities (if any) that are to be provided by the manager in connection with that policing.
- (4) The relevant persons are—
  - (a) the manager of the aerodrome,
  - (b) the police authority for the relevant police area, and
  - (c) the chief officer of police for that area.
- (5) If the Secretary of State so requests, the manager of a relevant aerodrome must supply the Secretary of State with a copy of any police services agreement which is in force in relation to the aerodrome.
- (6) In this section, “policing measures”, in relation to an aerodrome security plan, means the security measures specified in the plan as the measures to be taken by the chief officer of police for the relevant police area.

*Status: Point in time view as at 29/04/2010.*

*Changes to legislation: There are currently no known outstanding effects for the Aviation Security Act 1982, Part III. (See end of Document for details)*

#### Textual Amendments

**F6** Ss. 25B-25E substituted for s. 25B (29.1.2010 for E.W.S.) by [Policing and Crime Act 2009 \(c. 26\)](#), s. 116(1), [Sch. 6 para. 5](#) (with [Sch. 6 para. 14\(2\)](#), [Sch. 6 para. 14\(4\)-\(6\)](#)); S.I. 2010/125, art. 2(s)

### 25C Police services agreements: duration etc.

- (1) A police services agreement must specify the period for which it is to be in force.
- (2) In the case of the first police services agreement for the aerodrome, the period specified must—
  - (a) begin on the day when the requirement in section 25B(1) first applies in relation to the aerodrome, and
  - (b) end on either the 31 March next following that day or on any subsequent 31 March specified in the plan.
- (3) In the case of any subsequent police services agreement other than one to which subsection (5) applies, the period specified must—
  - (a) begin on 1 April, and
  - (b) end on either the 31 March next following that day or on any subsequent 31 March specified in the plan.
- (4) Subsection (5) applies if—
  - (a) there is a period during which an aerodrome security plan in force in relation to the aerodrome contains no policing measures (and, accordingly, the requirement in section 25B(1) does not apply in relation to the aerodrome), but
  - (b) the plan is varied to include such measures.
- (5) The first police services agreement following the variation must—
  - (a) begin on the day when the variation comes into effect (and, accordingly, the requirement in section 25B(1) again applies in relation to the aerodrome), and
  - (b) end on either the 31 March next following that day or on any subsequent 31 March specified in the plan.
- (6) If there is a dispute about the policing of a relevant aerodrome which relates to a police services agreement which is not in force, the Secretary of State may direct that the agreement is to come into force at the beginning of a day other than that specified in subsection (2)(a), (3)(a) or (5)(a).

#### Textual Amendments

**F6** Ss. 25B-25E substituted for s. 25B (29.1.2010 for E.W.S.) by [Policing and Crime Act 2009 \(c. 26\)](#), s. 116(1), [Sch. 6 para. 5](#) (with [Sch. 6 para. 14\(2\)](#), [Sch. 6 para. 14\(4\)-\(6\)](#)); S.I. 2010/125, art. 2(s)

### 25D Review and variation of police services agreements

The relevant persons—

- (a) must keep a police services agreement under review, and
- (b) may vary it.

*Status: Point in time view as at 29/04/2010.*

*Changes to legislation: There are currently no known outstanding effects for the Aviation Security Act 1982, Part III. (See end of Document for details)*

#### Textual Amendments

**F6** Ss. 25B-25E substituted for s. 25B (29.1.2010 for E.W.S.) by [Policing and Crime Act 2009 \(c. 26\)](#), s. 116(1), [Sch. 6 para. 5](#) (with [Sch. 6 para. 14\(2\)](#), [Sch. 6 para. 14\(4\)-\(6\)](#)); S.I. 2010/125, art. 2(s)

### **25E Discharge of functions of relevant persons in relation to police services agreements**

- (1) In determining the terms of a police services agreement, and in exercising their functions under section 25D, the relevant persons must, in particular, have regard to the matters specified in subsection (2).
- (2) Those matters are—
  - (a) any aerodrome security plan which specifies that policing measures are to be taken in relation to the aerodrome during the whole or any part of the period for which the police services agreement will be in force,
  - (b) any information given to the relevant persons by the security executive group for the aerodrome which is relevant to the police services agreement,
  - (c) the extent, if any, to which the costs incurred by the police authority in connection with the policing provided for the aerodrome are, or are likely to be, met by any person other than the manager of the aerodrome, and
  - (d) any guidance given by the Secretary of State which is relevant to the discharge by the relevant persons of their functions in relation to police services agreements.
- (3) A chief officer of police may authorise another person to exercise any of the officer's functions under this Part in relation to police services agreements.
- (4) In this section, “policing measures” has the same meaning as in section 25B. ]

#### Textual Amendments

**F6** Ss. 25B-25E substituted for s. 25B (29.1.2010 for E.W.S.) by [Policing and Crime Act 2009 \(c. 26\)](#), s. 116(1), [Sch. 6 para. 5](#) (with [Sch. 6 para. 14\(2\)](#), [Sch. 6 para. 14\(4\)-\(6\)](#)); S.I. 2010/125, art. 2(s)

### **26 Exercise of police functions [<sup>F7</sup> at relevant aerodromes ].**

- (1) So long as any aerodrome is [<sup>F8</sup> a relevant aerodrome ]—
  - (a) any relevant constable shall, when acting in the execution of his duty and, in particular, for the purpose of exercising the powers conferred on such a constable by or under the following provisions of this Part of this Act, be entitled as against the manager of the aerodrome to enter any part of the aerodrome; and
  - (b) no member of any aerodrome constabulary maintained by the manager shall have the powers and privileges or be liable to the duties and responsibilities of a constable on the aerodrome or exercise there any power conferred by or under any enactment on members of that constabulary or on constables generally.
- (2) Paragraph (a) of subsection (1) above is without prejudice to any right of entry existing apart from that paragraph.

*Status: Point in time view as at 29/04/2010.*

*Changes to legislation: There are currently no known outstanding effects for the Aviation Security Act 1982, Part III. (See end of Document for details)*

[<sup>F9</sup>( 2A ) The chief officer of police for the relevant police area shall, in making arrangements for the policing of [<sup>F10</sup> a relevant aerodrome ], secure that the level of policing provided under the arrangements takes account of—

- (a) any measures required to be taken pursuant to directions given under section 12, 13, 13A or 14 of this Act; <sup>F11</sup>...
- (b) any other measures taken in relation to the aerodrome for [<sup>F12</sup> security purposes ] by immigration officers or officers of Revenue and Customs or by the manager of the aerodrome [<sup>F13</sup>; and
- (c) any aerodrome security plan for the aerodrome.]

(2B) In relation to any time when a police services agreement is in force in relation to an aerodrome under section 25B of this Act, the manager of the aerodrome—

- (a) shall make to the police authority for the relevant police area such payments in respect of the policing provided for the aerodrome as fall to be made under the agreement, and
- (b) shall secure that accommodation and facilities are provided in accordance with the agreement for use in connection with that policing.

(2C) In relation to any time when no police services agreement is in force in relation to [<sup>F14</sup> a relevant aerodrome ], the manager of the aerodrome—

- (a) shall make to the police authority for the relevant police area such payments as are necessary to reimburse the authority in respect of the costs reasonably incurred by it in connection with the policing provided for the aerodrome, and
- (b) shall secure that suitable accommodation and facilities are provided for use in connection with that policing.

[ Unless the aerodrome was a designated airport immediately before the commencement  
<sup>F15</sup>( 2CA ) of section 80 of the Policing and Crime Act 2009, subsection (2C) does not apply in relation to any time before the end of the period of 3 months beginning with the day on which an aerodrome security plan is first required to be in force in relation to the aerodrome (by virtue of section 24AE(1)).]

(2D) Subsection (2C)(a) above does not require the manager to pay any costs incurred by the police authority to the extent that those costs are defrayed by payments made by any other person to the police authority in respect of the policing provided for the aerodrome.

[<sup>F16</sup>( 2E ) For the purposes of subsection (2A)(b) a measure is taken in relation to the aerodrome for security purposes if it is taken for a purpose to which Part 2 applies or otherwise for the purpose of preventing crime or preserving the peace at the aerodrome.]

<sup>F17</sup>( 3 ) .....

<sup>F18</sup>( 4 ) .....

**Textual Amendments**

- F7** Words in s. 26 heading substituted (29.1.2010 for E.W.S., 1.4.2010 for N.I.) by [Policing and Crime Act 2009 \(c. 26\)](#) , s. 116(1) , [Sch. 6 para. 6\(2\)](#) ; [S.I. 2010/125](#) , art. 2(s) ; [S.I. 2010/507](#) , art. 5(u)
- F8** Words in s. 26(1) substituted (29.1.2010 for E.W.S., 1.4.2010 for N.I.) by [Policing and Crime Act 2009 \(c. 26\)](#) , s. 116(1) , [Sch. 6 para. 6\(3\)](#) ; [S.I. 2010/125](#) , art. 2(s) ; [S.I. 2010/507](#) , art. 5(u)
- F9** S. 26(2A)-(2E) inserted (21.11.2005 retrospectively for specified purposes) by [Civil Aviation Act 2006 \(c. 34\)](#) , s. 14(2) , [Sch. 1 paras. 3\(2\), 6](#)

*Status: Point in time view as at 29/04/2010.*

*Changes to legislation: There are currently no known outstanding effects for the Aviation Security Act 1982, Part III. (See end of Document for details)*

- F10** Words in s. 26(2A) substituted (29.1.2010 for E.W.S., 1.4.2010 for N.I.) by [Policing and Crime Act 2009 \(c. 26\)](#), s. 116(1), **Sch. 6 para. 6(4)(a)**; S.I. 2010/125, art. 2(s); S.I. 2010/507, art. 5(u)
- F11** Word in s. 26(2A)(a) repealed (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), s. 116(1), **Sch. 6 para. 6(4)(b)**, **Sch. 8 Pt. 7**; S.I. 2010/125, art. 2(s)(u)
- F12** Words in s. 26(2A)(b) substituted (29.1.2010 for E.W.S., 1.4.2010 for N.I.) by [Policing and Crime Act 2009 \(c. 26\)](#), s. 116(1), **Sch. 6 para. 6(4)(c)**; S.I. 2010/125, art. 2(s); S.I. 2010/507, art. 5(u)
- F13** S. 26(2A)(c) and word inserted (29.1.2010 for E.W.S., 1.4.2010 for N.I.) by [Policing and Crime Act 2009 \(c. 26\)](#), s. 116(1), **Sch. 6 para. 6(4)(d)**; S.I. 2010/125, art. 2(s); S.I. 2010/507, art. 5(u)
- F14** Words in s. 26(2C) substituted (29.1.2010 for E.W.S., 1.4.2010 for N.I.) by [Policing and Crime Act 2009 \(c. 26\)](#), s. 116(1), **Sch. 6 para. 6(5)**; S.I. 2010/125, art. 2(s); S.I. 2010/507, art. 5(u)
- F15** S. 26(2CA) inserted (29.1.2010 for E.W.S., 1.4.2010 for N.I.) by [Policing and Crime Act 2009 \(c. 26\)](#), s. 116(1), **Sch. 6 para. 6(6)**; S.I. 2010/125, art. 2(s); S.I. 2010/507, art. 5(u)
- F16** S. 26(2E) substituted (29.1.2010 for E.W.S., 1.4.2010 for N.I.) by [Policing and Crime Act 2009 \(c. 26\)](#), s. 116(1), **Sch. 6 para. 6(7)**; S.I. 2010/125, art. 2(s); S.I. 2010/507, art. 5(u)
- F17** S. 26(3) omitted (21.11.2005 retrospectively for specified purposes) by virtue of [Civil Aviation Act 2006 \(c. 34\)](#), s. 14(2), **Sch. 1 paras. 3(3), 6** (with [Sch. 1 para. 6\(3\)\(b\)](#))
- F18** S. 26(4) repealed (3.7.2000) by [1999 c. 29](#), ss. 325, 423, [Sch. 27 para. 46\(2\)](#), **Sch. 34 Pt. VII** (with [Sch. 12 para. 9\(1\)](#)); S.I. 2000/1648, art. 2, **Sch.**

## 27 **Prevention of theft** [<sup>F19</sup> **at relevant aerodromes**].

<sup>F20</sup>( 1 ) . . . . .

(2) Any relevant constable may—

- ( a ) stop any person who is leaving a cargo area in [<sup>F21</sup> a relevant aerodrome ] and inspect any goods carried by that person;
- ( b ) stop and search any vehicle or aircraft which is leaving any such area and inspect the vehicle or aircraft and any goods carried on or in it; and
- ( c ) detain in the area—
  - ( i ) any such goods as aforesaid for which there is not produced a document authorising their removal from the area signed by a person authorised in that behalf by the manager of the aerodrome; and
  - ( ii ) any such vehicle or aircraft as aforesaid so long as there are on or in it goods liable to detention under this paragraph.

(3) Nothing in subsection (2) above shall be construed as conferring a power to search any person.

<sup>F20</sup>( 4 ) . . . . .

<sup>F20</sup>( 5 ) . . . . .

( 6 ) In this section cargo area means, subject to subsection (7) below, any area which appears to the Secretary of State to be used wholly or mainly for the storage or handling of cargo in an aerodrome and is designated by an order made by him for the purposes of this section.

<sup>F22</sup>( 7 ) . . . . .

(8) Any power to make an order under this section shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.

*Status: Point in time view as at 29/04/2010.*

*Changes to legislation: There are currently no known outstanding effects for the Aviation Security Act 1982, Part III. (See end of Document for details)*

- (9) The powers conferred by this section on a relevant constable are without prejudice to any powers exercisable by him apart from this section.

**Textual Amendments**

**F9** S. 26(2A)-(2E) inserted (21.11.2005 retrospectively for specified purposes) by [Civil Aviation Act 2006 \(c. 34\)](#) , s. 14(2) , [Sch. 1 paras. 3\(2\), 6](#)

**F19** Words in s. 27 heading substituted (29.1.2010 for E.W.S., 1.4.2010 for N.I.) by [Policing and Crime Act 2009 \(c. 26\)](#) , s. 116(1) , [Sch. 6 para. 7\(2\)](#); S.I. 2010/125 , art. 2(s); S.I. 2010/507 , art. 5(u)

**F20** S. 27(1)(4)(5) repealed (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#) , s. 53(1) , [Sch. 14 para. 8\(4\)](#) , [Sch. 15 Pt. 2](#) ; S.I. 2007/709 , art. 3(p) (with art. 6)

**F21** Words in s. 27(2)(a) substituted (29.1.2010 for E.W.S., 1.4.2010 for N.I.) by [Policing and Crime Act 2009 \(c. 26\)](#) , s. 116(1) , [Sch. 6 para. 7\(3\)](#); S.I. 2010/125 , art. 2(s) ; S.I. 2010/507 , art. 5(u)

**F22** S. 27(7) repealed (1.8.1986) by [Airports Act 1986 \(c. 31\)](#) , s. 83(5) , [Sch. 6 Pt. I](#)

**28 Byelaws for <sup>F23</sup> relevant aerodromes ].**

- (1) So long as any aerodrome is <sup>F24</sup> a relevant aerodrome ] any power of the manager of the aerodrome to make aerodrome byelaws shall, if it would not otherwise do so—
  - (a) extend to the making of byelaws in respect of the whole of the aerodrome; and
  - (b) include power to make byelaws requiring any person, if so requested by a relevant constable, to leave the aerodrome or any particular part of it or to state his name and address and the purpose of his being on the aerodrome.
- (2) A relevant constable may remove from <sup>F25</sup> any relevant aerodrome ], or from any part of it—
  - (a) any person who, in contravention of any aerodrome byelaws, fails or refuses to leave the aerodrome or part after being requested by the constable to do so;
  - (b) any vehicle, animal or thing brought to or left within the aerodrome or part in contravention of any aerodrome byelaws and any vehicle, animal or thing likely to cause danger or obstruction.

<sup>F26</sup><sup>F27</sup>(3) . . . . . ]

**Textual Amendments**

**F9** S. 26(2A)-(2E) inserted (21.11.2005 retrospectively for specified purposes) by [Civil Aviation Act 2006 \(c. 34\)](#) , s. 14(2) , [Sch. 1 paras. 3\(2\), 6](#)

**F23** Words in s. 28 heading substituted (29.1.2010 for E.W.S., 1.4.2010 for N.I.) by [Policing and Crime Act 2009 \(c. 26\)](#) , s. 116(1) , [Sch. 6 para. 8\(2\)](#); S.I. 2010/125 , art. 2(s); S.I.2010/507 , art. 5(u)

**F24** Words in s. 28(1) substituted (29.1.2010 for E.W.S., 1.4.2010 for N.I.) by [Policing and Crime Act 2009 \(c. 26\)](#) , s. 116(1) , [Sch. 6 para. 8\(3\)](#); S.I. 2010/125 , art. 2(s); S.I.2010/507 , art. 5(u)

**F25** Words in s. 28(2) substituted (29.1.2010 for E.W.S., 1.4.2010 for N.I.) by [Policing and Crime Act 2009 \(c. 26\)](#) , s. 116(1) , [Sch. 6 para. 8\(4\)](#); S.I. 2010/125 , art. 2(s); S.I.2010/507 , art. 5(u)

**F26** S. 28(3) repealed (1.1.2006 for E.W.S.) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#) , s. 178(8)(8) , [Sch. 7 para. 23](#) , [Sch. 17 Pt. 2](#) ; S.I. 2005/3495 , art. 2(1)(m)(u)

**F27** S. 28(3) repealed (1.3.2007 for N.I.) by [The Police and Criminal Evidence \(Amendment\) \(Northern Ireland\) Order 2007 \(S.I. 2007/288\)](#) , art. 1(2) , [Sch. 1 para. 20\(2\)](#) , [Sch. 2](#)



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*Changes to legislation: There are currently no known outstanding effects for the Aviation Security Act 1982, Part III. (See end of Document for details)*

## 29 Control of road traffic [<sup>F28</sup> at relevant aerodromes ].

( 1 ) So long as any aerodrome is [<sup>F29</sup> a relevant aerodrome ], the functions of a chief officer of police under any provisions applying in relation to the aerodrome under [<sup>F30</sup>section 65 of the Airports Act 1986](application to certain aerodromes of provisions relating to road traffic) shall, notwithstanding any order under [<sup>F30</sup>that section], be exercisable by that officer to the exclusion of the chief officer of any aerodrome constabulary; and for the purposes of any functions of a chief officer of police under those provisions any part of the aerodrome which is not within the relevant police area shall be treated as if it were.

( 2 ) So long as any aerodrome is [<sup>F31</sup> a relevant aerodrome ]—

(a) traffic wardens appointed by the police authority for the relevant police area [<sup>F32</sup> . . . ] may exercise their functions on the aerodrome and shall be entitled, as against the manager of the aerodrome, to enter the aerodrome accordingly;

<sup>F33</sup>(b) . . . . .

<sup>F34</sup>( 3 ) . . . . .

### Textual Amendments

**F28** Words in s. 29 heading substituted (29.1.2010 for E.W.S., 1.4.2010 for N.I.) by [Policing and Crime Act 2009 \(c. 26\), s. 116\(1\), Sch. 6 para. 9\(2\)](#); S.I. 2010/125, art. 2(s); S.I. 2010/507, art. 5(u)

**F29** Words in s. 29(1) substituted (29.1.2010 for E.W.S., 1.4.2010 for N.I.) by [Policing and Crime Act 2009 \(c. 26\), s. 116\(1\), Sch. 6 para. 9\(3\)](#); S.I. 2010/125, art. 2(s); S.I. 2010/507, art. 5(u)

**F30** Words in s. 29(1) substituted (1.8.1986) by [Airports Act 1986 \(c. 31, SIF 9\)](#), ss. 83(1), 85(3), [Sch. 4 para. 9](#) (a); S.I. 1986/2228, art. 5

**F31** Words in s. 29(2) substituted (29.1.2010 for E.W.S., 1.4.2010 for N.I.) by [Policing and Crime Act 2009 \(c. 26\), s. 116\(1\), Sch. 6 para. 9\(4\)](#); S.I. 2010/125, art. 2(s); S.I. 2010/507, art. 5(u)

**F32** Words in s. 29(2)(a) repealed (3.7.2000) by [1999 c. 29](#), ss. 325, 423, [Sch. 27 para. 46\(3\)](#), [Sch. 34 Pt. VII](#) (with [Sch. 12 para. 9\(1\)](#)); S.I. 2000/1648, art. 2, [Sch.](#)

**F33** S. 29(2)(b) repealed (1.8.1986) by [Airports Act 1986 \(c. 31, SIF 9\)](#), ss. 83(5), 85(3), [Sch. 6 Pt. I](#); S.I. 1986/2228, art. 5

**F34** S. 29(3) repealed (3.7.2000) by [1999 c. 29](#), ss. 423, [Sch. 34 Pt. VII](#) (with [Sch. 12 para. 9\(1\)](#)); S.I. 2000/1648, art. 2, [Sch.](#)

## [<sup>F35</sup> 29A Power to refer disputes to Secretary of State

(1) A relevant person may refer a dispute about the policing of a relevant aerodrome to the Secretary of State.

(2) For the purposes of this section and sections 29B to 29D, there is a dispute about the policing of a relevant aerodrome if—

(a) there is a dispute between any of the relevant persons about the terms to be included in a police services agreement and, in consequence, there is, or there is likely to be, a breach of the requirement imposed by section 25B(1),

(b) there is a dispute between any of the relevant persons about whether or how a police services agreement should be varied,

(c) there is a dispute between any of the relevant persons about the construction or operation of a police services agreement which is or has been in force in relation to the aerodrome, or

*Status: Point in time view as at 29/04/2010.*

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- (d) there is a dispute between any of the relevant persons about the payments to be made, or the accommodation and facilities to be provided, under section 26(2C).
- (3) For the purposes of subsection (2)(c) or (d), it does not matter whether the aerodrome is a relevant aerodrome when the dispute arises.

#### Textual Amendments

- F9** S. 26(2A)-(2E) inserted (21.11.2005 retrospectively for specified purposes) by [Civil Aviation Act 2006](#) (c. 34) , s. 14(2) , [Sch. 1 paras. 3\(2\), 6](#)
- F35** Ss. 29A-29E substituted for ss. 29A-29D (29.1.2010 for E.W.S.) by [Policing and Crime Act 2009](#) (c. 26) , s. 116(1) , [Sch. 6 para. 10](#) ; S.I. 2010/125 , art. 2(s)

### <sup>F35</sup> **29B Powers of Secretary of State in relation to disputes**

- (1) This section applies where—
- (a) a dispute about the policing of a relevant aerodrome is referred to the Secretary of State under section 29A, or
  - (b) although no such reference is made, the Secretary of State thinks that there is a dispute about the policing of a relevant aerodrome.
- (2) The Secretary of State may require any relevant person to take such steps as the Secretary of State thinks may assist to resolve the dispute.
- (3) The Secretary of State may require any relevant person to make payments in respect of any costs incurred by another person (whether or not a relevant person) in connection with the taking of the steps mentioned in subsection (2).
- (4) The payments that may be required under subsection (3) include payments in respect of any costs incurred by the Secretary of State (including any costs attributable to the work of officials of the Secretary of State).
- (5) If the Secretary of State decides not to exercise the power in subsection (2), or if the Secretary of State exercises that power but the dispute is not resolved, the Secretary of State may determine the dispute.

#### Textual Amendments

- F9** S. 26(2A)-(2E) inserted (21.11.2005 retrospectively for specified purposes) by [Civil Aviation Act 2006](#) (c. 34) , s. 14(2) , [Sch. 1 paras. 3\(2\), 6](#)
- F35** Ss. 29A-29E substituted for ss. 29A-29D (29.1.2010 for E.W.S.) by [Policing and Crime Act 2009](#) (c. 26) , s. 116(1) , [Sch. 6 para. 10](#) ; S.I. 2010/125 , art. 2(s)

### <sup>F35</sup> **29C Dispute resolution: procedure**

- (1) This section applies where the Secretary of State is determining a dispute about the policing of a relevant aerodrome.
- (2) The Secretary of State must give the relevant persons an opportunity to make representations.

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- (3) If the dispute falls within section 29A(2)(a) or (b), the Secretary of State must have regard to the matters mentioned in section 25E(2).
- (4) Subject to subsections (2) and (3), the Secretary of State may decide the procedure for determining the dispute.
- (5) In particular, the Secretary of State may require a relevant person to provide such information as the Secretary of State may specify to—
  - (a) the Secretary of State, or
  - (b) another relevant person.
- (6) Subsection (7) applies if, in determining a dispute about the policing of a relevant aerodrome, the Secretary of State—
  - (a) provides information to a relevant person, or
  - (b) requires a relevant person to provide information to another relevant person.
- (7) The Secretary of State may require the person to whom the information is provided not to disclose the information without the consent of the Secretary of State.

#### Textual Amendments

- F9** S. 26(2A)-(2E) inserted (21.11.2005 retrospectively for specified purposes) by [Civil Aviation Act 2006](#) (c. 34) , s. 14(2) , [Sch. 1 paras. 3\(2\), 6](#)
- F35** Ss. 29A-29E substituted for ss. 29A-29D (29.1.2010 for E.W.S.) by [Policing and Crime Act 2009](#) (c. 26) , s. 116(1) , [Sch. 6 para. 10](#) ; S.I. 2010/125 , art. 2(s)

#### <sup>F35</sup><sup>F36</sup>**29D** Dispute resolution: powers

- (1) This section applies where the Secretary of State has considered a dispute about the policing of a relevant aerodrome.
- (2) Where the dispute is within section 29A(2)(a), the Secretary of State—
  - (a) must make a declaration as to the terms which are to have effect as the terms of a police services agreement between the relevant persons, and
  - (b) may make an order as to costs.
- (3) Where a declaration is made under subsection (2)(a), references in this Part to a police services agreement are to have effect, so far as necessary, as references to the terms which the declaration provides are to have effect as the terms of a police services agreement.
- (4) Where the dispute is within section 29A(2)(b), the Secretary of State may—
  - (a) make a declaration varying the police services agreement;
  - (b) determine that the manager of the aerodrome is obliged to pay to the police authority for the relevant police area a specified sum or a sum to be assessed in a specified manner;
  - (c) determine that the police authority for the relevant police area is obliged to pay to the manager of the aerodrome a specified sum or a sum to be assessed in a specified manner;
  - (d) determine that the manager of the aerodrome is obliged to provide specified accommodation and facilities for use in connection with the policing provided for the aerodrome;

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- (e) make an order as to costs.
- (5) Where the dispute is within section 29A(2)(c), the Secretary of State may—
- (a) make a declaration as to how any term of the police services agreement is to be construed;
  - (b) make a declaration as to how any term of the agreement is to be, or ought to have been, operated;
  - (c) make a declaration varying the agreement;
  - (d) determine that the manager of the aerodrome is obliged to pay to the police authority for the relevant police area a specified sum or a sum to be assessed in a specified manner;
  - (e) determine that the police authority for the relevant police area is obliged to pay to the manager of the aerodrome a specified sum or a sum to be assessed in a specified manner;
  - (f) determine that the manager of the aerodrome is obliged to provide specified accommodation and facilities for use in connection with the policing provided for the aerodrome;
  - (g) make an order as to costs.
- (6) Where the dispute is within section 29A(2)(d), the Secretary of State may—
- (a) determine that the manager of the aerodrome is obliged to pay to the police authority for the relevant police area a specified sum or a sum to be assessed in a specified manner;
  - (b) determine that the police authority for the relevant police area is obliged to pay to the manager of the aerodrome a specified sum or a sum to be assessed in a specified manner;
  - (c) determine that the manager of the aerodrome is obliged to provide specified accommodation and facilities for use in connection with the policing provided for the aerodrome;
  - (d) make an order as to costs.
- (7) In this section, “costs” means—
- (a) the legal or other costs incurred by the Secretary of State (including costs attributable to the work of officials of the Secretary of State), and
  - (b) the legal or other costs incurred by any of the relevant persons.]

#### Textual Amendments

**F35** Ss. 29A-29E substituted for ss. 29A-29D (29.1.2010 for E.W.S.) by [Policing and Crime Act 2009 \(c. 26\)](#), s. 116(1), [Sch. 6 para. 10](#); S.I. 2010/125, art. 2(s)

**F36** S. 25A - S. 25B inserted (8.11.2006) by [Civil Aviation Act 2006 \(c. 34\)](#), s. 14(2), [Sch. 1 para. 2](#)

#### 29E Dispute resolution: appeals and enforcement etc.

- (1) A relevant person may appeal to the High Court against—
- (a) any requirement imposed on the person under section 29B(3), or
  - (b) any declaration, determination or order of the Secretary of State under section 29D.

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- (2) Any requirement imposed under section 29B(3) or 29C(7), and any declaration, determination or order made under section 29D may, with the permission of the High Court, be enforced as if it were a judgment of the High Court (and may, in particular, be enforced by the use of powers in relation to contempt of court).
- (3) In the application of this section to Scotland, references to the High Court are to be read as references to the Court of Session.]

**Textual Amendments**

- F9** S. 26(2A)-(2E) inserted (21.11.2005 retrospectively for specified purposes) by [Civil Aviation Act 2006 \(c. 34\)](#) , s. 14(2) , [Sch. 1 paras. 3\(2\), 6](#)
- F35** Ss. 29A-29E substituted for ss. 29A-29D (29.1.2010 for E.W.S.) by [Policing and Crime Act 2009 \(c. 26\)](#) , s. 116(1) , [Sch. 6 para. 10](#) ; S.I. 2010/125 , art. 2(s)

**F37 30 Supplementary orders.**

.....]

**Textual Amendments**

- F9** S. 26(2A)-(2E) inserted (21.11.2005 retrospectively for specified purposes) by [Civil Aviation Act 2006 \(c. 34\)](#) , s. 14(2) , [Sch. 1 paras. 3\(2\), 6](#)
- F37** S. 30 repealed (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#) , s. 116(1) , [Sch. 6 para. 11](#) , [Sch. 8 Pt. 7](#) (with [Sch. 6 para. 15](#) ) ; S.I. 2010/125 , art. 2(s)(u)

**31 Interpretation and application of Part III to Scotland and Northern Ireland.**

- ( 1 ) In this Part of this Act, subject to the following provisions of this section—
- aerodrome byelaws means, in relation to any aerodrome, byelaws having effect under any enactment authorising the manager of the aerodrome to make byelaws in respect of the whole or any part of the aerodrome;
  - aerodrome constabulary means, in relation to any aerodrome, any body of constables which the manager of the aerodrome has power to maintain at the aerodrome;
  - [<sup>F38</sup> “ aerodrome security plan ”, in relation to any aerodrome, has the same meaning as in Part 2A; ]
  - <sup>F39</sup>  
...
  - [<sup>F40</sup> “ dispute about the policing of a relevant aerodrome ” has the meaning given by section 29A(2); ]
  - [<sup>F41</sup> “ immigration officer ” means a person who is an immigration officer within the meaning of the Immigration Act 1971; ]
  - <sup>F42</sup>  
...
  - [<sup>F41</sup> “ police services agreement ” has the meaning given by section 25B(3) of this Act (but this is subject to [<sup>F43</sup> section 29D(3) ] of this Act); ]
  - [<sup>F44</sup> “ relevant aerodrome ” has the meaning given by section 25AA;” ]
  - [<sup>F41</sup> “ the relevant persons ” has the meaning given by [<sup>F45</sup> section 25B(4) ] of this Act; ]
  - [<sup>F46</sup> “ the relevant persons ”, in relation to an aerodrome, means—

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- (a) the manager of the aerodrome,
- (b) the police authority for the relevant police area, and
- (c) the chief officer of police for that area.]

relevant police area and relevant constable, in relation to any aerodrome, mean respectively the police area in which the aerodrome is wholly or mainly situated and any constable under the direction and control of the chief officer of police for that area.

[<sup>F47</sup> “security executive group” and “security measures” have the same meaning as in Part 2A; ]

[<sup>F48</sup>( 1A ) If an aerodrome ceases to be a relevant aerodrome, but subsequently becomes such an aerodrome again, this Part applies in relation to the aerodrome with the following modifications—

- (a) section 25B(2) applies as if the reference to the first aerodrome security plan were a reference to the first aerodrome security plan after the time when the aerodrome becomes a relevant aerodrome again,
- (b) section 25C applies as if the reference in subsection (2) to the first police services agreement were a reference to the first police services agreement after the time when the aerodrome becomes a relevant aerodrome again, and
- (c) section 26(2CA) applies as if the reference to the time when an aerodrome security plan is first required to be in force were a reference to the time when an aerodrome security plan is first required to be in force by virtue of the aerodrome becoming a relevant aerodrome again.]

[<sup>F49</sup>( 2 ) In the application of this Part to Scotland—

- (a) references to the chief officer of police for the relevant police area shall be construed as references to the chief constable of the police force for that area, and
- (b) references to the police authority for the relevant police area shall, where a joint police board is constituted for that area in accordance with an amalgamation scheme made under the Police (Scotland) Act 1967 (c. 77), be construed as references to that joint police board. ]

(3) In the application of this Part of this Act to Northern Ireland—

- (a) [<sup>F50</sup> the reference in ] subsection (1) above to constables or any constable under the direction and control of the chief officer of police for the area there mentioned shall be construed as references to members or any member of the Royal Ulster Constabulary or the Royal Ulster Constabulary Reserve;
- (b) references in other provisions to a chief officer of police shall be construed as references to the Chief Constable of the Royal Ulster Constabulary; and
- (c) references in any provision to the police authority or police force for a police area shall be construed respectively as references to the [<sup>F51</sup>Northern Ireland Policing Board] and the Royal Ulster Constabulary.

#### Textual Amendments

**F38** Words in s. 31(1) inserted (29.1.2010 for E.W.S., 1.4.2010 for N.I.) by [Policing and Crime Act 2009 \(c. 26\)](#) , s. 116(1) , [Sch. 6 para. 12\(2\)\(a\)](#) (with [Sch. 6 para. 14\(7\)](#) ) ; S.I. 2010/125 , art. 2(s) ; S.I. 2010/507, art. 5(u)

**F39** Words in s. 31(1) repealed (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#) , s. 116(1) , [Sch. 6 para. 12\(2\)\(b\)](#) , [Sch. 8 Pt. 7](#) (with [Sch. 6 para. 14\(7\)](#) ) ; S.I. 2010/125 , art. 2(s)(u)

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- F40** Words in s. 31(1) inserted (29.1.2010 for E.W.S., 1.4.2010 for N.I.) by **Policing and Crime Act 2009 (c. 26)**, s. 116(1), **Sch. 6 para. 12(2)(c)** (with Sch. 6 para. 14(7)); S.I. 2010/125, art. 2(s); S.I. 2010/507, art. 5(u)
- F41** Words in s. 31(1) inserted (21.11.2005 retrospectively for specified purposes) by **Civil Aviation Act 2006 (c. 34)**, s. 14(2), **Sch. 1 paras. 5, 6**
- F42** Words in s. 31(1) repealed (3.7.2000) by 1999 c. 29, ss. 325, 423, Sch. 27 para. 46(5), **Sch. 34 Pt. VII** (with Sch. 12 para.(1)); S.I. 2000/1648, art. 2, **Sch.**
- F43** Words in s. 31(1) substituted (29.1.2010 for E.W.S., 1.4.2010 for N.I.) by **Policing and Crime Act 2009 (c. 26)**, s. 116(1), **Sch. 6 para. 12(2)(d)** (with Sch. 6 para. 14(7)); S.I. 2010/125, art. 2(s); S.I. 2010/507, art. 5(u)
- F44** Words in s. 31(1) inserted (29.1.2010 for E.W.S., 1.4.2010 for N.I.) by **Policing and Crime Act 2009 (c. 26)**, s. 116(1), **Sch. 6 para. 12(2)(e)** (with Sch. 6 para. 14(7)); S.I. 2010/125, art. 2(s); S.I. 2010/507, art. 5(u)
- F45** Words in s. 31(1) substituted (29.1.2010 for E.W.S., 1.4.2010 for N.I.) by **Policing and Crime Act 2009 (c. 26)**, s. 116(1), **Sch. 6 para. 12(2)(f)** (with Sch. 6 para. 14(7)); S.I. 2010/125, art. 2(s); S.I. 2010/507, art. 5(u)
- F46** Words in s. 31(1) inserted (8.11.2006) by **Civil Aviation Act 2006 (c. 34)**, s. 14(2), **Sch. 1 para. 6(6)**
- F47** Words in s. 31(1) inserted (29.1.2010 for E.W.S., 1.4.2010 for N.I.) by **Policing and Crime Act 2009 (c. 26)**, s. 116(1), **Sch. 6 para. 12(2)(g)** (with Sch. 6 para. 14(7)); S.I. 2010/125, art. 2(s); S.I. 2010/507, art. 5(u)
- F48** S. 31(1A) inserted (29.1.2010 for E.W.S., 1.4.2010 for N.I.) by **Policing and Crime Act 2009 (c. 26)**, s. 116(1), **Sch. 6 para. 12(3)** (with Sch. 6 para. 14(7)); S.I. 2010/125, art. 2(s); S.I. 2010/507, art. 5(u)
- F49** S. 31(2) substituted (29.1.2010 for E.W.S., 1.4.2010 for N.I.) by **Policing and Crime Act 2009 (c. 26)**, s. 116(1), **Sch. 6 para. 12(4)** (with Sch. 6 para. 14(7)); S.I. 2010/125, art. 2(s); S.I. 2010/507, art. 5(u)
- F50** Words in s. 31(3)(a) substituted (29.1.2010 for E.W.S., 1.4.2010 for N.I.) by **Policing and Crime Act 2009 (c. 26)**, s. 116(1), **Sch. 6 para. 12(5)** (with Sch. 6 para. 14(7)); S.I. 2010/125, art. 2(s); S.I. 2010/507, art. 5(u)
- F51** Words in s. 31(3)(c) substituted (4.11.2001) by 2000 c. 32, s. 78(1), **Sch. 6 para. 8**

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