



# Aviation Security Act 1982

## 1982 CHAPTER 36

### PART II

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

##### *Supplemental provisions with respect to directions*

#### **16 Limitations on scope of directions under ss. 12 to 14.**

- (1) Without prejudice to subsection (5) of section 15 of this Act, a direction shall not require or authorise any person to carry a firearm.
- (2) A direction shall not have effect in relation to any aircraft used in military, customs or police service.
- (3) A direction shall not have effect in relation to any aircraft of which the operator is the Government of a country outside the United Kingdom, or is a department or agency of such a Government, except at a time when any such aircraft is being used for the carriage of passengers or cargo for reward or is for the time being allocated by that Government, department or agency for such use.
- (4) A direction (except in so far as it requires any building or other works to be constructed, executed, altered, demolished or removed) shall not be construed as requiring or authorising [<sup>F1</sup>the person to whom the direction was given, or any person acting as his employee or agent], to do anything which, apart from the direction, would constitute an act of violence; but nothing in this subsection shall restrict the use of such force as is reasonable in the circumstances [<sup>F2</sup>(whether at the instance of the person to whom the direction was given or otherwise)] by a constable, or its use by any other person in the exercise of a power conferred by section 7(1) or 13(3) of this Act or by any of the following provisions of this Act.
- (5) In so far as a direction requires anything to be done or not done at a place outside the United Kingdom—
  - [<sup>F3</sup>(a) it shall have effect only in relation to—

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*Changes to legislation: There are currently no known outstanding effects for the Aviation Security Act 1982, Section 16. (See end of Document for details)*

- (i) aircraft registered in the United Kingdom, or
- (ii) a requirement not to cause or permit an aircraft to fly in or into the United Kingdom unless certain things have, or have not, been done, and]
- (b) it shall not have effect so as to require anything to be done or not done in contravention of any provision of the law (whether civil or criminal) in force at that place, other than any such provision relating to breach of contract.
- [<sup>F4</sup>(6) In so far as a direction given to the manager of an aerodrome or to any person mentioned in section 14(1)(c) or (d) of this Act requires a building or other works to be constructed, executed, altered, demolished or removed on land outside the aerodrome, or requires any other measures to be taken on such land, the direction shall not confer on the person to whom it is given any rights as against a person having—
- (a) an interest in that land, or
- (b) a right to occupy that land, or
- (c) a right restrictive of its use;
- and accordingly, the direction shall not be construed as requiring the person to whom it is given to do anything which would be actionable at the suit or instance of a person having such interest or right in his capacity as a person having that interest or right.]
- (7) Nothing in this section shall be construed as derogating from any exemption or immunity of the Crown in relation to the provisions of this Part of this Act.
- (8) In this section direction means a direction under section 12, 13 [<sup>F5</sup>, 13A] or 14 of this Act.

#### Textual Amendments

- F1** Words substituted by [Aviation and Maritime Security Act 1990 \(c. 31, SIF 39:2\)](#), s. 8, **Sch. 1 para. 8(2)(a)**
- F2** Words substituted by [Aviation and Maritime Security Act 1990 \(c. 31, SIF 39:2\)](#), s. 8(1), **Sch. 1 para. 8(2)(b)**
- F3** S. 16(5)(a) substituted (12.2.2015) by [Counter-Terrorism and Security Act 2015 \(c. 6\), s. 52\(5\)](#), **Sch. 5 para. 9(4)**
- F4** S. 16(6) substituted by [Aviation and Maritime Security Act 1990 \(c. 31, SIF 39:2\)](#), s. 8(1), **Sch. 1 para. 8(3)**
- F5** , 13A inserted by [Aviation and Maritime Security Act 1990 \(c. 31, SIF 39:2\)](#), s. 8(1), **Sch. 1 para. 8(4)**

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

- C1** S. 16 extended (with modifications) (Jersey) (12.6.1993) by [S.I. 1993/1251](#), art. 2(1), **Sch. 1 Pt. I**  
 S. 16 extended (with modifications) (Guernsey) (17.1.1998) by [S.I. 1997/2989](#), art. 2(1), **Sch. 1 Pt. I, II**
- C2** S. 16 : Pt. II (ss. 10-24A) applied (with modifications) (1.9.1993) by [S.I. 1993/1073](#), **reg. 11(1)**

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