



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

[^{F1} 18D Objections to enforcement notices.

- (1) The person on whom an enforcement notice is served may serve on the Secretary of State a notice in writing of his objection to the enforcement notice, specifying the grounds of the objection.
- (2) Any notice of objection under subsection (1) above must be served—
 - (a) where the enforcement notice specifies measures falling within section 18B(5)(a)(i) of this Act, before the end of the period of thirty days beginning with the date on which the enforcement notice was served, or
 - (b) in any other case, before the end of the period of seven days beginning with that date.
- (3) The grounds of objection to an enforcement notice are—
 - (a) that the general requirements of the direction which are specified in the notice for the purposes of section 18A(1)(a) of this Act have been complied with,
 - (b) that the notice purports to impose a requirement which could not have been imposed by a direction given under the provision under which the direction to which the notice relates was given, or
 - (c) that any requirement of the notice—
 - (i) is unnecessary for complying with the general requirements specified as mentioned in paragraph (a) above and should be dispensed with, or
 - (ii) having regard to the terms of those general requirements, is excessively onerous or inconvenient and should be modified in a

Changes to legislation: There are currently no known outstanding effects for the Aviation Security Act 1982, Section 18D. (See end of Document for details)

manner specified in the notice of objection under subsection (1) above.

[On receipt of an objection to an enforcement notice under subsection (1) the Secretary^{F2}(3A) of State must—

- (a) give a copy of the objection to the authorised person who served the enforcement notice and the CAA ,
- (b) consider the objection,
- (c) allow the person making the objection and the authorised person who served the enforcement notice an opportunity to make written or oral representations to the Secretary of State or a person appointed by the Secretary of State,
- (d) give a decision notice to the person who made the objection, and
- (e) give a copy of the decision notice to the authorised person who served the enforcement notice and the CAA.]

(4) [^{F3} In this section “ decision notice ” means] a notice in writing either —

- (a) confirming the enforcement notice as originally served, or
- (b) confirming it subject to one or more modifications specified in the [^{F4}decision notice], or
- (c) cancelling the enforcement notice.

(5) An enforcement notice to which an objection has been made under subsection (1) above —

- (a) if it contains such a requirement as is mentioned in section 18B(3) or (5)(b) of this Act, shall continue to have effect as originally served until it has been cancelled, or it has been confirmed subject to modification by [^{F5} a decision notice], and
- (b) in any other case, shall not take effect until it has been confirmed (with or without modification) by a notice under subsection (4) above.]

Textual Amendments

- F1** Ss. 18A–18E inserted by [Aviation and Maritime Security Act 1990 \(c. 31, SIF 39:2\)](#) , s. 4
- F2** S. 18D(3A) inserted (1.4.2014) by [Civil Aviation Act 2012 \(c. 19\)](#), s. 110(1), **Sch. 11 para. 14(2)** (with [Sch. 10 paras. 12, 17](#)); S.I. 2014/262, art. 3(a)
- F3** Words in s. 18D(4) substituted (1.4.2014) by [Civil Aviation Act 2012 \(c. 19\)](#), s. 110(1), **Sch. 11 para. 14(3)(a)** (with [Sch. 10 paras. 12, 17](#)); S.I. 2014/262, art. 3(a)
- F4** Words in s. 18D(4)(b) substituted (1.4.2014) by [Civil Aviation Act 2012 \(c. 19\)](#), s. 110(1), **Sch. 11 para. 14(3)(b)** (with [Sch. 10 paras. 12, 17](#)); S.I. 2014/262, art. 3(a)
- F5** Words in s. 18D(5) substituted (1.4.2014) by [Civil Aviation Act 2012 \(c. 19\)](#), s. 110(1), **Sch. 11 para. 14(4)** (with [Sch. 10 paras. 12, 17](#)); S.I. 2014/262, art. 3(a)

Modifications etc. (not altering text)

- C1** S. 18D extended (with modifications) (Jersey) (12.6.1993) by S.I. 1993/1251 , art. 2(1) , **Sch. 1 Pt. I**
 S. 18D extended (with modifications) (Guernsey) (17.1.1998) by S.I. 1997/2989 , art. 2(1) , **Sch. 1 Pt. I, II**
- C2** S. 18D : Pt. II (ss. 10-24A) applied (with modifications) (1.9.1993) by S.I. 1993/1073 , **reg. 11(1)**

Changes to legislation:

There are currently no known outstanding effects for the Aviation Security Act 1982, Section 18D .