



# Aviation Security Act 1982

## 1982 CHAPTER 36

### PART V

#### MISCELLANEOUS AND GENERAL

#### **38 Interpretation etc.**

(1) In this Act, except in so far as the context otherwise requires—

" act of violence " shall be construed in accordance with section 2(7) or, as the case may require, section 10(2) of this Act;

" aerodrome " means the aggregate of the land, buildings and works comprised in an aerodrome within the meaning of the Civil Aviation Act 1982 and (if and so far as not comprised in an aerodrome as defined in that Act) any land, building or works situated within the boundaries of an area designated, by an order made by the Secretary of State which is for the time being in force, as constituting the area of an aerodrome for the purposes of this Act;

" air navigation installation " means any building, works, apparatus or equipment used wholly or mainly for the purpose of assisting air traffic control or as an aid to air navigation, together with any land contiguous or adjacent to any such building, works, apparatus or equipment and used wholly or mainly for purposes connected therewith;

" aircraft registered or operating in the United Kingdom " means any aircraft which is either—

- (a) an aircraft registered in the United Kingdom, or
- (b) an aircraft not so registered which is for the time being allocated for use on flights which (otherwise than in exceptional circumstances) include landing at or taking off from one or more aerodromes in the United Kingdom ;

" article " includes any substance, whether in solid or liquid form or in the form of a gas or vapour;

" constable " includes any person having the powers and privileges of a constable ;

---

*Status: This is the original version (as it was originally enacted).*

---

" 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;

" manager ", in relation to an aerodrome, means the person (whether the British Airports Authority, the Civil Aviation Authority, a local authority or any other person) by whom the aerodrome is managed ;

" military service " includes naval and air force service ;

" measures" (without prejudice to the generality of that expression) includes the construction, execution, alteration, demolition or removal of buildings or other works and also includes the institution or modification, and the supervision and enforcement, of any practice or procedure;

" operator " has the same meaning as in the Civil Aviation Act 1982;

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

" the statutory maximum " means—

(a) in England and Wales, the prescribed sum within the meaning of section 32 of the Magistrates' Courts Act 1980 (that is to say, £1,000 or another sum fixed by order under section 143 of that Act to take account of changes in the value of money);

(b) in Scotland, the prescribed sum within the meaning of section 289B of the Criminal Procedure (Scotland) Act 1975 (that is to say, £1,000 or another sum fixed by order under section 289D of that Act for that purpose);

(c) in Northern Ireland, £400 ;

" United Kingdom national " means an individual who is—

(a) a British citizen, a British Dependent Territories citizen or a British Overseas citizen;

(b) a person who under the British Nationality Act 1981 is a British subject;  
or

(c) a British protected person (within the meaning of that Act).

(2) For the purposes of this Act—

(a) in the case of an air navigation installation provided by, or used wholly or mainly by, the Civil Aviation Authority, that Authority, and

(b) in the case of any other air navigation installation, the manager of an aerodrome by whom it is provided, or by whom it is wholly or mainly used,

shall be taken to be the authority responsible for that air navigation installation.

(3) For the purposes of this Act—

(a) the period during which an aircraft is in flight shall be deemed to include any period from the moment when all its external doors are closed following embarkation until the moment when any such door is opened for disembarkation, and, in the case of a forced landing, any period until the competent authorities take over responsibility for the aircraft and for persons and property on board and

(b) an aircraft shall be taken to be in service during the whole of the period which begins with the pre-flight preparation of the aircraft for a flight and ends 24 hours after the aircraft lands having completed that flight, and also at any

---

*Status: This is the original version (as it was originally enacted).*

---

- time (not falling within that period) while, in accordance with the preceding paragraph, the aircraft is in flight,  
and anything done on board an aircraft while in flight over any part of the United Kingdom shall be treated as done in that part of the United Kingdom.
- (4) For the purposes of this Act the territorial waters adjacent to any part of the United Kingdom shall be treated as included in that part of the United Kingdom.
- (5) Any power to make an order under subsection (1) above shall be exercisable by statutory instrument; and any statutory instrument containing any such order shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (6) Any power to give a direction under any provision of this Act shall be construed as including power to revoke or vary any such direction by a further direction given under that provision.
- (7) Subject to section 18 of the Interpretation Act 1978 (which relates to offences under two or more laws), Part I of this Act shall not be construed as—
- (a) conferring a right of action in any civil proceedings in respect of any contravention of this Act, or
  - (b) derogating from any right of action or other remedy (whether civil or criminal) in proceedings instituted otherwise than under this Act.
- (8) References in this Act to enactments (including the reference to Acts in section 30(2) (a) of this Act) shall include references to Northern Ireland enactments, that is to say, to any enactment contained in an Act of the Parliament of Northern Ireland or a Measure of the Northern Ireland Assembly, and without prejudice to the provisions of the Interpretation Act 1978, in the application of this Act to Northern Ireland, any reference to a Northern Ireland enactment or to an enactment which the Parliament of Northern Ireland had power to amend—
- (a) shall be construed as including a reference to any Northern Ireland enactment passed after this Act and re-enacting the said enactment with or without modifications, and
  - (b) shall, except in so far as the context otherwise requires, be construed as a reference to that enactment as amended by any enactment, whether passed before or after this Act, and as including a reference thereto as extended or applied by or under any other enactment, including this Act.