

SCHEDULE 2
TO THIS ORDER

PROVISIONS OF THE AVIATION SECURITY ACT 1982 AS ADAPTED AND MODIFIED
WHICH ARE EXTENDED TO ALL THE TERRITORIES SPECIFIED IN SCHEDULE 1

PART II OF THE AVIATION SECURITY ACT 1982
PROTECTION OF AIRCRAFT, AERODROMES AND AIR
NAVIGATION INSTALLATIONS AGAINST ACTS OF VIOLENCE

Miscellaneous supplemental provisions

Compensation in respect of certain measures taken under Part II

22.—(1) The provisions of this section shall have effect where, in compliance with a direction under section 14 of this Act or under that section as applied or modified by section 21 of this Act, or in compliance with an enforcement notice, the person to whom the direction was given or on whom the notice was served takes any measures consisting of the construction, execution, alteration, demolition or removal of a building or other works on land either within or outside an aerodrome or air navigation installation, as the case may be.

(2) If the value of any interest in that land to which a person is entitled is depreciated in consequence of the taking of those measures, or the person having such an interest suffers loss in consequence of them by being disturbed in his enjoyment of any of that land, he shall be entitled to compensation equal to the amount of the depreciation or loss.

(3) If any land other than the land on which the measures are taken is injuriously affected by the taking of those measures, any person having an interest in that other land, who suffers loss in consequence of its being injuriously affected, shall be entitled to compensation equal to the amount of the loss.

(4) Any compensation to which a person is entitled under this section shall be payable to him by the person by whom the measures in question were taken.

(5) The provisions of Schedule 1 to this Act shall have effect for the purposes of this section; and the preceding provisions of this section shall have effect subject to the provisions of that Schedule.

Annual report by Governor as to notices and directions

23.—(1) The Governor shall, at the first session of the Legislative Council in each year, lay before the Council a report stating the number of notices served by him under section 11 of this Act and the number of directions given by him under sections 12, 13, 13A and 14 of this Act and the number of enforcement notices served by authorised persons during the period of twelve months which expired with the preceding December.

(3) In this section any reference to section 11, 13, 13A or 14 of this Act shall be construed as a reference to that section as applied or modified by section 21 of this Act.

Service of documents

24.—(1) This section has effect in relation to any notice, any document containing a direction and any other document authorised or required by any provision of this Part of this Act to be served on or given to any person.

(2) Any such document may be given to or served on any person—

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- (a) by delivering it to him, or
- (b) by leaving it at his proper address, or
- (c) by sending it by post to him at that address, or
- (d) by sending it to him at that address by telex or other similar means which produce a document containing the text of the communication.

(3) Any such document may, in the case of a body corporate, be given to or served on the secretary, clerk or similar officer of that body.

(4) For the purposes of this section (and any general provision of the law of the Territory relating to the service of documents by post in its application to this section), the proper address of any person to whom or on whom any document is to be given or served is his usual or last known address or place of business (whether in the Territory or elsewhere), except that in the case of a body corporate or its secretary, clerk or similar officer, it shall be the address of the registered or principal office of that body in the Territory (of, if it has no office in the Territory, of its principal office, wherever it may be).

(5) If the person to or on whom any document mentioned in subsection (1) above is to be given or served has notified the Governor of an address within the meaning of subsection (4) above, as the one at which he or someone else on his behalf will accept documents of the same description as that document, that address shall also be treated for the purposes of this section and such provision of the law of the Territory as his proper address.

(6) Where an authorised person—

- (a) intends to serve an enforcement notice on any person (“the intended recipient”), and
- (b) is of the opinion that all the requirements of the notice could be complied with by an employee or agent of the intended recipient,

the authorised person may, after consulting that employee or agent, serve the notice on the intended recipient by delivering it to that employee or agent or by sending it to that employee or agent at the proper address of the employee or agent by such means as are mentioned in subsection (2)(d) above.

(7) An authorised person who serves an enforcement notice under subsection (6) above on an employee or agent of the intended recipient shall serve a copy of the notice on the intended recipient.

(8) Nothing in subsection (6) above shall be taken to impose on the employee or agent to whom the enforcement notice is delivered or sent any obligation to comply with it.

Interpretation of Part II

24A.—(1) In this Part of this Act, except in so far as the context otherwise requires—

“act of violence” has the meaning given by section 10(2) of this Act,

“authorised person” means the Governor or a person authorised in writing by the Governor for the purposes of this Part of this Act,

“employee”, in relation to a body corporate, includes officer,

“enforcement notice” has the meaning given by section 18A(1) of this Act, and

“restricted zone”, in relation to an aerodrome or air navigation installation, means any part of the aerodrome or installation designated under section 11A of this Act or, where the whole of the aerodrome or installation is so designated, that aerodrome or installation.

(2) For the purposes of this Part of this Act a person is permitted to have access to a restricted zone of an aerodrome or air navigation installation if he is permitted to enter that zone or if arrangements exist for permitting any of his employees or agents to enter that zone.