
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations set out the civil penalty regime applicable to information requests or aviation security directions, made under the Aviation Security Act 1982, for civil flights which are inbound to the United Kingdom.

In accordance with regulation 3, where the operator of an aircraft inbound to the UK is required to provide information to the Secretary of State or the Civil Aviation Authority under the Aviation Security Act 1982 and that operator does not comply with the request or intentionally or recklessly provides false information, the Secretary of State may require the operator to pay a penalty. A reasonable excuse defence is available to operators who fail to comply with a request.

In accordance with regulation 4, the operator of an aircraft inbound to the UK may also be required by the Secretary of State to pay a penalty where the operator does not comply with the relevant aviation security directions made under the Act. A reasonable excuse defence is available to operators who fail to comply with directions.

No civil penalty imposed by the Secretary of State under these Regulations may exceed £50,000.

Regulation 5 contains provision about the contents of a penalty notice.

Regulations 6 to 8 deal with matters relating to objection, appeal, enforcement and service of documents.

No impact assessment has been prepared for these Regulations but an Explanatory Memorandum is published alongside these Regulations on www.legislation.gov.uk.