

Naghti l-kunsens tiegħi.

(L.S.)

UGO MIFSUD BONNICI
President

21 ta' Lulju, 1998

ATT Nru. XX ta' l-1998

ATT biex jagħti seħħ lil ċerti liġijiet li għandhom x'jaqsmu mas-sigurtà fl-avjazzjoni.

IL-PRESIDENT, bil-parir u l-kunsens tal-Kamra tad-Deputati, imlaqqgħa f'dan il-Parlament, u bl-awtorità ta' l-istess, hareġ b'liġi dan li ġej:-

TAQSIMA I

PRELIMINARI

1. Dan l-Att jista' jissejjah l-Att ta' l-1998 dwar is-Sigurtà fl-Ajruportijiet u fl-Avjazzjoni Ċivili. Titolu fil-qosor.

2. F'dan l-Att, kemm-il darba r-rabta tal-kliem ma tehtieġx Tifsir. xort'ohra, l-espressjonijiet li ġejjin għandhom rispettivament it-tifsir li ġej, jiġifieri:

“ajruplan” tfisser kull ingenji ta' l-ajru, sew jekk ikun ingenji ta' l-ajru taht kontroll Malti sew jekk le, li ma jkunx -

(a) ajruplan militari; jew

(b) ajruplan, li ma jkunx ajruplan militari, li jkun jappartjeni lill-Gvern ta' Malta jew li jkun esklussivament

imhaddem fis-servizz tal-Gvern ta' Malta ghal skopijiet ta' dwana jew pulizija,

izda l-Ministru jista' b'ordni, li jista' jinbidel jew jiġi revokat b'ordni sussegwenti, jipprovdi li kull dispożizzjoni ta' dan l-Att tkun tapplika b'modifikazzjonijiet jew minghajrhom ghal ajruplani bhal dawk imsemmijin fil-paragrafu (b) ta' din it-tifsira;

“ajruport” tfisser kull area ta' art jew medda ilma maghmula, mghammra, riservata jew soltu uzata sabiex ttipprovdi faċilitajiet ghat-tluġh jew ghall-inzul ta' ajruplani, u tinkludi terminal tal-passiġġieri ta' l-ajru, terminal tat-taghbija li tingarr fl-ajru u mahzen ghat-taghbija li tingarr fl-ajru kif ukoll kull art u faċilità pertinenti ghal ajruport;

“stallazzjoni ta' navigazzjoni fl-ajru” tfisser kull bini, xoghljiet, apparat jew taghmir li jintuza kollu kemm hu jew prinċipalment bil-ghan li jaghti ghajnuna fil-kontroll tat-traffiku fl-ajru jew bhala ghajnuna ghan-navigazzjoni fl-ajru, flimkien ma' kull medda art li tkun kontigwa jew biswit dawk il-bini, xoghljiet, apparat jew taghmir u li tintuza kollha kemm hi jew prinċipalment ghal ghanijiet li ghandhom x'jaqsmu ma' dan;

“ogġett” tinkludi kull sustanza, sew f'ghamla solida jew likwida jew fl-ghamla ta' gass jew fwar;

“uffiċjal awtorizzat” tfisser kull persuna li tkun awtorizzata mill-*Manager* tas-Sigurtà fl-Ajruport, jew li tkun awtorizzata mill-*Manager* tas-Sigurtà fl-Ajruport bil-parir tal-Kummissarju tal-Pulizija, jew tal-Kmandant tal-Forzi Armati ta' Malta, jew tad-Direttur Generali tal-Avjazzjoni Ċivili, jew taċ-*Chairman* ta' l-Ajruport Internazzjonali ta' Malta, li jwettaq id-dmirijiet ta' gwardja tas-sigurtà f'żona ristretta;

“kmandant” b'riferenza ghal ajruplan tfisser il-membri ta' l-ekwipaġġ mahtur bhala kmandant ta' dak l-ajruplan mill-operatur tiegħu, jew, jekk ma tkunx dik il-persuna, il-persuna li dak il-hin tkun il-pilota fi kmand ta' l-ajruplan;

Kap. 9.

“esploziv” ghandha l-istess tifsira bhalma tinsab fl-artikolu 314 tal-Kodiċi Kriminali;

Kap. 66.

“armi tan-nar” ghandha l-istess tifsira bhalma ghandha fl-Ordinanza dwar l-Armi;

“Uffiċjal ta’ l-Immigrazzjoni” tfisser l-Uffiċjal Prinċipali ta’ l-Immigrazzjoni kif imfisser fl-artikolu 2 ta’ l-Att dwar l-Immigrazzjoni; Kap. 217.

“telf jew hsara”, dwar persuni, ghandha l-istess tifsira bhalma ghandha fl-Att dwar l-Avjazzjoni Ċivili; Kap. 232.

“Malta” ghandha l-istess tifsir kif moghti lilha bl-artikolu 124 tal-Kostituzzjoni ta’ Malta;

“*Manager*”, b’riferenza ghal ajruport, tfisser dawk il-persuni li jkunu legalment responsabbli ghall-organizzazzjonijiet li jkunu qed imexxu l-operazzjonijiet ta’ passigġieri fl-ajruport u tat-terminal tat-taghbija, u ta’ l-operazzjonijiet fuq l-*airside*;

“*Manager tas-Sigurtà fl-Ajruport*” tfisser dak l-uffiċjal pubbliku li jinhatar mill-Ministru biex ikun responsabbli ghat-tmexxija b’mod generali u ghall-kontroll tas-sigurtà fl-avjazzjoni f’ajruporti speċifiċi u tinkludi kull uffiċjal pubbliku fid-dipartiment tiegħu li hekk jinhatar minnu ghall-ghanijiet ta’ dan l-Att;

“ajruplan militari” tfisser ajruplan tal-forzi navali, militari jew ta’ l-ajru ta’ kull pajjiż;

“Ministru” tfisser il-Ministru responsabbli ghas-sigurtà fl-avjazzjoni u, fil-limitu ta’ l-awtorità mogħtija, kull persuna li tiġi awtorizzata għaldaqshekk minn dak il-Ministru;

“operatur” b’riferenza ghal ajruplan f’kull waqt ghandha l-istess tifsira bhalma ghandha fl-Att dwar l-Avjazzjoni Ċivili; Kap. 232.

“vettura bil-mutur” tfisser kull għamla ta’ vettura mhaddma b’qawwa mekkanika jew elettrika;

“pilota fi kmand” b’riferenza ghal ajruplan tfisser persuna li dak il-hin tkun inkarigata biex tippilota l-ajruplan mingħajr ma tkun taht ordni ta’ xi pilota iehor fuq l-ajruplan;

“uffiċjal tal-Pulizija” ghandha l-istess tifsir kif mogħti lilha fl-Ordinanza dwar il-Pulizija ta’ Malta; Kap. 164.

“proprjetà” tinkludi kull medda art, bini jew xoghlijiet, kull ajruplan jew vettura u kull valigġa, taghbija jew oġġett iehor ta’ liema għamla jkun;

“żona ristretta” tfisser area li d-dhul għaliha jista’ biss isir jekk ikun hemm l-awtorizzazzjoni tal-*Manager tas-Sigurtà fl-*

Ajruport kif jista' jiġi hekk preskritt b'regolamenti li jsiru bis-saħħa ta' dan l-Att.

TAQSIMA II

KONTROLL TAS-SIGURTÀ FL-AVJAZZJONI

Regolamenti u ordnijiet.

3. (1) Il-Ministru jista' b'regolamenti jew b'ordni jipprovdi kif jidhirlu meħtieġ jew spedjenti:

(a) biex jippreskrivi jew jipprovdi dwar kull haġa li tolgot is-sigurtà fl-avjazzjoni li għandha jew tista' tiġi preskritta bis-saħħa ta' dan l-Att;

(b) b'mod ġenerali biex jiżgura l-harsien ta' l-ajruplani u tal-persuni u l-proprjetà li jingarru fihom, u għad-detenzjoni ta' ajruplani għal xi għan minn dawk speċifikati f'dan il-paragrafu;

(ċ) biex inaqqas jew jevita interferenza ma' l-użu jew l-effettività ta' apparat li jiġi użat f'dak li għandu x'jaqsam man-navigazzjoni bl-ajru;

(d) b'mod ġenerali sabiex jikkontrolla s-sigurtà f'kull ajruport li jinsab Malta;

(e) biex jistabbilixxi x'ikunu d-drittijiet li jithallsu minn *managers* ta' ajruporti, operaturi tal-ajruplani, aġenti ta' tagħbija li tingarr bl-ajru u passiġġieri dwar l-ġhoti ta' servizzi tas-sigurtà f'kull ajruport li jinsab Malta.

(f) biex jahtar lill-*Manager* tas-Sigurtà fl-Ajruport b'responsabbiltà shiha għat-tmexxija u kontroll tas-sigurtà fl-avjazzjoni u għall-kmand, ko-ordinament u sorveljar tar-riżorsi kollha ta' sigurtà li jkunu provduti fl-Ajruport ta' Hal-Luqa jew ta' kull ajruport ieħor stabbilit li jkun jinsab Malta.

(2) Dawk ir-regolamenti li jsiru taħt xi wahda mid-dispożizzjonijiet ta' dan l-Att jista' jkun fihom dawk id-dispożizzjonijiet inċidentali u supplimentari li l-Ministru jkunu jidhirlu li jkunu meħtieġa jew spedjenti għall-għanijiet tar-regolamenti.

Setgħa tal-Ministru li jitlob informazzjoni.

4. (1) Il-Ministru jista', b'avviż bil-miktub li jiġi notifikat lil min ikun:

(a) operatur ta' xi ajruplan jew ajruplani reġistrati jew li jithaddmu f'Malta, jew

(b) aġent ta' taghbija li tingarr bl-ajru li jahdem f'Malta, jew

(ċ) *manager* ta' ajruport li jinsab Malta,

jitlob lil dik il-persuna tgharraf lill-Ministru bil-mizuri, li jkunu ta' dik l-ghamla li tigi hekk speċifikata fl-avviż, li jkunu qeghdin jittiehdu dwar ajruplani registrati jew li jithaddmu f'Malta li huwa jkun l-operatur taghhom jew dwar dak l-ajruport, skond il-każ, għall-ghanijiet li dwarhom tapplika din it-Taqsima ta' dan l-Att.

(2) Avviż li jinghata taht is-subartikolu (1) ta' dan l-artikolu għandu jispeċifika data (li ma tkunx aktar kmieni minn erba' gimgħat mid-data tan-notifika ta' l-avviż) sa meta l-informazzjoni mehtieġa bl-avviż skond is-subartikolu (1) ta' dan l-artikolu għandha tinghata lill-Ministru.

(3) Kull avviż bħal dak għandu wkoll jehtieġ li min jiġi notifikat bih, wara li jkun wassal lill-Ministru l-informazzjoni mehtieġa bl-avviż skond id-subartikolu (1) ta' dan l-artikolu, għandu jgharraf lill-Ministru jekk jiġri li:

(a) jittiehdu xi mizuri ulterjuri dwar ajruplani registrati jew li jithaddmu f'Malta li f'dak il-waqt huwa jkun l-operatur taghhom, jew dwar l-ajruport li dwaru jkun wassal dik l-informazzjoni, skond il-każ, għall-ghanijiet li dwarhom tapplika din it-Taqsima ta' dan l-Att, sew:

(i) b'tibdil, jew b'żieda, mal-mizuri speċifikati f'kull informazzjoni li huwa qabel ikun wassal skond dan l-artikolu, sew

(ii) bl-applikazzjoni ta' xi mizuri li jiġu hekk speċifikati għal ajruplani, jew għal xi parti mill-ajruport, li ma jkunux ġew inklużi fl-informazzjoni mwassla qabel;

jew

(b) jitwaqqfu xi mizuri li jkunu ttiehdu bil-mod kif imsemmi f'dak is-subartikolu jew fil-paragrafu (a) ta' dan is-subartikolu.

(4) Fil-qies li dak l-avviż ikun jehtieġ li tinghata iktar informazzjoni lill-Ministru skond ma hemm fis-subartikolu (3) ta' dan l-artikolu, dan għandu jehtieġ li dik l-informazzjoni titwassallu qabel it-tmiem ta' dak iż-żmien, li ma jkunx anqas

minn sebat ijiem mid-data minn meta jittiehdu dawk il-mizuri ulterjuri, hekk kif jiġi speċifikat fl-avviż għall-ghanijiet ta' dan is-subartikolu, u meta dawk il-mizuri jkun ser jitwaqqfu, qabel ma dawn jitwaqqfu.

(5) Kull min:

(a) jirrifjuta jew, minghajr kawża raġonevoli, jonqos milli jhares ma' xi hteġa li tiġi imposta fuqu permezz ta' avviż mogħti taħt dan l-artikolu, jew

(b) fl-ghoti ta' xi informazzjoni hekk meħtieġa, jagħmel dikjarazzjoni li jkun jaf li tkun sostanzjalment falza, jew b'nuqqas ta' kont jagħmel dikjarazzjoni li tkun sostanzjalment falza,

ikun hati ta' reat u jehel, meta jinsab hati, multa ta' mhux iżjed minn Lm1,000 jew prigunerija għal żmien ta' mhux iżjed minn sentejn, jew dik il-multu u prigunerija flimkien.

(6) Avviż li jkun ġie notifikat lil persuna skond is-subartikolu (1) ta' dan l-artikolu jista' f'kull żmien jiġi revokat b'avviż iehor li jiġi lilo notifikat mill-Ministru.

Kumitat dwar
is-Sigurtà
fl-Avjazzjoni.

5. (1) Għandu jitwaqqaf kumitat li jkun magħruf bħala l-Kumitat dwar is-Sigurtà fl-Avjazzjoni (hawnhekk iżjed 'il quddiem f'dan l-artikolu msejjaħ "il-Kumitat") li jkun kompost minn dawk il-membri li jiġu maħtura mill-Prim Ministru u li jintagħzlu minn fost uffiċjali pubbliċi li jkollhom kariga għolja u li jkunu qegħdin jaqdu dmirijiet fil-ministeri responsabbli mill-materji li għandhom x'jaqsmu ma' l-avjazzjoni u ajruportijiet kif ukoll minn fost impjegati li jkunu jockkupaw kariga għolja fl-organizzazzjonijiet l-oħra li jkollhom sehem ewlieni fl-immaniġġjar, tmexxija u kontroll ta' l-avjazzjoni u ajruportijiet f'Malta:

Iżda l-Prim Ministru jista' jahtar persuni oħra bħala membri tal-Kumitat li fil-fehma tiegħu ikollhom l-esperjenza u jkunu wrew hila fi hwejjeġ relatati mas-sigurtà fl-avjazzjoni u fl-ajruportijiet.

(2) Bla hsara għad-dispożizzjonijiet ta' dan l-Att, ikun id-dmir tal-Kumitat b'mod ġenerali li jikkonsidra u jagħti pariri lill-Gvern u lill-awtoritajiet kompetenti dwar il-materji kollha relatati mas-sigurtà fl-ajruportijiet u fuq l-ajruplani, u b'mod partikolari biex jagħti parir lill-Ministru –

(a) dwar l-iżvilupp, żamma u promozzjoni ta' sistemi effiċjenti ta' sigurtà fl-ajruportijiet u fuq l-ajruplani; u

(b) dwar l-iżvilupp u deċiżjoni ta' strategiji u *policies* mehtieġa biex jintlahqu dawk l-oġġettivi.

(3) Il-Ministru responsabbli mis-Sigurtà fl-Avjazzjoni jkun iċ-*Chairman* tal-Kumitat, u s-Segretarju Permanenti responsabbli għall-Affarijiet Interni ikun id-*Deputy Chairman*; il-Kummissarju tal-Pulizija, il-Kmandant tal-Forzi Armati u l-*Manager* tas-Sigurtà fl-Ajruport ikunu membri *ex officio*.

(4) Il-membri mahtura jibqgħu f'dik il-kariga għal dak iż-żmien, li ma jkunx ta' iktar minn tliet snin, hekk kif jista' jiġi speċifikat fl-ittra tal-hatra tagħhom.

(5) Meta tinqala xi vakanza fil-Kumitat matul il-perijodu ta' hatra minhabba f'xi mewt, riżenja jew għal xi raġuni oħra, il-Prim Ministru għandu, kemm jista' jkun malajr, jahtar persuna oħra biex timla' l-vakanza:

Iżda l-Kumitat u l-membri li jagħmlu parti minnu jistgħu jaġixxu minkejja li jkun hemm dik il-vakanza.

(6) Id-*Deputy Chairman* għandu jaġixxi minflok iċ-*Chairman* kull meta iċ-*Chairman* ikun assenti minn laqgħa tal-Kumitat jew inkella ma jkunx jista' jaġixxi ta' *Chairman* għal kull raġuni li tkun.

(7) Minkejja kull dispożizzjoni oħra ta' dan l-artikolu, il-Prim Ministru jista' f'kull żmien itemm il-hatra ta' xi membru mahtur, jekk, fil-fehma tiegħu, dak il-membri ma jibqax idoneju biex ikompli f'dik il-kariga jew ikun sar inkapaċi milli jwettaq dmirijietu sew.

(8) Il-*Manager* tas-Sigurtà fl-Ajruport għandu jagħmilha ta' segretarju tal-Kumitat.

(9) Il-Kumitat għandu jiltaqa' għal kemm-il darba jkun mehtieġ, iżda f'ebda każ inqas minn darba f'kull tliet xhur kalendarji.

(10) Il-Kumitat għandu jiddeċiedi dwar il-kompożizzjoni jew it-termini ta' referenza tas-sotto-kumitati jew gruppi ta' esperti li lilhom jista' jagħti inkarigi speċjali.

(11) Il-Kumitat għandu jirregola l-proċedimenti tiegħu nnifsu.

6. Dawk ir-regolamenti u l-ordnijiet li jsiru taht xi waħda mid-dispożizzjonijiet ta' dan l-Att jistgħu jipprovdu għad-detenzjoni ta' ajruplani sabiex jiġi żgurat it-tħaris ta' xi dispożizzjoni ta' dan l-

Detenzjoni ta' ajruplani.

Att jew ta' xi regolamenti jew ordni li jsir bis-sahha tiegħu, u jistgħu hekk jipprovdu aktar kif il-Ministru jidhirlu mehtieġ jew spedjenti sabiex tiġi żgurata dik id-detenzjoni.

TAQSIMA III

HARSIEN TA' AJRUPLANI, AJRUPLANTI U STALLAZZJONIJIET TA' NAVIGAZZJONI FL-AJRU MINN ATTI TA' VJOLENZA

Għanjiet li
dwarhom tapplika
t-Taqsima III.

7. (1) Din it-Taqsima ta' l-Att għandha l-għan li tipprovdi dwar il-harsien minn atti ta' vjolenza:

(a) fuq ajruplani, u fuq persuni jew proprjetà li tkun tinsab abbord xi ajruplan;

(b) fuq ajruporti, u fuq dawk il-persuni jew proprjetà li (fil-każ ta' persuni) jistgħu f'kull waqt ikunu f'xi parti ta' ajruport jew li f'kull waqt tkun (sew b'mod permanenti sew għal xi żmien) f'xi parti ta' ajruport; u

(ċ) fuq stallazzjoni ta' navigazzjoni fl-ajru li ma jagħmlux parti minn ajruport.

(2) F'din it-Taqsima ta' dan l-Att "att ta' vjolenza" tfisser kull att (sew attwali sew potenzjali, u jekk magħmul jew għad irid isir sew f'Malta sew band'ohra) li jew:

(a) jekk ikun att magħmul f'Malta, jikkostitwixxi, jew

(b) jekk ikun għad irid isir f'Malta jkun jikkostitwixxi,

ir-reati taht l-artikoli 211, 212, 214, 216, 217, 218, 220 u 222A tal-Kodiċi Kriminali; jew xi att li bih splużjoni ta' xorta li x'aktarx tipperikola l-hajja, jew li takkaġuna hsara gravi fuq il-proprjetà, tiġi kawżata permezz ta' xi sustanza esplużiva, sew jekk fil-fatt tiġi jew ma tiġix kaġunata hsara lil persuni jew lil proprjetà.

Meta s-sigurtà
tiġi perikolata
fl-ajruporti.

8. (1) Huwa reat li persuna permezz ta' xi strument, sustanza jew arma xjentement twettaq f'ajruport li jintuża għall-avjazzjoni ċivili xi att ta' vjolenza li:

(a) jikkagauna jew x'aktarx jikkagauna l-mewt jew il-feriment gravi tal-persuna, u

(b) jipperikola jew x'aktarx jipperikola t-thaddim b'sigurezza ta' l-ajruport jew il-harsien ta' persuni fl-ajruport.

(2) Bla hsara ghas-subartikolu (4) ta' dan l-artikolu, huwa wkoll reat li persuna permezz ta' xi strument, sustanza jew arma kontra l-liġi u xjentement:

(a) teqred jew tikkaġuna danni gravi:

(i) fi proprjetà użata għall-ġħoti ta' faċilitajiet f'ajruport li jintuża għall-avjazzjoni ċivili (inkluż kull apparat jew tagħmir illi hekk jintuża), jew

(ii) f'xi ajruplan li jkun qiegħed f'ajruport ċivili iżda li ma jkunx qiegħed jintuża b'servizz, jew

(b) li tfixkel is-servizz mogħti f'ajruport ċivili, b'tali mod li jipperikola jew x'aktarx jipperikola it-thaddim b'sigurezza ta' l-ajruport jew il-harsien ta' persuni li jkunu jinsabu fl-ajruport.

(3) Hlief kif hemm provdut fis-subartikolu (4) ta' dan l-artikolu, is-subartikoli (1) u (2) ta' dan l-artikolu għandhom ikunu japplikaw sew jekk att bħal dawk msemmija f'dawk is-subartikoli isir f'Malta jew band'ohra u tkun xi tkun iċ-ċittadinanza ta' min jagħmel l-att.

(4) Is-subparagrafu (ii) tal-paragrafu (a) tas-subartikolu (2) ta' dan l-artikolu ma japplikax għal xi att li jitwettaq b'konnessjoni ma' xi ajruplan użat f'xi servizz militari, tad-dwana jew tal-pulizija kemm-il darba:

(a) l-att isir f'Malta, jew

(b) meta l-att isir barra minn Malta, min jagħmlu jkun ċittadin Malti.

(5) Min jagħmel reat taht dan l-artikolu jehel, meta jinsab hati, prigunerija għal għomru.

(6) Għall-ġħanijiet ta' dan l-Att:

(a) iż-żmien li matulu ajruplan ikun qed itir għandu jitqies li jinkludi kull żmien mill-waqt meta l-bibien kollha tiegħu ta' barra jiġu magħluqa wara l-imbarkazzjoni sal-waqt meta xi wiehed minn dawk il-bibien jinfetaħ għall-iżbark, u, fil-każ ta' nżul furzat, kull żmien sakemm l-awtoritajiet kompetenti jassumu r-responsabbiltà għall-ajruplan u għall-persuni u l-proprjetà li jkunu jinsabu abbord; u

(b) ajruplan ghandu jinftiehem bhala li jkun qiegħed jintuża b'servizz matul dak iż-żmien kollu li jibda bit-thejjija ta' l-ajruplan għal titjira li ssir qabel it-titjira u li jtemm 24 siegħa wara l-inżul ta' dak l-ajruplan wara li jkun temm dik it-titjira, kif ukoll f'kull żmien (li ma jaħbatx matul dak iż-żmien) li matulu, skond il-paragrafu ta' qabel dan, l-ajruplan ikun qed iwettaq it-titjira,

u kull haġa li ssir abbord ajruplan filwaqt li jkun qed itir fuq xi parti minn Malta għandha titqies bhala li tkun saret f'dik il-parti ta' Malta.

(7) Il-proċedimenti għal reat taht dan l-artikolu m'għandhomx jinbdeu f'Malta hlief bil-kunsens ta' l-Avukat Ġenerali.

Dikjarazzjonijiet
foloz dwar valiggi,
tagħbija, eċċ.

9. (1) Bla hsara għas-subartikolu (3) ta' dan l-artikolu, persuna tagħmel reat jekk, bi twegiba għal mistoqsija li:

(a) tkun dwar xi valiggi, tagħbija jew hażniet (sew jekk dawn ikunu tiegħu sew ta' xi persuna ohra) li jkun jew ikunu maħsuba li jingarru minn ajruplan li jkun registrat jew jithaddem f'Malta, u

(b) isirilha għall-għanijiet li għalihom tapplika din it-Taqsima ta' dan l-Att:

(i) minn xi persuna minn dawk imsemmija fis-subartikolu (2) ta' dan l-artikolu,

(ii) minn xi impjegat jew aġent ta' dik il-persuna fil-kariga tiegħu ta' impjegat jew aġent,

jew

(iii) minn uffiċjal awtorizzat,

hija tagħmel dikjarazzjoni li tkun taf li tkun sostanzjalment falza, jew bi traskuraġni tagħmel dikjarazzjoni li tkun sostanzjalment falza.

(2) Il-persuni msemmija fil-paragrafu (b) tas-subartikolu (1) ta' dan l-artikolu huma:

(a) *manager* ta' ajruport li jkun jinsab Malta,

(b) l-operatur ta' xi ajruplan jew iktar minn ajruplan wieħed registrati jew li jithaddmu f'Malta, u

(ċ) kull min ikollu:

(i) permess li jidhol ġewwa zona ristretta ta' ajruport għall-ghanijiet ta' l-attivitajiet ta' xi hidma mwettqa minnu, u

(ii) kontroll f'dik iż-żona ristretta fuq il-valiġġi, t-tagħbija jew il-ħażniet li l-mistoqsija jkollha x'taqsam magħhom.

(3) Kull min jinsab hati ta' reat taht is-subartikolu (1) ta' dan l-artikolu jehel, meta jinsab hati, multa ta' mhux iżjed minn Lm2,000 jew prigunerija għal żmien ta' mhux iżjed minn sentejn, jew dik il-multa u prigunerija flimkien.

(4) F'dan l-artikolu:

“tagħbija” tinkludi ħażniet u posta; u

“ħażniet” tfisser oġġetti mahsuba għall-bejgħ jew għall-użu abbord ta' ajruplan, inklużi oġġetti li fuqhom ma jithallasx dazju, *spare parts* u oġġetti ohra ta' tagħmir, sew jekk biex jitwahaħlu minnufih sew jekk le.

10. (1) Bla ħsara għas-subartikolu (4) ta' dan l-artikolu, persuna tagħmel reat jekk:

Dikjarazzjonijiet foloz dwar dokumenti ta' identità.

(a) għall-ghan ta' applikazzjoni, jew f'dak li għandu x'jaqsam ma' applikazzjoni, li tkun għamlet bi jew xi persuna ohra għall-ħruġ ta' dokument ta' identità li dwaru japplika dan is-subartikolu, jew

(b) f'dak li għandu x'jaqsam ma' jekk għandhiex bi jew persuna ohra tibqa' żzomm dak id-dokument li jkun diġà inhareġ,

tagħmel lil xi persuna msemija fis-subartikolu (3) ta' dan l-artikolu, lil xi impjegat jew aġent ta' dik il-persuna jew lil uffiċjal awtorizzat, dikjarazzjoni li tkun taf li tkun sostanzjalment falza, jew bi traskuraġni tagħmel lil xi waħda minn dawk il-persuni, lil xi impjegat jew aġent bħal dawk jew lil uffiċjal awtorizzat, dikjarazzjoni li tkun sostanzjalment falza.

(2) Is-subartikolu (1) ta' dan l-artikolu japplika għal kull dokument ta' identità li jkollu jinhareġ jew li jkun inhareġ minn xi waħda mill-persuni speċifikati fis-subartikolu (3) ta' dan l-artikolu skond dawk l-arranġamenti li jsiru bis-saħha ta' ordni li tinghata mill-Ministru.

(3) Il-persuni msemmija fis-subartikolu (1) ta' dan l-artikolu huma:

(a) il-*Manager* tas-Sigurtà fl-Ajruport;

(b) il-*manager* ta' ajruport li jinsab f'Malta,

(c) l-awtorità responsabbli għal stallazzjoni ta' navigazzjoni fl-ajru li tinsab f'Malta;

(d) l-operatur ta' xi ajruplan wiehed jew iktar minn ajruplan wiehed registrat u li jithaddem f'Malta, u

(e) kull min ikollu permess li jidhol għewwa zona ristretta ta' ajruport jew ta' stallazzjoni ta' navigazzjoni fl-ajru għall-ghanijiet ta' l-attivitàjiet ta' xi hidma li huwa jagħmel.

(4) Kull min jinsab hati ta' reat taht is-subartikolu (1) ta' dan l-artikolu jehel, meta jinsab hati, multa ta' mhux iżjed minn Lm2,000 jew prigunerija għal żmien ta' mhux iżjed minn sentejn, jew dik il-multa u prigunerija flimkien.

Preżenza mhux awtorizzata f'żona ristretta.

11. (1) Hadd ma jista':

(a) jidhol, sew b'vettura sew minghajrha, go xi parti ta' zona ristretta ta':

(i) ajruport, jew

(ii) stallazzjoni ta' navigazzjoni fl-ajru li ma jkunx jagħmel parti minn ajruport,

hliel bil-permess tal-*Manager* tas-Sigurtà fl-Ajruport, u ta' l-awtorità responsabbli għal stallazzjoni ta' navigazzjoni fl-ajru, jew ta' persuna li taġixxi f'isem dak il-*manager* jew dik l-awtorità, u skond kull kondizzjoni li bis-sahha tagħha ikun għal dak iż-żmien inhareġ dak il-permess, jew

(b) jibqa' fuq xi parti ta' zona ristretta bhal dik wara li jkun intalab jitlaq minn hemm mill-*Manager* tas-Sigurtà fl-Ajruport, jew mill-awtorità responsabbli għall-istallazzjoni ta' navigazzjoni fl-ajru, jew minn persuna li taġixxi f'isem dak il-*Manager* jew dik l-awtorità:

Iżda l-*Manager* tas-Sigurtà fl-Ajruport jista' f'kull waqt jidhol f'xi parti minn dik iż-żona ristretta jew jibqa' hemmhekk għewwa fiha minkejja l-oppożizzjoni ta' l-awtorità responsabbli għall-istallazzjoni ta' navigazzjoni fl-ajru.

Iżda l-*Manager* tas-Sigurtà fl-Ajruport jista' jippermetti vettura bil-mutur li tidhol jew li tinsaq f'żona ristretta minghajr l-awtorizzazzjoni bil-miktub tiegħu meta jkun jidhirlu li hu spedjenti li jagħmel hekk, kif sugġett għal dawk il-kundizzjonijiet li jista' jagħmel.

(2) Min ikun qiegħed isuq jew ikollu fiż-żamma tiegħu vettura bil-mutur li tkun hekk inhargilha awtorizzazzjoni bil-miktub, għandu jipproduci dik l-awtorizzazzjoni meta din tintalabli minn uffiċjal awtorizzat.

(3) Vetturi bil-mutur misjuqin f'żona ristretta għandhom jikkonformaw ruhhom ma' The Air Navigation Order, 1990, jew kull Ordni li tkun temendaha jew li tidhol minflokha.

A.L. 176 ta' l-1990.

Persuni u vetturi bil-mutur għandhom ikunu konformi mal-kundizzjonijiet tas-*security pass*.

14. (1) Kull persuna awtorizzata taht dawn ir-regolamenti li tidhol f'żona ristretta jew li ssuq vettura bil-mutur għewwa fiha għandha tikkonforma ruħha mal-kundizzjonijiet hekk speċifikati fis-*security pass* jew fl-awtorizzazzjoni, kif ikun il-każ, u dawk id-direttivi kollha li uffiċjal awtorizzat jista' jagħti.

(2) Uffiċjal awtorizzat jista' jarresta u jfittex lil kull persuna jew vettura bil-mutur li jkunu f'żona ristretta jew filwaqt li jkunu deħlin jew herġin minn dik iż-żona.

(3) Kull min jikser id-dispożizzjonijiet tal-paragrafu (1) ta' dan ir-regolament jista' jitnehha minn żona ristretta minn uffiċjal awtorizzat minghajr preġudizzju għal kull proċediment kriminali li jista' jsir kontrih.

Armi u esplożivi projbiti f'żona ristretta.

15. Ebda arma jew materjal esplożiv ma jistgħu jiddaħhlu, jinżammu jew jinharġu minn żona ristretta minn xi persuna jew f'xi vettura minghajr l-awtorizzazzjoni bil-miktub tal-*Manager* tas-Sigurtà fl-Ajruport:

Iżda dan ma japplikax għal uffiċjali awtorizzati li jkun membri tal-Forzi Armati ta' Malta jew tal-Korp tal-Pulizija ta' Malta u għal vetturi bil-mutur użati minnhom filwaqt li jkunu qegħdin jaqdu d-dmirijiet legittimi tagħhom.

Setgħat speċjali tal-*Manager* tas-Sigurtà fl-Ajruport.

16. Il-*Manager* tas-Sigurtà fl-Ajruport jista', b'avviż fil-Gazzetta, jiddikjara xi parti ta' żona ristretta bħala eżenti mid-dispożizzjonijiet ta' dan l-Att, jew minn xi waħda minnhom, għal dak iż-żmien u skond dawk il-kundizzjonijiet kif jistgħu jiġu speċifikati f'dak l-avviż.

Reati li johorġu mill-artikoli 11 sa 14.

17. (1) Kull min jikser id-dispożizzjonijiet tas-subartikolu (1) jew (4) tal-artikolu 11, tas-subartikolu (1) ta' l-artikolu 12, tas-

subartikolu (1) ta' l-artikolu 13 jew tas-subartikolu (1) ta' l-artikolu 14 ta' dan l-Att ikun hati ta' reat u jehel, meta jinsab hati, multa ta' mhux inqas minn Lm1,000 iżda mhux iżjed minn Lm3,000, jew prigunerija għal żmien ta' mhux iżjed minn sentejn, jew dik il-multa u prigunerija flimkien.

(2) Kull min jikser id-dispożizzjonijiet tas-subartikolu (3) ta' l-artikolu 12 jew tas-subartikolu (2) ta' l-artikolu 13 ta' dan l-Att ikun hati ta' reat u jehel, meta jinsab hati, multa ta' mhux iżjed minn Lm500.

(3) Kull min jikser id-dispożizzjonijiet tal-artikolu 15 ta' dan l-Att ikun hati ta' reat u jehel, meta jinsab hati, multa ta' mhux inqas minn Lm4,000 iżda mhux iżjed minn Lm8,000, jew prigunerija għal żmien ta' mhux inqas minn tliet xhur iżda mhux iżjed minn sentejn, jew dik il-multa u prigunerija flimkien.

(4) Id-dispożizzjonijiet ta' dan l-artikolu li jistabbilixxu reati u pieni dwaru ma għandhomx jolqtu it-thaddim ta' xi ligi oħra li tistabbilixxi reati u pieni dwar l-istess atti jew ommissjonijiet, u ma għandhomx, b'mod partikolari, jolqtu l-applikazzjoni ta' xi piena oghla taht xi ligi oħra.

18. (1) Hadd ma jista' hlief jekk ikollu awtorità legittima jew skuża raġonevoli:

Preżenza mhux awtorizzata abbord ajruplan.

(a) jidhol ġewwa jew fuq ajruplan f'ajruport li jinsab Malta hlief bil-permess ta' l-operatur ta' l-ajruplan jew ta' persuna li tagixxi f'ismu, jew

(b) jibqa' abbord ajruplan f'dak l-ajruport wara li jintalab li jitlaq minn fuqu minn operatur ta' ajruplan jew minn persuna li tagixxi f'ismu.

(2) Kull min jikser is-subartikolu (1) ta' dan l-artikolu jkun hati ta' reat u jehel, meta jinsab hati, multa ta' mhux iżjed minn Lm1,000 jew prigunerija għal żmien ta' mhux iżjed minn sentejn, jew dik il-multa u prigunerija flimkien.

19. (1) Ikun hati ta' reat kull min:

Ostruzzjoni ta' persuni awtorizzati.

(a) xjentement jostruwixxi uffiċjal awtorizzat li jkun qed iwettaq xi setgħa mogħtija lilu bi jew taht din it-Taqsima ta' dan l-Att, jew

(b) jagħmilha ta' persuna awtorizzata.

(2) Min jinsab hati ta' reat taht il-paragrafu (a) tas-

subartikolu (1) ta' dan l-artikolu jista' meta jinsab hati, jehel multa ta' mhux iżjed minn Lm1,500 jew prigunerija ghal żmien ta' mhux iżjed minn sentejn, jew dik il-multa u prigunerija flimkien.

(3) Min jinsab hati ta' reat taht il-paragrafu (b) tas-subartikolu (1) ta' dan l-artikolu jista', meta jinsab hati, jehel multa ta' mhux iżjed minn Lm1,000 jew prigunerija ghal żmien ta' mhux iżjed minn sentejn, jew dik il-multa u prigunerija flimkien.

Agenti ta' tagħbija li tingarr bl-ajru.

20. (1) Il-Ministru jista', permezz ta' regolamenti, jipprovdi, għall-ghanijiet li għalihom tapplika din it-Taqsima ta' l-Att, dwar persuni (f'dan l-artikolu msejha "agenti ta' tagħbija li tingarr bl-ajru") li joperaw fil-kummerċ ta' manigg ta' tagħbija li jkollha tiġi kunsinnata (sew minnhom jew minn persuni ohra) lill-operatur ta' ajruplan sabiex din tingarr minn ajruport li jinsab Malta permezz ta' ajruplan.

(2) Regolamenti li jsiru bis-saħħa ta' dan l-artikolu jistgħu, b'mod partikolari:

(a) jagħtu setgħa lill-Ministru li jzomm lista ta' agenti ta' tagħbija li tingarr bl-ajru li jiġu approvati minnu għal għanijiet li jkollhom x'jaqsmu mas-sigurtà fl-avjazzjoni, li jinkludi l-isem ta' agent ta' tagħbija li tingarr bl-ajru fuq dik il-lista, wara li ssir applikazzjoni lill-Ministru skond dawk ir-regolamenti, jekk huwa jkun sodisfatt dwar dawk il-ħwejjeġ li jistgħu jiġu speċifikati fir-regolamenti, u li jhassar l-isem ta' xi persuna minn fuq dik il-lista f'dawk iċ-ċirkostanzi li jistgħu jiġu hekk speċifikati,

(b) jipprovdu li għandha tapplika wkoll kull dispożizzjoni ta' din it-Taqsima ta' dan l-Att li tkun tapplika dwar persuni li jkollhom permess li jidhlu għewwa żona ristretta ta' ajruport għall-ghanijiet ta' l-attivitajiet ta' xi hidma (inkluża kull dispożizzjoni li tohloq reat kriminali), b'dawk il-bidliet li jistgħu jiġu speċifikati fir-regolamenti, dwar agenti ta' tagħbija li tingarr bl-ajru li jkunu inklużi fuq dik il-lista,

(ċ) jipprovdi (ukoll b'kull provvediment kif hemm imsemmi fil-paragrafi (a) u (b) ta' dan is-subartikolu) dwar xi klassi ta' agenti ta' tagħbija li tingarr bl-ajru li jistgħu jiġu speċifikati fir-regolamenti b-esklużjoni ta' agenti ohra ta' tagħbija li tingarr bl-ajru,

(d) jipprovdi b'mod differenti għal kazijiet differenti,
u

(e) jipprovdi b'dak il-mod inċidentali, supplimentari jew transitorju hekk kif il-Ministru iqis li jkun mehtieg jew spedjenti b'konsegwenza ta' kull provvediment li jsir bir-regolamenti.

(3) F'dan l-artikolu:

“tagħbija” tinkludi hażniet u posta; u

“hażniet” tfisser oġġetti maħsuba għall-bejgħ jew għall-użu abbord ta' ajruplan, inklużi oġġetti li fuqhom ma jithallasx dazju, *spare parts* u oġġetti oħra ta' tagħmir, sew jekk biex jitwählhu minnufih sew jekk le.

21. (1) Għall-ghanijiet ta' din it-Taqsima ta' dan l-Att, il-Ministru jista' jagħti ordni bil-miktub lill-operatur ta' xi ajruplan wiehed jew iktar minn ajruplan wiehed reġistrat jew li jithaddem f'Malta, lill-*Manager* tas-Sigurtà fl-Ajruport, jew lill-*manager* ta' ajruport li jinsab Malta fejn jitolbu:

Setgħa li jsiru restrizzjonijiet fuq ajruplani.

(a) biex ma jġieghelx jew jippermetti persuni jew propjeta' li jitolbu jew jidher b'ajruplan li dwaru toħroġ l-ordni, jew li jersqu jew jingiebu viċin ta' dak l-ajruplan, kemm-il darba ma jkunux saru dawk it-tfittxijiet fuq il-persuni jew propjeta' li jkunu ġew speċifikati li jsiru fl-ordni mill-uffiċjali awtorizzati jew minn dawk il-persuni oħra li jiġu hekk speċifikati fl-ordni, jew

(b) biex ma jġieghelx jew jippermetti ajruplan bhal dak itir kemm-il darba ma jkunux saru dawk it-tfittxijiet li jkunu ġew speċifikati li jsiru fl-ordni minn uffiċjali awtorizzati jew minn dawk il-persuni oħra hekk speċifikati.

(2) Bla hsara għal dawn id-dispożizzjonijiet li ġejjin ta' din it-Taqsima ta' dan l-Att, ordni li tingħata lill-*Manager* tas-Sigurtà fl-Ajruport jew lill-*manager* ta' ajruport taht is-subartikolu (1) ta' dan l-artikolu għandha tingħata b'mod li tkun tirreferi:

(a) jew għall-ajruplani kollha li fil-waqt li tingħata l-ordni jew f'kull waqt iehor li jiġi wara jkunu f'xi parti ta' l-ajruport, jew għal klassi ta' dawk l-ajruplani li jiġu speċifikati fl-ordni;

(b) jew għall-persuni kollha jew inkella għal persuna waħda jew aktar, jew għal dawk il-persuni ta' liema deskrizzjoni jkunu hekk kif jiġu speċifikati fl-ordni; u

(c) jew għall-proprjetà ta' kull deskrizzjoni jew għal proprjetà partikolari biss, jew għal proprjetà ta' liema deskrizzjoni tkun hekk kif tiġi speċifikata fl-ordni.

(3) Kull min jirrifjuta jew jonqos milli jhares ordni li tinghatalu taht dan l-artikolu jkun hati ta' reat u jehel meta jinsab hati, multa ta' mhux iżjed minn Lm1,000 jew prigunerija għal żmien ta' mhux iżjed minn sentejn, jew dik il-multa u prigunerija flimkien.

Setgħa li *managers* f'ajruporti jenhtieġu jagħmlu tfittxijiet f'ajruporti.

22. (1) Għall-ghanijiet ta' din it-Taqsima ta' dan l-Att, il-Ministru jista' jordna bil-miktub lill-*Manager* tas-Sigurtà fl-Ajruport jew lill-*manager* ta' xi ajruport li jinsab Malta u jehtieġ minnu li jiżgura li dawk it-tfittxijiet li għalihom japplika dan l-artikolu kif ikun hemm speċifikati fl-ordni jitwettqu minn persuni ohra hekk deskritti kif jistgħu jiġu speċifikati fl-ordni.

(2) It-tfittxijiet li għalihom japplika dan l-artikolu, dwar ajruport, huma tfittxijiet:

(a) ta' ajruport jew ta' xi parti minnu;

(b) ta' xi ajruplan li fil-waqt li tinghata ordni jew f'xi hin iehor li jiġi wara ikun f'xi parti ta' l-ajruport; u

(c) ta' persuni jew ta' propjeta' (minbarra ajruplan) li tista' f'xi waqt bħal dak tkun tinsab f'xi parti ta' l-ajruport.

(3) Meta ordni mogħtija bis-saħħa ta' dan l-artikolu lill-*manager* ta' ajruport tkun għadha fis-seħh, jekk membru tal-Forzi Armati ta' Malta jew tal-Korp tal-Pulizija, jew persuna ohra li tiġi hekk speċifikata fl-ordni skond dan l-artikolu, ikollu kawża raġonevoli li jissuspetta li oġġett li għalih japplika l-artikolu 28 ta' dan l-Att ikun qieghed, jew jista' jiddahhal, f'xi parti ta' l-ajruport, huwa jista', bis-saħħa ta' dan is-subartikolu u mingħajr ebda *warrant*, jagħmel tfittxija f'xi parti tal-ajruport jew ta' xi ajruplan, vettura, oġġetti jew proprjetà mobbli ohra tkun liema tkun, jew ta' kull persuna, li f'dak il-hin ikunu jinsabu f'xi parti ta' l-ajruport, u għal dak l-ghan:

(a) jidhol f'kull bini jew xogħlijiet fl-ajruport, jew jidhol f'kull medda art fl-ajruport, jekk jehtieġ bi żgħass, u

(b) jwaqqaf kull ajruplan, vettura, oġġetti, proprjetà jew persuna u jzommhom għal tul dak il-hin kollu kemm jista' jkun mehtieġ għal dak l-ghan.

(4) Kull min:

(a) jirrifjuta jew jonqos milli jhares ordni moghtija lilu taht dan l-artikolu, jew

(b) xjentement jostakola jew jimpedixxi lil xi persuna filwaqt li tkun qeghda twettaq xi setgha moghtija lilha bis-subartikolu (3) ta' dan l-artikolu ikun hati ta' reat u jehel, meta jinsab hati, multa ta' mhux iżjed minn Lm1,000 jew prigunerija ghal żmien ta' mhux iżjed minn sentejn, jew dik il-multa u prigunerija flimkien.

23. (1) Kull min jiġi hekk awtorizzat bil-miktub mill-Ministru (f'dan l-artikolu msejjah "uffiċjal awtorizzat") ikollu s-setgha, wara li jipproduċi l-kredenzjali tiegħu (jekk ikun mehtieg), li jispezzjona: Spezzjon ta' ajruplani u ajruporti.

(a) ajruplan registrat jew li jithaddem f'Malta fil-waqt li dan ikun jinsab Malta, jew

(b) xi parti minn ajruport li jinsab Malta.

(2) Uffiċjal awtorizzat li jkun qieghed jispezzjona xi ajruplan jew xi parti minn ajruport taht is-subartikolu (1) ta' dan l-artikolu jkullu s-setgha:

(a) li jqieghed xi proprjetà li tinstab minnu fl-ajruplan (iżda mhux l-ajruplan kollu kemm hu jew xi apparat jew tagħmir li jkun stallat fih) jew, skond il-każ, li jqieghed dik il-parti ta' l-ajruport jew xi proprjetà li huwa jsib fuqu, għal dawk l-eżamijiet, jew

(b) li jehtieg lill-operatur ta' l-ajruplan, jew lill-*manager* ta' l-ajruport, li jagħtih dik l-informazzjoni,

li l-uffiċjal awtorizzat jista' jqis li jkunu mehtieġa għal dak l-ghan li għalih issir l-ispezzjoni.

(3) Bla hsara għas-subartikolu (4) ta' dan l-artikolu, uffiċjal awtorizzat, bil-ghan li jwettaq xi setgha moghtija lilu bid-dispożizzjonijiet ta' qabel ta' dan l-artikolu dwar ajruplan jew dwar ajruport, ikollu s-setgha:

(a) bil-ghan li jispezzjona ajruplan, li jidhol go fih u li jiehu dawk il-passi kollha li jkunu mehtieġa biex iżommu milli jitlaq, jew

(b) bil-ghan li jispezzjona xi parti ta' ajruport, li jidhol go kull bini jew xogħolijiet fl-ajruport jew li jidhol f'xi medda art li tkun fl-ajruport.

(4) Is-setgħat mogħtija bis-subartikolu (3) ta' dan l-artikolu m'għandhomx jinkludu s-setgħa li uffiċjal awtorizzat jista' juża l-forza biex jidhol go xi ajruplan, bini jew xogħolijiet jew biex jidhol f'xi medda art.

(5) Kull min:

(a) xjentement jostakola jew jimpedixxi lil xi persuna milli taġixxi fit-twettiq ta' xi setgħa mogħtija lilu b'dan l-artikolu jew tahtu, jew

(b) jirrifjuta jew, mingħajr skuża raġonevoli, jonqos milli jħares xi hteġa li tiġi imposta fuqu taht il-paragrafu (b) tas-subartikolu (2) ta' dan l-artikolu, jew

(c) fil-ghoti ta' kull informazzjoni li tkun hekk meħtieġa, jagħmel dikjarazzjoni li jkun jaf li tkun waħda sostanzjalment falza, jew bi traskuraġni jagħmel dikjarazzjoni li tkun sostanzjalment falza,

ikun hati ta' reat u jehel, meta jinsab hati, multa ta' mhux iżjed minn Lm1,000 jew prigunerija għal żmien ta' mhux iżjed minn sentejn, jew dik il-multu u prigunerija flimkien.

Kif japplikaw id-dispożizzjonijiet tat-Taqsimiet II u III għal stallazzjonijiet ta' navigazzjoni fl-ajru.

24. (1) L-artikoli 4, 22 u 23 ta' dan l-Att għandhom isehhu dwar stallazzjonijiet ta' navigazzjoni fl-ajru li jinsabu Malta skond id-dispożizzjonijiet li ġejjin ta' dan l-artikolu.

(2) Dwar kull stallazzjoni ta' navigazzjoni fl-ajru li ma tkunx tagħmel parti minn ajruport, dawk l-artikoli għandu jkollhom seħħ, bla hsara għas-subartikolu (5) ta' dan l-artikolu, bħallikieku kull referenza fihom għal xi ajruport kienet referenza għal stallazzjoni ta' navigazzjoni fl-ajru bħal dik u kull referenza għall-*manager* ta' ajruport kienet referenza għall-awtorità responsabbli għal dik l-istallazzjoni ta' navigazzjoni fl-ajru.

(3) Meta stallazzjoni ta' navigazzjoni fl-ajru tkun tagħmel parti minn ajruport li jinsab Malta, dawk l-artikoli għandu jkollhom seħħ, bla hsara għas-subartikolu (5) ta' dan l-artikolu, bħallikieku fihom kull referenza għal ajruport kienet referenza jew

(a) għal ajruport, jew

(b) għal stallazzjoni ta' navigazzjoni fl-ajru li tagħmel parti minn ajruport, jew

(c) għal daqstant minn ajruport daqs kemm ma jkunx jikkonsisti fi stallazzjoni ta' navigazzjoni fl-ajru;

u skond hekk avviz taht l-artikolu 4 ta' dan l-Att jew ordni taht l-artikolu 22 jew 23 ta' dan l-Att jista' jigi notifikat jew moghti sew dwar ajruport kollu kemm hu, sew dwar daqstant mill-ajruport daqs kemm ma jkunx jikkonsisti fi stallazzjoni ta' navigazzjoni fl-ajru.

(4) Għall-ghanijiet tan-notifika ta' avviz jew l-ghoti ta' xi ordni taht l-artikolu 4 jew 22 ta' dan l-Att kif modifikat bis-subartikolu (3) ta' dan l-artikolu, meta l-avviz ikollu jigi notifikat jew l-ordni tinghata dwar stallazzjoni ta' navigazzjoni fl-ajru b'mod separat, kull referenza f'xi wiehed minn dawk l-artikoli għall-*manager* ta' l-ajruport għandha tinftihem bhala referenza għall kull min jew ikun il-*manager* ta' l-ajruport jew l-awtorità responsabbli għall-istallazzjoni ta' navigazzjoni fl-ajru.

(5) Is-subartikoli (2) u (3) ta' dan l-artikolu m'għandhomx ikunu japplikaw għas-subartikolu (3) ta' l-artikolu 22 ta' dan l-Att; iżda meta ordni moghtija taht l-artikolu 22 ta' dan l-Att, kif applikat jew modifikat bid-dispożizzjonijiet ta' qabel ta' dan l-artikolu, tkun qegħda f'dak il-waqt issehh:

(a) jekk din tkun ordni moghtija dwar stallazzjoni ta' navigazzjoni fl-ajru b'mod separat (sew jekk dik l-istallazzjoni tkun tagħmel parti minn ajruport sew jekk le), dak l-artikolu 22 għandu jkollu sehh dwar dik l-ordni bħallikieku l-istallazzjoni ta' navigazzjoni fl-ajru kienet ajruport, u jekk l-ordni tkun inghatat lill-awtorità responsabbli għall-istallazzjoni ta' navigazzjoni fl-ajru, bħallikieku din inghatat lill-*manager* ta' dak l-ajruport;

(b) jekk din tkun ordni moghtija dwar daqstant minn ajruport daqs kemm ma jkunx jikkonsisti fi stallazzjoni ta' navigazzjoni fl-ajru, dak is-subartikolu (3) ta' l-artikolu 22 għandu jkollu sehh dwar dik l-ordni bħallikieku xi stallazzjoni ta' navigazzjoni fl-ajru inkluża fl-ajruport ma kienetx tagħmel parti mill-ajruport.

TAQSIMA IV

REATI KONTRA S-SIGURTÀ TA' AJRUPLANI, EĊĊ.

25. (1) Huwa reat li persuna minghajr awtorità legittima jew skuża raġonevoli (il-prova dwar dan trid tingieb minnha) li jkollha fil-pussess tagħha xi oġġett li għalih japplika dan l-artikolu:

Reati dwar
ċerti oġġetti
perikolużi.

(a) fuq xi ajruplan registat f'Malta, sew meta l-ajruplan ikun ġewwa Malta sew le, jew

(b) fuq xi ajruplan iehor meta dan ikun ġewwa Malta jew ikun qed itir fuq Malta, jew

(ċ) f'xi parti ta' ajruport f'Malta, jew

(d) f'xi stallazzjoni ta' navigazzjoni fl-ajru f'Malta li ma taghmilx parti minn ajruport.

(2) Dan l-artikolu japplika ghal dawn l-oġġetti, jiġifieri:

(a) kull arma tan-nar, jew kull oġġett li jkollu x-xehta ta' arma tan-nar, sew jekk din tkun tista' tiġi sparata sew jekk le;

(b) kull esplożiv, kull oġġett manifatturat jew adattat (sew fl-ghamla ta' xi bomba, granata jew xort'ohra) b'mod li jkollha x-xehta ta' esplożiv, sew jekk dan ikun jista' jipproduci effett Prattiku bi splużjoni sew jekk le, jew kull oġġett li jkollu marka jew tikketta li tindika li jkun, jew li jkun fih, esplożiv; u

(ċ) kull oġġett (li mhuwiex inkluż f'xi wiehed mill-paragrafi ta' qabel) li jkun magħmul jew adattat bil-ghan li jintuza biex jikkaguna hsara jew inkapaċità fil-persuna jew biex jeqred jew jagħmel hsara fil-proprjetà, jew li jkun maħsub minn min ikollu l-pussess tiegħu biex jużah ghal dak l-ghan, sew jekk jużah ghal dak l-ghan, sew jekk jużah hu nnifsu jew persuna oħra.

(3) Għall-ghanijiet ta' dan l-artikolu meta persuna tkun qegħda fuq xi ajruplan, jew f'parti minn ajruport, din għandha titqies bħala li għandha fil-pussess tagħha fuq xi ajruplan, jew f'dik il-parti ta' ajruport, skond il-każ, oġġett li għalih japplika dan l-artikolu jekk:

(a) meta tkun fuq xi ajruplan, l-oġġett, jew oġġett li fih l-oġġett, ikun jinsab, ikun fuq l-ajruplan u jkun tqieghed hemmhekk (sew minnha sew minn xi persuna oħra) bħala l-valiġġa tagħha, jew bħala li jagħmel parti mill-valiġġa tagħha, f'titjira fuq dak l-ajruplan jew li jkun tqieghed hemmhekk bħala xi proprjetà oħra, jew bħala li jagħmel parti minn xi proprjetà oħra, li għandha tingarr fuq dik it-titjira; jew

(b) meta tkun f'xi parti ta' ajruport (minbarra meta tkun fuq ajruplan), l-oġġett, jew oġġett li fih l-oġġett ikun jinsab, ikun f'dik il-parti jew f'xi parti ta' l-ajruport u jkun iddaħħal fl-ajruport (sew minnha sew minn xi persuna oħra) bħala l-valiġġa tagħha, jew bħala li jagħmel parti mill-valiġġa tagħha, f'titjira minn dak l-ajruport jew xort'ohra jew li jkun iddaħħal

hemmhekk bhala xi proprjetà ohra, jew bhala li jaghmel parti minn xi proprjetà ohra, li ghandha tingarr fuq dik it-titjira li fuqha ghandha tingarr dik il-persuna nnifisha jew xort'ohra,

minkejja li ċ-ċirkostanzi jistghu ikunu tali li (minbarra dan is-subartikolu) dik il-persuna ma titqiesx bhala li ghandha fil-pussess taghha dak l-oġġett fuq ajruplan jew f'parti minn ajruport, skond il-każ.

(4) Kull persuna li tikser xi wahda mid-dispożizzjonijiet ta' dan l-artikolu tkun hatja ta' reat u tehel, meta tinstab hatja, multa ta' mhux iżjed minn Lm2,000 jew prigunerija għal żmien ta' mhux iżjed minn hames snin, jew dik il-multa u prigunerija flimkien, hlief meta r-reat isir kontra d-dispożizzjoni li tinsab f'paragrafu (b) tas-subartikolu (1) ta' dan l-artikolu f'liema każ il-persuna li tinstab hekk hatja tista' tehel il-pieni preskritti f'artikolu 313 tal-Kodiċi Kriminali.

(5) Ebda haġa li tinsab fis-subartikolu (3) ta' dan l-artikolu m'ghandha tinftihem bhala li taghmel limitu għaċ-ċirkonstanzi li fihom persuna titqies, minbarra għal dak is-subartikolu, bhala li ghandha fil-pussess taghha oġġett bhalma hemm imsemmi fis-subartikolu (1) ta' dan l-artikolu.

26. (1) Meta l-*Manager tas-Sigurtà fl-Ajruport* ikollu kawża raġonevoli biex jissuspetta li persuna li tkun se timbarka fuq ajruplan f'Malta, jew li persuna abbord ajruplan f'Malta, ikollha hsieb li taghmel reati, fir-rigward ta' dak l-ajruplan, taht xi wahda mid-dispożizzjonijiet ta' qabel ta' din it-Taqsima ta' dan l-Att, l-imsemmi *Manager tas-Sigurtà fl-Ajruport* jista' jipprobbixxi lil dik il-persuna milli tivvjagġa fuq dak l-ajruplan, u bil-ghan li jġib fis-sehh dik il-projbizzjoni l-*Manager tas-Sigurtà fl-Ajruport*:

Setgħat li jithaddmu meta jkun hemm suspett ta' hsieb ta' reat taht it-Taqsima IV.

(a) jista' ma jhallihiex timbarka fuq l-ajruplan jew, skond il-każ, jista' jniżzilha minn fuq l-ajruplan; u

(b) jista' jarrestaha mingħajr ebda *warrant* u jżommha għal daqstant żmien daqskemm ikun mehtieg għal dak l-ghan.

(2) Kull min xjentement jostruwixxi jew iwaqqaf lil min ikun qed iwettaq xi setgħa mogħtija lil bis-subartikolu (1) ta' dan l-artikolu jkun hati ta' reat u jehel, meta jinsab hati, multa ta' mhux iżjed minn Lm1,500 jew prigunerija għal żmien ta' mhux iżjed minn sentejn, jew dik il-multa u prigunerija flimkien.

27. Proċedimenti dwar reat li jsir taht xi wahda mid-dispożizzjonijiet ta' qabel ta' din it-Taqsima m'ghandhomx jinbdew f'Malta, hlief bil-kunsens ta' l-Avukat Generali.

Prosekuzzjoni ta' reati u proċedimenti.

TAQSIMA V

SORVELJAR TA' AJRUPORTI

Ajruporti
msemmija.

28. (1) Il-Ministru jista' b'ordni jsemmi ajruport li jkun użat għall-ghanijiet ta' l-avjazzjoni ċivili għall-ghanijiet ta' din it-Taqsima ta' dan l-Att jekk huwa jqis li s-sorveljar ta' dak l-ajruport għandu jkun f'idejn il-membri tal-Korp tal-Pulizija jew il-membri tal-Forzi Armati ta' Malta taht id-direzzjoni u l-Kontroll tal-Kummissarju tal-Pulizija jew tal-Kmandant tal-Forzi Armati ta' Malta rispettivament fl-interess taż-żamma ta' l-ordni u t-tharis mill-kriminalità.

(2) Qabel ma tinhareġ ordni bis-sahha tas-subartikolu (1) ta' dan l-artikolu dwar xi ajruport, il-Ministru għandu jikkonsulta lill-Ministru responsabbli għall-avjazzjoni ċivili, lill-*Manager* tas-Sigurtà fl-Ajruport u lill-membri tal-Kumitat għas-Sigurtà fl-Ajruport.

(3) Is-setgħa li ssir ordni taht is-subartikolu (1) ta' dan l-artikolu għandha titwettaq permezz ta' Avviż Legali:

Iżda ordni li ma jkunx ingħatalha l-kunsens mill-awtoritajiet imsemmija fis-subartikolu (2) ta' dan l-artikolu għandha tingieb quddiem il-Parlament fl-għamla ta' abbozz u ma tkunx tista' ssir hlief biss sakemm dak l-abbozz jiġi hekk approvat b'rizoluzzjoni tal-Kamra tad-Deputati.

Harsien kontra s-
serq f'ajruporti
msemmija.

29. (1) Kull uffiċjal awtorizzat jista', f'ajruport li jkun ajruport imsemmi:

(a) iwaqqaf, u mingħajr *warrant* iffittex, impjegat fl-ajruport sabiex jaċċerta li dak l-impjegat ma jkollux fil-pussess tiegħu jew li ma jkunx qed iġorr b'kull mod li jkun xi oġġett misruq jew miksub kontra l-liġi fl-ajruport; u

(b) sabiex jaċċerta li kwalunkwe oġġett misruq jew miksub kontra l-liġi fl-ajruport ma jkunx jinsab ġewwa jew fuq xi vettura li tkun qegħda ġewwa, jew tinsab hierġa minn, l-ajruport jew ġewwa jew fuq xi ajruplan, iwaqqaf u mingħajr *warrant* iffittex u jzomm il-vettura jew, skond il-każ, jitla' fuq l-ajruplan u mingħajr *warrant* jagħmel tfittxija fih.

(2) Uffiċjal awtorizzat jista':

(a) jwaqqaf lil kull min ikun hierg minn go zona fejn tinzamm it-tagħbija f'ajruport li jkun ajruport imsemmi u jispezzjona kull oġġett li jkun qiegħed jingarr minn jew fuqu;

(b) jwaqqaf u jfittex kull vettura jew ajruplan li jkun hierg minn dik iż-żona u jispezzjona dik il-vettura jew ajruplan kif wkoll kull oġġett li jkun qed jingarr fuqhom jew fihom; u

(c) jżomm f'dik iż-żona:

(i) kull oġġett bhal dawk imsemmija qabel li ma jgix prodott dokument dwarhom li jkun jawtorizza t-nehħija tagħhom minn dik iż-żona li jkun iffirmit minn persuna awtorizzata għal daqstant mill-operatur ta' l-ajruplan; u

(ii) kull vettura jew ajruplan bhal dawk imsemmija qabel sakemm ikun hemm fuqhom jew fihom oġġetti bla dokumenti skond dan il-paragrafu.

(3) F'żona fejn tinzamm it-tagħbija f'ajruport li jkun ajruport imsemmi, is-setgħat ta' uffiċjal awtorizzat taht il-paragrafu (b) tas-subartikolu (1) ta' dan l-artikolu għandha tkun:

(a) testendi għal kull vettura sew jekk fiha jkun qed jingarr impjegat ta' l-ajruport sew jekk le; u

(b) tinkludi s-setgħa, mhux biss ta' tluġh fuq ajruplan u tfittxija go fih, iżda wkoll ta' twaqqif u tiżmim tiegħu.

(4) F'dan l-artikolu "impjegat ta' l-ajruport", dwar kull ajruport, tfisser kull min ikollu impieg mal-*manager* ta' l-ajruport u kull min ikun impjegat minn haddiehor li ma jkunx il-*manager* biex jahdem fl-ajruport.

(5) F'dan l-artikolu "żona fejn tinzamm it-tagħbija" tfisser żona li skond il-Ministru tkun tintuża għal kollox jew li tkun prinċipalment maħsuba li tintuża għall-ħażna u l-manigġ ta' tagħbija f'ajruport u li tiġi hekk imsemmija f'ordni li huwa jagħmel għall-ghanijiet ta' dan l-artikolu.

Emenda ta' l-Att
dwar l-Avjazzjoni
Ċivili, Kap. 232,
eċċ.

30. (1) Fil-paragrafu (ċ) tas-subartikolu (2) ta' l-artikolu 3 ta' l-Att dwar l-Avjazzjoni Ċivili, il-kliem "għad-dhul f'ajruporti u f'postijiet fejn ikunu niżlu l-inġenji ta' l-ajru," għandhom jithassru.

A.L. 109
ta' l-1988.

(2) Ir-Regolamenti ta' l-1988 dwar Dhul għewwa Żoni Ristretti, qeghdin b'dan jiġu mhassra, b'dan illi kull *security pass* mahruġ bis-saħħa tagħhom għandu jibqa' validu sa dak iż-żmien meta l-Ministru responsabbli għas-sigurtà fl-avjazzjoni jista' b'ordni jippreskrivi, jew sa dak iż-żmien meta dawk is-*security passes* jiġu irtirati mill-*Manager* tas-Sigurtà fl-Ajruport, skond liema jiġi l-ewwel fiż-żmien.

Mghoddi mill-Kamra tad-Deputati fis-Seduta Nru. 242 tal-15 ta' Lulju, 1998.

MYRIAM SPITERI DEBONO
Speaker

RICHARD J. CAUCHI
Skrivan tal-Kamra tad-Deputati

I assent.

(L.S.)

UGO MIFSUD BONNICI
President

21st July, 1998

ACT No. XX of 1998

ANACT to give effect to certain enactments relating to aviation security.

BE IT ENACTED by the President, by and with the advice and consent of the House of Representatives, in this Parliament assembled, and by the authority of the same, as follows:

PART I

PRELIMINARY

1. This Act may be cited as the Airports and Civil Aviation Short title.
(Security) Act, 1998.

2. In this Act, unless the context otherwise requires, the following Interpretation.
expressions have the following meanings respectively, that is to say:

“aircraft” means any aircraft, whether or not a Maltese-controlled aircraft, other than —

(a) a military aircraft; or

(b) an aircraft which, not being a military aircraft, belongs to or is exclusively employed in the service of the Government of Malta for customs or police purposes,

but the Minister may by order, which may be varied or revoked by a subsequent order, provide that any of the provisions of this Act shall apply with or without modifications to aircraft such as are mentioned in paragraph (b) of this definition;

“airport” means any area of land or water designed, equipped, set apart or commonly used for affording facilities for the take-off and landing of aircraft, and includes an air passenger terminal, an air cargo terminal and an air cargo warehouse as well as all lands and facilities pertinent to an airport;

“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;

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

“authorised officer” means any person authorised by the Manager Airport Security, or authorised by the Manager Airport Security on the advice of the Commissioner of Police, or the Commander Armed Forces of Malta, or the Director General Civil Aviation, or the Chairman, Malta International Airport, to perform the duties of security guard or watchman in a restricted area;

“commander” in relation to an aircraft means the member of the crew designated as commander of that aircraft by the operator thereof, or, failing such a person, the person who is for the time being a pilot in command of the aircraft;

Cap. 9. “explosive” has the same meaning as in section 314 of the Criminal Code;

Cap. 66. “firearm” has the same meaning as in the Arms Ordinance;

Cap. 217. “Immigration Officer” means the Principal Immigration Officer as defined in section 2 of the Immigration Act acting under such authority;

Cap. 232. “loss or damage” in relation to persons, has the same meaning as in the Civil Aviation Act;

“Malta” has the same meaning as assigned to it by section 124 of the Constitution of Malta;

“Manager”, in relation to an airport, means those persons legally responsible for the organisations that are managing the

operations of passengers and of the cargo terminal, and of the airside operations;

“Manager Airport Security” is the public officer designated by the Minister to be responsible for the overall management and control of aviation security at specified airports and includes a public officer of his department so designated by him for the purposes of these regulations of this Act;

“military aircraft” means an aircraft of the naval, military or air forces of any country;

“Minister” means the Minister responsible for aviation security and, to the extent of the authority given, any person authorised in that behalf by such Minister;

“operator” in relation to any aircraft at any time has the same meaning as in the Civil Aviation Act; Cap. 232.

“motor vehicle” means any type of vehicle propelled by mechanical or electrical power;

“pilot in command” in relation to an aircraft means a person who for the time being is in charge of the piloting of the aircraft without being under the direction of any other pilot in the aircraft;

“Police officer” has the same meaning assigned to it by the Malta Police Ordinance; Cap. 164.

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

“restricted area” means an area access to which can only be obtained by authorisation from the Manager Airport Security and which may be as may be prescribed by regulations made under this Act.

PART II

REGULATION OF AVIATION SECURITY

3. (1) The Minister may by regulations make such provision as appears to him to be requisite or expedient: Regulations and orders.

(a) for prescribing or making provision for any aviation security matter that is to be or may be prescribed under this Act;

(b) generally for securing the safety of aircraft and of persons and property carried therein, and for the detention of aircraft for any of the purposes specified in this paragraph;

(c) for preventing interference with the use or effectiveness of apparatus used in connection with air navigation;

(d) generally for regulating security at any airport in Malta;

(e) prescribing fees that are to be paid by managers of airports, aircraft operators, air cargo agents and passengers in respect of the provision of security services at any airport in Malta;

(f) for appointing the Manager Airport Security with overall responsibility for the management and control of aviation security and for the command, co-ordination and oversight of all the security resources provided at Luqa Airport or any other designated airport in Malta.

(2) Regulations made under any of the provisions of this Act may contain such incidental and supplementary provisions as appear to the Minister to be necessary or expedient for the purposes of the regulations.

Power for Minister to require information.

4. (1) The Minister may, by notice in writing served on any person who is:

(a) the operator of one or more aircraft registered or operating in Malta, or

(b) an air cargo agent operating in Malta, or

(c) the manager of an airport in Malta ,

require that person to inform the Minister of the measures, of a description specified in the notice, which are being taken in respect of aircraft registered or operating in Malta of which he is the operator or in respect of that airport, as the case may be, for purposes to which this Part of this Act applies.

(2) A notice under subsection (1) above shall specify a date (not being earlier than four weeks from the date on which the notice is served) before which the information required by the notice in accordance with subsection (1) above is to be furnished to the Minister

(3) Any such notice shall also require the person on whom it is served, after he has furnished to the Minister the information required by the notice in accordance with subsection (1) above, to inform the Minister if at any time:

(a) any further measures, in respect of aircraft registered or operating in Malta of which at that time he is the operator, or in respect of the airport to which the information so furnished related, as the case may be, are taken for purposes to which this Part of this Act applies, either:

(i) by way of alteration of, or addition to, the measures specified in any information previously furnished by him under this section, or

(ii) by way of applying any measures so specified to aircraft, or to a part of the airport, not comprised in the previous information;

or

(b) any measures taken as mentioned in that subsection or in paragraph (a) of this subsection are discontinued.

(4) In so far as such a notice requires further information to be furnished to the Minister in accordance with subsection (3) above, it shall require that information to be furnished to him before the end of such period, not being less than seven days from the date on which the further measures in question are taken, as is specified in the notice for the purposes of this sub-section, and where the measures are to be discontinued before they are so discontinued.

(5) Any person who:

(a) refuses or, without reasonable cause, fails to comply with a requirement imposed on him by a notice under this section, or

(b) in furnishing any information so required, makes a statement which he knows to be false in a material particular, or recklessly makes a statement which is false in a material particular,

shall be guilty of an offence and shall on conviction be liable to a fine (*multa*) not exceeding Lm1000 or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

(6) A notice served on a person under subsection (1) above may at any time be revoked by a further notice served on him by the Minister.

Aviation Security
Committee.

5. (1) There shall be established a committee to be designated the Aviation Security Committee (hereinafter in this section to be called “the Committee”) composed of such members as shall be appointed by the Prime Minister from amongst public officers occupying a senior position and performing duties in the ministries responsible for matters relating to aviation and airports as well as from amongst employees occupying a senior position in the other organisations having a main concern in the management, running and control of aviation and airports in Malta:

Provided that the Prime Minister may appoint other persons as members of the Committee who appear to him to have the experience and to have shown the capacity in matters relating to the security of aviation and airports.

(2) Subject to the provisions of this Act, it shall be the duty of the Committee in general to consider and advise Government and the competent authorities on all matters relating to the security of airports and aircraft, and in particular to advise the Minister –

(a) with regard to the development, maintenance and promotion of an efficient system of security at airports and on board aircraft; and

(b) with regard to the development and determination of the necessary strategies and policies to reach such objectives.

(3) The Minister responsible for Aviation Security shall be the Chairman of the Committee, and the Permanent Secretary responsible for Home Affairs shall be the Deputy Chairman; the Commissioner of Police, the Commander of the Armed Forces and the Manager Airport Security shall be *ex officio* members.

(4) The appointed members shall hold office for such term, not being more than three years, as may be specified in their letter of appointment.

(5) If any vacancy in the Committee occurs during the period of appointment, on account of death, resignation or for any other cause, the Prime Minister shall, as soon as practicable, appoint another person to fill the vacancy:

Provided that the Committee and the members thereof may act notwithstanding any such vacancy.

(6) The Deputy Chairman shall act instead of the Chairman whenever the Chairman is absent from a meeting of the Committee or is unable to act as Chairman for any reason.

(7) Notwithstanding any other provision of this section the Prime Minister may at any time terminate the appointment of an appointed member, if, in his opinion, such appointed member is unfit to continue in office or has become incapable of properly performing his functions.

(8) The Manager Airport Security shall act as secretary of the Committee.

(9) The Committee shall meet as often as necessary, but in no case less frequently than once in every three calendar months.

(10) The Committee shall decide on the composition and terms of reference of sub-committees or expert groups to which it can give special tasks.

(11) The Committee shall regulate its own proceedings.

6. Regulations made under any of the provisions of this Act may provide for the detention of aircraft to secure compliance with any provision of this Act or of any regulations made thereunder, and may make such further provision as appears to the Minister to be necessary or expedient for securing such detention.

Detention of aircraft.

PART III

PROTECTION OF AIRCRAFT, AIRPORTS AND AIR NAVIGATION INSTALLATIONS AGAINST ACTS OF VIOLENCE

7. (1) This Part of this Act has the purpose to provide protection against acts of violence:

Purposes to which Part III applies.

(a) to aircraft, and to persons or property on board aircraft;

(b) to airports, and to such persons or property as (in the case of persons) are at any time present in any part of an airport or is at any time (whether permanently or temporarily) in any part of an airport; and

(c) to air navigation installations which do not form part of an airport.

(2) In this Part of this Act “act of violence” means any act (whether actual or potential, and whether done or to be done in Malta or elsewhere) which either:

(a) being an act done in Malta, constitutes, or

(b) if done in Malta would constitute,

the offences under sections 211, 212, 214, 216, 217, 218, 220 and 222A of the Criminal Code; or any act whereby an explosion of a nature likely to endanger life, or to cause serious injury to property, is maliciously caused by means of any explosive substance, whether or not any injury to persons or property is actually caused.

Endangering
safety at airports.

8. (1) It is an offence for any person by means of any device, substance or weapon intentionally to commit at an airport serving civil aviation any act of violence which:

(a) causes or is likely to cause death or serious personal injury, and

(b) endangers or is likely to endanger the safe operation of the airport or the safety of persons at the airport.

(2) It is also, subject to subsection (4) below, an offence for any person by means of any device, substance or weapon unlawfully and intentionally:

(a) to destroy or seriously damage:

(i) property used for the provision of any facilities at an airport serving civil aviation (including any apparatus or equipment so used), or

(ii) any aircraft which is at such an airport but is not in service, or

(b) to disrupt the services of such an airport, in such a way as to endanger or is likely to endanger the safe operation of the airport or the safety of persons at the airport.

(3) Except as provided by subsection (4) below, subsections (1) and (2) above apply whether any such act as is referred to in those subsections is committed in Malta or elsewhere and whatever the nationality of the person committing the act.

(4) Subparagraph (ii) of paragraph (a) of subsection (2) above does not apply to any act committed in relation to an aircraft used in military, customs or police service unless:

(a) the act is committed in Malta, or

(b) where the act is committed outside Malta, the person committing it is a Maltese national.

(5) A person who commits an offence under this section shall be liable on conviction to imprisonment for life.

(6) 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 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 in flight over any part of Malta shall be treated as done in that part of Malta.

(7) Proceedings for an offence under this section shall not be instituted in Malta except with the consent of the Attorney General.

9. (1) Subject to subsection (3) below, a person commits an offence if, in answer to a question which:

False statements relating to baggage, cargo etc.

(a) relates to any baggage, cargo or stores (whether belonging to him or to another) that is or are intended for carriage by an aircraft registered or operating in Malta, and

(b) is put to him for purposes to which this Part of this Act applies:

(i) by any of the persons mentioned in subsection (2) below,

(ii) by any employee or agent of such a person in his capacity as employee or agent,

or

(iii) by an authorised officer,

he makes a statement which he knows to be false in a material particular, or recklessly makes a statement which is false in a material particular.

(2) The persons referred to in paragraph (b) of subsection (1) above are:

(a) the manager of an airport in Malta,

(b) the operator of one or more aircraft registered or operating in Malta, and

(c) any person who:

(i) is permitted to have access to a restricted zone of an airport for the purposes of the activities of a business carried on by him, and

(ii) has control in that restricted zone over the baggage, cargo or stores to which the question relates.

(3) A person guilty of an offence under subsection (1) above shall be liable on conviction to a fine (*multa*) not exceeding Lm2,000 or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

(4) In this section:

“cargo” includes stores and mail; and

“stores” means any goods intended for sale or use on an aircraft, including tax-free goods, spare parts and other articles of equipment, whether or not for immediate fitting.

10. (1) Subject to subsection (4) below, a person commits an offence if:

False statements
in connection with
identity documents.

(a) for the purpose of, or in connection with, an application made by him or another for the issue of an identity document to which this subsection applies, or

(b) in connection with the continued holding by him or another of any such document which has already been issued,

he makes to any of the persons specified in subsection (3) below, to any employee or agent of such a person or to an authorised officer, a statement which he knows to be false in a material particular, or recklessly makes to any of those persons, to any such employee or agent or to an authorised officer, a statement which is false in a material particular.

(2) Subsection (1) above applies to any identity document which is to be or has been issued by any of the persons specified in subsection (3) below in accordance with arrangements the maintenance of which is required by a direction given by the Minister.

(3) The persons referred to in subsection (1) above are:

(a) the Manager Airport Security;

(b) the manager of an airport in Malta;

(c) the authority responsible for an air navigation installation in Malta;

(d) the operator of one or more aircraft registered or operating in Malta; and

(e) any person who is permitted to have access to a restricted zone of an airport or air navigation installation for the purposes of the activities of a business carried on by him.

(4) A person guilty of an offence under subsection (1) above shall be liable on conviction to a fine (*multa*) not exceeding Lm2,000 or, to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

Unauthorised
presence in
restricted area.

11. (1) A person shall not:

(a) enter, with or without a vehicle, into any part of a restricted area of:

(i) an airport, or

(ii) an air navigation installation which does not form part of an airport,

except with the permission of the Manager Airport Security, and the authority responsible for the air navigation installation or a person acting on behalf of that manager or authority, and in accordance with any conditions subject to which that permission is for the time being granted, or

(b) remain on any part of such a restricted area after being requested to leave by the Manager Airport Security, or the authority responsible for the air navigation installation or a person acting on behalf of that Manager or authority:

Provided that the Manager Airport Security may at any time enter into any part of such restricted area or remain thereat notwithstanding the opposition of the authority responsible for the air navigation installation.

(2) Paragraph (a) of subsection (1) above does not apply unless it is proved that, at the material time, notices stating that the area concerned was a restricted area were posted so as to be readily seen and read by persons entering the restricted area.

Access to restricted
areas.

12. (1) No person shall enter a restricted area unless he is in possession of a security pass or a temporary authorisation in writing issued by the Manager Airport Security:

Provided that where the exigencies of the moment so require, a member of the Police Force or of the Armed Forces of Malta may, in pursuance of his duty, enter a restricted area without the security pass mentioned above, but shall in such cases produce their service identity card and upon demand by the Manager Airport Security.

Provided further that the Manager Airport Security may allow any person to enter into a restricted area without a security pass or temporary authorisation in writing whenever he deems it expedient to do so.

(2) A security pass or a temporary authorisation in writing shall be issued in such form, for such time and under such conditions as

the Manager Airport Security may deem expedient. Any such security pass or written authorisation shall be returned to the Manager Airport Security on its expiry.

(3) Security passes shall be displayed in a prominent position on the person in whose name they are issued as may be specified by the Manager Airport Security. Temporary authorisations in writing and identity cards shall be produced on demand when so requested by an authorised officer.

(4) A person holding a security pass issued under this section shall return it to the Manager Airport Security upon its expiry or when the person to whom it is issued ceases to be in the employment in connection with which the pass has been issued, or upon a simple demand by the Manager Airport Security, and the person employing such employee shall immediately inform the Manager Airport Security of the cessation, for any cause, of such employment.

13. (1) No motor vehicle shall enter or be driven in a restricted area without the written authorisation of the Manager Airport Security, and under such conditions as may be specified therein: Motor vehicles to have authorisation for restricted areas.

Provided that the Manager Airport Security may allow any motor vehicle to enter or be driven into a restricted area without his written authorisation whenever he deems it expedient to do so, subject to any conditions he may impose.

(2) A person who is driving or who is in charge of a motor vehicle for which a written authorisation has been so granted shall produce such authorisation on demand to an authorised officer.

(3) Motor vehicles driven in a restricted area shall comply with the Air Navigation Order 1990, or any Order amending or substituting the same. L.N. 176 of 1990.

14. (1) Any person authorised under these regulations to enter a restricted area or to drive a motor vehicle therein shall comply with the conditions so specified in the security pass or authorisation, as the case may be, and with such other directives as may be given by an authorised officer. Persons and motor vehicles to comply with conditions of security pass.

(2) An authorised officer may detain and search any person or motor vehicle in a restricted area or while entering or leaving such area.

(3) Any person who contravenes the provisions of paragraph (1) of this regulation may be removed from a restricted area by any

authorised officer without prejudice to any criminal proceedings which may be instituted against him.

Weapons and explosives prohibited in restricted area.

15. No weapon or explosive material shall be introduced, kept or taken out of a restricted area by any person or in any vehicle without the written authorisation of the Manager Airport Security:

Provided that this shall not apply to authorised officers being members of the Armed Forces of Malta or the Malta Police Force and motor vehicles used by them in the course of their lawful duties.

Special powers of the Manager Airport Security.

16. The Manager Airport Security may, by notice in the Gazette, declare any part of a restricted area to be exempt from all or any one of the provisions of this Act for such time and under such conditions as may be specified in that notice.

Offences relating to sections 11 to 14.

17. (1) Any person who contravenes the provisions of subsection of section 11, subsection (1) or (4) of section 12, subsection (1) of section 13 or subsection (1) of section 14 of this Act shall be guilty of an offence and, on conviction, shall be liable to a fine (*multa*) of not less than Lm1,000 and not exceeding Lm3,000, or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

(2) Any person who contravenes the provisions of subsection (3) of section 12 or of subsection (2) of section 13 of these regulations shall be guilty of an offence and, on conviction shall be liable to a fine (*multa*) not exceeding Lm500.

(3) Any person who contravenes the provisions of section 15 of this Act shall be guilty of an offence, and on conviction shall be liable to a fine (*multa*) of not less than Lm4,000 but not exceeding Lm8,000, or to imprisonment of not less than three months but not exceeding two years or to both such fine and imprisonment.

(4) The provisions of this section establishing offences and punishments in respect thereof shall not affect the operation of any other law establishing offences and punishments in respect of the same acts or omissions, and shall not, in particular, affect the application of any higher punishment under any other law.

Unauthorised presence on board aircraft.

18. (1) A person shall not without lawful authority or reasonable excuse:

(a) get into or onto an aircraft at an airport in Malta except with the permission of the operator of the aircraft or a person acting on his behalf, or

(b) remain on an aircraft at such an airport after being requested to leave by the operator of the aircraft or a person acting on his behalf.

(2) A person who contravenes subsection (1) shall be guilty of an offence and liable on conviction to a fine (*multa*) not exceeding Lm1,000 or, imprisonment for a term not exceeding two years or to both such fine and imprisonment.

19. (1) A person shall be guilty of an offence if he:

Obstruction of
authorised persons.

(a) intentionally obstructs an authorised officer acting in the exercise of a power conferred on him by or under this Part of this Act, or

(b) falsely pretends to be an authorised person.

(2) A person guilty of an offence under paragraph (a) of subsection (1) above shall be liable to a fine (*multa*) not exceeding Lm1,500 or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

(3) A person guilty of an offence under paragraph (b) of subsection (1) shall be liable on conviction to a fine not exceeding Lm1,000 or, to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

20. (1) The Minister may, by regulations, make provision, for purposes to which this Part of this Act applies, in relation to persons (in this section referred to as "air cargo agents") who carry on a business of handling cargo which is to be delivered (whether by them or any other person) to the operator of any aircraft for carriage from any airport in Malta by an aircraft.

Air cargo agents.

(2) Regulations under this section may, in particular:

(a) enable the Minister to maintain a list of air cargo agents who are approved by him for purposes related to aviation security, to include the name of an air cargo agent on that list, on application being made to the Minister in accordance with such regulations, if he is satisfied as to such matters as are specified in the regulations, and to remove the name of any person from that list in such circumstances as may be so specified,

(b) provide that any provision of this Part of this Act which applies in relation to persons who are permitted to have access to a restricted zone of an airport for the purposes of the activities of a business (including any such provision which creates a criminal

offence) shall also apply, with such modifications as may be specified in the regulations, in relation to air cargo agents included on any such list,

(c) make provision (including any such provision as is mentioned in paragraphs (a) and (b) above) relating to a class of air cargo agents as may be specified in the regulations and not to other air cargo agents,

(d) make different provision for different cases, and

(e) make such incidental, supplementary or transitional provision as the Minister considers necessary or expedient in consequence of any provision made by the regulations.

(3) In this section:

“cargo” includes stores and mail; and

“stores” means any goods intended for sale or use on an aircraft, including tax-free goods, spare parts and other articles of equipment, whether or not for immediate fitting.

Power to impose
restrictions in
relation to aircraft.

21. (1) For the purposes of this Part of this Act, the Minister may give a direction in writing to the operator of any one or more aircraft registered or operating in Malta, or to the Manager Airport Security, or to the manager of any airport in Malta requiring him:

(a) not to cause or permit persons or property to go or be taken on board any aircraft to which the direction relates, or to come or be brought into proximity to any such aircraft, unless such searches of those persons or that property as are specified in the direction have been carried out by authorised officers or by other persons of a description specified in the direction, or

(b) not to cause or permit any such aircraft to fly unless such searches of the aircraft as are specified in the direction have been carried out by authorised officers or by other persons of a description so specified.

(2) Subject to the following provisions of this Part of this Act, a direction given to the Manager Airport Security or to the manager of an airport under subsection (1) above may be given so as to relate:

(a) either to all aircraft which at the time when the direction is given or at any subsequent time are in any part of the airport, or to a class of such aircraft specified in the direction;

(b) either to all persons or only to one or more persons, or persons of one or more descriptions, specified in the direction; and

(c) either to property of every description or only to particular property, or property of one or more descriptions, specified in the direction.

(3) Any person who refuses or fails to comply with a direction given to him under this section shall be guilty of an offence and shall be liable on conviction, to a fine (*multa*) not exceeding Lm1,000, to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

22. (1) For the purposes of this Part of this Act, the Minister may give a direction in writing to the Manager Airport Security or to the manager of any airport in Malta requiring him to secure that such searches to which this section applies as are specified in the direction are carried out by other persons of such a description as may be specified in the direction.

Power to require airport managers to promote searches at airports.

(2) The searches to which this section applies, in relation to an airport, are searches:

(a) of the airport or any part of it;

(b) of any aircraft which at the time when the direction is given or at any subsequent time is in any part of the airport; and

(c) of persons or property (other than aircraft) which may at any such time be in any part of the airport.

(3) Where a direction given under this section to the manager of an airport is for the time being in force, then if a member of the Armed Forces of Malta or of the Malta Police Force, or any other person specified in the direction in accordance with this section, has reasonable cause to suspect that an article to which section 28 of this Act applies is in, or may be brought into, any part of the airport, he may, by virtue of this subsection and without a warrant, search any part of the airport or any aircraft, vehicle, goods or other moveable property of any description which, or any person who, is for the time being in any part of the airport, and for that purpose:

(a) may enter any building or works in the airport, or enter upon any land in the airport, if need be by force, and

(b) may stop any such aircraft, vehicle, goods, property or person and detain it or him for so long as may be necessary for that purpose.

(4) Any person who:

(a) refuses or fails to comply with a direction given to him under this section, or

(b) wilfully obstructs or impedes a person acting in the exercise of a power conferred on by subsection (3) shall be guilty of an offence and shall be liable on conviction, to a fine (*multa*) not exceeding Lm1,000, or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

Inspection of
aircraft and airports.

23. (1) Any person authorised in writing by the Minister (in this section referred to as an “authorised officer”) shall have power, on production (if required) of his credentials, to inspect:

(a) any aircraft registered or operating in Malta at a time when it is in Malta, or

(b) any part of any airport in Malta.

(2) An authorised officer inspecting an aircraft or any part of an airport under subsection (1) above shall have power:

(a) to subject any property found by him in the aircraft (but not the aircraft itself or any apparatus or equipment installed in it) or, as the case may be, to subject that part of the airport or any property found by him there, to such tests, or

(b) to require the operator of the aircraft, or the manager of the airport, to furnish to him such information,

as the authorised person may consider necessary for the purpose for which the inspection is carried out.

(3) Subject to subsection (4) below, an authorised person, for the purpose of exercising any power conferred on him by the preceding provisions of this section in relation to an aircraft or in relation to an airport, shall have power:

(a) for the purpose of inspecting an aircraft, to enter it and to take all such steps as are necessary to detain it, or

(b) for the purpose of inspecting any part of an airport, to enter any building or works in the airport or enter upon any land in the airport.

(4) The powers conferred by subsection (3) above shall not include power for an authorised person to use force for the purpose of entering any aircraft, building or works or entering upon any land.

(5) Any person who:

(a) wilfully obstructs or impedes a person acting in the exercise of a power conferred on him by or under this section, or

(b) refuses or, without reasonable excuse, fails to comply with a requirement imposed on him under, paragraph (b) of subsection (2) of this section, or

(c) in furnishing any information so required, makes a statement which he knows to be false in a material particular, or recklessly makes a statement which is false in a material particular,

shall be guilty of an offence and shall be liable on conviction, to a fine not exceeding Lm1,000 or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

24. (1) Sections 4, 22 and 23 of this Act shall have effect in relation to air navigation installations in Malta in accordance with the following provisions of this section.

Application of provisions of Parts II and III to air navigation installations.

(2) In relation to any such air navigation installation which does not form part of an airport, those sections shall have effect, subject to subsection (5) below, as if in them any reference to an airport were a reference to such an air navigation installation and any reference to the manager of an airport were a reference to the authority responsible for such an air navigation installation.

(3) Where an air navigation installation forms part of an airport in Malta, those sections shall have effect, subject to subsection (5) below, as if in them any reference to an airport were a reference either:

(a) to an airport, or

(b) to an air navigation installation which forms part of an airport, or

(c) to so much of an airport as does not consist of an air navigation installation;

and accordingly a notice under section 4 of this Act or a direction under section 22 or 23 of this Act may be served or given either in respect of the whole of the airport, or in respect of so much of the airport as does not consist of an air navigation installation.

(4) For the purposes of the service of a notice or the giving of a direction under sections 4 or 22 of this Act as modified by subsection (3), where the notice is to be served, or the direction given, in respect of an air navigation installation separately, any reference in any of those sections to the manager of the airport shall be construed as a reference to any person who is either the manager of the airport or the authority responsible for the air navigation installation.

(5) Subsections (2) and (3) shall not apply to subsection (3) of section 22 of this Act; but where a direction given under section 22 of this Act, as applied or modified by the preceding provisions of this section, is for the time being in force:

(a) if it is a direction given in respect of an air navigation installation separately (whether that installation forms part of an airport or not), the said section 22 shall have effect in relation to that direction as if the air navigation installation were an airport and, where the direction was given to the authority responsible for the air navigation installation, as if it had been given to the manager of that airport;

(b) if it is a direction given in respect of so much of an airport as does not consist of an air navigation installation, the said subsection (3) of section 22 shall have effect in relation to that direction as if any air navigation installation comprised in the airport did not form part of the airport.

PART IV

OFFENCES AGAINST THE SAFETY OF AIRCRAFT ETC.

Offences in relation to certain dangerous articles.

25. (1) It shall be an offence for any person without lawful authority or reasonable excuse (the proof of which shall lie on him) to have with him any article to which this section applies:

(a) in any aircraft registered in Malta, whether at a time when the aircraft is in Malta or not, or

(b) in any other aircraft at a time when it is in, or in flight over, Malta, or

(c) in any part of an airport in Malta, or

(d) in any air navigation installation in Malta which does not form part of an airport.

(2) This section applies to the following articles, that is to say;

(a) any firearm, or any article having the appearance of being a firearm, whether capable of being discharged or not;

(b) any explosive, any article manufactured or adapted (whether in the form of a bomb, grenade or otherwise) so as to have the appearance of being an explosive, whether it is capable of producing a practical effect by explosion or not, or any article marked or labelled so as to indicate that it is or contains an explosive; and

(c) any article (not falling within either of the preceding paragraphs) made or adapted for use for causing injury to or incapacitating a person or for destroying or damaging property, or intended by the person having it with him for such use, whether by him or by any other person.

(3) For the purposes of this section a person who is for the time being in an aircraft, or in part of an airport, shall be treated as having with him in an aircraft, or in that part of the airport, as the case may be, an article to which this section applies if:

(a) where he is in an aircraft, the article, or an article in which it is contained, is in the aircraft and has been caused (whether by him or by any other person) to be brought there as being, or as forming part of, his baggage on a flight in the aircraft or has been caused by him to be brought there as being, or as forming part of, any other property to be carried on such a flight; or

(b) where he is in part of an airport (otherwise than in an aircraft), the article, or an article in which it is contained, is in that or any other part of the airport and has been caused (whether by him or by any other person) to be brought into the airport as being, or as forming part of, his baggage on a flight from that airport or otherwise or has been caused by him to be brought there as being, or as forming part of, any other property to be carried on such a flight on which he is also to be carried, or otherwise,

notwithstanding that the circumstances may be such that (apart from this subsection) he would not be regarded as having the article with him in the aircraft or in a part of the airport, as the case may be.

(4) Any person who contravenes any of the provisions of this section shall be guilty of an offence and shall be liable, on conviction, to a fine not exceeding Lm2,000, or to imprisonment for a term not exceeding five years, or to both such fine and imprisonment, provided that if the offence is against the provision found in paragraph (b) of subsection (1) of this section the person found so guilty shall be liable to the punishments prescribed in section 313 of the Criminal Code.

(5) Nothing in subsection (3) shall be construed as limiting the circumstances in which a person would, apart from that subsection, be regarded as having an article with him as mentioned in subsection (1).

Powers exercisable
on suspicion of
intended offence
under Part IV.

26. (1) Where the Manager Airport Security has reasonable cause to suspect that a person about to embark on an aircraft in Malta, or a person on board such an aircraft, intends to commit, in relation to the aircraft, offences under any of the preceding provisions of this Part of this Act, the Manager Airport Security may prohibit him from travelling on board the aircraft, and for the purpose of enforcing that prohibition the Manager Airport Security:

- (a) may prevent him from embarking on the aircraft or, as the case may be, may remove him from the aircraft; and
- (b) may arrest him without warrant and detain him for so long as may be necessary for that purpose.

(2) Any person who wilfully obstructs or impedes a person acting in the exercise of a power conferred on him by subsection (1) above shall be guilty of an offence and shall be liable on conviction, to

a fine not exceeding Lm1,500 or to imprisonment for a term not exceeding two years, or to both such fine and imprisonment.

27. Proceedings for an offence under any of the preceding provisions of this Part of this Act shall not be instituted in Malta, except with the consent of the Attorney General.

Prosecution of offences and proceedings.

PART V

POLICING OF AIRPORTS

28. (1) The Minister may by order designate any airport used for the purposes of civil aviation for the purposes of this Part of this Act if he considers that the policing of that airport should, be undertaken by members of the Malta Police Force or members of the Armed Forces of Malta under the direction and control of the Commissioner of Police or the Commander Armed Forces of Malta respectively in the interests of the preservation of the peace and the prevention of crime.

Designated airports.

(2) Before making an order under subsection (1) in relation to any airport the Minister shall consult the Minister responsible for Civil Aviation, the Manager Airport Security and the members of the Airport Security Committee.

(3) The power to make an order under subsection (1) shall be exercisable by Legal Notice:

Provided that any order which has not be consented to by the authorities mentioned in subsection (2) of this section shall be laid before Parliament in draft and shall not be made unless the draft is approved by resolution of the House of Representatives.

29. (1) Any relevant authorised officer may in any airport which is a designated airport:

Prevention of theft at designated airports.

(a) stop, and without warrant search, any airport employee in order to ensure that such employee does not have in his

possession or is not conveying in any manner anything stolen or unlawfully obtained on the airport; and

(b) in order to ensure that anything stolen or unlawfully obtained on the airport is not in or on any vehicle inside or going out of an airport or in or on any aircraft, stop and without warrant search and detain the vehicle or, as the case may be, board and without warrant search the aircraft.

(2) Any relevant authorised officer may:

(a) stop any person who is leaving a cargo area in an airport which is a designated airport and inspect any goods carried by or on that person;

(b) stop and search any vehicle or aircraft which is leaving any such area and inspect the vehicle or aircraft and any goods carried on or in it; and

(c) detain in the area:

(i) any such goods as aforesaid for which there is not produced a document authorising their removal from the area signed by a person authorised in that behalf by the operator of the aircraft; and

(ii) any such vehicle or aircraft as aforesaid so long as there are on or in it goods liable to detention under this paragraph.

(3) In any cargo area in an airport which is a designated airport the powers of an authorised officer under paragraph (b) subsection (1):

(a) extend to any vehicle whether or not it is carrying an airport employee; and

(b) include power, not only to board and search an aircraft, but also to stop and detain it.

(4) In this section “airport employee”, in relation to any airport, means any person in the employment of the manager of the airport and any person employed otherwise than by the manager to work on the airport.

(5) In this section “cargo area” means, any area which appears to the Minister to be wholly or mainly intended or used for the storage or handling of cargo in an airport and is designated by an order made by him for the purposes of this section.

30. (1) In paragraph (c) of subsection (2) of section 3 of the Civil Aviation Act, the words “ for access to aerodromes and places where aircraft have landed,” shall be deleted. Amendment of Civil Aviation Act, Cap. 232, etc.

(2) The Access to Restricted Areas Regulations, 1988, L.N. 109 of 1988. are hereby repealed, so however that any security passes issued thereunder shall remain valid until such time as the Minister responsible for aviation security may by order prescribe, or until such time as any such security passes are withdrawn by the Manager Airport Security, whichever is the earlier.

Passed by the House of Representatives at Sitting No. 242 of the 15th July, 1998.

MYRIAM SPITERI DEBONO
Speaker

RICHARD J. CAUCHI
Clerk to the House of Representatives