

THE AIRCRAFT (TOKYO, HAGUE AND MONTREAL
CONVENTIONS) ACT

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SCHEDULE

THE AIRCRAFT (TOKYO, HAGUE AND MONTREAL
CONVENTIONS) ACT

Acts
4 of 1984,
18 of 2005
2nd Sch.

[26th April, 1984.]

PART I. *Preliminary*

1. This Act may be cited as the Aircraft (Tokyo, Hague, and Montreal Conventions) Act. Short title.

2.—(1) In this Act—

Interpreta-
tion.

“aircraft” means, except as otherwise provided pursuant to subsection (4) hereof, any aircraft (whether or not a Jamaican-controlled aircraft) other than a State aircraft;

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

“constable” means a member of the Jamaica Constabulary Force, the Island Special Constabulary Force or the Rural Police;

“Jamaican-controlled aircraft” means an aircraft—

- (a) which is for the time being registered in Jamaica; or
- (b) which is not for the time being registered in any country but in the case of which either the operator of the aircraft or each person

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entitled as owner to any legal or beneficial interest in it satisfies the following requirements—

- (i) that he is a person qualified to be the owner of a legal or beneficial interest in an aircraft registered in Jamaica; and
- (ii) that he resides or has his principal place of business in Jamaica; or
- (c) which, although for the time being registered in a country other than Jamaica, is for the time being chartered by demise to a person who, or to persons each of whom, satisfies the requirements set out in paragraph (b) hereof;

“operator”, in relation to any aircraft at any time, means the person who at that time has the management of that aircraft;

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

“State aircraft” means any aircraft which is used in the military, customs or police service of any country;

“the Hague Convention” means the Convention for the Suppression of Unlawful Seizure of Aircraft, done at the Hague on the 16th day of December, 1970;

“the Montreal Convention” means the Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation, done at Montreal on the 23rd day of September, 1971;

"the Tokyo Convention" means the Convention on Offences and Certain Other Acts Committed on Board Aircraft, done at Tokyo on the 14th day of September, 1963.

(2) [*Deleted – vide the Extradition Act, Act 7 of 1991.*]

(3) Any reference in this Act to military service includes a reference to naval or air force service.

(4) The Minister may, by order, direct—

(a) that this Act, subject to such modifications as may be specified in the order, shall apply to any State aircraft;

(b) that any aircraft operated by the Government be treated, to such extent and subject to such modifications of this Act as may be specified in the order, as excepted from the whole or any part of the provisions of this Act.

PART II. *Provisions giving Effect to the Tokyo Convention*

3.—(1) In this Part—

"Convention country" means a country in which the Tokyo Convention is for the time being in force, and the Minister may, by order, certify that any country specified in the order is for the time being a Convention country, and any such order for the time being in force shall be conclusive evidence that the country in question is for the time being a Convention country;

Interpreta-
tion of
Part II.