

Air Navigation (Aviation Security) Order 1999

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No. S 401

AIR NAVIGATION ACT (CHAPTER 6)

AIR NAVIGATION (AVIATION SECURITY) ORDER

Citation

1. This Order may be cited as the Air Navigation (Aviation Security) Order 1999 and shall come into operation on 1st October 1999.

Application

2.—(1) This Order shall apply to any aerodrome in Singapore which is used for international civil aviation.

(2) Unless the context otherwise requires, this Order does not apply to any aerodrome under the control of the Singapore Armed Forces.

Definitions

3. In this Order, unless the context otherwise requires —

“cargo” includes mail;

“Commissioner” means the Commissioner of Police appointed under the Police Force Act (Cap. 235) or any police officer appointed by the Commissioner to act on his behalf;

“protected place” means any premises declared to be a protected place under the Protected Areas and Protected Places Act (Cap. 256);

“security measures” means a combination of measures and procedures to secure the safety of aircraft and of persons and property carried therein against unlawful acts of violence;

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

Power of Commissioner to require information

4.—(1) The Commissioner may by notice in writing served on any person —

- (a) who is the operator of one or more aircraft registered or operating in Singapore; or
- (b) who carries on any business or provides any service at an aerodrome,

require that person to inform the Commissioner of the security measures, of a description specified in the notice, which are being taken in respect of aircraft registered or operating in Singapore, or in respect of the business carried on or service provided at the aerodrome, as the case may be.

(2) A notice under sub-paragraph (1) shall specify a date (not being earlier than 4 weeks from the date on which the notice is served) before which the information required by the notice under sub-paragraph (1) is to be furnished to the Commissioner.

(3) A notice under sub-paragraph (1) shall also require the person on whom it is served, after he has furnished to the Commissioner the information required by that notice, to inform the Commissioner if at any time —

- (a) any further measures, in respect of aircraft registered or operating in Singapore of which at that time he is the operator, or in respect of the business carried on or service provided at the aerodrome to which the information so furnished relates, as the case may be, are taken for the purpose of this paragraph, either —
 - (i) by way of alteration of, or addition to, the security measures specified in any information previously furnished by him under this paragraph; or
 - (ii) by way of applying any security measures so specified to the aircraft, or to the business carried on or service provided at the aerodrome, not comprised in the previous information; or
- (b) any measures taken as mentioned in sub-paragraph (1) or in sub-paragraph (a) are discontinued.

(4) In so far as the notice requires further information to be furnished to the Commissioner in accordance with sub-paragraph (3), it shall require that information to be furnished to the Commissioner before the end of such period (not being less than 7 days from the date on which the further measures in question are taken or are discontinued) as is specified in the notice.

(5) Any person who —

- (a) refuses or, without reasonable excuse, fails to comply with a requirement imposed on him by a notice under this paragraph; 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 be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 12 months or to both.

(6) A notice served on a person under sub-paragraph (1) may at any time be revoked by a further notice served on him by the Commissioner.

Power to give directions to operators of aircraft

5.—(1) The Commissioner may, by direction in writing served on a person who is the operator of any one or more aircraft registered or operating in Singapore, require that person to take such security measures as may be specified in the direction.

(2) The Commissioner shall inform the Authority of the directions given to the operator and consider any advice given by the Authority with respect to those directions.

(3) The security measures that may be specified in a direction under sub-paragraph (1) include measures for —

- (a) preventing or deterring the unlawful carriage on any aircraft of any firearm, ammunition, weapon, incendiary device or explosive, or other substance or thing that, by reason of its nature or condition, may endanger the safety of the aircraft or the safety of persons or property on board the aircraft;
- (b) preventing any person from having unlawful access to any aircraft;
- (c) ensuring that all baggage, mail and other cargo to be taken on board any aircraft is accepted for that purpose only by an employee, or other duly authorised agent or representative, of the operator;
- (d) preventing baggage, mail and other cargo from being taken on board any aircraft except in accordance with the specified security measures; and
- (e) the protection of aircraft, and of persons and property on board the aircraft, against damage or injury in the event that, because of a threat or warning having been received or otherwise, there is reason to believe that there exists a danger to the safety of the aircraft or to the safety of those persons or that property.

(4) The operator of aircraft referred to in sub-paragraph (1) shall appoint a person to be responsible for planning, developing and implementing the security measures required to be taken under this paragraph and inform the Commissioner of his particulars.

(5) A direction under sub-paragraph (1) shall specify a date (not being earlier than 4 weeks from the date on which the direction is served) before which the operator is required to comply with the direction.

(6) Any person who refuses or, without reasonable excuse, fails to comply with a direction imposed on him under this paragraph shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 12 months or to both.

(7) A direction served on a person under sub-paragraph (1) may at any time be revoked by a further direction served on him by the Commissioner.

Power to give directions to other persons

6.—(1) The Commissioner may by direction in writing served on a person —

- (a) who carries on any business or provides any service at an aerodrome; or
- (b) who has access to a protected place in such an aerodrome for the purposes of the business carried on or service provided by him, require that person to take such security measures as may be specified in the direction.

(2) The Commissioner shall inform the Authority on the directions given to the owner of a business and take account of any advice given by the Authority with respect to those directions.

(3) A direction under sub-paragraph (1) shall specify a date (not being earlier than 4 weeks from the date on which the direction is served) before which the person is required to comply with the direction.

(4) Any person who refuses or, without reasonable excuse, fails to comply with a direction imposed on him under this paragraph shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 12 months or to both.

(5) A direction served on a person under sub-paragraph (1) may at any time be revoked by a further direction served on him by the Commissioner.

General or urgent directions under paragraph 5 or 6

7.—(1) A direction given to any person under paragraph 5 or 6 need not be addressed