

CIVIL AIR TERMINAL ACT

REPEALED BY THE CIVIL AVIATION ACT 2009
AS FROM 29.1.2009

Principal Act

Act. No. 1964-10	<i>Commencement</i>	17.8.1964
	<i>Assent</i>	21.5.1964

Amending enactments	Relevant current provisions	Commencement date
Order of 25.11.1969	s.4(1)	
Act. 1990-32	ss.2 and 7	1.11.1990
2002-16	Long title, s. 4 and 5(1)	16.12.2002
2007-17	s. 3(2)	14.6.2007

English sources

None cited

1964-10
REPEALED

Civil Air Terminal

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1964-10
REPEALED

Civil Air Terminal

AN ACT TO PROVIDE FOR THE MANAGEMENT AND CONTROL OF THE CIVIL AIR TERMINAL AND AIRCRAFT USING ITS FACILITIES.

Short title.

1. This Act may be cited as the Civil Air Terminal Act.

Interpretation.

2. In this Act, unless the context otherwise requires,—

“authorized person” means any person to whom authority has been delegated under section 3;

“civil air terminal” means all that area at North Front situated to the east of the public highway known as Winston Churchill Avenue measuring on the east side three hundred and fifty eight feet or thereabouts and bounded on the north and south by fencing and on the east partly by fencing and partly by the east side of the Air Terminal Building and on the west by the said public highway, together with any present or future Air Terminal Building and any other buildings and appurtenances in the said area, which area is more particularly delineated and coloured pink on Plan-E.A.T. 1A deposited in the offices of the Government;

“manager” means the manager of the civil air terminal appointed under section 3;

“member of the Royal Air Force” means a serving and uniformed member of the Royal Air Force in the course of performing duties at the civil air terminal;

“motor vehicle” means any vehicle propelled by mechanical power and constructed for the use on roads and not on rails or specially prepared ways, and any vehicle of a class declared by regulations under the Traffic Act¹ to be motor vehicles;

“police officer” means any member of the Gibraltar Police Force;

“vehicle” includes animal drawn vehicles, motor vehicles, bicycles, tricycles, handcarts and all other contrivances, the primary purpose of which is the conveyance of goods or persons.

¹ 1957-04

Appointment of manager.

3. (1) The Governor may appoint a manager of the civil air terminal who shall exercise general control and supervision over the civil air terminal, except any part occupied by the Royal Air Force, and over all persons in the civil air terminal except members of the Royal Air Force and perform such functions as may be conferred upon him by any regulations made under this Act.

(2) The manager may delegate such authority as may be necessary or desirable to ensure the orderly and efficient administration of the civil air terminal to such a person or persons as may be approved by the Government for the purpose.

Power to make regulations.

4. (1) The Governor may make regulations for the management, control and supervision of the civil air terminal.

(2) Without prejudice to the generality of the powers conferred by subsection (1), regulations under this section may provide for all or any of the following matters:—

- (a) regulating or restricting admission of persons or classes of persons other than members of the Royal Air Force to the civil air terminal or to any part thereof;
- (b) regulating or restricting the use of vehicles in the civil air terminal;
- (c) preventing nuisances and obstructions and encroachment in or on the civil air terminal, and interference with its use;
- (d) regulating the conduct of persons employed at, or using the civil air terminal;
- (e) the preservation of good order and conduct in the civil air terminal;
- (f) the safe custody and re-delivery or disposal of any property left unclaimed at the civil air terminal, and fixing the charges to be made in respect thereof;
- (g) the reception, handling, storage and disposal of baggage, mails and freight within the civil air terminal;
- (h) securing the safety of the civil air terminal or anything erected, growing or being therein or thereon.

Offences in relation to certain dangerous articles.

4A.(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—

- (a) in any aircraft at a time when it is in, or in flight over, Gibraltar, or
- (b) in any part of Gibraltar Airport

any article to which this section applies.

(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 Gibraltar Airport, shall be treated as having with him in the 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 Gibraltar 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 the airport 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,

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) A person guilty of an offence under this section shall be liable—
- (a) on summary conviction, to a fine not exceeding level 5 on the standard scale or to imprisonment for a term not exceeding three months or to both;
 - (b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding five years or to both.

(5) Nothing in subsection (3) above 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) above.

Offences.

5. (1) A person who contravenes any of the provisions of any regulations made under this Act or any order, direction or requirement, lawfully given or imposed by any person under the authority of this Act or those regulations, is guilty of an offence and is liable on summary conviction to a fine not exceeding level 3 on the standard scale..

(2) Without prejudice to his liability to be prosecuted, a person who contravenes any of the provisions of any such regulations or any such order, direction or requirement may be removed or ejected from the civil air terminal or from any part thereof by any police officer, or by the manager, or by any authorised person.

Special provision relating to control and use of roads, etc., within the civil air terminal.

6. Notwithstanding anything in the Traffic Act or the Insurance (Motor Vehicles) (Third Party Risks) Act², any road or place capable of being used by vehicles within the civil air terminal shall, for the purposes of those Acts, be deemed to be a road; and those Acts shall have effect accordingly in relation to the use of any such road or place by vehicles.

Certified copy of plan of civil air terminal to be received in evidence.

² 1951-15

7. A certified copy of the plan of the civil air terminal referred to in section 2 purporting to be signed by the Town Planner or such other person as may be appointed by the Government for that purpose shall be received as evidence as to the boundaries of the civil air terminal and as to whether any place is or is not within the civil air terminal, without any further proof.

Saving.

8. The provisions of this Act shall, in relation to the civil air terminal, be in addition to and not in derogation of any other law in force in relation thereto.