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*Changes to legislation: There are currently no known outstanding effects for the Civil Aviation Act 2006, Paragraph 2. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 1

#### POLICING OF AIRPORTS

##### *Amendments of Part 3 of 1982 Act*

2 After section 25 insert—

##### **“25A Consultation about policing of designated airports**

- (1) Before a police services agreement is entered into under section 25B of this Act in relation to an aerodrome which is a designated airport—
  - (a) the manager of the aerodrome, and
  - (b) the chief officer of police for the relevant police area, acting jointly, must carry out the consultation required by this section.
- (2) The consultation required by this section is consultation carried out with all of the persons within subsection (3) below with a view to establishing—
  - (a) what measures are required to be taken in relation to the aerodrome for security or policing purposes in order to comply with or take account of—
    - (i) any directions given under sections 12, 13, 13A and 14 of this Act,
    - (ii) any national threat assessment or relevant information, and
    - (iii) any guidance issued by the Secretary of State which relates to the policing of the aerodrome,
  - (b) what other measures should be taken in relation to the aerodrome for policing purposes,
  - (c) the extent to which measures within paragraph (a) or (b) above are being taken by persons within subsection (3) below or the manager of the aerodrome, and
  - (d) in the light of the above, the level of policing which should be provided for the aerodrome in accordance with section 26(2A) of this Act.
- (3) The persons within this subsection are—
  - (a) any person (other than the manager of the aerodrome) who is required to take any measures in relation to the aerodrome pursuant to a direction given under section 12, 13, 13A or 14 of this Act,
  - (b) the Commissioners for Her Majesty's Revenue and Customs (in relation to measures taken by officers of Revenue and Customs), and
  - (c) the Secretary of State (in relation to measures taken by immigration officers).

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- (4) The Secretary of State may by order provide that subsection (3) above is to apply in relation to a particular aerodrome with any modifications specified in the order.
- (5) The power to make an order under subsection (4) above shall be exercisable by statutory instrument and—
- (a) any order containing a statement that it is made with the consent of the manager of the aerodrome and the chief officer of police for the relevant police area shall be subject to annulment in pursuance of a resolution of either House of Parliament;
  - (b) any order not containing such a statement shall be laid before Parliament in draft and shall not be made unless the draft is approved by resolution of each House of Parliament.
- (6) In this section—
- “national threat assessment” means any assessment of a threat to the aviation industry issued by the Secretary of State;
- “policing purposes”, in relation to an aerodrome, means the purposes of the preservation of the peace, or the prevention of crime, at the aerodrome;
- “relevant information”, in relation to an aerodrome, means any information (other than a national threat assessment) which is made available by—
- (a) the manager of the aerodrome,
  - (b) any person (other than the manager of the aerodrome) who is required to take any measures in relation to the aerodrome pursuant to a direction given under section 12, 13, 13A or 14 of this Act,
  - (c) the chief officer of the police force for the relevant police area,
  - (d) the Commissioners for Her Majesty's Revenue and Customs, or
  - (e) the Secretary of State,
- and which relates to a threat to security at the aerodrome or is relevant to the preservation of the peace, or the prevention of crime, at the aerodrome.

## **25B Police services agreements**

- (1) This section applies where an aerodrome is a designated airport.
- (2) At any time after the period of 12 months beginning with the operative date there must be a police services agreement in force in relation to the aerodrome.
- (3) In this Part a “police services agreement” means an agreement between the relevant persons which specifies—
- (a) the level of policing to be provided for the aerodrome in accordance with section 26(2A) of this Act during the period for which the agreement is in force,

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- (b) the payments to be made by the manager of the aerodrome in connection with that policing, or the manner in which such payments are to be assessed, and
  - (c) any accommodation and facilities to be provided by the manager in connection with that policing.
- (4) In determining the terms of a police services agreement, the relevant persons shall have regard (in particular) to—
  - (a) the matters established on the consultation carried out under section 25A of this Act in contemplation of the agreement, and
  - (b) the extent (if any) to which the costs incurred by the police authority in connection with the policing provided for the aerodrome are (or are likely to be) defrayed by payments made in respect of that policing by any person other than the manager of the aerodrome.
- (5) A police services agreement shall be in force—
  - (a) for a period of twelve months, or
  - (b) if a longer period is specified in the agreement, for the period so specified.
- (6) A police services agreement shall contain provision for the agreement to be varied if there is a material change in circumstances relating to the policing provided for the aerodrome.
- (7) A police services agreement shall cease to be in force if the aerodrome to which it relates ceases to be a designated airport.
- (8) The manager of an aerodrome which is a designated airport shall supply the Secretary of State with a copy of any police services agreement which is in force in relation to the aerodrome if the Secretary of State requests a copy.
- (9) In this section “the operative date”—
  - (a) in the case of an aerodrome which was a designated airport on the date of the passing of the Civil Aviation Act 2006 and has remained so designated since that date, means that date, and
  - (b) in any other case, means the date as from which the aerodrome became a designated airport.
- (10) In this Part “the relevant persons”, in relation to an aerodrome, means—
  - (a) the manager of the aerodrome,
  - (b) the police authority for the relevant police area, and
  - (c) the chief officer of police for that area.”

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