

LAWS OF TRINIDAD AND TOBAGO

**AIRPORTS AUTHORITY OF
TRINIDAD AND TOBAGO ACT**

CHAPTER 49:02

Act

49 of 1979

Amended by

36 of 1985

*26 of 1987

11 of 1990

*6 of 1991

28 of 1993

*See Note on page 2

Current Authorised Pages

<i>Pages (inclusive)</i>	<i>Authorised by L.R.O.</i>
1-49 ..	1/2006

LAWS OF TRINIDAD AND TOBAGO

Index of Subsidiary Legislation

	<i>Page</i>
Designation of Airports Notification (69/1978)	31
† Airports (Restricted Areas) Order (82/1978)	34
Airports Regulations (LN 56/1987)	36

**Note on Act No. 26 of 1987
(New Title and Validation)**

The former title of this Act (i.e., the Airports Authority) was changed to its present title (i.e., the Airports Authority of Trinidad and Tobago Act) by Act No. 26 of 1987, and all acts and things done, purported to be done or omitted to be done by any person under or in pursuance of the powers conferred by the Airports Authority of Trinidad and Tobago Act were validated by the said Act No. 26 of 1987.

**Note on Act No. 6 of 1991
(re section 15(f) of this Act)**

Section 3 of Act No. 6 of 1991 provides as follows:

“Retention of taxes.
Ch. 77:01. **3.** Notwithstanding that an Order has not been made under section 15(f) of the Act, the Airports Authority of Trinidad and Tobago, in its capacity as a Tax Authority under the Miscellaneous Taxes Act, is allowed to retain—

(a) the sum of 8.7 million dollars for the year commencing 1st January 1990; and

(b) the sum of 7.472 million dollars for the year commencing 1st January 1991,

and sums not exceeding those respective amounts that have been so retained for those years are deemed to have been validly retained and no legal proceedings or other action of any kind shall be entertained in respect of or in consequence of such retention.”.

**Note on Legal Notice No. 82/1978
Airports (Restricted Areas) Order deemed to be made under section 31**

Section 31 of the Act has been repealed and replaced by a new section 31 (*see* Act No. 28 of 1993) which empowered the Minister to make an Order declaring a part of an airport to be a “restricted area”. In accordance with the new section 31, this Order has been amended accordingly.

CHAPTER 49:02

**AIRPORTS AUTHORITY OF
TRINIDAD AND TOBAGO ACT**

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.

PART I

PRELIMINARY

2. Interpretation.

PART II

**ESTABLISHMENT, POWERS AND FUNCTIONS OF THE
AIRPORTS AUTHORITY OF TRINIDAD AND TOBAGO**

3. Establishment, incorporation, and constitution of Authority.
4. Establishment and constitution of Security Committee.
5. Functions of the Security Committee.
6. Custody and use of Seal.
7. Meetings.
8. Power to appoint and train.
9. Transfer and secondment of officers.
- 9A. Transfer of staff to joint venture or other.
10. Establishment of Pension Scheme.
11. Content of the Pension Scheme.
12. Functions of the Authority.
- 12A. Powers of the Authority.
13. Power to delegate.

PART III

FINANCIAL PROVISIONS

14. Financial year.
15. Funds and resources of the Authority.
16. Vesting.

LAWS OF TRINIDAD AND TOBAGO

4

Chap. 49:02

*Airports Authority
of Trinidad and Tobago*

ARRANGEMENT OF SECTIONS—*Continued*

SECTION

17. Borrowing powers.
18. *(Repealed by Act No. 28 of 1993).*
19. Accounts and records of the Authority.
20. Examination and audit by Auditor General.
21. Annual report.
22. Budget.
23. Bad debts.

PART IV

**PENALTIES FOR UNLAWFUL ACTS AGAINST
SAFETY OF AIRCRAFT**

24. Destroying, damaging or endangering safety of aircraft.
25. Other acts endangering or likely to endanger safety of aircraft.
26. Inducing or assisting commission of offences under sections 24 and 25.
27. Penalties and proceedings.
28. Extradition.

PART V

**SECURITY OF AIRCRAFT, AIRPORTS AND AIR
NAVIGATION INSTALLATIONS AGAINST
ACTS OF VIOLENCE**

29. Police Service responsible for airport security.
30. Right of access of police officer.
31. Declaration of restricted areas.
32. Provisions relating to restricted areas.
33. Taking firearms, explosives, etc., on aircraft.
34. Search of persons, baggage and cargo.
35. Search of persons declining to allow search.
36. Evidence of offences.
37. General powers of arrest.
38. Inspection of aircraft and airports.
39. Additional powers of police in cargo area.
40. Powers conferred on police.

LAWS OF TRINIDAD AND TOBAGO

*Airports Authority
of Trinidad and Tobago*

Chap. 49:02

5

SECTION

- 41. Offences and penalties.
- 42. Purposes to which Part V applies.

PART VI

GENERAL

- 43. Regulations.
-

CHAPTER 49:02

**AIRPORTS AUTHORITY OF TRINIDAD AND
TOBAGO ACT**

49 of 1979. **An Act to provide for the establishment, incorporation and management of an Airports Authority of Trinidad and Tobago, so as to ensure the provision of efficient, secure and safe aviation services.**

Commencement.
13/1980.

[4TH FEBRUARY 1980]

Short title.
[26 of 1987].

1. This Act may be cited as the Airports Authority of Trinidad and Tobago Act.

PART I

PRELIMINARY

Interpretation.
[28 of 1993].

2. (1) In this Act—

“aircraft operating in Trinidad and Tobago” means any aircraft which is for the time being allocated for use on flights that (otherwise than in exceptional circumstances) include take off from or landing at an airport in Trinidad and Tobago;

“air navigation installation” means any building, facility, works, apparatus or equipment or place used wholly or mainly for the purpose of assisting air traffic control or as an aid to air navigation together with land contiguous or adjacent to such building, facility, works, apparatus or equipment and used wholly or mainly for purposes connected therewith;

“airport” means any defined area of land or water intended or designated to be used either wholly or partly for purposes of the landing, departure, movement and servicing of aircraft; and includes any buildings, installations and equipment on or adjacent to such area and used for such or related purposes;

“Authority” means the Airports Authority of Trinidad and Tobago established under section 3;

- “ammunition” has the meaning assigned to it by section 2 of the Firearms Act, and includes anything declared by Order of the Minister to be ammunition; Ch. 16:01.
- “Defence Force” means the Trinidad and Tobago Defence Force established by section 5 of the Defence Act; Ch. 14:01.
- “explosive” has the meaning assigned to it by section 2 of the Explosives Act and includes anything declared by Order of the Minister to be an explosive; Ch. 16:02.
- “firearm” has the meaning assigned to it by section 2 of the Firearms Act, and includes anything declared by Order of the Minister to be a firearm;
- “former Authority” means the Airports Authority of Trinidad and Tobago established under section 22 of the Aviation Security and Airports Management Act 1978 (repealed by this Act); 4 of 1978.
- “military service” includes a naval or airforce service;
- “Minister” means, subject to section 3(1), the Minister responsible for Civil Aviation;
- “operator” in relation to an aircraft means the person for the time being having the management of an aircraft;
- “person” includes an individual, an incorporated and unincorporated body;
- “police officer” has the meaning assigned to it by section 3(2) of the Police Service Act and includes— Ch. 15:01.
- (a) a member of the Special Reserve Police established by the Special Reserve Police Act; and Ch. 15:03.
 - (b) any person to whom a precept has been issued under the Supplemental Police Act; Ch. 15:02.
- “property” includes land, building installations or works, any aircraft or vehicle and any baggage, cargo or other article of any description;
- “restricted area” means an area declared by the Minister, by Order, under section 31 to be a restricted area.

(2) For the purposes of this Act—

(a) the period during which an aircraft is in flight is deemed to include—

(i) any period from the moment when all its external doors are closed following embarkation until the moment when any of such doors is opened for disembarkation; and

(ii) in the case of a forced landing, the period that elapses between such landing and the assumption by the competent authorities of responsibility for the aircraft and for the persons and property on board; and

(b) the period during which an aircraft is in service shall be deemed to include—

(i) the period which begins with the pre-flight preparation of the aircraft by ground personnel or by the aircraft's crew for a flight and ends eight hours after the aircraft lands having completed that flight; and

(ii) the period during which the aircraft is in flight,

and anything done on board an aircraft while in flight over any part of Trinidad and Tobago shall be treated as having been done in Trinidad and Tobago.

(3) For the purposes of this Act the territorial sea adjacent to any part of Trinidad and Tobago is to be treated as included in that part of Trinidad and Tobago.

Ch. 3:01.

(4) Subject to section 62 of the Interpretation Act, sections 24 to 26 inclusive of this Act are not to be construed as—

(a) conferring a right of action in any civil proceedings in respect of any contravention of this Act; or

(b) derogating from any right of action whether civil or criminal or other remedy arising out of proceedings instituted otherwise than under this Act.

PART II

ESTABLISHMENT, POWERS AND FUNCTIONS OF THE
AIRPORTS AUTHORITY OF TRINIDAD AND TOBAGO

3. (1) There is hereby established a body corporate to be known as the Airports Authority of Trinidad and Tobago consisting of the following members appointed by the President:

Establishment,
incorporation,
and constitution
of Authority.

- (a) a Chairman;
- (b) not less than two and not more than three persons appointed on the advice of the Minister;
- (c) a person appointed on the advice of the member of the Cabinet responsible for National Security;
- (d) the Commissioner of Police;
- (e) the Director of Civil Aviation;
- (f) the Comptroller of Customs and Excise;
- (g) the Chief Immigration Officer; and
- (h) a Medical Officer appointed by the Minister of Health.

(2) A member of the Authority other than an *ex officio* member shall hold office for such period as is specified in his instrument of appointment and shall be eligible for reappointment.

(3) The Authority at its first meeting shall select from among its members, other than *ex officio* members a Deputy Chairman whose name shall be submitted to the Minister for his approval.

(4) A member of the Authority may at any time resign his office by instrument in writing addressed to the Chairman who shall forthwith cause it to be forwarded to the Minister; and the Chairman may resign his office by instrument in writing addressed to the Minister.

(5) The names of the members comprising the Authority as constituted under this Act and every change in the membership thereof shall be published in the *Gazette*.

(6) For the purposes of this Part *ex officio* members mean the public officers referred to in section 3(1)(d) to (h).

LAWS OF TRINIDAD AND TOBAGO

*Airports Authority
of Trinidad and Tobago*

10

Chap. 49:02

Establishment
and constitution
of Security
Committee.

4. There is hereby established a Security Committee which shall consist of the following members:

- (a) a Chairman to be appointed by the Chairman of the National Security Council;
- (b) the Chairman of the Authority;
- (c) the Chief of Defence Staff;
- (d) the Commanding Officer of the Regiment;
- (e) the Commissioner of Police;
- (f) the Chief Fire Officer; and
- (g) a senior officer appointed by the Chairman of the National Security Council.

Functions of the
Security
Committee.

5. (1) The Security Committee is responsible for the maintenance of security at all airports.

(2) The Security Committee is accountable directly to the Prime Minister and in his absence to the Minister responsible for National Security.

Custody and use
of Seal.

6. (1) The Seal of the Authority shall be kept in the custody of the Chairman, the Deputy Chairman or the Secretary, as the Authority may determine, and may be affixed to instruments in the presence of the Chairman, or in his absence the Deputy Chairman, and of the Secretary, pursuant to its Standing Orders or to a resolution by the Authority.

(2) The Seal of the Authority shall be attested by the signatures of the Chairman, or in his absence the Deputy Chairman, and the Secretary.

(3) All documents, other than those required by law to be under seal, made by, and all decisions of, the Authority may be signified under the hand of the Chairman or in his absence the Deputy Chairman or the Secretary.

(4) Service upon the Authority of any notice, order or other document shall be effected by delivering the same, or by sending it by registered post addressed to the Secretary, at the office of the Authority.

7. (1) The Authority shall meet at least once in each month and at such other times, and at such place, as may be necessary for the efficient performance of its functions. Meetings.

(2) The Chairman may at any time call a special meeting of the Authority and shall call such a meeting within seven days of the receipt of a requisition for that purpose addressed to him and signed by any three members.

(3) The Chairman, or in his absence the Deputy Chairman, shall preside at all meetings of the Authority and where both the Chairman and the Deputy Chairman are for any reason unable to preside at a meeting, the members present may appoint a member other than an *ex officio* member to preside at that meeting.

(4) The quorum of the Authority shall consist of five members including at least one member who is not an *ex officio* member.

(5) Decisions of the Authority shall be adopted by a majority of the votes and in a case in which the voting is equal, the person presiding at the meeting shall in addition to his original vote have a casting vote.

(6) Subject to this section, the Authority may by Standing Orders regulate its own proceedings.

8. (1) The Authority may appoint, at such remuneration and on such terms and conditions as it thinks fit, a General Manager, a Secretary and such other officers and employees as it considers necessary or appropriate for the efficient performance of its functions. Power to appoint and train. [28 of 1993].

(2) An annual salary in a sum equal to or in excess of one hundred and thirty thousand dollars, shall not be assigned to any post in the Authority without the approval of the Minister.

(3) The Authority may provide out of its funds and make such arrangements for the training of any of its officers or employees as it may consider expedient for the efficient conduct of its business.

Transfer and
secondment of
officers.

9. (1) An officer in the public service may, with the approval of the Minister, be transferred to the service of the Authority, and upon such transfer shall become a member of the Pension Scheme referred to in section 10, and, where such officer's transfer becomes effective before the establishment of such Scheme, he shall become a member of the Scheme within one year of its establishment; and an officer in the service of the Authority may be transferred to the public service.

(2) A transfer described in subsection (1) shall be on such terms as may be acceptable to the President, the Authority and the officer concerned and the pension or superannuation rights accruing to the officer at the time of his transfer shall be preserved.

(3) Subject to subsection (4), the Minister may, with the approval of the appropriate Service Commission, the Authority and the officer concerned, make appropriate arrangements for the transfer on secondment of any officer in the public service to the Authority or from the service of the Authority to the public service.

(4) Where a transfer on secondment contemplated by subsection (3) is effected, the President or the Authority, as the case may require, shall make such arrangements as may be necessary to preserve the rights of the officer so transferred to any pension, gratuity, or other allowance for which he would have been eligible had he remained in the public service or in the service of the Authority, as the case may be.

Transfer of staff
to joint venture
or other.
[28 of 1993].

9A. (1) Where in accordance with this Act, the Authority holds shares in any company, or enters into agreement with a company for the execution of any part of its functions, the Authority may invite any of its officers or employees to transfer voluntarily to such a company, on terms and conditions that are no less favourable than those that the officer or employee enjoyed with the Authority.

(2) An officer or employee to whom subsection (1) applies, shall be deemed to have transferred his services to the company voluntarily, unless within three months of the invitation to do so, he gives notice in writing of his intention not to transfer from the service of the Authority.

(3) Where an officer or employee has transferred voluntarily or is deemed to have transferred voluntarily under subsection (2), service with the Authority shall so far as any agreement between it and the company allows, be treated as service under the new company for the purposes of determining his right to, or eligibility for pension, gratuity, leave, severance or other benefits.

(4) Where the service of an officer or employee with the Authority cannot be treated as continuous for the purpose of subsection (3), the net benefits due and owing to the officer or employee at the time of deployment shall be paid to him by the Authority.

10. The Authority shall, within a period of three years of the commencement of this Act, with the approval of the Minister, provide for and establish a Pension Scheme for the benefit of its officers and employees.

Establishment
of Pension
Scheme.

11. Without prejudice to the generality of section 10, the Pension Scheme may enable the Authority to—

Content of the
Pension
Scheme.

- (a) grant gratuities, pensions or superannuation allowances to, or to the widows, families or dependants of, its officers and employees;
- (b) establish contributory superannuation schemes, and establish and contribute to superannuation funds for the benefit of its officers and employees;
- (c) enter into and carry into effect agreements with any insurance company or other association or company for securing to any such officer or employee, or his widow, family or dependant such gratuities, pensions or allowances as are by this section authorised to be granted;
- (d) give donations or subscriptions to charitable institutions, sick funds, benevolent funds and other objects calculated to benefit its officers and employees.

Functions of the
Authority.
[28 of 1993].

12. (1) The main function of the Authority is to develop and manage the business of the airports, including the development, maintenance or improvement of their facilities in a cost effective manner, so as to ensure the availability of efficient, secure and safe aviation services to the public at all times as well as to ensure commercial viability.

(2) Notwithstanding section 13, the Authority may with the approval of the Minister, and for the purpose of facilitating the proper discharge of its functions, enter into contract with any person, hold shares in any company or form a joint venture company, save however, that with respect to—

- (a) safety and security at airports; or
- (b) supervision and administration of passenger terminal buildings,

the Authority shall be a majority shareholder in such company, or joint venture company undertaking those functions, and the financial statements of such companies shall be audited by the Auditor General or by a qualified auditor appointed by the Auditor General.

(3) Notwithstanding subsections (1) and (2), the Authority may, with the approval of the Minister—

- (a) engage in any other business, or hold shares in any company undertaking any other business, where in either case the business is situated on land that is in the possession of the Authority or is related to the functions of the Authority;
- (b) invest in marketable securities and such other investment as may be in the best interest of the Authority or is related to the functions of the Authority,

and may also—

- (c) sell any related professional Services to any person in Trinidad and Tobago or elsewhere;
- (d) establish or operate at its option an efficient bus service, or where feasible, grant a contract for the operation of a bus service to and from an airport;

(e) carry on all other activities the carrying on of which appear to it to be requisite, advantageous or convenient for or in connection with the discharge of its function.

(4) Where in pursuance of this section, the Authority is required to appoint directors in a company in which it holds shares, the directors shall be appointed by the Authority with the approval of the Minister.

12A. (1) For the purpose of performing its functions under this Act, the Authority — Powers of the Authority. [28 of 1993].

(a) may impose as it thinks fit, dues, charges and fees for the use of airport facilities; and

(b) shall, notwithstanding section 108 of the Motor Vehicles and Road Traffic Act, be responsible for the control of traffic on all roads within any area defined as an airport under this Act. Ch. 48:50.

(2) In the performance of its functions and in the exercise of its powers, the Authority shall be guided by any general policy directions set out by the Minister.

13. (1) The Authority may delegate to any of its members or employees the power and authority to carry out on its behalf such functions and to exercise such powers as the Authority may determine. Power to delegate.

(2) A delegation under this section shall be revocable at will and shall not preclude the Authority from carrying out the functions and exercising the powers so delegated.

PART III

FINANCIAL PROVISIONS

14. The financial year of the Authority is from the 1st day of January to the 31st day of December. Financial year.

Funds and resources of the Authority. [11 of 1990].

15. The funds and resources of the Authority are—

- (a) such sums of money as may from time to time be appropriated by Parliament for the use of the Authority;
- (b) sums from time to time received by or falling due to the Authority in respect of repayment of any loan made by the Authority;
- (c) investments made by the Authority and the income accruing therefrom;
- (d) sums borrowed by the Authority for the purpose of meeting any of its obligations or discharging any of its functions;
- (e) dues, charges and fees collectable by the Authority in accordance with this Act and the Regulations; and
- ***(f)* such sums as the Minister with responsibility for finance may by Order, subject to affirmative resolution of Parliament, allow the Authority in its capacity as a Tax Authority under the Miscellaneous Taxes Act, to retain; and
- (g) all other property to which the Authority may become entitled.

Ch. 77:01.

Vesting.

16. (1) Upon the commencement of this Act all the rights, privileges and advantages, and all the liabilities and obligations that immediately before the commencement of this Act the former Authority, was entitled or subject to, are transferred to, and conferred or imposed upon the Authority for the purposes of this Act.

(2) A reference in any deed, contract, bond or security or other document to the former Authority shall, upon the commencement of this Act, be construed as a reference to the Authority.

(3) Legal proceedings pending immediately before the commencement of this Act by or against the former Authority may be continued on and after that day by or against the Authority as the party to the proceedings instead of the former Authority.

**See Note on Act No. 6 of 1991 at page 2.

17. (1) Subject to subsection (2), the Authority may borrow money required by it for the efficient exercise of its functions and for meeting its obligations. Borrowing powers.

(2) Borrowing may be effected only with the approval of the Minister as to the amount, the sources of borrowing and the terms and conditions of the loan.

(3) Approval of the Minister under subsection (2) may be either general or limited to a particular transaction and may be either unconditional or subject to conditions.

18. (*Repealed by Act No. 28 of 1993*).

19. (1) The Authority shall cause to be kept proper accounts and records of its transactions and affairs and shall ensure that all payments out of its funds are properly authorised and correctly made and that adequate control is maintained over the incurring of expenditure. Accounts and records of the Authority.

(2) Accounts of the Authority shall be kept in accordance with accounting standards established by the Institute of Chartered Accountants of Trinidad and Tobago.

20. (1) The accounts of the Authority shall be audited annually by the Auditor General, or by a qualified auditor, appointed by the Auditor General. Examination and audit by Auditor General. [28 of 1993].

(2) In addition to the annual audit, the Auditor General may at any time audit the accounts and examine the records of financial transactions of the Authority and shall forthwith draw to the attention of the Minister any irregularity disclosed by such audit and examination, which, in the opinion of the Auditor General, is of sufficient importance to be reported to the Minister.

(3) The Authority shall provide the Auditor General or other qualified auditor with all necessary and appropriate facilities for the examination of the accounts and records.

(4) The Auditor General or such other qualified auditor may make copies of or take extracts from accounts, books or other financial records of the Authority.

Annual report.

21. (1) The Authority shall, not later than the 30th day of June in each year submit to the Minister a report of its operations during the previous financial year, together with financial statements in respect of that year and the Auditor General's report on those statements.

(2) The report shall give particulars of any directions of the Minister given to the Board with respect to the exercise of its functions.

(3) Before submitting the financial statements to the Minister, the Authority shall submit them to the Auditor General who shall report thereon, indicating—

- (a) whether the statements are based on proper accounts and records;
- (b) whether the statements are in agreement with such accounts and records and fairly show the financial transactions and state of affairs of the Authority;
- (c) whether the receipt, expenditure and investment of moneys, and the acquisition and disposal of assets, by the Authority during the year have been in accordance with this Act; and
- (d) any other matters arising out of the financial statements as, in his opinion, ought to be reported to the Minister.

(4) As soon as practicable after the report and financial statements of the Authority, together with the report of the Auditor General are received by him, the Minister shall cause them to be laid before the Senate and the House of Representatives.

Budget.

22. (1) The Authority shall, not later than the first day of July in each year, prepare and submit to the Minister the estimates of revenue and expenditure of the Authority for the next financial year.

(2) Estimates shall be prepared in such form as the Minister may direct.

Bad debts.

23. The Authority may, with the approval of the Minister, write off bad debts.

PART IV

**PENALTIES FOR UNLAWFUL ACTS AGAINST
SAFETY OF AIRCRAFT**

24. (1) Subject to subsection (4), it is an offence for any person unlawfully and intentionally—

Destroying,
damaging or
endangering
safety of
aircraft.

- (a) to destroy an aircraft in service or so to damage such aircraft as to render it incapable of flight or as to be likely to endanger its safety in flight; or
- (b) to commit on board an aircraft in flight any act of violence which is likely to endanger the safety of the aircraft.

(2) Subject to subsection (4), it is an offence for any person unlawfully and intentionally to place, or cause to be placed, on an aircraft in service any device or substance that is likely to destroy the aircraft, or is likely so to damage it as to render it incapable of flight or as to be likely to endanger its safety in flight.

(3) Except as provided by subsection (4), subsections (1) and (2) apply whether any such act as is therein mentioned is committed in Trinidad and Tobago or elsewhere, whatever the nationality of the person committing the act and whatever the State in which the aircraft is registered.

(4) Subsections (1) and (2) do not apply to an act committed in relation to an aircraft used in military, Customs or police service unless—

- (a) the act is committed in Trinidad and Tobago; or
- (b) where the act is committed outside Trinidad and Tobago, the person committing it is a citizen of Trinidad and Tobago.

(5) In this Part “unlawfully” means contrary to the law of Trinidad and Tobago whether or not the act was committed in Trinidad and Tobago.

(6) In this section “act of violence” means—

- (a) an act done in Trinidad and Tobago that constitutes the offence of murder, manslaughter,

Ch. 11:08.

culpable homicide or assault or an offence under section 12, 14, 15, 16, 17, 18, 22, or 23 of the Offences Against the Person Act;

- (b) an act done outside Trinidad and Tobago which, if done in Trinidad and Tobago, would constitute one of the offences referred to in paragraph (a).

Other acts endangering or likely to endanger safety of aircraft.

25. (1) Subject to subsections (5) and (6), it is an offence for any person unlawfully and intentionally to destroy or damage property to which this subsection applies, or to interfere with the operation of such property, where the destruction, damage or interference is likely to endanger the safety of aircraft in flight.

(2) Subsection (1) applies to property used for the provision of air navigation facilities, including any land, building or ship so used, and including also any apparatus or equipment so used, whether it is on board an aircraft or elsewhere.

(3) Subject to subsections (4) and (5), it is an offence for any person intentionally to communicate information which is false, misleading or deceptive in a material particular, where the communication of the information endangers or is likely to endanger the safety of an aircraft in flight.

(4) It is a defence for a person charged with an offence under subsection (3) to prove—

- (a) that he believed, and had reasonable grounds for believing, that the information was true; or
(b) that, when he communicated the information, he was lawfully employed to perform duties which consisted of or included the communication of information and that he communicated the information in good faith in the performance of those duties.

(5) Subsections (1) and (3) do not apply to the commission of any act unless either the act is committed in Trinidad and Tobago, or, where it is committed outside Trinidad and Tobago—

- (a) the person committing it is a person who is a citizen of Trinidad and Tobago;

- (b) the commission of the act endangers or is likely to endanger the safety in flight of an aircraft registered in Trinidad and Tobago or chartered by demise to a lessee whose principal place of business, or (if he has no place of business) whose permanent residence, is in Trinidad and Tobago whether or not the act is committed on board a civil aircraft which is so registered or so chartered;
- (c) the act is committed on board a civil aircraft which lands in Trinidad and Tobago with the person who committed the act still on board.

(6) Subsection (1) does not apply to an act committed outside Trinidad and Tobago and so committed in relation to property which is situated outside Trinidad and Tobago and is not used for the provision of air navigation facilities in connection with international air navigation, unless the person committing the act is a citizen of Trinidad and Tobago.

(7) In this section “civil aircraft” means any aircraft other than aircraft used in military, Customs or police service.

26. (1) It is an offence for any person in Trinidad and Tobago to induce, or assist in the commission outside Trinidad and Tobago of any act which would—

Inducing or assisting commission of offences under sections 24 and 25.

- (a) but for section 24(4), be an offence under that section; or
- (b) but for section 25(5) or (6), be an offence under that section.

(2) Subsection (1) has effect without prejudice to the provisions of section 2 of the Accessories and Abettors Act in relation to any offence under section 24 or 25.

Ch. 10:02.

27. (1) A person who commits an offence under this Part is liable on conviction on indictment to imprisonment for life.

Penalties and proceedings.

(2) Proceedings for an offence under this Part shall not be instituted except by or with the consent of the Director of Public Prosecutions; but nothing in this section shall prevent the arrest,

or the issue of a warrant for the arrest, of a person in respect of an offence, or the remanding in custody or on bail of a person charged with an offence.

Extradition.
[36 of 1985].

Ch. 12:04.

28. (1) There shall be deemed to be included in the list of extraditable offences contained in the First Schedule to the Extradition (Commonwealth and Foreign Territories) Act all offences under this Part.

(2) Where no such treaty as is mentioned in section 4 of the said Extradition (Commonwealth and Foreign Territories) Act has been made with a State which is a party to the Convention, such treaty shall be deemed to exist with that State; but where that Act is so applied it shall have effect as if the only extraditable offences within the meaning of that Act were offences under this Part.

(3) For the purposes of the said Extradition (Commonwealth and Foreign Territories) Act, any act, wherever committed, which—

(a) is an offence under this Part or would be such an offence but for section 24(4) or section 25(5) or (6); and

(b) is an offence against the law of any State in the case where that Act has been applied by an Order under section 4 thereof,

shall be deemed to be an offence committed within the jurisdiction of that State.

(4) In this section “the Convention” means the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation signed at Montreal on 23rd September, 1971.

PART V

**SECURITY OF AIRCRAFT, AIRPORTS AND AIR
NAVIGATION INSTALLATIONS AGAINST ACTS
OF VIOLENCE**

Police Service
responsible for
airport security.
Ch. 11:21.
Ch. 11:22.

29. The prevention of the commission of offences against this Act, the Civil Aviation (Tokyo Convention) Act and the Hijacking Act, and the protection of persons and property from

dangers arising from the commission of such offences, is the responsibility of the Police Service.

30. (1) Subject to subsection (2), a police officer on duty may at any time, by force if necessary, enter an airport or air navigation installation, or an aircraft, vehicle, building or place in an airport or air navigation installation, for the purpose of performing his functions under this Act or any other written law.

Right of access
of police officer.

(2) Subsection (1) does not apply to an aircraft or vehicle not being used for commercial purposes unless the police officer believes on reasonable grounds that there is in that vehicle or aircraft a person or thing likely to endanger the airport or air navigation installation or another person.

31. The Minister responsible for National Security may for the purpose of ensuring security at any airport declare by Order—

Declaration of
restricted area.
[28 of 1993].

- (a) on the advice of the Security Committee, any part of an airport or air navigation installation to be a restricted area; or
- (b) an airport to be a restricted area.

32. (1) No person other than a police officer on duty may enter or remain in a restricted area unless authorised by the Authority.

Provisions
relating to
restricted areas.

(2) Every person in a restricted area shall, on the request of a police officer on duty, state his name and address, and produce satisfactory evidence of its correctness, and of the purpose of his presence in such area and his authority to enter it.

(3) A person who fails or refuses to give satisfactory evidence of his name and address when requested to do so in accordance with subsection (2) may be ordered to leave the restricted area by a police officer.

(4) A person who contravenes subsection (2) or (3) commits an offence against this section.

(5) A person who fails to comply with an order to leave a restricted area may be removed from that area with such force as

may be reasonably necessary in the circumstances of the case, by the police officer and any person he may call upon to assist him.

(6) A person who, except with the permission of the Authority, uses a camera or other photographic apparatus or material while he is in or passing through a restricted area commits an offence against this section.

(7) A person who commits an offence against this section, and, after being warned that he may be arrested, persists in its commission, may be arrested without warrant by a police officer.

(8) A passenger embarking or disembarking in an airport directly through a gateway or thoroughfare approved for that purpose by the Authority is deemed to be authorised to pass through any restricted area forming part of those gateways or thoroughfares.

Taking firearms,
explosives, etc.,
on aircraft.

33. A person who, without lawful authority or excuse, takes or attempts to take on board an aircraft—

- (a) a firearm;
- (b) any other dangerous or offensive weapon or instrument of any kind;
- (c) ammunition; or
- (d) an explosive or other injurious substance or device of any kind that could be used to endanger the safety of the aircraft or of persons on board the aircraft,

is liable on conviction on indictment to imprisonment for five years.

Search of
persons,
baggage and
cargo.

34. (1) A police officer, a Customs Officer, or an employee or agent of the carrier authorised by the carrier for the purpose may, with the consent of the passenger, search that passenger and his baggage before such passenger boards an aircraft.

(2) With respect to any search made pursuant to subsection (1)—

- (a) a passenger shall not be required to remove any article of clothing (other than a coat or similar article), for the purpose of being searched; and

(b) except where the search is made by means of a mechanical or electrical or electronic or other similar device, no person shall be searched except by another person of the same sex.

(3) An employee or agent of the carrier authorised by the carrier for the purpose, or a police officer, may in the presence of a passenger examine his baggage before it is loaded onto an aircraft for the purpose of being transported by air.

35. (1) Where under section 34(1) a person has refused consent to the search of himself or his baggage and a police officer has reasonable grounds to suspect that an offence—

Search of persons declining to allow search.

- (a) under the Hijacking Act;
- (b) under the Civil Aviation (Tokyo Convention) Act; or
- (c) under this Act,

Ch. 11:22.

Ch. 11:21.

in relation to an aircraft on which that person was to be carried has been, is being, or is likely to be committed, whether by that person or by another person, such police officer may, without warrant, search that person who has declined to allow himself or his baggage to be searched, and may detain him for the purposes of that search, and may take possession of any article referred to in section 33 found in the course of that search.

(2) The refusal of a person to allow himself or his baggage to be searched under section 34 shall not of itself constitute grounds for suspecting that an offence in relation to an aircraft has been, is being, or is likely to be committed.

(3) A police officer in the exercise of the power of search conferred by subsection (1) shall identify himself to the person to be searched, and shall also inform him that the search is being made under this section, and if the police officer is not in uniform he shall also produce evidence that he is a police officer.

36. Nothing found in the course of a search or examination made under section 34 or 35 is admissible as evidence in criminal

Evidence of offences.

LAWS OF TRINIDAD AND TOBAGO

*Airports Authority
of Trinidad and Tobago*

26

Chap. 49:02

proceedings against the person who, or whose baggage, has been searched, or, as the case may be, the consignor of cargo that has been examined, other than proceedings in respect of—

- Ch. 11:22. (a) an offence under the Hijacking Act;
- Ch. 11:21. (b) an offence under the Civil Aviation (Tokyo Convention) Act;
- (c) an offence under this Act;
- (d) a crime punishable by death, imprisonment for life or a term of three years or more;
- Ch. 16:01. (e) an offence under Part I of the Firearms Act; or
- 27 of 1961. (f) an offence against the Narcotic Control Ordinance.

General powers
of arrest.

37. (1) A police officer may without warrant arrest a person within an airport where he has reasonable cause to believe that that person has contravened a provision of this Act or the Regulations and he does not know and cannot ascertain that person's name and address.

(2) A police officer may arrest without warrant a person who is in the vicinity of a restricted area if such officer has reasonable grounds to believe that an offence has been or is being committed by that person—

- Ch. 11:22. (a) under the Hijacking Act;
- (b) under section 33 of this Act; or
- Ch. 16:01. (c) under Part I of the Firearms Act.

(3) A person who, when called upon to do so by a police officer, in good faith assists him in arresting another, is not guilty of an offence and not liable to civil proceedings in respect of the arrest.

Inspection of
aircraft and
airports.

38. (1) The Commissioner of Police or anyone authorised by him in writing (in this section referred to as an "authorised person"), shall have power, on production, if required, of his credentials, to inspect—

- (a) aircraft registered or operating in Trinidad and Tobago while such aircraft is in Trinidad and Tobago;

- (b) restricted areas; or
- (c) air navigation installations.

(2) Subject to subsection (3), an authorised person may enter an airport, aircraft or air navigation installation for the purpose of inspection and may take all steps as are necessary for the proper execution of the inspection.

(3) An authorised person may not use force in exercise of the powers vested in him by subsection (2).

(4) A person who obstructs or attempts to obstruct an authorised person in the exercise of his powers and functions under this section is liable on summary conviction to a fine of two thousand dollars and to imprisonment for twelve months.

39. (1) A police officer may—

- (a) stop any person who is leaving a cargo area and inspect goods carried by that person;
- (b) stop and search any vehicle or aircraft which is leaving such cargo area and inspect the vehicle and the goods carried on or in it; and
- (c) detain in the cargo area—
 - (i) such goods for which there is not produced a document authorising their removal from the cargo area, signed by a person authorised in that behalf; and
 - (ii) such vehicle or aircraft where there are on or in it goods liable to detention under this paragraph.

Additional
powers of police
in cargo area.

(2) Nothing in subsection (1) shall be construed as conferring a power to search a person.

(3) In this section, “cargo area” means any area in an airport that appears to the Commissioner of Police to be used wholly or mainly for the storage or handling of cargo and is so designated by him.

(4) The Commissioner of Police may by Order designate cargo areas.

LAWS OF TRINIDAD AND TOBAGO

*Airports Authority
of Trinidad and Tobago*

28

Chap. 49:02

Powers conferred on police.

40. The powers conferred by this Act on a police officer are without prejudice to any powers vested in him by any other written law.

Offences and penalties.

41. A person who commits an offence under this Part for which no other penalty is specifically provided is liable on summary conviction to a fine of two thousand dollars and to imprisonment for twelve months.

Purposes to which Part V applies.

42. (1) The purposes to which this Part applies are the protection against acts of violence—

- (a) of aircraft, and of persons or property on board aircraft;
- (b) of airports, and of such persons or property as (in the case of persons) are at any time present at an airport or (in the case of property) form part of an airport or is at any time (whether permanently or temporarily) in the airport; and
- (c) of air navigation installations that do not form part of an airport.

(2) In this Part, “act of violence” means any act (whether actual or potential, and whether done or to be done in Trinidad and Tobago or elsewhere) which—

- (a) being an act done in Trinidad and Tobago, constitutes; or
- (b) if done in Trinidad and Tobago would constitute,

the offence of murder, manslaughter, culpable homicide or assault, or an offence under section 12, 14, 15, 16, 17, 18, 22 or 23 of the Offences Against the Person Act.

Ch. 11:08.

PART VI

GENERAL

Regulations. [28 of 1993].

43. (1) The Minister may make Regulations generally to give effect to the provisions of this Act and may by such Regulations provide for the following:

- (a) minimising or preventing interference with the use or effectiveness of apparatus used in

- connection with air traffic or air navigation, and for prohibiting or regulating the use of any such apparatus;
- (b) securing the safety, efficiency and regularity of air traffic and the safety of aircraft and of persons and property carried therein or likely to be affected thereby, and for the detention of aircraft for any purpose specified in this paragraph;
 - (c) regulating or controlling the use of airports by aircraft, whether civil or otherwise, and regulating or controlling the use of airports, and appurtenances thereto, by the general public;
 - (d) preventing obstruction within an airport;
 - (e) regulating vehicular traffic within an airport;
 - (f) prohibiting waiting by taxis except in areas appointed by the Authority, and for designating parking places for motor vehicles;
 - (g) prohibiting or restricting admission to an airport;
 - (h) preserving order within an airport and preventing damage to property therein;
 - (i) regulating or restricting advertising within an airport;
 - (j) requiring a person, if so requested by a police officer on duty at the airport, to leave the airport;
 - (k) regulating the issue of permits and conditions to be observed by the holder of such permits;
 - (l) defining the functions of the Authority; and
 - (m) providing for such matters as are contemplated by or necessary for giving full effect to the provisions of this Act and for the administration thereof.

(2) Regulations under this section may provide for the imposition of penalties not exceeding a fine of two thousand dollars and imprisonment for twelve months.

LAWS OF TRINIDAD AND TOBAGO

30

Chap. 49:02

*Airports Authority
of Trinidad and Tobago*

(3) Regulations under this section may confer on any person power to issue, in such manner as may be prescribed, instructions or orders for the purpose of ensuring the safety of aircraft.

(4) Regulations made under this section shall be subject to negative resolution of Parliament.

SUBSIDIARY LEGISLATION

DESIGNATION OF AIRPORTS NOTIFICATION

69/1978.

**deemed to be made under section 2*

1. This Notification may be cited as the Designation of Airports Notification. Citation.

2. In this Notification “the Authority” means the Airports Authority of Trinidad and Tobago established under section 3 of the Act. Interpretation.

3. The Piarco International Airport as described in the First Schedule and the Crown Point Airport as described in the Second Schedule are hereby designated as airports under the management and control of the Authority. Designation of Piarco International and Crown Point Airports.

FIRST SCHEDULE

PIARCO INTERNATIONAL AIRPORT—BOUNDARIES

Commencing at the 2.14 mile point on the existing Golden Grove Road which is at its junction with the northern side of the abandoned Golden Grove Road and proceeding in a more or less south-easterly direction along the northern side of the abandoned road for approximately 4,100 links to a monument; thence on a bearing at 35° 21' for 303 links to a monument; thence on a bearing of 125° 21' for 303 links to a monument; thence on a bearing of 215° 21' for 303 links to a monument; thence along the northern side of the Old Golden Grove Road for approximately 990 links to the north-western corner of a proposed access road 50 links wide; then along the northern side of this proposed access road on a bearing of 82° 24' for 2,553.2 links to a point; thence on a bearing of 359° 54' for 638.3 links to a point; thence on a bearing of 89° 54' for 2,113.6 links to a point; thence on a bearing of 179° 54' for 1,606.1 links to a monument; thence on a bearing of 89° 54' for 1,503.8 links to a monument; thence on a bearing of 77° 04' for approximately 1,650 links to a point on the western boundary of Maloney Lands; thence on a bearing 181° 55' along the western boundary of

*This Notification was made under section 22(2) of the Aviation Security and Airports Management Act 1978 (Act No. 4 of 1978) (now repealed) and continues in force by virtue of section 29(3) of the Interpretation Act (Ch. 3:01).

LAWS OF TRINIDAD AND TOBAGO

32

Chap. 49:02

*Airports Authority
of Trinidad and Tobago*

[Subsidiary]

Designation of Airports Notification

Maloney's land for approximately 1,332 links to a point; thence on a bearing $181^{\circ} 51'$ for approximately 1,665 links to the southern side of the Caroni North Bank Road; thence in a westerly direction along the southern side of the Caroni North Bank Road for approximately 3,500 links to a point; thence on a bearing of $189^{\circ} 25'$ for 1,528.5 links to a monument; thence on a bearing of $279^{\circ} 25'$ for 3,074.1 links to a point on the eastern side of Golden Grove Road; thence along the eastern side of Golden Grove Road in a north-easterly direction for approximately 440 links to a point; thence on a bearing of $269^{\circ} 55'$ for approximately 1,350 links to a point; thence on a bearing of $242^{\circ} 55'$ for 151.5 links to a point; thence on a bearing of $332^{\circ} 55'$ for 303 links to a point; thence on a bearing of $242^{\circ} 55'$ for approximately 202 links to a point on the western side of Golden Grove Road; thence along the western side of Golden Grove Road in a south-easterly direction for approximately 200 links to a point; thence on a bearing of $255^{\circ} 55'$ for 151.5 links to a point; thence on a bearing of $151^{\circ} 30'$ for 125.3 links to a point on the southern side of the New Golden Grove Road 100 feet West of its junction with the Golden Grove Road; thence along the southern side of this new road in a more or less north-westerly direction to the north-eastern corner of lands now or formerly of Francis Joseph; thence westerly on a bearing $272^{\circ} 45'$ for 229.5 links to a monument; thence on a bearing of $3^{\circ} 16'$ for 3,178.3 links to a monument; thence on a bearing of $89^{\circ} 55'$ for 4,213 links to a monument; thence on a bearing of $286^{\circ} 42'$ for 637.1 links to a monument; thence on a bearing of $16^{\circ} 42'$ for 681.8 links to a monument; thence on a bearing of $106^{\circ} 42'$ for 784 links approximately to a point on the eastern side of the Golden Grove Road; thence northerly along the eastern side of Golden Grove Road for approximately 1,600 links to the point of commencement.

SECOND SCHEDULE

CROWN POINT AIRPORT—BOUNDARIES

By a line starting at the point of intersection of the southern side of a road reserve with the Sea Coast thence running in a more or less easterly direction along the southern side of the road reserve to a point opposite the south-western corner of State land thence in a more or less northerly direction across the road reserve and along the eastern boundary of lands now or formerly owned by William Charles George Rowe, William Romeo Charles Scott and James Romeo. To the north-westerly corner of the said State land thence to a more or less easterly direction along the southern boundaries of lands now or formerly owned by Peter Chapman, George Thomas, D. Alexander, Margaret Williams, Trotman, M. Crooks, crossing the road to airport, George Chapman, George James, W. McKay, John Chapman to the

LAWS OF TRINIDAD AND TOBAGO

*Airports Authority
of Trinidad and Tobago*

Chap. 49:02

33

Designation of Airports Notification

[Subsidiary]

north-eastern corner of the said State lands thence in a more or less southerly direction along the western boundary of lands now or formerly owned by John Chapman, Egbert Trim. To the south-easterly corner of the said State land and continuing across the road reserve to a point on the southern side of the road reserve opposite the south-eastern corner of the said State land and continuing in an easterly direction along the southern side of the road reserve to the north-eastern corner of Crown Point Estate now State land. Thence in a southerly direction along the eastern boundary of the said Crown Point Estate now State land to a point opposite the south-western corner of land now or formerly owned by Bertram Waldron, thence in an easterly direction across a road reserve and along the southern boundaries of lands now or formerly owned by Bertram Waldron, Alex, Ernest, Joseph, Prince Wills, William Lovell, Peter Chapman, Heirs of Henry Blake, David Melville, Samuel Percy, Prince Wills, Ezekiel Joseph, Pat George, John Scipio, Catherine George, and Rebecca Young, thence in a southerly direction along the western boundary of lands now or formerly owned by Rebecca Young to its intersection with the Sea Coast. Thence in a south-westerly direction along the Sea Coast to where it intersects the north-eastern boundary of lands of Edwin Harold Bowhill Crooks, thence in a north-westerly direction along the north-east boundary of the said lands of Edwin Harold Bowhill Crooks to its intersection with a road reserve then in a northerly direction along the eastern side of the said road reserve to a point opposite the south-eastern corner of Crown Point Estate now State land, thence in a westerly direction across the road reserve and along the northern side of a road reserve to where it touches the northern boundary of Crown Point Estate now owned by Ann Crooks and continuing in a westerly direction along the northern boundary of the said Estate to its intersection with the Sea Coast, thence along the Sea Coast in a north-westerly direction to the starting point.

LAWS OF TRINIDAD AND TOBAGO

*Airports Authority
of Trinidad and Tobago*

34

Chap. 49:02

[Subsidiary]

82/1978.
[28 of 1993].

***AIRPORTS (RESTRICTED AREAS) ORDER**

†*deemed to be made under section 31*

Citation.

1. This Order may be cited as the Airports (Restricted Areas) Order.

Interpretation.

2. In this Order—

“Crown Point Airport” means the Crown Point Airport as described in the Designation of Airports Notification;

Sub. Leg.
Ch. 49:02.

“Piarco International Airport” means the Piarco International Airport as described in the Designation of Airports Notification.

Declaration of restricted areas.
First Schedule.

3. (1) All those parts of the Piarco International Airport specified in the First Schedule are hereby declared to be restricted areas for the purposes of the Act.

Second Schedule.

(2) All those parts of the Crown Point Airport specified in the Second Schedule are hereby declared to be restricted areas for the purposes of the Act.

Third Schedule.

(3) The installations specified in the Third Schedule being air navigation installations used mainly for the purpose of assisting air traffic control or as an aid to air navigation and the areas on the ground adjacent to the said installations designated by notices signed by the Commissioner in reasonably bold and large characters are hereby declared to be restricted areas for the purpose of the Act.

FIRST SCHEDULE

RESTRICTED AREAS: PIARCO INTERNATIONAL AIRPORT

All that parcel of land situate in the Ward of Tacarigua in the County of St. George in the Island of Trinidad, forming part of the Piarco International Airport containing *inter alia*: (the aerodrome landing area, the runways, the hangars and the Air Terminal Building), and bounded by a line running along

*See Note on page 2.

†This Order which was originally entitled as a “Notice” was made under section 11 of the Aviation Security and Airports Management Act 1978 (Act 4 of 1978) (now repealed) and continues in force by virtue of section 29(3) of the Interpretation Act (Ch. 3:01).

LAWS OF TRINIDAD AND TOBAGO

*Airports Authority
of Trinidad and Tobago*

Chap. 49:02

35

Airports (Restricted Areas) Order

[Subsidiary]

the whole of the fence commonly called “the perimeter fence” and wholly enclosing the said parcel of land except in that part thereof that is South of the Air Terminal Building where the said line proceeds in more or less an east-west direction along the said fence on the northern side of the Caroni North Bank Road and to the northern side of the Golden Grove Road and across any gaps in the said fence but excepting—

- (a) the following parts of the Air Terminal Building:
 - (i) the waiting lounge;
 - (ii) the premises now occupied by the National Commercial Bank situate to the south-west of the waiting lounge; and
 - (iii) the restaurant situate on the upper floor to the North of the waiting lounge and to the East of and adjacent to the waving gallery; and
- (b) the following parts of the Piarco International Airport:
 - (i) the public car parks to the South and south-east of the Air Terminal Building;
 - (ii) the access roads leading to and from the said public car parks; and
 - (iii) the paths designated by signs leading from and to the said access roads and car parks to and from the waiting lounge in the Air Terminal Building.

SECOND SCHEDULE

RESTRICTED AREAS: CROWN POINT AIRPORT

All that parcel of land situate in the Parish of St. Patrick in the Island of Tobago, forming part of the Crown Point Airport containing, *inter alia*: (aerodrome landing area, the runways, and the Air Terminal Building), and bounded by a line running along the whole of the perimeter fence, but excepting—

- (a) the public car parks;
- (b) the access roads leading from and to the public car parks to and from the Air Terminal Building; and
- (c) Dee-Gees Restaurant.

THIRD SCHEDULE

RESTRICTED AREAS: AIR NAVIGATION INSTALLATIONS

- (a) the radio installations at Cumberland Hill in the Ward of Diego Martin in the County of St. George, in the Island of Trinidad;
- (b) the radio station situate to the South of the Caroni North Bank Road, in the County of St. George, in the Island of Trinidad;
- (c) the radio station situate to the South of the Golden Grove Road in the County of St. George, in the Island of Trinidad;
- (d) the air navigation installation situate at Carlsen Field, in the Ward of Chaguanas in the County of Caroni, in the Island of Trinidad.

AIRPORTS REGULATIONS

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation.
2. Interpretation.

GENERAL RULES AND REGULATIONS

3. Application.
4. Carrying on trade or business.
5. Soliciting.
6. Advertising.
7. Restrictions on entry into certain areas.
8. Photography.
9. Radio operation at airport.
10. Radio operation in aircraft.
11. Use of roads.

CONTROL OF MOTOR TRAFFIC

12. Direction of traffic at airport.
13. Operation of vehicles and ground handling equipment.
14. Motor vehicle stops.
15. General.
16. Operation of motorised equipment.
17. Operation of vehicle under the influence of alcohol, etc., prohibited.
18. Accident reporting.

GENERAL RULES OF CONDUCT

19. Disorderly conduct and narcotic drugs.
20. Gambling.
21. Sanitation.
22. Preservation of property.

LAWS OF TRINIDAD AND TOBAGO

*Airports Authority
of Trinidad and Tobago*

Chap. 49:02

37

Airports Regulations

[Subsidiary]

REGULATION

23. Tampering with airport and equipment.
24. Tampering with aircraft, cargo, baggage, etc.
25. Firearms, ammunition and inflammable materials.
26. Possession of offensive weapons.
27. Smoking and exposure of naked flames.
28. Dogs.

AIRCRAFT

29. Disposal of lost or mislaid article.
30. Parking and removal of aircraft.
31. Running of engines.
32. Repair and testing.

MISCELLANEOUS

33. Throwing articles over fence.
34. Sleeping and loitering.
35. Obligations of tenants.
36. Penalties.

AIRPORTS REGULATIONS

made under section 43

Citation.

1. These Regulations may be cited as the Airports Regulations.

Interpretation.

2. In these Regulations—

“aerodrome” means a defined area on land or in water (including any building, installation and equipment) intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft;

“airside” means the manoeuvring and movement areas of an airport, adjacent terrain and buildings or portions thereof, access to which is controlled;

“apron” means that part of an airport used—

(a) for the purpose of enabling passengers to board or disembark from an aircraft;

(b) for loading cargo onto or unloading cargo from an aircraft; or

(c) for refuelling and parking of aircraft;

“Authority” means the Airports Authority of Trinidad and Tobago established under section 3 of the Act;

“Clearway” means a defined rectangular area on the ground or in the sea under the control of the Authority selected or prepared as a suitable area over which a departing aircraft may make a portion of its initial climb to a specific height;

“Commissioner” means the Commissioner of Police;

“Crown Point Airport” means the Crown Point Airport described in the Designation of Airports Notification;

“Customs Area” has the meaning assigned to that expression in the Customs Act;

“finger” means that part of an airport which protrudes from the main terminal building by which passengers enter on arrival or departure;

“landside” means that area of an airport and buildings to which the non-travelling public has free access;

LAWS OF TRINIDAD AND TOBAGO

*Airports Authority
of Trinidad and Tobago*

Chap. 49:02

39

Airports Regulations

[Subsidiary]

“manoeuvring area” means that part of an aerodrome used for the take-off and landing of aircraft and for the surface movement of aircraft associated with take-off and landing, but does not include an apron;

“movement area” means that part of an aerodrome used for take-off and landing of aircraft and for surface movement of aircraft and includes an apron;

“offensive weapon” means any article made or adapted for use for causing injury to or incapacitating a person or intended by the person having it with him for such use;

“Piarco International Airport” means the Piarco International Airport described in the Designation of Airports Notification; 69/1978.
(Sub. Leg.—
Ch. 49:02).

“police officer” has the meaning assigned to that expression by section 2 of the Police Service Act and includes— Ch. 15:01.

(a) a member of the Special Reserve Police established by the Special Reserve Police Act; Ch. 15:03.

(b) a person to whom a precept has been issued under the Supplemental Police Act; Ch. 15:02.

“restricted area” means an area declared by the Minister, by Order, under section 31 of the Act to be a restricted area.

GENERAL RULES AND REGULATIONS

3. (1) All persons who are at any time on any part of an airport to which these Regulations apply shall be governed by these Regulations and by any general or particular orders or directions of the Authority. Application.

(2) These Regulations apply to the Piarco International Airport and the Crown Point Airport.

4. (1) No person shall carry on any trade or business at an airport except with the approval of the Authority and under such terms and conditions as the Authority may determine. Carrying on
trade or
business.

(2) Nothing in this regulation shall require the discharge of a contract existing at the date of the coming into operation of these Regulations.

LAWS OF TRINIDAD AND TOBAGO

40

Chap. 49:02

*Airports Authority
of Trinidad and Tobago*

[Subsidiary]

Airports Regulations

Soliciting. **5.** No person shall solicit for any purposes whatever within an airport without the approval of the Authority which approval shall be subject to such terms and conditions as the Authority may determine.

Advertising. **6.** No person shall post, distribute or display any signs, advertisements, circulars, placards, printed, painted or written matter at an airport without the permission of the Authority and then only in such manner as the Authority may determine.

Restrictions on entry into certain areas. **7.** No person shall enter—
(a) a Customs area except with the general or specific written permission of the Authority or Comptroller of Customs; or
(b) a restricted area except with the general or specific written permission of the Authority,

and subject to such conditions as may be attached to the grant of such permission.

Photography. **8.** No person shall—
(a) for any purpose, take any still, motion or sound pictures in or of a Customs area or restricted area of an airport; or
(b) for commercial purposes, take any still, motion or sound pictures in or of any area of an airport,

without the written permission of the Authority to which permission shall be attached such conditions as the Authority may determine.

Radio operation at airport. **9.** (1) Subject to subparagraph (2) no person other than—
(a) pilots of aircraft;
(b) authorised personnel of the Civil Aviation Division;
(c) police officers and Customs Officers of the Customs and Excise Department;
(d) fire service officers and members of the Defence Force;
(e) authorised members of the staff of airlines, aircraft operators or their agents; or

- (f) authorised personnel of the Meteorological Services Division, the Immigration Department and the Authority,

shall operate a radio or radio equipment or wireless transmitting or receiving apparatus at an airport without the permission of the Authority, which permission shall be subject to such conditions as the Authority may determine.

(2) The entitlement of each person referred to in subregulation (1) to operate equipment or apparatus at an airport is contingent upon his being on duty at the time of his operating the equipment or apparatus.

10. No person shall operate any radio equipment in an aircraft while the aircraft is in a hangar nor contrary to any telecommunication orders or any other enactment in force without the approval of the Director of Civil Aviation.

Radio operation in aircraft.

11. No person shall—

Use of roads.

- (a) travel on any airport other than on the roads, paths or places provided for the particular class of traffic;
- (b) occupy the roads or paths in a manner to obstruct their proper use;
- (c) operate any type of motor vehicle for any purpose whatever without the approval of the Authority and in accordance with the orders of the Authority or the direction of a police officer on duty at the airport.

CONTROL OF MOTOR TRAFFIC

12. (1) No vehicular traffic shall operate—

Direction of traffic at airport.

- (a) on the landside, except in strict compliance with the directions of any police officer on duty;
- (b) on the airside, except with the approval of and in accordance with specific instructions from the Air Traffic Controller on duty at the Control Tower.

LAWS OF TRINIDAD AND TOBAGO

42

Chap. 49:02

*Airports Authority
of Trinidad and Tobago*

[Subsidiary]

Airports Regulations

(2) No motor vehicle shall be driven, parked, used or operated on the apron, taxiways or runways at an airport without the approval and the specific instructions of the Air Traffic Controller on duty at the Control Tower.

Operation of
vehicles and
ground handling
equipment.

13. (1) No person shall operate for hire or rental any motor vehicle whatsoever within an airport without the approval of the Authority and except in accordance with the orders of the Authority or the direction of a police officer on duty at the airport.

(2) No person shall park unattended on the apron any ground handling equipment except in areas designated for the parking of such equipment.

Motor vehicle
stops.

14. (1) No motor vehicle shall stop at any place in an airport for the purpose of allowing passengers to alight from or to board it or to load or unload the baggage of passengers unless such stop is made at such places as may be designated by the Authority for the purpose.

(2) In this regulation “stop” means to remain stationary for as long as may be reasonably necessary to allow passengers to get on or off the motor vehicles or to load or unload the baggage of passengers.

General.
Ch. 48:50.

15. (1) No person shall operate any motor vehicle within an airport otherwise than in accordance with the Motor Vehicles and Road Traffic Act except in cases of emergency which in the opinion of the Authority or a police officer on duty involves danger to life or property.

(2) The Commissioner may place, erect or display or cause to be placed, erected or displayed at an airport such signs for the direction of traffic as he may consider necessary for the proper control and regulation of vehicular traffic at that airport.

(3) All traffic signs placed, erected or displayed at an airport shall be deemed to have been placed, erected or displayed in pursuance of subparagraph (2).

(4) No person shall at an airport operate a motor vehicle or cause a motor vehicle to be operated contrary to the directions of any police officer or contrary to the direction of a traffic sign.

LAWS OF TRINIDAD AND TOBAGO

*Airports Authority
of Trinidad and Tobago*

Chap. 49:02

43

Airports Regulations

[Subsidiary]

(5) Pedestrians at an airport who are within pedestrian lane markings have the right of way over vehicular traffic.

(6) No person shall park, load or unload any goods vehicle at an airport other than at such place as may be designated for such purpose by the Authority.

16. No person other than a person assigned to duty for the purpose shall operate any motorised equipment on the taxi tracks, aprons or aircraft landing areas at an airport except—

Operation of motorised equipment.

- (a) with the approval of the Authority; and
- (b) with the approval of and on the directions of the Air Traffic Controller on duty at the Control Tower.

17. No person shall, while under the influence of any intoxicating or narcotic drug or liquor, operate or be in control of a motor vehicle, motorised equipment or aircraft of any kind at an airport.

Operation of vehicle under influence of alcohol, etc., prohibited.

18. (1) Every person involved in any accident on the landside of an airport and every witness thereto shall report the occurrence without delay to a police officer on duty at the airport and that police officer shall immediately inform the Authority thereof.

Accident reporting.

(2) Every person involved in any accident on the airside of an airport and every witness thereto shall report the occurrence without delay to the Air Traffic Controller on duty at the Control Tower and to the Authority.

GENERAL RULES OF CONDUCT

19. (1) No person shall be at an airport while he is under the influence of any intoxicating or narcotic drug or liquor.

Disorderly conduct and narcotic drugs.

(2) No person shall commit any disorderly, obscene or indecent act or cause any nuisance or disturbance at an airport.

(3) No person shall, without reasonable excuse, have a narcotic drug in his possession at an airport.

20. (1) No person shall engage in any form of gambling at an airport.

Gambling.

LAWS OF TRINIDAD AND TOBAGO

44

Chap. 49:02

*Airports Authority
of Trinidad and Tobago*

[Subsidiary]

Airports Regulations

(2) No person shall at any place at an airport operate or cause to be operated any gambling or gaming device.

(3) No person shall, at any place at an airport, be in any way involved in the operation of any gambling or gaming device.

Sanitation.

21. No person shall—

- (a) deposit or dispose of any litter, garbage, papers, refuse or other material at an airport except in the receptacles provided for that purpose;
- (b) use any sanitary convenience otherwise than in a clean, tidy and sanitary manner;
- (c) deposit or dispose of cigarette butts, cigarettes, cigars, cigar butts, waste matches or any smoking material other than in the receptacles specifically provided for that purpose.

Preservation of property.

22. (1) No person shall wilfully destroy, damage, injure or deface any building, sign, marker or other structure at an airport.

(2) No person may without the permission of the Authority—

- (a) remove or disturb in any way whatever any building, sign, fence, pipe, hose, coupling, post, gate, equipment, marker or other structure, or attempt to procure any other person to erect, alter, remove, paint, distemper or replace any building at the airport;
- (b) lay any wire, cable, fence, pipe, line, net or any other material, or dig, excavate or bore or lay any road, track or path at an airport.

Tampering with airport and equipment.

23. No person shall interfere or tamper with, or damage any part of an airport or any equipment, machinery, motor vehicle or appliance at an airport.

Tampering with aircraft, cargo, baggage, etc.

24. (1) No person shall, except with the permission of the Authority—

- (a) place anything in or take anything out of an aircraft ; or

(b) in any way whatever, interfere or tamper with any aircraft, or any cargo, baggage, equipment, or other goods on an aircraft or unloaded from an aircraft, or any cargo, baggage, equipment or other goods at an airport intended to be put on board an aircraft.

(2) Subregulation (1) does not apply to a person assigned to duty at an airport and acting in the execution of his duty.

25. (1) Subject to subregulation (2), no person, other than a police officer or a member of the Defence Force on duty at an airport, shall carry or have in his possession or in his baggage any side arms, firearms, ammunition, explosives or inflammable material at an airport without the written permission of the Authority

Firearms,
ammunition and
inflammable
materials.

(2) Where police officers or members of the Defence Force who have obtained the necessary permission under this regulation, desire to carry explosives or inflammable materials to an airport, they shall first inform the Authority who shall make such arrangements for the carriage of the explosives or inflammable material as they may consider proper.

(3) Every person other than a police officer, a member of the Defence Force on duty at an airport and any other person specifically excepted in writing, shall declare and surrender all objects specified in subregulation (1) in their possession forthwith on their arrival at the airport to the police at the airport.

(4) Where the person declaring and surrendering the objects is a passenger and he produces a lawfully issued export permit, a police officer appointed by the Commissioner for the purpose shall record the name, address, flight number, airline and destination of such passenger and cause the objects with the particulars of the passenger to be handed over to the custody and safekeeping of the captain of the aircraft by which the passenger is due to depart, to be delivered to the passenger or handed over to the authorities at the passenger's destination to be dealt with according to the legal requirements of that country.

LAWS OF TRINIDAD AND TOBAGO

46

Chap. 49:02

*Airports Authority
of Trinidad and Tobago*

[Subsidiary]

Airports Regulations

(5) No person shall import or bring into Trinidad and Tobago by air, any firearm, ammunition or explosives unless there is at the time of arrival in Trinidad and Tobago, in respect of such firearm, ammunition or explosives, a lawfully issued import permit.

(6) No person shall export by air any firearm, ammunition or explosives unless such person is in possession of a lawfully issued export permit.

Possession of
offensive
weapon.

26. No person without lawful authority or reasonable excuse, shall have with him in an airport any offensive weapon.

Smoking and
exposure of
naked flames.

27. (1) No person shall smoke on any of the following areas at an airport:

- (a) the apron;
- (b) the finger;
- (c) any fuel storage or refuelling area;
- (d) Customs and Airline Cargo Bonds, storage areas or warehouses;
- (e) on board any aircraft whilst such aircraft is parked anywhere at an airport;
- (f) all airport movement areas;
- (g) any other place at an airport indicated by a "No Smoking" sign.

(2) No person shall expose a naked flame in any of the areas listed in subregulation (1) unless he has the permission of the Authority to do so.

Dogs.

28. (1) No person shall bring into an airport a dog or other animal unless such dog or other animal has arrived by air or is intended for despatch by air or is a guard dog in the custody of a blind person or is a police dog being handled by a police officer on duty at the airport and such dog or other animal is restrained by leash or confined in such other manner as to be fully under control.

(2) The owner or person in control of or responsible for a dog or other animal which shall be found at large or unrestrained

LAWS OF TRINIDAD AND TOBAGO

*Airports Authority
of Trinidad and Tobago*

Chap. 49:02

47

Airports Regulations

[Subsidiary]

contrary to subregulation (1) is guilty of an offence and in addition to any penalty imposed, the dog or other animal may be seized by any police officer, Customs officer, member of the Defence Force or other person employed at the airport and shall be disposed of in such manner as the Authority may determine.

AIRCRAFT

29. (1) A person who finds a lost or misplaced article or an article which is not the property of the finder shall forthwith deliver up such article to a police officer on duty at the airport, who shall take the name and address of the finder.

Disposal of lost or mislaid article.

(2) Where the article was found on the airside, the police officer shall deliver it to a senior Customs officer on duty at the airport for a determination as to whether the article is dutiable and for disposal as provided under the Customs Act.

Ch. 78:01.

(3) Where the article was found on the landside, the police officer shall deliver it to the nearest Police Station to be dealt with according to law.

30. (1) No person shall park an aircraft in any area at an airport other than that determined by and with the consent of the Airport Manager or his duly authorised representative and the Air Traffic Controller on duty at the Control Tower.

Parking and removal of aircraft.

(2) No person shall remove an aircraft from its parked position on an airport other than with the consent of the Airport Manager or his authorised representative and the Air Traffic Controller on duty at the Control Tower.

31. No person shall start or run an engine in an aircraft unless a competent person duly authorised by the owner of such aircraft or his authorised representative is in the aircraft attending the controls. Before starting the engine or engines in an aircraft, the wheels shall be adequately chocked.

Running of engines.

32. (1) No aircraft, aircraft engine, propeller, or other equipment or appliance thereof, shall be repaired in any part of an

Repair and testing.

LAWS OF TRINIDAD AND TOBAGO

airport other than that specifically designated by the Airport Manager or his duly authorised representative and the Air Traffic Controller on duty at the Control Tower.

(2) Except with the permission of the Airport Manager or his duly authorised representative and the Air Traffic Controller on duty at the Control Tower, no person shall repair an aircraft or run up an aircraft engine for test purposes on the parking apron.

(3) No person shall test radar equipment on the parking apron without the permission of the Airport Manager or his duly authorised representative and the Air Traffic Controller on duty at the Control Tower.

MISCELLANEOUS

Throwing
articles over
fence.

33. No person shall throw an article or substance of any kind over a fence at an airport.

Sleeping and
loitering.

34. No person shall by day or by night—

(a) sleep on the floor of an airport;

(b) loiter within fifty feet of the fence of an airport.

Obligations of
tenants.

35. (1) The lessees of hangars at an airport shall maintain bulletin boards in a conspicuous place for the purpose of posting all notices issued by the Authority, the Airport Manager or his duly authorised representative.

(2) All tenants, lessees of hangars and lessees of shop facilities at an airport shall—

(a) keep the area under his control clean and free from fire hazards;

(b) provide in such hangars or shops accessible first-aid kits and fire appliances, approved by the Authority.

(3) No tenant, lessee of any hangar, or lessee of any facility on an airport shall store or stock material or equipment in such manner as to constitute a hazard to personnel or property.

LAWS OF TRINIDAD AND TOBAGO

*Airports Authority
of Trinidad and Tobago*

Chap. 49:02

49

Airports Regulations

[Subsidiary]

36. (1) A person who contravenes these Regulations or any order or instruction issued by the Authority may be removed or ejected from the airport by a police officer on the instructions of the Authority and may be deprived of the further use of the airport and its facilities for such time as may be necessary to ensure the safety of the airport and the public. Penalties.

(2) Any person who contravenes or fails to comply with any of these Regulations is liable on summary conviction to a fine of two thousand dollars or to imprisonment for a term of twelve months.