



LAWS OF SEYCHELLES

AIRPORT (REGULATION) ACT

CHAPTER 6

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CHAPTER 6

AIRPORT (REGULATION) ACT

[30th July, 1971]

ARRANGEMENT OF SECTIONS

Act 11 of 1971,
Act 12 of 1975,
S.I. 95 of 1975,
Act 23 of 1976.

SECTION

1. Short title.
2. Interpretation.
3. Approved plans.
4. Regulations.
5. Proof of area and boundaries of airport.

1. This Act may be cited as the Airports (Regulation) Act.

Short title.
3/23/1976.

2. In this Act—

Interpretation,
3/23/1976.

“airport” means any area of land designed, equipped, set apart or commonly used or intended to be used for affording facilities for the take-off and landing of aircraft (whether or not such area has been notified or licensed as an airport or aerodrome), and includes Seychelles International Airport;

“approved plan” means the latest plan approved by the Minister under section 3, together with any amendment thereto which has been so approved;

“Director” means the Director General of Civil Aviation.

3.(1) The Minister may approve a plan delineating the area and boundaries of any airport, and may, from time to time, approve a new plan in substitution therefor and any amendment to any such plan.

Approved plans.

(2) The Minister's approval of any plan or any amendment thereto shall be endorsed on the plan.

(3) A copy of every approved plan shall be kept in the office of the Director.

Enacted by
the Parliament
of Singapore
S.L. 54/1978
3/12/1976.

3.(1) The Minister may, for the purpose of controlling the use of any airport, by regulation provide for

- (a) the preservation of order and property and the prevention of nuisances therein;
- (b) the control within the airport of aircraft on the ground;
- (c) the moving within the airport of aircraft on the ground;
- (d) the control therein or exclusion therefrom of persons, vehicles, animals and articles;
- (e) the moving within the airport of any vehicle, animal or article;
- (f) the restriction of access by the public thereto, the days and times of admission thereto and the conditions subject to which admission is allowed;
- (g) the control of the sale, advertisement or distribution of any goods, food or drink therein and the supply of any services therein;
- (h) empowering the Director or any person authorised by him in writing for the purpose of this Act or any police officer to give such orders, either orally or in writing, or to do such acts as may be specified;
- (i) the charging of a fee or service charge in respect of the use of the airport by any aircraft;
- (j) the charging of a fee or service charge in respect of the use of the air navigation and other facilities provided at or by the airport;
- (k) the collection and method of collection of any fee or service charge charged under these regulations;
- (l) the arrest without a warrant by a Police officer of any person who contravenes or fails to comply with any provision of the regulations.
- (m) generally, for the purposes of this Act.

(2) Any regulations made under the Act may make different provisions as respects different cases or classes of case and for different purposes of this Act, may impose conditions and make exceptions, may confer functions upon prescribed persons, and may contain such incidental or supplemental provisions as appear to the Minister to be expedient for the purpose of this Act.

(3) Any regulations made under the Act may provide that any person contravening or failing to comply with any provision of the regulations shall be guilty of an offence and liable on conviction to a fine not exceeding two thousand rupees or imprisonment for a term not exceeding three months or both such fine and imprisonment.

5. In any prosecution for an offence contrary to any regulation made under section 4, a copy of an approved plan certified by the Director to be a copy of such plan shall be conclusive proof of the area and boundaries of the airport, and a copy purporting to be certified by the Director shall be deemed, until the contrary is proved, to have been certified by him.

Proof of area and
boundaries of
airports.



LAWS OF SEYCHELLES

AIRPORT (REGULATION) ACT

CHAPTER 6

(SUBSIDIARY LEGISLATION)

REVISED EDITION 1991

PRINTED FOR THE GOVERNMENT OF SEYCHELLES
BY SPACH

THE GOVERNMENT PRINTER

SECTION 1

THE AIRPORTS (GOVERNMENT) REGULATIONS

[2nd November, 1971]

S.O. 113 of 1971.

S.O. 20 of 1975.

S.O. 23 of 1982.

S.O. 26 of 1991.

1. These regulations may be cited as the Airports (Government) Regulations.

Citation.

2. In these regulations, unless the context otherwise requires—
 "authorised person" means any police officer or any person authorised by the Director in writing for the purposes of this Act;
 "Government airport" means the Seychelles International Airport and includes any other airport in Seychelles which is under the control of the Government of Seychelles.

Interpretation.

3. The Director or any authorised person may—

Regulatory powers.

(a) by order, either orally or in writing—

- (i) prohibit the entry into a Government airport either wholly or at specified times of any person, vehicle, animal or article;
- (ii) require to be moved within a Government airport any aircraft, vehicle, animal or article;
- (iii) require the removal from a Government airport of any vehicle, animal or article;
- (iv) require any person to leave a Government airport;

(b) move within a Government airport any aircraft which in his opinion constitutes a danger;

(c) move within a Government airport any vehicle, animal, or article which in his opinion constitutes an obstruction in any form.

4.(1) Any person who, within a Government airport—

Offences.

- (a) obstructs the Director or any authorised person in the execution of any power conferred upon him by regulation 3,
- (b) contravenes any order given by the Director or any authorised person under regulation 3,

- (c) obstructs or hinders with the person in charge of the airport,
- (d) boards or attempts to board any aircraft without the authority of the person in charge thereof,
- (e) tampers or interferes with any aircraft or anything used in connection with an aircraft,
- (f) causes an outbreak of fire or smokes in or otherwise brings any naked light into—
 - (i) any place where any such act is prohibited by notice, or
 - (ii) any place within fifty feet of an aircraft or a store of liquid fuel or explosives,
- (g) throws, leaves or drops anything capable of causing injury to any person or property or drops or leaves litter except in a receptacle provided for that purpose,
- (h) climbs any wall, fence, barrier, railing or post,
- (i) wilfully gives a false fire or ambulance alarm,
- (j) fails to place an aircraft in the place and position appointed by the Director or by any authorised person for that purpose, or fails properly to moor or otherwise secure any stationary aircraft which is not in a hangar,
- *(k) drives or places a vehicle carelessly or dangerously or without due consideration for persons using the airport, or fails to comply with traffic signs or notices erected by the Director or by the Commissioner of Police, or fails to comply with any direction for the regulation of traffic given by an authorised person,
- (l) being the driver of a vehicle which is involved in an accident, fails forthwith to give his name and address and the name and address of the owner of the vehicle to the Director or to an authorised person,
- *(m) parks a vehicle elsewhere than in a place provided for that purpose,

*Prescribed Offences for the purposes of the Minor Offences (Fixed Penalties) Decree (S.I. 3 of 1980 Cap. 132 Sub. Leg.)

- (o) writes on or otherwise damages any flag or coat of anything providing the flag, or removes, places on or otherwise damages any flag, shield or plant,
- (p) fails to keep any animal under control,
- (q) uses any language likely to cause offence or annoyance to any person,
- (r) behaves in an indecent or disorderly manner,

shall be guilty of an offence and shall be liable on conviction to a fine of one thousand rupees.

(2) Any person who without the permission of the Director or an authorised person—

- (a) enters or leaves a Government airport otherwise than through a gate or entrance for the time being provided for that purpose,
- (b) enters any part of a Government airport to which members of the public are not for the time being admitted,
- (c) removes, displaces, damages, defaces, or alters any building, structure or other property, whether movable or immovable (including any notice), forming part of or provided for or in connection with a Government airport,
- (d) digs soil or cuts or removes turf within a Government airport,
- (e) sells or distributes anything, or offers anything for sale or hire, or makes any offer of services within a Government airport,
- (f) exhibits any notice or advertisement within a Government airport except on a building which the person exhibiting it is authorised to occupy and in accordance with the terms of his occupation,

- (g) drives a vehicle within a Government airport elsewhere than in a place provided for the passage or accommodation of such a vehicle,
- (h) takes a vehicle into a hangar in a Government airport used for the maintenance or storage of aircraft,
- (i) runs an aircraft engine in a hangar in a Government airport,
- (j) fills or discharges from any container (including any part of a vehicle) in a Government airport liquid fuel elsewhere than in a place approved for that purpose,
- (k) lights a fire in a Government airport elsewhere than in a place constructed for that purpose,

shall be guilty of an offence and shall be liable on conviction to a fine of one thousand rupees.

5.(1) The Director or any authorised person may issue passes entitling the lawful holders thereof to enter the respective areas for which such passes are valid.

(2) The passes which may be issued shall be:—

- (a) A Permanent Pass which shall entitle the holder to enter restricted areas at all times;
- (b) A Temporary Day Pass which shall entitle the holder to enter restricted areas on the day upon which such pass is issued only;
- (c) A Concourse Pass which shall entitle the holder to enter that part of the airport on the land side to which entry is normally restricted during aircraft movements.

(3) All passes issued under these regulations by the Director or an authorised person shall be in such form as the Director shall from time to time decide and, in the case of Permanent Passes and Concourse Passes, shall in addition bear in a prominent place a recent photographic likeness of the holder. All passes shall be signed by the Director or an authorised person.

Issue of passes to
certain areas of
airports.
S.I. 80/1975.

(4) A pass when required in any restricted or other area in respect of which it was issued shall be worn or otherwise displayed on the person of a holder in such a manner that the pass may be seen without difficulty and so that the photographic likeness of the holder, where it appears, can, if required, be readily checked for purposes of comparison.

(5) Any holder of a pass issued under these regulations who in any restricted or other area in respect of which such pass is required under these regulations for any reason fails or refuses to wear, or otherwise display such pass in accordance with these regulations shall be guilty of an offence and shall be liable on conviction to a fine not exceeding two thousand rupees or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

(6) Any person who enters a restricted area, or any area that is normally restricted during aircraft movements, without being in possession of the appropriate pass issued under these regulations shall be guilty of an offence and liable on conviction to a fine not exceeding two thousand rupees or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

(7) For the purpose of these regulations the restricted areas shall be—

(a) Those areas of the Terminal Building of the Government known as—

The Arrival Lounge

The Departure Lounge

The Transit Lounge

The Duty-Free Shop

The Catering Areas

The Baggage Handling Areas

The Customs Area;

(b) Those areas of the Government Airport commonly referred to as "airside" areas and which comprise the offices and private lavatories together with the garden areas leading directly from them;

- (c) These areas of the Government Airport delineated on the plan approved by the Minister in accordance with section 13 of the Act with the exception of the entry and exit roads and the car park which are commonly known as the "landside" of the Terminal Building.

(8) A lawful holder of a Transit Card or a Boarding Pass shall not be required to be in possession of a Pass issued under these regulations while embarking on or disembarking from an aircraft or while awaiting the arrival or departure of an aircraft.

Provided that his presence in a restricted area or other area is necessary for such embarkation, disembarkation or the awaiting of the arrival or departure of an aircraft.

(9) A policeman may arrest without a warrant any person whom he believes on good ground to be in breach of these regulations.

Passenger service
fee.
S.I. 28/1989.

6.(1) Subject to subregulations (6) and (7) there shall be charged in respect of every passenger ticket for the carriage of a passenger embarking at the Seychelles International Airport on an international flight, a passenger service fee of —

- (a) R50.00 in respect of an international flight operated by an operator resident in Seychelles or by an operator under an air service agreement with the Republic;
- (b) R100.00 in respect of an international flight operated by any other operator.

(2) The passenger service fee under subregulation (1) shall be paid to the Director by the person or agency issuing the passenger ticket for the international flight—

- (a) in the case of an international flight referred to in subregulation (1) (a) within 30 days of the issue of the ticket;
- (b) in the case of an international flight referred to in subregulation (1) (b) before the international flight departs from Seychelles.

(4) Any person who is guilty of an offence under subregulation (2) is guilty of an offence and shall be liable on conviction to a fine of 10,000,000.

(4) Without prejudice to any prosecution for an offence under subregulation (3), the Director may in the case of an international flight referred to in subregulation (1) (b), refuse permission for the aircraft departing on the international flight to take off from Seychelles unless satisfactory arrangements have been made for the payment of the passenger service fee prior to its departure.

(5) Subregulation (1) shall not apply to a passenger ticket in respect of—

- (a) a transit passenger;
- (b) any class or category of passengers which the Minister may exempt from the provisions of that subregulation;
- (c) any individual passenger, who by reason of special circumstances applicable to him, may be exempted from the provisions of that subregulation by the Minister.

(6) Subregulation (1) shall not apply to an international flight on—

- (a) aircraft carrying out a flight solely for the purpose of testing the aircraft or instruments of the aircraft with the prior approval of the Director;
- (b) military or official aircraft of the Republic;
- (c) military aircraft of a country other than Seychelles and used for military purposes;
- (d) aircraft of diplomatic or consular missions;
- (e) aircraft used for ceremonial purposes of the Republic;
- (f) aircraft owned and operated by flying clubs approved by the Director.

(7) In this regulation—

"international flight" means a flight that departs from Seychelles for a destination outside Seychelles;

"transit passenger" means—

- (i) a person who arrives at and leaves Seychelles International Airport by the same flight whether or not the number of the flight is the same;
- (ii) a person who arrives at the Seychelles International Airport on a flight but not cleared to leave the Airport;
- (iii) a person who, having arrived at the Seychelles International Airport on a flight, is cleared to leave the Airport solely by reason of the delay or cancellation of the flight.

Security Levy,
S.I. 26/1991.

7.(1) Subject to subregulation (5) there shall be charged in respect of every passenger embarking at the Seychelles International Airport on an international flight on a ticket issued for the carriage of that passenger a security levy of R10.00.

(2) The security levy under subregulation (1) shall be paid to the Director by the person or agency issuing the ticket for the carriage of the passenger on the international flight —

- (a) in respect of an international flight operated by an operator resident in Seychelles or by an operator under an air service agreement with the Republic, within 30 days of the issue of the ticket; and
- (b) in respect of an international flight operated by any other operator, before the international flight departs from Seychelles.

(3) Any person who contravenes sub-regulation (2) is guilty of an offence and shall be liable on conviction to a fine of R2000.00.

(4) Without prejudice to any prosecution for an offence under subregulation (3), the Director may, in case of an inter-

national flight referred to in subregulation (1)(b), shall be exempted from the provisions of that subregulation for the aircraft departing on the international flight to take off from Seychelles unless a satisfactory arrangement has been made for the payment of the security levy prior to its departure.

(5) Subregulation (1) shall not apply to —

- (a) a transit passenger;
- (b) any class or category of passengers which the Ministry may exempt from the provisions of that subregulation;
- (c) any individual passenger, who by reason of special circumstances applicable to him, may be exempted from the provisions of that subregulation by the Minister;
- (d) an international flight on aircraft carrying out a flight solely for the purpose of testing the aircraft or instruments of the aircraft with the prior approval of the Director;
- (e) an international flight on military aircraft of a country other than Seychelles and used for military purposes;
- (g) an international flight on aircraft of diplomatic or consular missions;
- (h) an international flight on aircraft used for ceremonial purposes of the Republic;
- (i) an international flight on aircraft owned and operated by flying clubs approved by the Director.

(6) In this regulation the expressions "international flight" and "transit passenger" shall have the same meaning as in regulation 6(7).