



Department
for Transport

Lilian Greenwood MP
Chair of the Transport Select Committee
7th Floor
14 Tothill Street
House of Commons
London
SW1H 9NB

Baroness Sugg
Transport Minister for Aviation, International
and Security

Great Minster House
33 Horseferry Road
London
SW1P 4DR

Tel: 0300 330 3000
E-Mail: baroness.sugg@dft.gov.uk

Web site: www.gov.uk/dft

Dear Lilian,

31 January 2019

I am writing to you, in accordance with section 23 of the Aviation Security Act 1982 (“the Act”), to report the number of notices or directions served or given under Sections 11, 12, 13, 13A and 14 of the Act in the twelve month period between 1st January and 31st December 2018.

The Act confers on the Secretary of State for Transport the power to serve or give various notices and directions in connection with the discharge of his aviation security responsibilities, as follows:

Section 11: which enables the Secretary of State to serve a notice on aircraft operators, managers of UK aerodromes, other occupiers of land forming part of an aerodrome and persons permitted access to a restricted zone of an aerodrome for the purposes of a business carried on by him, requiring the recipient of the notice to provide the information specified in it as may be required by the Secretary of State to exercise his aviation security functions;

Section 12: which enables the Secretary of State to direct aircraft operators and aerodrome managers to ensure that aircraft are searched before flight as specified in the direction and to search any persons or property which are to go or be taken on board such aircraft;

Section 13: which enables the Secretary of State to direct aerodrome managers to secure that searches of aerodromes are carried out by constables or other persons specified in the direction;

Section 13A: which enables the Secretary of State to require persons other than aerodrome managers to secure that searches of land occupied by such persons within or outside an aerodrome, and to search persons or property on that land. This section applies, for example, to the providers of in-flight supplies and air cargo agents;

Section 14: which gives the Secretary of State power to give general directions to aircraft operators, the managers of UK aerodromes, and other occupiers of land forming part of an aerodrome or persons permitted access to a restricted zone of an aerodrome for the purposes of a business carried on by him to do such acts as are specified in the direction for the purpose of the overriding aim of protecting civil aviation from acts of violence; and

Section 21: which gives effect to directions given by the Secretary of State under Sections 11, 13, 13A or 14 above in relation to air navigation installations.

Section 23 of the Act requires the Secretary of State, on or before 31st January of each year, to lay before each House of Parliament a report stating the number of notices and directions served or given by him under the relevant sections of the Act in the previous calendar year, together with the number of enforcement notices and detention directions served by authorised persons (i.e. Departmental or Civil Aviation Authority compliance auditors) during that calendar year in respect of non-compliance.

The Act specifies the information which should be set out in the annual report. However, in recent years, many aviation security requirements have been the subject of directions brought together in a Single Consolidated Direction (SCD)¹. The accompanying report includes a table listing each chapter of the SCD, the corresponding section of the Act under which directions in each chapter are given (where relevant) and the corresponding category of person (e.g. aircraft operator, aerodrome manager) to which each chapter relates.

¹ The current version of the SCD is the Single Consolidated Direction (Aviation) 2018.

I trust that the attached report provides the required information to Parliament in as clear a manner as possible, whilst reflecting the requirements prescribed by the Act.

A copy of the report has also been placed in the libraries of the House.

A handwritten signature in blue ink, consisting of several loops and flourishes, positioned above the name 'BARONESS SUGG'.

BARONESS SUGG

Annual return of aviation security notices and directions served by the Secretary of State in 2018

Section 23 of the Aviation Security Act 1982 (“the ASA”) requires the Secretary of State, on or before 31st January of each year, to report to Parliament on the number of notices and directions served or given by him under sections 11, 12, 13, 13A and 14 of the ASA and the number of enforcement notices and detention directions served by authorised persons on aviation entities in the preceding calendar year.

Section 23(2) prescribes the manner in which such information should be reported, breaking down the number of notices or directions served under each section by reference to the type of entity upon which it was served, for example an aircraft operator or aerodrome manager. However, many of the directions served by the Secretary of State under the ASA are done so under a combination of sections, either to individual entities or to all UK directed parties (“directed” for the purposes of aviation security).

As at the end of 2018 there were 691 **UK directed parties** (up from 647 in 2017), of which 50 were UK airports (56 in 2017), 29 UK registered airlines (31 in 2017), 308 foreign registered carriers (246 in 2017), 277 Regulated Agents of air cargo (286 in 2017) and 27 Regulated Suppliers of In-flight supplies (28 in 2017). These figures change over time as new entities are directed and existing ones merge or go out of business.

According to Department for Transport records, the number of notices and directions served under the specified sections of the ASA between 1 January and 31 December 2018 were as follows;

Notices served under section 11 of the ASA

Three notices were served by the Secretary of State under section 11 during the reporting period.

Directions served under sections 12, 13, 13A and 14 of the ASA

The latest version of the SCD, the Single Consolidated Direction (Aviation) 1/2018, came into force on 26 November 2018. It was issued to all UK aviation directed parties.

The various chapters of the SCD incorporate 4 broad categories of direction:

- 1) Section 12 ASA directions to aircraft operators to carry out searches
- 2) Section 13 ASA directions to aerodrome managers to carry out searches
- 3) Section 13A ASA directions to “others” connected with aerodromes to carry out searches
- 4) Section 14 ASA general directions to do anything for the purposes of Part II of ASA (to protect civil aviation from acts of violence).

The following table indicates which section of the ASA, and which type of entity, to which each chapter of the SCD relates.

Chapter Number	Aircraft Operators	Aerodrome Managers	Persons Occupying Land etc./Persons permitted to have access to a restricted zone etc.
1		ss.13 and 14	
2		s.13 (although technically a direction <i>not</i> to carry out searches)	
3	s.12		
4		ss.13 and 14	
5	ss.12 and 14		
6	s.12		ss.13A and 14
7	s.12		
8			s.13A
9		s.13	s.13A
10	ss.12 and 14		
11	s.14	s.14	s.14
12	s.14	s.14	s.14

In addition to the SCD, the following directions were served in 2018:

One variation direction was served on all managers of relevant aerodrome under sections 12(1), 13(1) and 14(1A)(a) and (b) and (3)

One variation direction was served on all managers of relevant aerodromes, all operators of an aircraft registered or operating in the UK, all regulated agents of air cargo and all DfT certified instructors under section 14(1A) and (3)

One variation direction was served on an individual aircraft operator under section 12(1)(a)

Two directions were served on individual airports in respect to the control of access to the airside area under section 14(1A)(b) and (3)

One variation was given to an individual airport under sections 12(1)(a), 14(1A)(b) and (3)

Two individual variation directions were given to individual airports under section 12(1)(a)

Directions were also served, between 1 January and 31 December 2018, as follows;

Four separate temporary variation directions were given in respect of specific flights, in each case to an individual airport and individual aircraft operator under sections 14(1A)(a) and (b) and (3)

Ten separate variation directions given to individual airports under sections 12(1), 13(1) and 14(1A)(a) and (b) and (3)

Three separate variation directions were given under sections 14(1A) (b)

One variation direction given under sections 14(1A) and (3)

Fourteen separate variation directions given to individual airports under sections 14(1A)(a) and (b) and (3)

One direction given to operators of an aircraft registered or operating in the UK under sections 14(1A) and (3)

If the SCD is considered to be a single direction, then a total of 42 directions were given by the Secretary of State in 2018 under sections 12, 13, 13A and/or 14 of the ASA. (30 such directions were given in 2017)

Enforcement notices

No enforcement notices were served under the provisions of the ASA during 2018.

Detention directions

No detention directions was given under the provisions of the ASA during the reporting period.

(No Enforcement notices or Detention directions were served or given in 2017)