L.N. 109 of 1988

CIVIL AVIATION ACT, 1972
(ACT NO. XLIII OF 1972)

Access to Restricted Areas Regulations 1988

IN exercise of the powers conferred by section 3 of the Civil Aviation Act, 1972, the Prime Minister has made the following regulations:—

Citation and commencement.

1. (1) These regulations may be cited as the Access to Restricted Areas Regulations, 1988.

(2) These regulations shall come into force on the 1st January, 1989.

Interpretation.

2. In these regulations, unless the context otherwise requires:

"authorized officer" means any person authorized by the Commissioner of Police, or the Commander of the Armed Forces of Malta, or the Director of Civil Aviation, or the Manager, Air Terminal to perform the duties of security guard or watchman in a restricted area;

"Director" means the Director of Civil Aviation and includes a public officer of his Department so delegated by him for the purposes of these regulations;

"motor vehicle" means any type of vehicle propelled by mechanical power;

"restricted area" means —

(a) Luqa airport, excluding those parts thereof which are accessible to the general public or to travellers arriving at or leaving the airport; and

(b) (i) Dingli Radar, Transmitting and Receiving Station;

(ii) Benghaisa Transmitting Station;

(iii) Wied Rini Receiving Station;

(iv) St. Rocco Outer Marker and Non-Directional Radio Beacon Station; and

(v) Gozo VHF Omnidirectional Radio Range and Non-Directional Radio Beacon Station,

as shown in bold intermittent lines on the site plans in the Schedule to these regulations.

Persons to have security pass for restricted areas.

3. (1) No person shall enter a restricted area unless he is in possession of a security pass or a temporary authorization in writing issued by the Director or, in the case of a member of the Police Force or of the Armed Forces of Malta performing duties therein, an identity card issued by the Commissioner of Police or the Commander of the Armed Forces of Malta as the case may be:

Provided that where the exigencies of the moment so require, a member of the Police Force or of the Armed Forces of Malta may, in pursuance of his duty, enter a restricted area without the identity card mentioned above;

Provided further that the Director may allow any person to enter into a restricted area without a security pass or temporary authorization in writing whenever he deems it expedient to do so.

(2) A security pass or a temporary authorization in writing or an identity card shall be issued in such form, for such time and under such conditions as the Director or the Commissioner of Police or the Commander of the Armed Forces of Malta, as the case may be, may deem expedient.

(3) Security passes shall be displayed in a prominent position on the person in whose name they are issued. Temporary authorizations in writing and identity cards shall be produced on demand when so requested by an authorized officer.

Motor vehicles to have authorization for restricted areas.

4. (1) No motor vehicle shall enter or be driven in a restricted area without the written authorization of the Director, and under such conditions as may be specified therein:

Provided that the Director may allow any motor vehicle to enter or be driven into a restricted area without his written authorization whenever he deems it expedient to do so, subject to any conditions he may impose.

(2) A peson who is driving or who is in charge of a motor vehicle for which a written authorization has been so granted shall produce such authorization on demand to an authorized person.

(3) Motor vehicles driven in a restricted area shall comply with the Colonial Air Navigation Order, 1961, published by Legal Notice 10 of 1963.

Persons and motor vehicles to comply with conditions of security pass.

5. (1) Any person authorized under these regulations to enter a restricted area or to drive a motor vehicle therein shall comply with the conditions so specified in the security pass or authorization, as the case may be, and with other directives of an authorized officer.

(2) An authorized officer may detain and search any person or motor vehicle in a restricted area or while entering or leaving such area.

(3) Any person who contravenes the provisions of paragraph (1) of this regulation may be removed from a restricted area by an authorized officer without prejudice to any criminal proceedings which may be instituted against him.

6. No weapon or explosive material shall be introduced, kept or taken out of a restricted area by any person or in any vehicle without the written authorization of the Director: Weapons and explosives prohibited in restricted area.

Provided that this shall not apply to authorized officers and motor vehicles used by them in the course of their lawful duties.

7. The Director may, by notice in the Gazette, declare any part of a restricted area to be exempt from all or any one of the provisions of these regulations for such time and under such conditions as may be specified in that notice. Special powers of the Director.

8. (1) Any person who contravenes the provisions of any one of paragraphs (1) of regulations 3, 4 or 5 of these regulations shall be guilty of an offence and, on conviction, shall be liable to a fine (multa) which shall not be less than Lm100 but shall not exceed Lm300, or to imprisonment for a term not exceeding one month or to both such fine and imprisonment Offences.

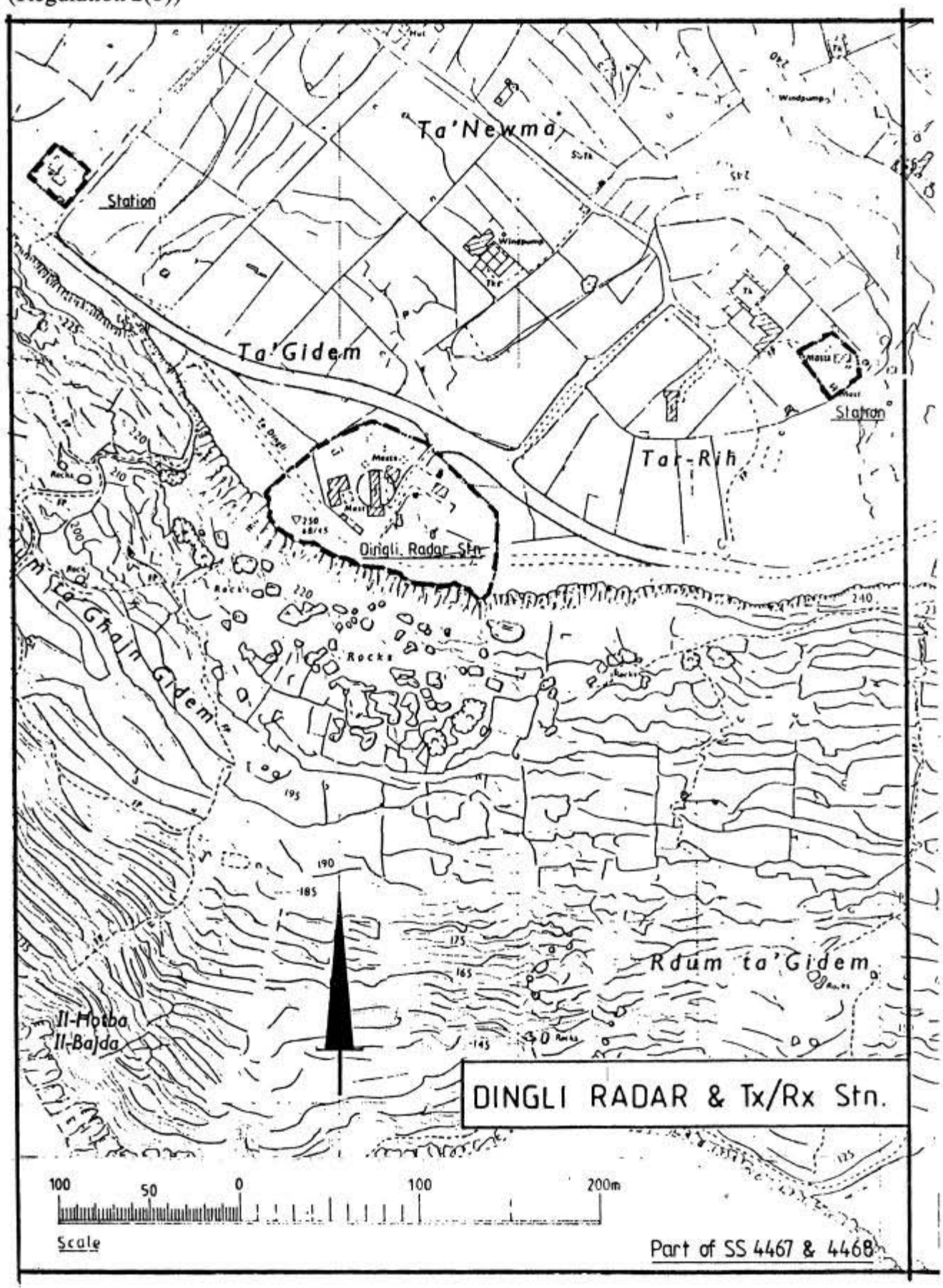
(2) Any person who contravenes the provisions of paragraph (3) of regulation 3 or of paragraph (2) of regulation 4 of these regulations shall be guilty of an offence and, on conviction shall be liable to a fine (multa) not exceeding Lm50.

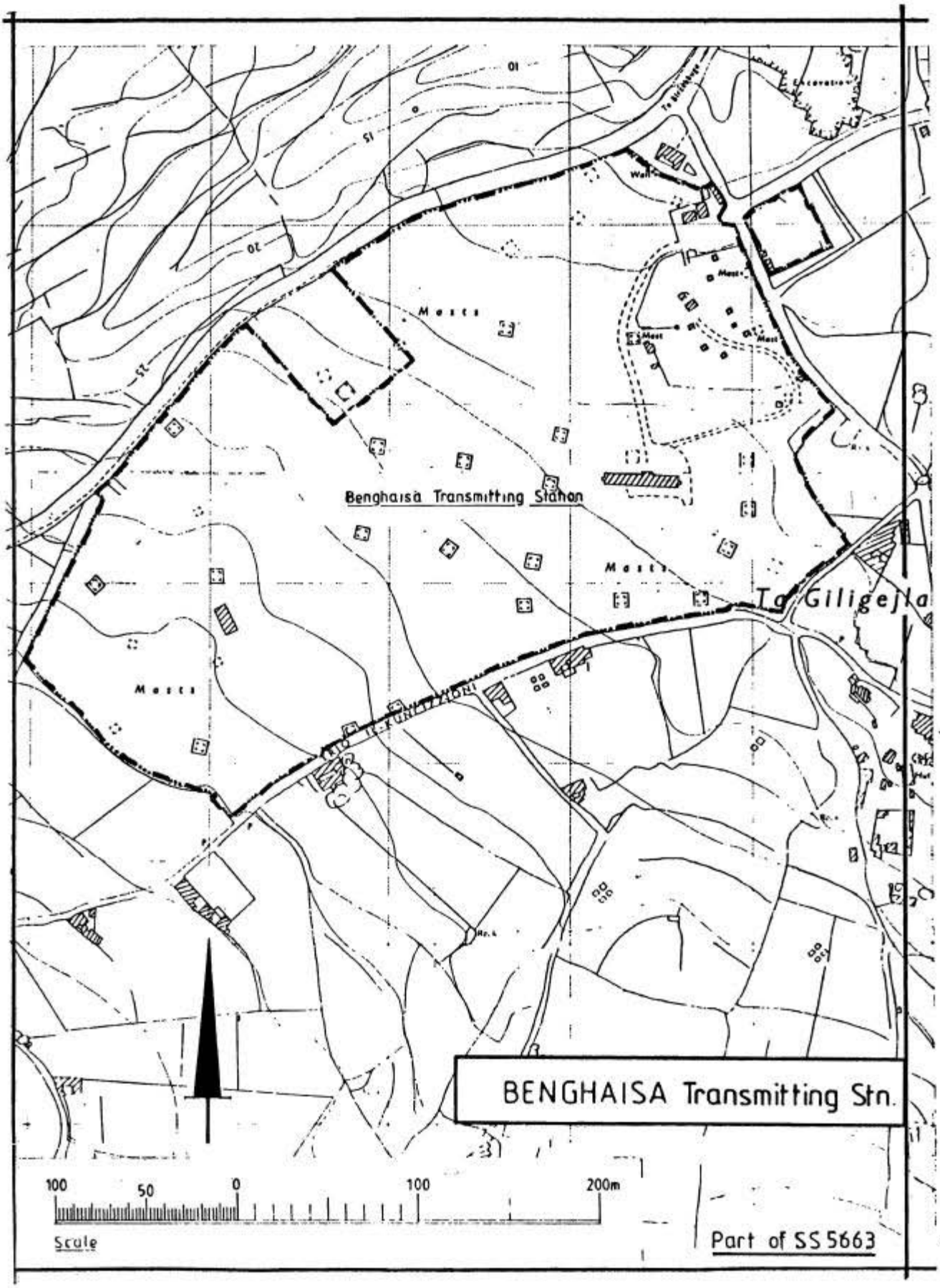
(3) Any person who contravenes the provisions of regulation 6 of these regulations shall be guilty of an offence and, on conviction, shall be liable to a fine which shall not be less than Lm400 but shall not exceed Lm800, or to imprisonment which shall not be less than 3 months but shall not exceed 6 months or to both such fine and imprisonment.

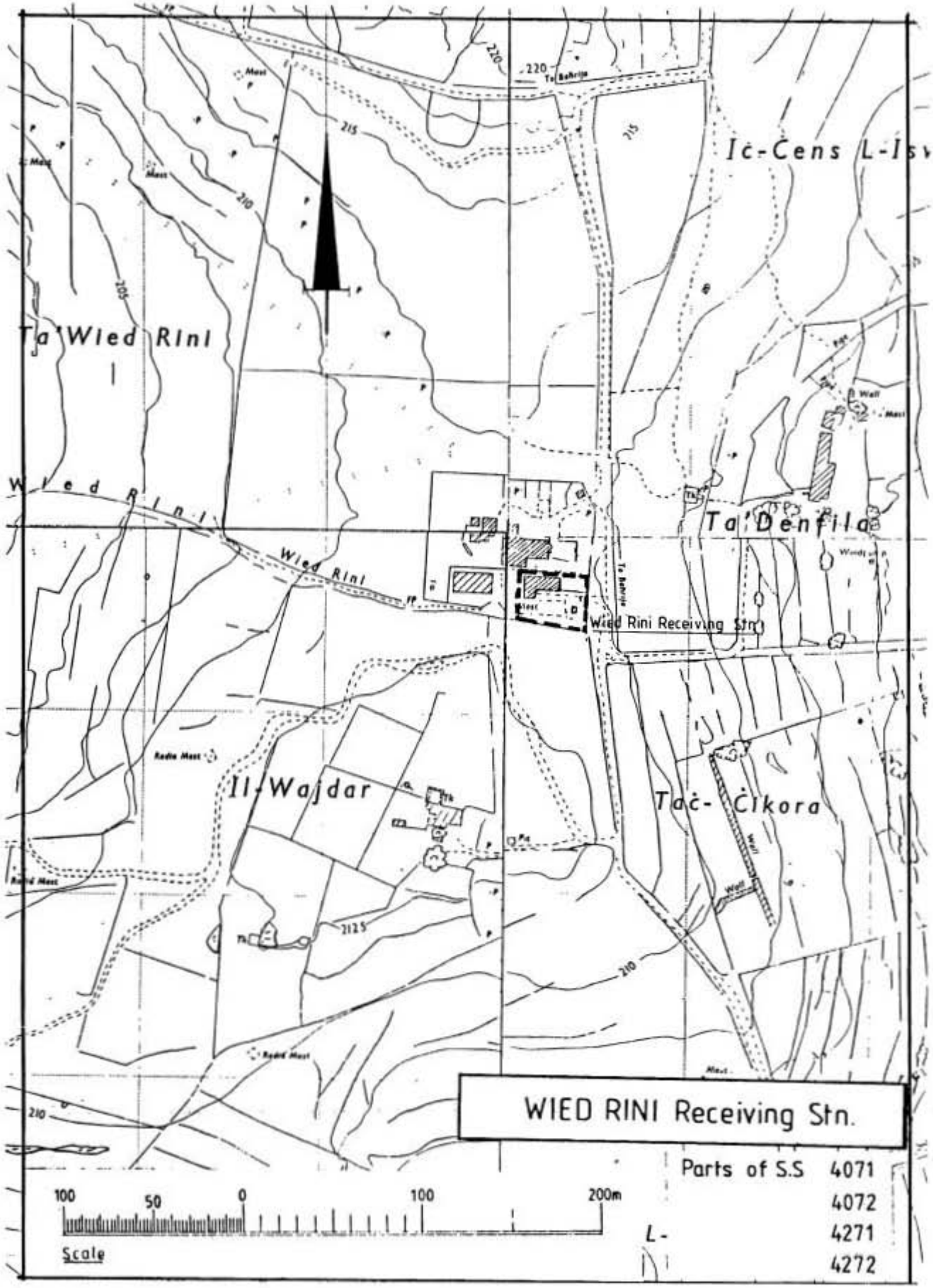
(4) The provisions of this regulation establishing offences and punishments in respect thereof shall not affect the operation of any other law establishing offences and punishments in respect of the same acts or omissions, and shall not, in particular, affect the application of any higher punishment under any other law.

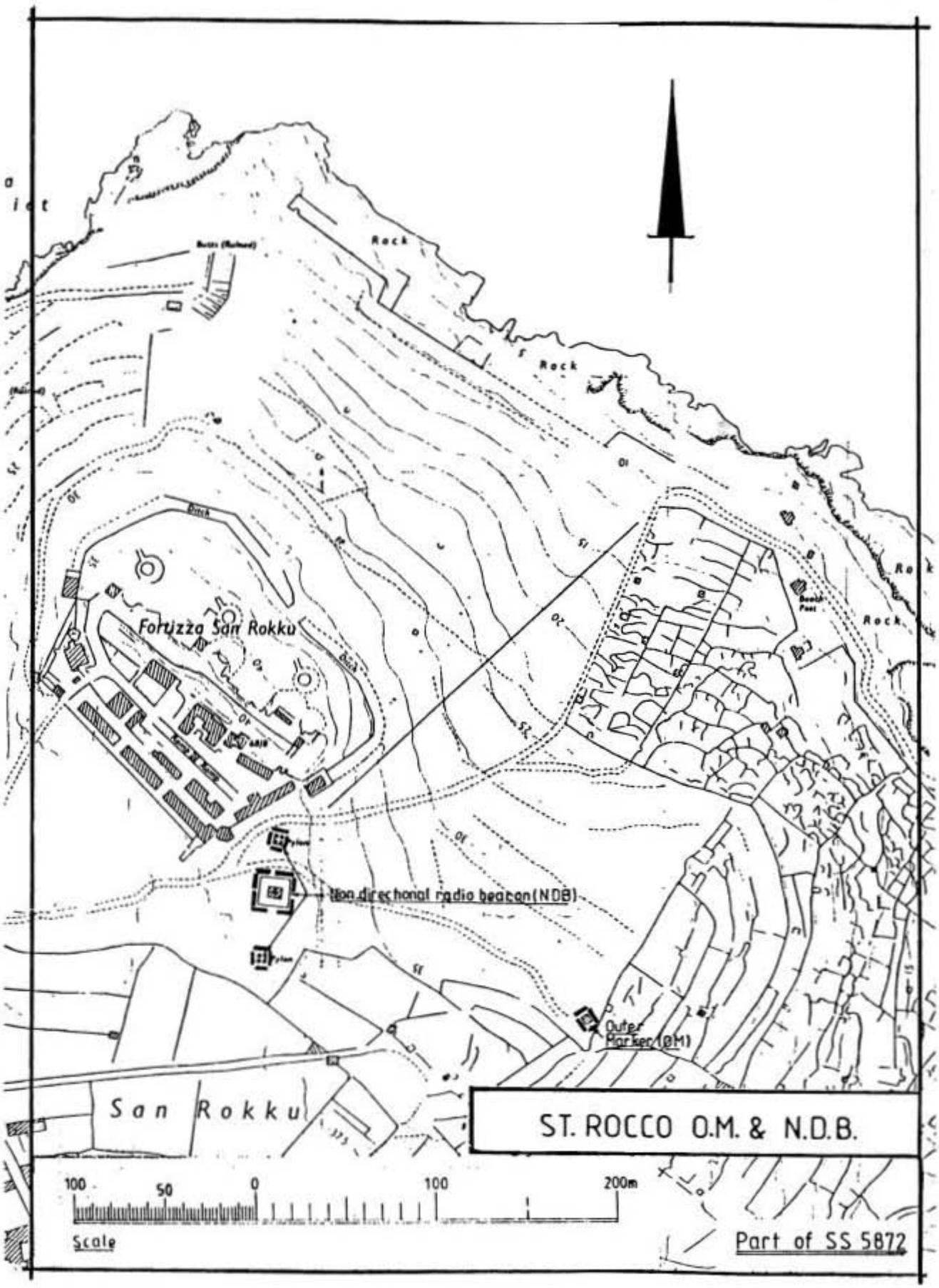
SCHEDULE

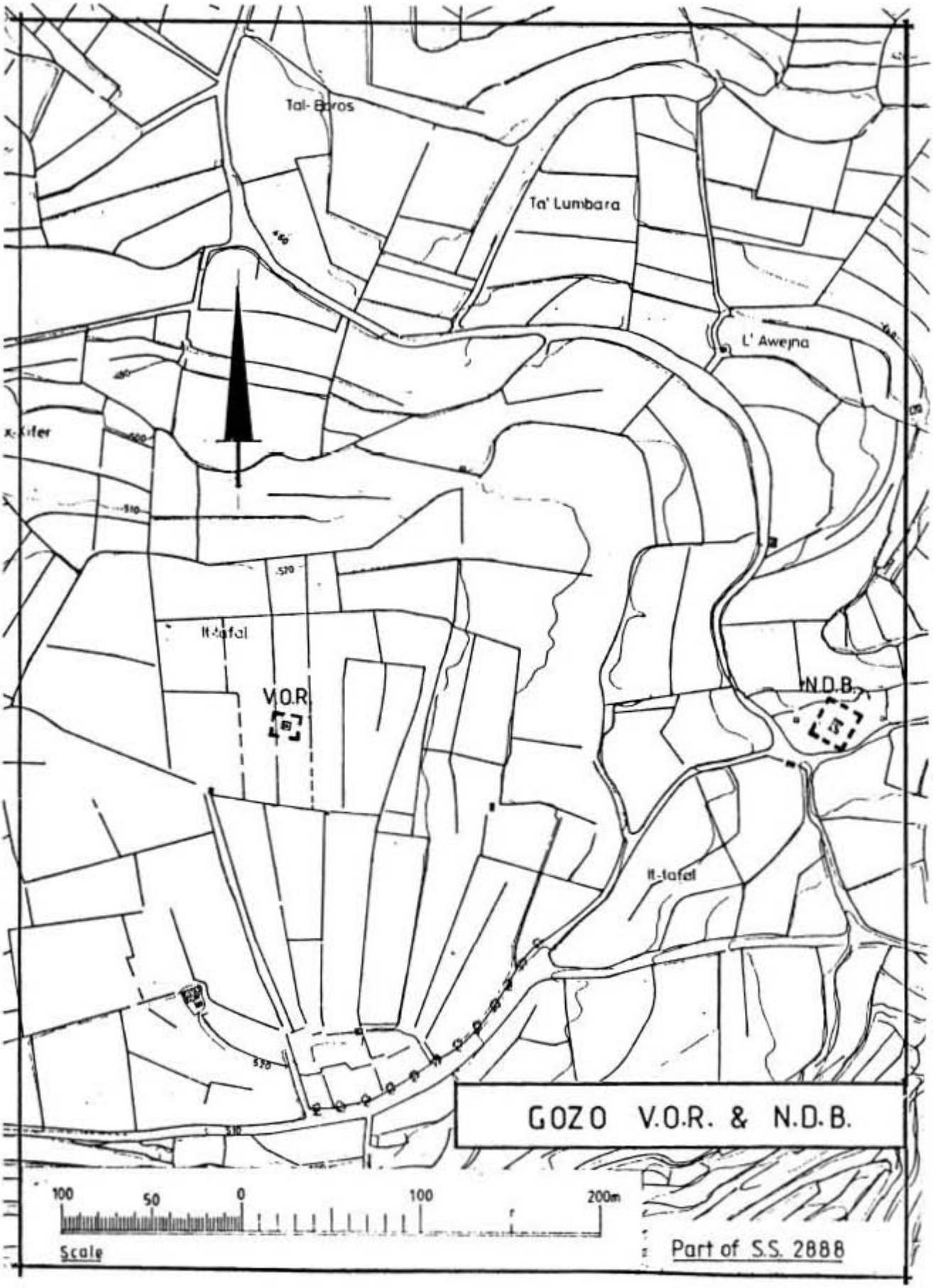
(Regulation 2(b))




Benghaisa Transmitting Station
To Giligejla
BENGHAISA Transmitting Stn.
100 50 0 100 200m
Scale
Part of SS 5663


Ta' Wied Rini
Wied Rini
Wied Rini
Ta' Denfila
Wied Rini Receiving Stn
Il-Wajdar
Taċ-Ċikora
WIED RINI Receiving Stn.
Parts of S.S 4071
4072
4271
4272
100 50 0 100 200m
Scale


Rock
Rock
Rock
Fortizza San Rokku
Non directional radio beacon(NDB)
Outer Marker(OM)
San Rokku
ST. ROCCO O.M. & N.D.B.
100 50 0 100 200m
Scale
Part of SS 5872



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