

AIRPORT SECURITY FORCE ACT, 1975

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THE AIRPORTS SECURITY FORCE ACT, 1975
(ACT NO. LXXVII OF 1975)

An Act to provide for the constitution and
regulation of the Airports Security Force

Preamble: Whereas, it is expedient to provide for the constitution and regulation of the Airports Security Force for ensuring security of all aerodromes, airports, aircrafts and civil aviation installations, and for the maintenance of law and order therein, and for matters connected therewith or ancillary thereto;

It is hereby enacted as follows:—

CHAPTER I

1. Short title, extent, application and commencement— (1)

This Act may be called the Airports Security Force Act, 1975.

(2) It extends to all aerodromes and airports, all civil aviation stations, centres or offices in Pakistan, all Pakistan air services and activities relating to civil aviation.

(3) It shall apply to all members and officers of the Force wherever they may be.

(4) It shall come into force at once.

2. Definitions— (1) In this Act, unless there is anything repugnant in the subject or context—

(a) "aerodromes" means any area of land or water designed, equipped, set apart or commonly used or intended to be used either wholly or in part, for affording facilities for the landing, departure and movement of aircraft and includes all buildings, sheds, vessels, piers, installations and equipments, and other structures thereon or appertaining therein but does not include any aerodrome which is exclusively used by the Pakistan Air Force or any portion of an aerodrome which is used by the Pakistan Air Force;

(b) "aircraft" means any machine which can derive support in the atmosphere from the reactions of the air, other than the

reactions of the air against the earth's surface, and includes balloons, whether captive or free, airships, kites, gliders and flying machines;

- (c) "airport" means an aerodrome at which facilities have, in the opinion of the Federal Government, been sufficiently developed to be of importance to civil aviation;
- (d) "air service" means a service of aircraft for any purpose of civil aviation, whether aerial work, public transport or otherwise;
- (e) "air side" means the movement area of an aerodrome, adjacent terrain and buildings or portions thereof access to which is controlled by the *Force;
- (f) "competent authority" means any officer or authority designated as such by the Federal Government;
- (g) Omitted.⁺
- (h) "Force" means the Airports Security Force constituted under Section 3;
- (i) "Force Commander" means the Commander Incharge of the Force;
- (j) Omitted.^α
- (k) "member" means a person, other than an officer, who is appointed to the Force and has signed an affirmation in the form set out in the First Schedule;
- (l) "officer" means a person who is so appointed to the Force and has signed an affirmation in the form set out in the First Schedule.
- (m) "operator" means a person, organization or enterprise engaged in or offering to engage in aircraft operation;

* Word "Force" substituted for "Civil Aviation Department", vide Airports Security Force (Amendment) Ordinance, 1984 (Ordinance XXXV of 1984).

⁺ Definitions of "Director General" & "Manager" omitted, *ibid.*

^α *Ibid.*

- (n) "prescribed" means prescribed by the rules or regulations;
- (o) "purpose of civil aviation" includes any purpose connected with civil aviation and with air navigation, except purposes of defence by air;
- (p) "regulations" means regulations made under this Act; and
- (q) "rules" means rules made under this Act.

CHAPTER II

3. Power to constitute and maintain the Airport Security Force and its functions— (1) The Federal Government may constitute and maintain a force to be called the Airports Security Force for performing the following functions, namely—

(a) ensuring security of all airports, aerodromes, aircrafts and civil aviation installations* (within the limits of airports and aerodromes) and for say guarding civil aviation against acts of unlawful interference or such interference;

(b) ensuring security of all structures, equipments, material and installations belonging to operators and other Government or non-Government organizations within the limits of airports and aerodromes;

⁺(c) & (d) – Omitted.

(e) ensuring the proper conduct of persons at airports and aerodrome including control of surface vehicles and drivers within the limits of airports and aerodromes;

(f) ensuring security of aircraft passengers, baggage, cargo and mail within the limits of airports and aerodromes;

(g) general maintenance of law and order within the limits of airports and aerodromes in conjunction with the police and taking cognizance of all offences committed at the airports and aerodromes under any law for the time being in force; and

* added, *ibid.*

⁺ Omitted, *ibid.*

(h) such other functions as the Federal Government may, by notification in the official Gazette, require the Force to perform.

(2) In the discharge of their functions, the officers and members shall be guided by, and act in accordance with this Act* and the rules and regulations.

4. Constitution of Airports Security Force— (1) The head of the Force shall be a Force Commander appointed by the Federal Government.

(2) The Force shall consist of such ranks and number of officers and members and shall be constituted in such manner as may be prescribed by rules.

(3) The officers and members shall receive such pay, pensions allowances and other remuneration and shall enjoy such leave and other privileges as may be prescribed by rules, from time to time.

(4) Every officer and member shall receive on his appointment a certificate in the form set out in the Second Schedule under the seal of the Force Commander or such other officer as the Force Commander may authorise in this behalf and by virtue of holding such certificate shall be vested with the powers, functions and privileges of an officer or member.

(5) Any person who ceases, for any reason, to be an officer or member shall forthwith surrender the certificate referred to in subsection (4) to any officer authorised by the Force Commander in this behalf.

(6) Officers and members of the Force shall wear such uniforms as may be prescribed by regulations.

5. Administration of the Force— (1) The administration of the Force shall vest in the Force Commander who shall administer it in accordance with the provisions of this Act, rules and such orders and instructions as may be made or issued by the Federal Government from time to time.

* The words "the Civil Aviation Ordinance, 1960"

(2) The Force Commander shall exercise his powers and perform his functions under the general supervision and direction of the *Federal Government.

CHAPTER III

6. Powers axed duties of officers and members— (1) An officer or member shall—

- (a) take effective measures for ensuring security of all airports, aerodromes, aircrafts and civil aviation installations[†] (within the limits of airports and aerodromes) and for safeguarding civil aviation against acts of unlawful interference;
- (b) safeguard aircraft passengers, baggage, cargo and mail within the limits of aerodromes and airports;
- (c) prevent unauthorised persons and vehicles from access to the airside or other areas important to the security of the aerodromes or airports;
- (d) require the operations of aircrafts registered in Pakistan to conform to the prescribed civil aviation security requirements;
- [‡](e) take effective measures for preventing, hijacking, sabotage, placement of car bombs, letter bombs and dangerous articles and carriage of arms and ammunitions into the restricted areas of the airports, aerodromes and aircraft except as authorised by him and shall as soon as he detects any contrabond on the person or in the baggage of any person checked by him notify it to the Customs staff available at the airports or aerodrome for appropriate action under the Customs Act, 1969 (IV of 1969);

* "Force Commander" substitute for "Director General" *ibid.*

[†] Added, *ibid.*

[‡] Substituted, *ibid.*

- (f) use such arms and ammunition and equipment as may be authorised by the Force Commander* (or an officer authorised by him) for the purposes of this Act;
- (g) search and arrest without warrant any person whom he suspects of endangering, or attempting to endanger, or having endangered, the safety of an aerodrome or airport or an aircraft or a civil aviation installation and may use such force as may be necessary in the discharge of his duties aforesaid; and
- (h) perform such other function as the competent authority may require him to perform.

[†](1A) The Force Commander may with the previous approval of the Federal Government call for military assistance in connection with post-landing and anti-hijacking operations at an airport or aerodrome, and when he does so, all officers and member and civil agencies operating at the airport or aerodrome shall function in accordance with the directions of the military authority rendering such assistance.

(2) An officer, for the purpose of this Act, shall exercise within the areas in which this Act apply all the powers conferred on an officer incharge of a police station under the Police Act, 1861 (V of 1861) and the Code of Criminal Procedure, 1898 (Act V of 1899).

CHAPTER IV

7. Liabilities of officers and members— (1) It shall be the duty of every officer and member promptly to obey and execute all order and instructions issued to him by any competent authority.

(2) Every officer and member shall be liable to serve wherever he is required to serve by the competent authority.

[‡](3) Omitted.

* Added, *ibid.*

[†] Added, *ibid.*

[‡] Omitted, *ibid.*

***7A. Officers and members to be subject to the Pakistan Army Act, 1952—** (1) Every officer and member of the Force shall, unless he is already so subject, be subject to the Pakistan Army Act, 1952 (XXXIX of 1952), hereafter in this Chapter referred to as the Act.

(2) The Force Commander shall, in respect of all officers and members of the Force, have all the powers conferred by or under the Act on an officer empowered to convene a general court martial.

(3) Subject to sub-section (2), the Federal Government may by general or special order, direct by what authority any jurisdiction, powers or duties incidental to the operation of the provisions of the Act shall be exercised or performed in respect of the Force.

†7B. Consequence of sentence of imprisonment— An officer or member of the Force who is sentenced to imprisonment for a term which is not less than ninety days shall be deemed to have been dismissed from the Force.

‡7C. Suspension— Any officer shall be competent to suspend in the prescribed manner a member of the Force working under him for any misconduct, remissness or negligence in the discharge of his duties.

§7D. Place of imprisonment— If a member of the Force sentenced under the Act to imprisonment for a term shorter than ninety days is also dismissed from service, he shall be imprisoned in the nearest prison or such other prison as the Federal Government may, by general or special order, direct; but if he is not so dismissed, he may be confined in a quarterguard or such other place as the Force Commander may consider suitable.

7E. Capture of deserters— (1) Whenever any person subject to the Act deserts, the Chief Security Officer shall give written information of the desertion to such civil authorities as in his opinion may be able to afford assistance towards the capture of the deserter and such authorities shall thereupon take steps for the apprehension of the said deserter in like manner as if he were a person for whose

* Added, *ibid.*

† Added, *ibid.*

‡ Added, *ibid.*

§ Added, *ibid.*

apprehension a warrant had been issued by a Magistrate, and shall deliver the deserter, when apprehended, into the custody of the Force.

(2) Any police officer may arrest without warrant any person whom he reasonably believes to be subject to the Act and a deserter or absentee without leave and bring him without delay before the nearest Magistrate to be dealt with according to law.

***7F. Appeal and revision—** (1) In all cases decided by the Deputy Director, Chief Security Officer or any other officer, a person aggrieved may, within thirty days of the order, appeal to the officer higher than the one awarding the punishment.

(2) A person aggrieved by an order of the Force Commander awarding any punishment may, within thirty days of the order, apply to the Federal Government for revision.

†7G. Appointment of officers and other members of the Force— (1) The Federal Government may, by notification in the official Gazette, appoint a Deputy Director and such number of Assistant Directors, Chief Security Officers, Security Officers and Asstt. Security Officers as it may think fit.

(2) The Force Commander may appoint within the cadre strength sanctioned by the Federal Government, such number of Inspectors, Sub-Inspectors, Assistant Sub-Inspectors, Selection Grade Security Guards and Security Guards as he may consider necessary for the efficient performance of the functions of the Force.

(3) The rank structure of the officers and other members of the Force vis-a-vis the Pakistan Army shall be such as may be prescribed by rules.

CHAPTER V

8. Indemnity— No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done, or intended to be done, under this Act or the rules or regulations.

* Added, *ibid.*

† Added, *ibid.*

9. Delegation of powers by the Federal Government— The Federal Government may, by notification in the official Gazette, delegate all or any of its powers under this Act, except those under Section 11, to the Force Commander or such officer as it may deem fit.

10. Delegation of powers by the Force Commander— The *Force Commander may, by notification in the official Gazette and with the prior approval in writing of the Federal Government delegate all or any of his powers under the Rules for the efficient functioning of the Force to any officer or authority subordinate to him.

11. Power to make rules— The Federal Government, may, by notification in the official Gazette, make rules

- (a) regulating the functions and powers of the officers;
- (b) regulating the classes and grades of, and the remuneration and awards to be paid to, the officers and members of the Force and conditions of service;

*(c) & (d) – Omitted.

- (e) generally for the purpose of carrying into effect the provisions of this Act.

12. Power to make regulations— The †Force Commander may, by notification in the official Gazette and with the approval in writing of the Federal Government, make regulations consistent with this Act and the rules for carrying out the purposes of this Act.

13. Repeal— The Airports Security Force Ordinance, 1975 (XII of 1975) is hereby repealed.

* Omitted, *ibid.*

† "Force Commander" substituted for "Director General", *ibid.*

FIRST SCHEDULE

(See Section No. 2 (k) and (1))

FORM OF AFFIRMATION

I, _____ solemnly affirm in the presence of ALMIGHTY ALLAH that I will bear true faith and allegiance to Pakistan and that I will, as in duty bound, honestly and faithfully serve in the Airports Security Force and go wherever I may be ordered by air, land or sea, and that I will observe and obey all commands of any officer set over me even to the peril of my life.

Signed in acknowledgement of the above having been read out to me.

PERSON ENROLLED

Dated: _____

Signed in my presence after I had ascertained that the person understand the purpose of what he signed.

Force Commander

or

Enrolling Officer

SECOND SCHEDULES

(See Section 4 (4))

CERTIFICATE

Mr _____ has been appointed as officer/member of the Airports Security Force under the Airports Security Force Act, 1975 (_____ of 1975) and is vested with the powers, functions and privileges of an officer/member of the Force.

*Force Commander

* "Force Commander" substituted for "Seal of Director General Civil Aviation", *ibid.*