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THE AIRPORTS SECURITY FORCE ACT, 1975

"ACT No. LXXVII OF 1975

[13th December, 1975]

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

WHEREAS it is expedient to provide for the constitution and regulation of the Airports Security Force for ensuring security of all aerodromes, airports, aircraft 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.—In this Act, unless there is anything repugnant in the subject or context;—

(a) "aerodrome" 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 thereto, 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 ;

'For Statement of Objects and Reasons, see Gaz. of P., 1975, Ext., Pt.III, p.1027.

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“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;

“air service” means a service of aircraft for any purpose of civil aviation, whether aerial work, public transport or otherwise ;

“air side” means the movement area of an aerodrome, adjacent terrain and buildings or portions thereof, access to which is controlled by the !*[force];

“competent authority” means any officer or authority designated as such by the Federal Government ;

“Force” means the Airports Security Force constituted under section 3 ;

?*[Director General] means the Commander incharge of the Force;

* * * * *

“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 ;

“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 ;

“operator” means a person, organisation or enterprise engaged in or offering to engage in aircraft operation ;

“prescribed” means prescribed by rules or regulations ;

“purposes of civil aviation” include all purposes connected with civil aviation and with air navigation, except purposes of defence by air ;

“regulations” means regulations made under this Act ; and

“rules” means rules made under this Act.

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Subs. and omitted by the Air Ports Security Force (Amdt.) Ordinance, 1984 (35 of 1984), s.3

*Subs by Act No.XXV of 2012, s 2

CHAPTER II

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

(a) ensuring security of all airports, aerodromes, aircraft and civil Aviation installations '[within the limits of airports and aerodromes] and for safeguarding civil aviation against acts of unlawful interference or threats of such interference ;

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

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(e) ensuring the proper conduct of persons at airports and aerodromes !* * * 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

(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 the Airports Security Force.- (1) The head of the Force shall be a >[Director General] 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, pension, allowances and other remuneration and shall enjoy such leave and other privileges as may be prescribed by rules from time to time.

"Ins. and omitted by the Air Ports Security Force (Amdt.) Ordinance, 1984 (35 of 1984),s.4.

Certain words which were previously subs. by Ord. 27 of 1981, s.3 and Sch.II have been omitted by the A (Amdt.) Ordinance, 1984 (35 of 1984),s.4

3Subs by Act No XXV of 2012, S.2.

(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 *[Director General] or such other officer as the *[Director General] may authorise in this behalf and by virtue of holding such certificate he 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 *[Director General] 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 *[Director General] 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.

(2) The *[Director General] shall exercise his powers and perform his functions under the general supervision *[and direction of the Federal Government].

CHAPTER III

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

(a) take effective measures for ensuring security of all airports, aerodromes, aircraft 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 air-side or other areas important to the security of the aerodromes of airports ;

(d) require the operations of aircraft registered in Pakistan to conform to the prescribed civil aviation security requirements ;

3[(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 contraband on the person or in the baggage of any person checked by him, notify it to the customs staff available at the airport or aerodrome for appropriate action under the Customs Act, 1969 (IV of 1969);]

'Subs by Act No XXV of 2012, S.2.

?Subs by the Airports Security Force (Amdt.) Ordinance, 1984,s.5.

3Ins .and subs ibit., s.6.

(f) use such arms and ammunition and equipment as may be authorised by the [Director General] 7[or an officer authorised by him] for the purposes of this Act ;

(g) search and arrest without warrant any person who 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 functions as the competent authority may require him to perform.

5[1A) The [Director General] 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 members and all 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 applies, all the powers conferred on an officer-in-charge of a police station under the ![Police Order, 2002 (Chief Executive's Order No. 22 of 2002)], and the Code of Criminal Procedure, 1898 Act (V of 1898).

7. Liabilities of officers and members. (1) It shall be the duty of every officer and member promptly to obey and execute all orders 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.

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'Subs by Act No XXV of 2012, S.2.

"Ins. Ibid

3Ins. by the Airports Security Force (amdt.) Ordinance 1984 (35 of 1984), s.6.

'Omitted ibid. , s.7.

"CHAPTER IV]

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 *[Director General] 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.

3[(4) Notwithstanding anything contained in any other law for the time being in force, except the authorities specified in sub-sections (1) and (2) of section 7F, no other authority, tribunal or court shall have jurisdiction to vary, modify; alter, annual, set aside, revise or review any order passed by any officer of the Force, authorised under the Pakistan Army Act, 1952 (XXXIX of 1952).]

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 mis-conduct, 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 quarter guard or such other place as the 7[Director General] 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 apprehension a warrant had been issued by a Magistrate, and shall deliver the deserter, when apprehended, into the custody of the Force.

'ns. *ibid.*, s. 8.

[°]Subs by Act No XXV of 2012, S.2.

New sub-section (4) added by the Airports Security Force (Amdt.) Act 1994, (16 of 1994),s.2.

(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 '[Director], a 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 '[Director General] 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-General (Coordination) and such number of Directors, Deputy Directors, Assistant Directors and Deputy Assistant Directors as it may think fit.]

(2) The '[Director General] may appoint, within the cadre strength sanctioned by the Federal Government, such number of Inspectors, Sub-Inspectors, Assistant Sub-Inspectors, '[Sergeants] and '[Corporals] 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 rule.]

"Subs by Act No XXV of 2012, SS.2.45.

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.

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 *[Director General] or such officer as it may deem fit.]

10. Delegation of powers by the Director-General. The *[Director General] 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 rewards to be paid to, the officers and members of the Force and their conditions of service;

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

12. Power to make regulations. The *[Director General] may, by notification in the official Gazette and with the prior 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] Omitted by the Federal Laws (Revision and Declaration) Ordinance, 1981 (XXVII of 1981), s.3 and Sch.,I.

'Ins. by the Airport Security Force (Amdt.) Ordinance 1984 (35 of 1984) S.9.

Subs. *ibid.*, s. 2.

3Subs by Act No XXV of 2012, S.5.

"For the Air Ports Security Force (Discipline) Rules, 1977, see S.R.O. No. 1027(1)/77, dated the 28th Oct Gaz. of P., 1977

Ext.. (Islamabad), Pt. II. pp. 1783—1787.

'Omitted by the Air Ports Security Force (Amdt.) Ordinance, 1984 (35 of 1984), s.11

FIRST SCHEDULE

[See section 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

Date... 0.006

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

! [Director General]

or

other Enrolling Officer.

ROMAN URDU TRANSLATION OF AFFIRMATION

Main..... 55 ee. ae ee Khuda-e-Taala ko Hazir-o-Nazir

Janker iman se igrar karta hun key main Pakistan ka sache dil se wafadar rahunga aur Airports Security Force men imandari aur wafadari se khidmat ka farz baja launga, aur hawa, khushki ya tari ke raste jahan bhi jane ka hukam melega jaonga aur jise mera afsar muqarar kia jaega uskey har hukam ki tamil aur pairwi karunga, khah usmen jan ka khatra ho.

SECOND SCHEDULE

[See section 4(4)]

CERTIFICATE

ML... . eee eee ee ee nsec eeeeeee es 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.

'Subs by Act No XXV of 2012, S.2.