

Suppression of Unlawful Acts of Violence at Airports serving international Civil Aviation

AN ACT TO GIVE EFFECT TO THE PROTOCOL FOR THE SUPPRESSION OF UNLAWFUL ACTS OF VIOLENCE AT AIRPORTS SERVING INTERNATIONAL CIVIL AVIATION, SUPPLEMENTARY TO THE CONVENTION FOR THE SUPPRESSION OF UNLAWFUL ACTS AGAINST THE SAFETY OF CIVIL AVIATION, SIGNED AT MONTREAL ON SEPTEMBER 23, 1971 ; AND TO PROVIDE FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

WHEREAS a Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on Twenty-third day of September, Nineteen Hundred and Seventy-one, was signed at Montreal on the twenty-fourth day of February, Nineteen Hundred and Eighty-Eight;

AND WHEREAS the said Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the suppression of Unlawful Acts Against the Safety of Civil Aviation signed at Montreal on September 23, 1971 (hereinafter referred to as " The Convention ") was acceded to, by the Government of Sri Lanka on the twenty-eighth day of October, Nineteen Hundred and Eighty-Eight ;

AND WHEREAS legal provision has been made to give effect to the Convention in Sri Lanka and it is necessary to make further legal provision to give effect to the provisions of the said Protocol in Sri Lanka.

NOW THEREFORE, BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows :-

[12th November , 1996]

Short title and date of operation. **1.** This Act may be cited as the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation Act, No. 31 of 1996 and shall come into operation on such date as the Minister, by Order published in the Gazette certifies as the date on which the Protocol on the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation signed in Montreal on the twenty-fourth day of February, Nineteen Hundred and Eighty-Eight enters into force in respect of Sri Lanka.

PART I

Minister to certify convention countries. **2.** The Minister may, from time to time, by order published in the Gazette, certify the countries which are parties to the Convention. A country in respect of which an order made under this section is in force, is hereinafter referred to as "a convention country".

Offences against the safety of civil aviation. **3.**
(1) Any person who, unlawfully and Intentionally, using any device, substance or weapon-
(a) performs an act of violence against a person at an airport serving international civil aviation, whether in, or outside Sri Lanka, which causes is likely to cause, serious injury or death ; or
(b) destroys or seriously damages the facilities or an airport serving international civil aviation, whether in, or outside Sri Lanka, or an aircraft not in service located thereon or disrupts the services of such airport, being in each case an act which endangers or is likely to endanger the safety at such airport, shall be guilty of an offence under this Act and shall on conviction after trial on indictment before the High Court, be liable to imprisonment of either description for a term which may extend to fifteen years or to a fine not exceeding two hundred thousand rupees, or to both such fine and imprisonment.

Jurisdiction of High Court. **4.**
(1) The High Court of Sri Lanka is hereby vested with Jurisdiction to hear, try and determine any offence, under this Act :
(2) The jurisdiction vested in the High Court by sub-section (1) shall be exercised by the High Court of Sri Lanka holden at Colombo.

Evidence. **5.** In any prosecution for an offence under this Act, a certificate under the hand of the Secretary to the Ministry of the Minister in charge of the subject of Foreign Affairs, to the effect that the airport described therein is an airport serving international civil aviation, shall be admissible in evidence without further proof and shall be prima facie evidence of the matters stated therein.

PART II

Amendment of the Extradition Law No. 5 of 1977 **6.** The Extradition Law, No, 8 of 1977, Is hereby amended in the schedule to that law, by the insertion, immediately before Part B thereof of the following :-
'40.

(a) An act of violence by the use of any device, substance, or weapon, against a person at an airport serving international civil aviation within the meaning of the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation Act, No. 31 of 1996, which causes, or is likely to cause serious injury or death, and being an act which endangers or is likely to endanger, safety of such airport,
(b) Destruction or serious damage to the facilities of an airport serving international civil aviation within the meaning of the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation Act, No. 31 of 1996 or aircraft not in service located thereon or the disruption or services of such airport, and being an act which endangers or is likely to safety of such airport."

Existing extradition arrangement deemed to provide for offences in the Schedule. **7.** Where there is an extradition arrangement in force, between the Government of Sri Lanka and a convention country, such arrangement shall be deemed, for the purposes of the Extradition Law, No. 8 of 1977 to include provision for extradition in respect of offences set out in the Schedule to this Act.

Minister may treat convention as extradition arrangement between Sri Lanka and convention country is respect of offences to the Schedule. **8.** Where there is no extradition arrangement in force, between the Government of Sri Lanka and a convention country, the Minister may, for the purposes of the Extradition Law, No. 8 of 1977, by Order published in the Gazette, treat the Convention including the Protocol as an extradition arrangement made by the Government of Sri Lanka with such convention country providing for extradition in respect of the offences set out in the Schedule to this Act.

Duty of Minister to notify requesting State of Measures taken against persons for whose extradition request is made. **9.** Where a request is made to the Government of Sri Lanka by or on behalf of the Government of a convention country for the extradition of any person accused or convicted of an offence specified in the Schedule to this Act the Minister shall, on behalf of the Government of Sri Lanka forthwith notify the Government of the requesting State of the measures which the Government of Sri Lanka has taken, or proposes to take for the prosecution or extradition of that person for that offence-

Sinhala text to prevail in case of inconsistency. **10.** In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.