



ASCENSION

REVISED EDITION OF THE LAWS, 2017

MARITIME AND AVIATION LAWS

PORT SECURITY ORDINANCE, 2006¹

*Ordinance A3 of 2006
In force 8 November 2006*

No amendments to 1 November 2017

No subsidiary legislation to 1 November 2017

PORT SECURITY ORDINANCE, 2006

ARRANGEMENT OF SECTIONS

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AN ORDINANCE to make provision to enforce provisions of the International Ship and Port Security Code in Ascension.

Short title

1. This Ordinance may be cited as the Port Security Ordinance, 2006.

Interpretation

2. In this Ordinance –
“port area” means –
 - (a) the whole of the area commonly known as ‘the pierhead’ in Georgetown, and comprising the Land Registration parcel number 2 in Block 2 in the

¹ Under section 10 of the Revised Edition of the Laws Ordinance, 1999 this text is authoritative and is the sole authentic edition in respect of the law contained in it as at 1 November 2017.

Georgetown Registration Section, together with that part of the sea which lies within 1000 metres of any part of the said land; and

(b) any other area or areas of land (including land covered by water) that the Governor declares to be a port area by notice in the *Gazette*;

“**port security officer**” means and includes the Harbour Master, every deputy or assistant harbour master, every customs officer, every police officer, and any other person appointed by the Administrator to be a port security officer.

Trespass in the port area

(1) Subject to subsection (1A) a person who, without the consent of a port security officer or other lawful authority, enters the port area or remains in the port area when requested to leave by a port security officer, commits an offence.

Penalty: A fine of £5,000 or imprisonment for 12 months, or both.

(1A) A person does not commit an offence under subsection (1) unless it is proved that the person entered the port area or remained in the port area when requested to leave by a port security officer at a time when the Harbour Master has caused a sign to be prominently displayed at the entrance to the pierhead to the effect that a person who enters the port area without the consent of a port security officer or remains in the port area when requested to leave by a port security officer commits an offence.

(2) If, in any proceedings for an offence under this section, the defendant claims that the defendant had the consent of a port security officer or other lawful authority, the defendant must prove that fact.

Unauthorised presence on board ship

4. (1) It is an offence for a person, not being a person who is either engaged in Her Majesty’s service or has lawful authority to do so or other reasonable excuse, to –

(a) go on board any relevant ship without the consent of the master or of any other person authorised to give it; or

(b) remain on board any relevant ship after being requested to leave by the master or a port security officer.

Penalty: A fine of £5,000 or imprisonment for 12 months, or both.

(2) In this section, “**relevant ship**” means any ship, lighter, boat, raft, or similar vessel which is within the port area.

Power to question and search

5. (1) A person entering the port area must –

(a) answer questions any port security officer may put to the person with respect to the purpose of the person’s entry, or concerning any baggage or other property carried with the person; and

(b) if so required by the port security officer, produce that baggage or other property for examination at a place and in a manner the officer directs.

(2) It is an offence for a person to –

(a) make a false statement to a port security officer, in relation to the purpose of

the person's entry, or concerning any baggage or other property carried with the person; or

- (b) refuse to produce any baggage or other property carried with the person when requested to do so in accordance with subsection (1).

Penalty: A fine of £5,000 or imprisonment for 12 months, or both.

Power of arrest

6. (1) *Omitted*

(2) A port security officer may arrest, without warrant, any person whom the officer has reasonable grounds to suspect is guilty of committing or attempting to commit an offence under this Ordinance.
