

Hijacking and Protection of Aircraft Bill

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Bill No: 4/1978

Read the first time: 31st January 1978

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Hijacking and Protection of Aircraft Bill

Bill No. 4/1978

Read the first time on 31st January 1978.

An Act to give effect to the Convention for the Suppression of Unlawful Seizure of Aircraft signed at The Hague on 16th December, 1970, and to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation signed at Montreal on 23rd September, 1971, and for purposes connected therewith.

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows: —

Short title and commencement

1. This Act may be cited as the Hijacking and Protection of Aircraft Act, 1978, and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Interpretation

2.—(1) In this Act, unless the context otherwise requires —

“act of violence” means —

- (a) any act done in Singapore which constitutes the offence of murder, attempted murder, culpable homicide not amounting to murder, voluntarily causing grievous hurt, voluntarily causing hurt by dangerous weapons or means, or an offence under —
 - (i) section 4 of the Arms Offences Act, 1973 (Act 61 of 1973);
 - (ii) section 3 or 4 of the Corrosive and Explosive Substances and Offensive Weapons Act (Cap. 97);
 - (iii) section 3 or 4 of the Explosive Substances Act (Cap. 99); or
 - (iv) section 3 of the Kidnapping Act (Cap. 101); and
- (b) any act done outside Singapore which, if done in Singapore, would constitute such an offence as is mentioned in paragraph (a);

“landing” includes alighting on water;

“military service” includes naval and air force service;

“unlawfully” —

- (a) in relation to the commission of an act in Singapore, means an offence that is (apart from this Act) constituted under any law in force in Singapore; and
- (b) in relation to the commission of an act outside Singapore, means the commission of the act that would (apart from this Act) have been an offence under any law in force in Singapore had it been committed in Singapore.

(2) For the purposes of this Act —

- (a) the period during which an aircraft is in flight shall be deemed to include any period from the moment when all its external doors are closed following embarkation until the moment when any such door is opened for disembarkation, and, in the case of a forced landing, any period until the competent authorities take over responsibility for the aircraft and for persons and property on board; and
- (b) an aircraft shall be taken to be in service during the whole of the period which begins with the preflight preparation of the aircraft for a flight and ends twenty-four hours after the aircraft lands having completed that flight, and also at any time (not falling within that period) while, in accordance with paragraph (a) the aircraft is in flight.

Hijacking

3.—(1) Subject to subsection (2) a person on board an aircraft in flight who unlawfully, by the use of force or by threats of any kind, seizes the aircraft or exercises control of it commits the offence of hijacking, whatever his nationality or citizenship, whatever the State in which the aircraft is registered and whether the aircraft is in Singapore or elsewhere.

(2) If the aircraft is used in military, customs or police service, subsection (1) shall not apply unless —

- (a) the person seizing or exercising control of the aircraft is a citizen of Singapore; or
- (b) his act is committed in or over Singapore; or
- (c) the aircraft is used in the military, customs or police service of the Republic of Singapore.

(3) A person who commits the offence of hijacking shall be guilty of an offence under this Act.

Violence against passengers or crew

4. Any act of violence against the passengers or crew of any aircraft in flight done by any person in connection with the offence of hijacking committed or attempted by him on board such aircraft shall be deemed to have been committed in Singapore and shall constitute an offence punishable under the law in force in Singapore applicable thereto, wherever the act of violence was committed, whatever the State of registration of the aircraft and whatever the nationality or citizenship of the offender.

Destroying, damaging or endangering safety of aircraft

5.—(1) Subject to subsection (4), any person who unlawfully and intentionally —

- (a) destroys an aircraft in service or so damages such aircraft as to render it incapable of flight or as to be likely to endanger its safety in flight; or
- (b) commits on board an aircraft in flight any act of violence which is likely to endanger the safety of the aircraft,

shall be guilty of an offence under this Act.

(2) Subject to subsection (4), any person who unlawfully and intentionally places or causes to be placed on an aircraft in service any device or substance which is likely to destroy the aircraft or is likely so to damage it as to render it incapable of flight or as to be likely to endanger its safety in flight shall be guilty of an offence under this Act; but nothing in this subsection shall be construed as limiting the circumstances in which the commission of any act —

- (a) may constitute an offence under subsection (1); or
- (b) may constitute attempting or conspiring to commit or abetting the commission of such offence.

(3) Except as provided by subsection (4), subsections (1) and (2) apply whether any such act therein mentioned is committed in Singapore or elsewhere, whatever the nationality or citizenship of the person committing the act or whatever the State in which the aircraft is registered.

(4) Subsections (1) and (2) do not apply to any act committed in relation to an aircraft used in military, customs or police service unless —

- (a) the act is committed in or over Singapore; or
- (b) where the act is committed outside Singapore, the person committing the act is a citizen of Singapore.

Other acts endangering or likely to endanger safety of aircraft