

BL 5-45

Regulations on the duty to report in connection with custody, disembarking and handing over of persons on board aircraft

Edition 5, 5 February 1997

In pursuance of § 41, subsection 10 of § 149 and § 153 of the Air Navigation Act, cf. Consolidation Order no. 162 of 7 March 1994, the Civil Aviation Administration - Denmark hereby stipulates on the authority of the Ministry of Transport:

1. Definition

Pilot-in-command:

The pilot responsible for the operation and safety of the aircraft during flight time.

2. Applicability

2.1 This BL lays down regulations for the duty to report for pilots-in-command in connection with custody, disembarking and handing over of persons in pursuance of §§ 43-45 of the Air Navigation Act.

2.2 The regulations in this BL apply to pilots-in-command on Danish aircraft and to pilots-in-command on foreign aircraft when the pilot-in-command exercised authority in accordance with paragraph 2.3.

2.2.1 An aircraft is considered Danish in this BL when it is Danish registered or is operated in accordance with a Danish operating permit, cf. subsection 2 of § 4 of the Air Navigation Act.

2.3 If in the legislation of the state of registry in question the pilot-in-command of a foreign aircraft has been given authority corresponding to §§ 43-45 of the Air Navigation Act, this authority may likewise be exercised within Danish territory.

3. Responsibility

The pilot-in-command shall be responsible for reporting in accordance with the regulations in this BL.

4. Duty to report in connection with custody

4.1 If the pilot-in-command has taken the person in custody on board, this shall be reported to the police or the air traffic service at the destination where the aircraft first lands after the person has been taken into custody. The report shall be given without delay and if possible before landing.

4.2 The report shall contain information on the reason for taking the person into custody and notification whether the person will be sent on or disembarked/handed over.

4.3 The report shall be given in all states where the aircraft lands as long as the custody is upheld.

5. Duty to report in connection with disembarking

5.1 If the pilot-in-command disembarks a person from the aircraft who he has reason to believe has committed or has intended to commit an act that is or may be hazardous to the safety of the aircraft, or who hinders the maintenance of good order on board, this shall without delay be reported to the police or the air traffic service at the destination where the person in question is disembarked.

5.2 The report shall contain information on the reason for disembarking the person in question.

6. Duty to report in connection with handing over

6.1 If the pilot-in-command has reason to believe that a person has committed a serious crime on board and therefore intends to hand over the person in question to the authorities when the aircraft lands, this shall be reported to

the police or the air traffic service at the destination where the landing will be made. The report shall be given without delay and if possible before landing.

6.2 The report shall contain information on the reason for the handing over of the person in question.

6.3 If a person on board a Danish aircraft is handed over to a foreign authority, the pilot-in-command shall without delay report to the Chief of Police about this.

7. Punishment

Violation of the regulations in Parts 4, 5 and 6 will be punished by fine in pursuance of subsection 10 of § 149 of the Air Navigation Act.

8. Implementation

This BL comes into force on 1 March 1997.

Civil Aviation Administration - Denmark, 5 February 1997

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