

EXPLANATORY STATEMENT

Select Legislative Instrument 2006 No. 320

Minute No. 44 of 2006 - Minister for Transport and Regional Services

Subject - *Aviation Transport Security Act 2004*

Aviation Transport Security Amendment Regulations 2006 (No. 5)

The *Aviation Transport Security Act 2004* (the Act) establishes a regulatory framework to protect the security of civil aviation in Australia.

Section 133 of the Act provides that the Governor-General may make regulations, not inconsistent with the Act, prescribing matters required or permitted by the Act to be prescribed, or necessary or convenient to be prescribed for carrying out or giving effect to the Act.

The Act is amended by Schedule 1 to the *Aviation Transport Security Amendment Act 2006* (the Amendment Act) to establish a statutory framework for a new system of event zones that will be used to manage events and activities that have special security requirements that fall outside routine operations at Australia's 187 security controlled airports.

Schedule 1 to the Amendment Act will commence by Proclamation on 4 December 2006. Section 4 of the *Acts Interpretation Act 1901* authorises the making of regulations between the passing and commencement of an Act but such regulations do not commence before the commencement of the Act upon which they rely for their authority.

The purpose of the amendment Regulations is to amend the *Aviation Transport Security Regulations 2005* (the Principal Regulations) to prescribe one type of airside event zone and one type of landside event zone, and to prescribe requirements and offences in relation to these new types of zone.

New section 31B of the Act provides that the Regulations may prescribe different types of *airside event zone*. New section 36A of the Act further provides that regulations may, for the purposes of safeguarding against unlawful interference with aviation, prescribe different requirements in relation to each type of airside event zone. Subsection 36A(3) provides that the regulations may prescribe penalties for offences against section 36A. The maximum penalty that may be prescribed is 200 penalty units for an airport operator or aircraft operator, 100 penalty units for any other aviation industry participant, and 50 penalty units for an individual.

New section 33B of the Act provides that the Regulations may prescribe different types of *landside event zone*. New section 38A of the Act further provides that regulations may, for the purposes of safeguarding against unlawful interference with aviation, prescribe different requirements in relation to each type of airside event zone. Subsection 38A(3) provides that the regulations may prescribe penalties for

offences against section 38A. The maximum penalty that may be prescribed is 200 penalty units for an airport operator or aircraft operator, 100 penalty units for any other aviation industry participant, and 50 penalty units for an individual.

The amendment Regulations prescribe:

- the *airside special event zone* as the only type of *airside event zone* that is prescribed;
- the *landside special event zone* as the only type of *landside event zone* that is prescribed;
- the information that must be included in an application to establish an event zone;
- regulations that apply to the operation of event zones; and
- offences related to event zones.

A Regulation Impact Statement is not required for the amendment regulations because they are of a minor or machinery nature. The compliance costing is discussed at Attachment A.

Attachment B explains the concept of event zones and the scope of the amendment Regulations.

Attachment B explains each clause of the amendment Regulations.

The Act specifies no conditions that need to be satisfied before the power to make the amendment Regulations may be exercised.

The amendment Regulations are a legislative instrument for the purposes of the *Legislative Instruments Act 2003*.

The amendment Regulations commence on 4 December 2006, to coincide with the commencement of Schedule 1 to the Amendment Act.

Authority: Sections 31B, 33B, 36A, 38A
and 133 of the *Aviation
Transport Security Act 2004*

REGULATION IMPACT STATEMENT

The Office of Best Practice Regulation (OBPR) has advised that no regulation impact statement is required for these Regulations because they are of a minor or machinery nature.

In general terms, the new scheme of event zones is expected to be neutral in terms of cost to business but to be simpler than existing arrangements to understand and operate.

COMPLIANCE COSTING

Non-routine events and activities are already managed at security controlled airports under the existing regulatory framework, but the existing regulations are cumbersome for the management of events and activities that are not part of routine airport operations.

The new scheme of event zones has been specifically designed to provide a simple legal mechanism with which the aviation industry can manage the security risks that are associated with managing events at airports.

The costs to business in managing the security of particular events were not included in the compliance costing because the new scheme of event zones does not make any changes to the existing security requirements for managing airport events.

- There are real costs for the aviation industry in appropriately managing the security requirements of each particular event at an airport, but these costs are already borne by industry and are independent of whether any particular event is conducted within one of the new event zones or is conducted within some other part of the airport.
- The advantages of the new event zone scheme lie in the simplification of legal regulation (making it easier to understand and comply with security requirements) and in more flexible framework arrangements for managing events and activities within event zones (and in particular, a reduction in the number, and an increase in the clarity, of the legal instruments).

The principal cost to business is expected to be limited to making a different kind of application for running an event, but in practice these costs are not expected to be significantly different to the existing burden in applying to manage an event at an airport by varying the boundary or use of an existing airport area or security zone.

The Business Cost Calculator was used to estimate the likely change in compliance costs to business. The net change in compliance costs to industry is expected to be insignificant.

Aviation Transport Security Amendment Regulations 2006 (No. 5)

OVERVIEW OF EVENT ZONES

Schedule 1 to the *Aviation Transport Security Amendment Act 2006* (the Amendment Act) amends the *Aviation Transport Security Act 2004* (the Act) to permit the *Aviation Transport Security Regulations 2005* (the Regulations) to prescribe a system of event zones for managing activities and events at security controlled airports within Australia.

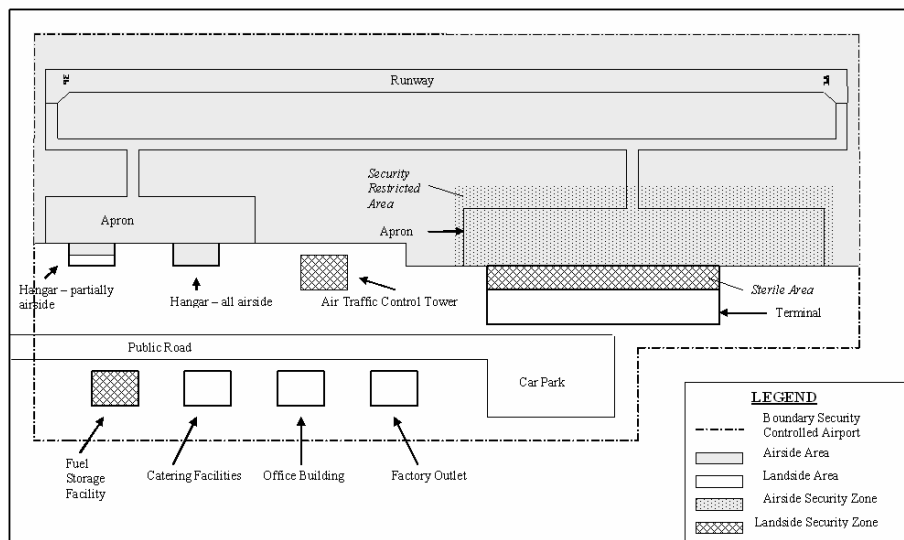
The event zone amendments to both the Act and the Regulations commence on 4 December 2006.

Airport areas and zones

Each of Australia's 187 *security controlled airports* is divided into a system of areas and zones that have different entry and security requirements.

Every security controlled airport is divided into an *airside area* ('airside') where tighter security requirements apply, and the *landside area* ('landside') which is normally accessible to the general public. In addition, both airside and landside areas may contain *airside security zones* and *landside security zones* where even stricter entry and security arrangements apply.

The following diagram (*not to scale*) shows how the scheme of areas and zones might be applied at a hypothetical high volume airport from which screened air services depart:



A security controlled airport that does not handle screened air traffic is always divided into an airside area and a landside area, but it need not have any security zones. The existence of a *sterile area* (a type of landside security zone) and a *security restricted area* (a type of airside security zone) at a particular airport normally implies that a screened air service departs from that airport.

The new system of event zones is modelled on the existing system of security zones. There are two important differences between the existing security zones and the new event zones:

- depending on the nature of the event or activity that is being managed within a particular event zone, an event zone may be subject to *less strict* security rules than apply to a security zone (which generally implies a stricter level of security), and
- the Act provides that the notice that is used to create an event zone may be drafted more flexibly than the notice that creates a security zone, so an event zone notice may specify that an event zone operates intermittently, and the notice may also specify when an event zone ceases to be in force. This is because most event zones are ephemeral in nature and a single simplified notice reduces the administrative burden both for industry and government. By contrast, security zones are generally permanent or semi-permanent features within an airport and a separate notice is always needed to remove a security zone.

Meaning of “event”

For the purposes of using an event zone, an event is any activity that can sensibly be managed within a precise area that can be specified on the map of the airport that is contained in the notice that creates the event zone.

Possible uses of event zones include:

- airshows in the airside area;
- community or commercial activities that use airport facilities, such as motor sports at regional airports, or any other use of airport facilities (such as hangars, or open space);
- official activities, such as the arrival or departure of foreign dignitaries or other celebrities;
- ceremonial activities, such as ceremonies for arriving or departing military or police personnel;
- activities that are associated with persons or human remains that are travelling on humanitarian flights;
- commercial activities, such as the opening of a new hangar or the display of a new aircraft;
- exercises and drills that are closely associated with airport safety and security but which do not fit neatly into the routine system of airport areas and security zones;
- unusual but predictable aviation situations, such as an identified area within the airport where an arriving overseas aircraft could be isolated for quarantine purposes pending the granting of pratique, or where an emergency drill might be prepared or conducted (for example, a simulated aircraft crash landing).

When an event zone is “in force”

In understanding when an event zone is *in force*, it is important to understand that:

- an event zone will always be superimposed within the existing airside area (for an airside special event zone) or the landside area (for a landside special event zone) and may also cover or overlap existing security zones within the airside area or landside area;
- an airside special event zone cannot overlap the landside area, and a landside special event zone cannot overlap the airside area;
- where an event zone covers an existing area or security zone, that area or security zone does not cease to exist while the event zone is in force: instead, the legal rules that apply to event zones prevail;
- the notice that establishes a particular airside special event zone or landside special event zone must specify the period when the zone comes into force, and may also (optionally) specify the period during which the event zone remains in force; and
- it is possible for an event zone notice to provide that an event zone is in force intermittently, with the result that an event zone can be designed so that it is turned on and off as needed in a predictable way.

In general terms, the Regulations do not apply to an event zone unless that event zone is *in force*. Accordingly, many of the new regulations expressly refer to an event zone “that is in force” to ensure that they are not interpreted as referring to the event zone when it is intermittently inoperative. In the case of an event zone that operates intermittently, the Regulations for event zones only apply when that event zone is active (“in force”).

In contrast to a notice which creates an airport security zone (ss 30(1) & 32(1)), a notice that establishes an event zone (ss 31A(1) & 33A(1)) may specify the time when an event zone is to be in force in various ways, including:

- from a specified date and time: for example, ‘from 9:30 am on Monday 18 December 2006’: if no closing time or event is specified, the event zone would continue in force indefinitely until a second notice is made to revoke the event zone notice;
- from the occurrence of a specified event: ‘from a time two hours after the departure of the last schedule air service on Monday 18 December 2006’;
- until a specified date and time, or during a specified period of time (for example, ‘for three hours’), or until a specified event;
- intermittently: for example, ‘every Tuesday afternoon between 1.30 pm and 6.00 pm’ or ‘during the times that the airport operator notifies the Secretary that the relevant part of the airport operator’s transport security plan will operate so as to facilitate the arrival or departure of a dignitary’;
- indefinitely: for example, if an event notice does not specify a time when the zone ceases to be in force, the event zone would remain in force until the Secretary revokes the event zone notice.

Using a transport security program (TSP) in conjunction with an event zone

Just as it was not feasible for the Amendment Act to amend the Act to provide for a comprehensive set of general rules that would apply to every possible event in every possible event zone at every security controlled airports, it is not feasible to design regulations to perform that task because of three important constraints:

- Security controlled airports vary greatly in both size and the complexity of their operations, ranging from high volume international airports (such as Sydney, Melbourne and Brisbane) to very low volume regional airports which may only have one or two small flights each week.
- There is enormous variation in the size and complexity of the various types of event and activity that airport operators may wish to stage in an event zone.
- The level of security risk at any given airport varies widely depending on the type of event, whether the event involves an essential activity (such as an emergency drill), and any changes over time in relevant circumstances. At any given time, the spectrum of risk ranges from negligible (such as holding a small-scale community event that uses the infrastructure of a small regional airport on a day when there are no public transport services) to high potential risk (such a measures that are related to the arrival of a foreign head of state at a busy international airport).

In these circumstances, the Regulations adopt the strategy of managing the security risks of a particular event by combining the minimum necessary level of regulations with relevant alterations to the *transport security program* (TSP) of the event zone manager.

The *event zone manager* is the person who applied to the Secretary for the establishment of an event zone and who manages an event zone if one is established. This person will typically be the airport operator but may sometimes be an aviation industry participant (such as an airline) who has exclusive control over entry into the event zone.

All event zone managers must have a TSP that covers their operations at the airport. It is an offence (section 14 of the Act) for an aviation industry participant to fail to comply with its TSP.

Because it is not possible to design simple and comprehensive legal rules that would cover every contingency in every class of airport, the simplest way to achieve a highly targeted response to security in any given event zone will be for the Secretary's delegate to require the event zone manager to make alterations to its TSP to make provision for the event zone.

The Act provides alternative mechanisms for making changes to a TSP to allow for an event zone:

- An aviation industry participant can apply to the Secretary to *alter* its TSP under section 23A of the Act. This process is likely to be attractive for simple changes to the TSP which are both easy to understand and which do not require a thorough revision of the entire TSP. For example, all of the necessary changes to a TSP that are needed to manage a complex event such as an airshow in a particular event zone might be specified in an entirely self-

contained Attachment or Annex to an existing TSP. An alteration to a TSP under section 23A does not affect the expiry date of the TSP.

- An aviation industry participant can also apply to the Secretary under section 22 of the Act to *revise* its TSP. This process is likely to be somewhat more complicated than the section 23A approach because under section 22 the entire TSP is fully scrutinised with a view to extending the date on which the TSP will expire.

SCOPE OF THE REGULATIONS

These amendments to the Aviation Transport Security Regulations specify those matters that must be prescribed before the system of event zones can commence, in particular:

- the airside special event zone is the only type of airside event zone prescribed; and
- the landside special event zone is the only type of landside event zone prescribed.

In addition, the amendments to the Regulations prescribe:

- the information that must be included in an application to establish an event zone;
- regulations which apply to the operation of event zones; and
- offences related to event zones that are in force.

Details of the Aviation Transport Security Amendment Regulations 2006 (No. 5)

Regulation 1 – Name of Regulations

The title of the Regulations is the *Aviation Transport Security Amendment Regulations 2006 (No. 5)*

Regulation 2 – Commencement

The Regulations commence on 4 December 2006, to coincide with the Proclamation of the commencement of Schedule 1 to the *Aviation Transport Security Amendment Act 2006* (the Amendment Act) which makes amendments to the *Aviation Transport Security Act 2004* (the Act).

Regulation 3 – Amendment of Aviation Transport Security Regulations 2005

The *Aviation Transport Security Regulations 2005* (the Principal Regulations) are amended as set out in Schedule 1.

Schedule 1 – Amendments

Item [1] – new regulations 3.02A and 3.02B

Item 1 inserts new regulation 3.02A and new regulation 3.02B into the Principal Regulations.

New section 31B of the Act provides that regulations may prescribe different types of airside event zone. New regulation 3.02A prescribes a single type of airside event zone, namely the *airside special event zone*.

New section 33B of the Act provides that regulations may prescribe different types of landside event zone. New regulation 3.02A prescribes a single type of landside event zone, namely the *landside special event zone*.

The intention has been to keep the legislation for event zones as simple as possible by prescribing just one type of event zone in the airside area, and one type of event zone in the landside area. The security risks that are associated with any given event zone will be managed by specific changes to the relevant transport security program. This arrangement is expected to provide a simple yet highly targeted solution to prevent unlawful interference with civil aviation while at the same time minimising administrative overheads for both event zone organisers and government.

Item [2] – new Part 3A

Item 2 insets new Part 3A into the Principal Regulations. Part 3A deals with airside and landside special event zones.

Division 3A.1 – Preliminary

New Division 3A.1 of the Principal Regulations defines terms that are used throughout Part 3A.

Regulation 3A.01 - Definitions

New regulation 3A.01 defines two key terms that are used in conjunction with event zones.

- The *airside special event zone manager* for a particular airside special event zone is the aviation industry participant who applied to the Secretary to create the event zone. The Secretary (or a delegate) creates an airside special event zone by giving the airport operator a notice: see subsection 31A(1) of the Act. The airside special event zone manager will normally be the airport operator, but will sometimes be an aviation industry participant (such as an airline) that has exclusive control over entry into the particular part of the airport (such as a hangar) where the airside special event zone is to be created.
- The *landside special event zone manager* for a particular landside special event zone is the aviation industry participant who applied to the Secretary to create the event zone. The Secretary (or a delegate) creates a landside special event zone by giving the airport operator a notice: see subsection 33A(1) of the Act. The landside special event zone manager will almost always be the airport operator, but may be an aviation industry participant (such as an airline) that has exclusive control over entry into the particular part of the airport (such as a particular hangar) where the landside special event zone is to be created.

Division 3A.2 – Airside special event zones

New Division 3A.2 of the Principal Regulations deals with airside special event zones.

Subdivision 3A.2.1 – Application for an airside special event zone

New Subdivision 3A.2.1 of the Principal Regulations deals with applications to establish an airside special event zone.

Regulation 3A.02 – Application for an airside special event zone

New regulation 3A.02 deals with applications to create an airside special event zone.

- Subregulation (1) provides that the application must be in writing.
- Subregulation (2) specifies information that the application must contain, including the name of the applicant (this is the person who will become the *airside special event zone manager* if the application is successful), a detailed map of the proposed airside special event zone, a description of the proposed event together with details of the timing of the event, an estimate of the number of people who are likely to attend and a description of security risks and an explanation of how the event zone manager will deal with these risks. An important feature of the application is the requirement to explain how the estimated number of attendees was estimated and how the security risks were identified.
- Subregulation (3) requires the application to include details of any proposed changes to the applicant's transport security program (TSP). If the event zone applicant is not the airport operator, the Secretary (or a delegate) may need to

consider the proposed changes to the applicant's TSP in conjunction with the TSP of the airport operator before deciding whether to create the event zone.

Regulation 3A.03 – Further information about applications

New subregulation 3A.03(1) authorises the Secretary to request further information about an application to create an airside special event zone, and new subregulation (2) permits the Secretary (or a delegate) to refuse to consider the application until the further information is given. This provision is designed to ensure that an airside special event zone will not be created until the application has been fully explained to the Secretary (or a delegate's) satisfaction.

Regulation 3A.04 – Notices

Subsection 31A(1) of the Act requires the Secretary to give a notice (which includes a detailed map of the event zone: subsection 31A(2)) that establishes an airside event zone to the airport operator. In circumstances where the *airside special event zone manager* is not the airport operator, new regulation 3A.04 will require the Secretary to give a copy of the notice to the airside special event zone manager.

Subdivision 3A.2.2 – Requirements for airside special event zones

New Subdivision 3A.2.2 of the Principal Regulations prescribes regulations that apply to airside special event zones.

Regulation 3A.05 – Requirements for airside special event zones

New subsection 31A(7) of the Act provides that those parts of the Regulations that apply generally to the *airside area* of an airport will not apply to an airside event zone that is in force, and that those parts of the Regulations that apply to an *airside security zone* will not apply to those parts of an airside event zone that is in force and that overlap an airside security zone. This provision was designed so that none of the existing regulations would automatically apply to an airside event zone to provide maximum flexibility in prescribing regulations that apply to airside event zones.

New subregulation 3A.05 is made in reliance on both section 36A of the Act (which authorises the making of regulations for airside event zones to safeguard against unlawful interference with aviation) and on section 133 (the general power to make regulations).

New subregulation 3A.05(1) provides that the requirements in the Regulations that apply to the airside area of an airport are prescribed with respect to airside special event zones.

New subregulation 3A.05(2) specifies a single exception to the general rule in subregulation 3A.05(1), namely that there is no requirement to display an aviation security identification card (ASIC) or visitor identification card (VIC) in an airside special event zone. It is not considered feasible to require an airside event zone manager to obtain identification cards for all the people who may attend an event, and this requirement is not necessary if the event zone is organised so that attendees are properly supervised and prevented from entering more sensitive and secure parts of the airport.

Subdivision 3A.2.3 – Offences relating to airside special event zones

New Subdivision 3A.2.3 of the Principal Regulations prescribes two offences that are related to airside special event zones.

Regulation 3A.06 – Offence if person moves out of airside special event zone

New regulation 3A.06 provides that a person who is in an *airside special event zone* that is in force will commit an offence (penalty: 20 penalty units) if the person moves out of the event zone into:

- any part of an adjoining landside security zone that is not part of a landside special event zone that is in force, or
- any part of an adjoining airside security zone that is not itself part of an airside special event zone that is in force, or
- any other part of the airside area that is not part of an airside special event zone that is in force.

The new offence does not apply where a person moves from inside an airside special event zone that is in force into an adjoining airside or landside special event zone that is in force. For example, some complex events may be managed by establishing more than one event zone, and the event zone manager may (as a condition of entry to the event) impose different entry conditions for the different event zones. The conditions of entry between event zones are a private matter between the event zone manager and the people who attend or participate in the event. New regulation 3A.06 only applies where a person moves into a more secure part of the airport that is not part of an event zone that is in force.

This is also the case even where two quite separate events being held at the same time in adjoining event zones. The regulation 3A.06 offence is not intended to apply to a person who moves from one event to an adjoining (and unrelated) event zone even if this movement is without the permission of the relevant event zone manager.

Regulation 3A.07 – Offence if airside special event zone manager allows unauthorised movement

An *airside special event zone manager* [defined in new subregulation 3A.01(1)] will commit the new offence in new regulation 3A.07 if an airside special event zone is in force and the event zone manager permits a person (called the *transient person*) to move from the event zone into another part of the airport that the transient person is not authorised to enter by the Act or Principal Regulations. The maximum penalty for this offence is 20 penalty units.

The purpose of this offence is to ensure that an event zone manager will provide sufficient security for an event zone to ensure that the people who attend an event at an airport will not be able to enter areas or zones where they are not intended to be. Because it is not an offence for a person to move from one event zone into an adjoining event zone, the new regulation 3A.07 offence only applies if the transient person moves without authority into:

- a part of an adjoining landside security zone that is not part of a landside special event zone that is in force, or

- a part of an adjoining airside security zone that is not itself part of an airside special event zone that is in force, or
- a part of the airside area that is not part of an airside special event zone that is in force.

Division 3A.3 – Landside special event zones

New Division 3A.3 of the Principal Regulations deals with landside special event zones.

Subdivision 3A.3.1 – Application for an landside special event zone

New Subdivision 3A.3.1 of the Principal Regulations deals with applications to establish a landside special event zone.

Regulation 3A.08 – Application for a landside special event zone

New regulation 3A.08 deals with applications to create a landside special event zone.

- Subregulation (1) provides that the application must be in writing.
- Subregulation (2) specifies information that the application must contain, including the name of the applicant (this is the person who will become the *landside special event zone manager* if the application is successful), a detailed map of the proposed landside special event zone, a description of the proposed event together with details of the timing of the event, an estimate of the number of people who are likely to attend and a description of security risks and an explanation of how the event zone manager will deal with these risks. An important feature of the application is the requirement to explain how the estimated number of attendees was estimated and how the security risks were identified.
- Subregulation (3) requires the application to include details of any proposed changes to the applicant’s transport security program (TSP). If the event zone applicant is not the airport operator, the Secretary (or a delegate) may need to consider the proposed changes to the applicant’s TSP in conjunction with the TSP of the airport operator before deciding whether to create the event zone.

Regulation 3A.09 – Further information about applications

New subregulation 3A.09(1) authorises the Secretary to request further information about an application to create a landside special event zone, and new subregulation (2) permits the Secretary (or a delegate) to refuse to consider the application until the further information is given. This provision is designed to ensure that a landside special event zone will not be created until the application has been fully explained to the Secretary’s (or delegate’s) satisfaction.

Regulation 3A.10 – Notices

Subsection 33A(1) of the Act requires the Secretary to give a notice (which includes a detailed map of the event zone) that establishes a landside event zone to the airport operator. In circumstances where the *landside special event zone manager* is not the airport operator, new regulation 3A.10 will require the Secretary to give a copy of the notice to the landside special event zone manager.

Subdivision 3A.3.2 – Requirements for landside special event zones

New Subdivision 3A.3.2 of the Principal Regulations prescribes regulations that apply to landside special event zones.

Regulation 3A.11 – Requirements for landside special event zones

Subsection 33A(7) of the Act provides that those parts of the Regulations that apply generally to the *landside area* of an airport will not apply to a landside event zone that is in force, and that those parts of the Regulations that apply to a *landside security zone* will not apply to those parts of a landside event zone that is in force and that overlap a landside security zone. This provision was designed so that none of the existing regulations would automatically apply to a landside event zone so that there would be maximum flexibility in prescribing regulations that apply to landside event zones.

New subregulation 3A.11 is made in reliance on both section 38A of the Act (which authorises the making of regulations for landside event zones to safeguard against unlawful interference with aviation) and on section 133 (the general power to make regulations).

New subregulation 3A.11(1) provides that the requirements in the Regulations that apply to the landside area of an airport are prescribed with respect to landside special event zones.

New subregulation 3A.11(2) specifies a single exception to general rule in subregulation 3A.11(1), namely that there is no requirement to display an aviation security identification card (ASIC) or visitor identification card (VIC) in a landside special event zone. It is not considered feasible to require a landside event zone manager to obtain identification cards for all the people who may attend an event, and this requirement is not necessary if the event zone is organised so that attendees are properly supervised and prevented from entering more sensitive and secure parts of the airport.

Subdivision 3A.3.3 – Offences relating to landside special event zones

New Subdivision 3A.3.3 of the Principal Regulations prescribes two offences that are related to landside special event zones.

Regulation 3A.12 – Offence if person moves out of landside special event zone

New regulation 3A.12 provides that a person who is in a *landside special event zone* that is in force will commit an offence (penalty: 20 penalty units) if the person moves out of the event zone into:

- any part of the airside area (which includes any airside security zones) that is not part of an airside special event zone that is in force; or
- any part of a landside security zone that is outside a landside special event zone that is in force.

The new offence does not apply where a person moves from inside a landside special event zone that is in force into an adjoining landside or airside special event zone that is in force. The reasoning behind this setting is discussed above under regulation 3A.06.

Regulation 3A.13 – Offence if landside special event zone manager allows unauthorised movement

An *landside special event zone manager* [defined in new subregulation 3A.01(2)] will commit the new offence in new regulation 3A.13 if a landside special event zone is in force and the event zone manager permits a person (called the *transient person*) to move from the event zone into another part of the airport that the transient person is not authorised to enter by the Act or Principal Regulations. The maximum penalty for this offence is 20 penalty units.

The purpose of this offence is to ensure that an event zone manager will provide sufficient security for an event zone to ensure that the people who attend or participate in an event at an airport will not be able to enter areas or zones where they are not intended to be.