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## PART 19

# AVIATION SECURITY

### DIVISION 1 - GENERAL

#### 19.1 INTERPRETATION

In this Division;

“**Air navigation facility**” means any building, or other structure or installation or equipment that is provided for use in connection with the navigation of aircraft or for the purpose of air traffic service.

“**Airport**” means an aerodrome certified under these Regulations with facilities for the embarkation and disembarkation of passengers or cargo;

“**Aerodrome operator**” means Maldives Airports Company Ltd, and any other certified aerodrome operator to which this regulation applies;

“**Goods**” means anything taken on an aircraft as personal belongings, baggage or cargo;

#### 19.2 NATIONAL SECURITY SERVICE AND MALDIVES POLICE SERVICE

The provisions of this Part are without prejudice to the powers of the National Security Service, Maldives Police Service and, in particular, a member of the National Security Service or Maldives Police Service while on duty has the power of an airport security officer.

### DIVISION 2 - AIRPORT SECURITY

#### 19.3 APPLICATION

This Division applies to airports serving international civil aviation in the Republic of Maldives or to such other certified aerodrome as the Director may specify.

#### 19.4 AIRPORT SECURITY SERVICE

There may be established by aerodrome operator a service to be called Airport Security Service, (the officers of which are to be entitled Airport Security Officers) under the direction and administration of aerodrome operator.

## **19.5 FUNCTIONS OF AIRPORT SECURITY SERVICE**

The Airport Security Service shall:-

- (a) carry out screening of persons and baggage and, where necessary, search of persons, baggage, cargo, aircraft, airports and air navigation facilities
- (b) carry out airport security patrols and patrol of air navigation facilities;
- (c) review, inquire into, and keep itself informed on, security techniques, systems, devices, practices and procedures relating to the protection of civil aviation and persons employed or using it;
- (d) co-operate with the National Security Service and Maldives Police Service, Government Departments, airline operators and the airport security service of other states and with appropriate international organizations;
- (e) keep under review, and make recommendations for the acceptance of standards and recommended practices concerning aviation security adopted under International Convention; and
- (f) perform any other function conferred upon it by any other law.

## **19.6 DESIGNATION OF AIRPORTS AND FACILITIES**

The Director may designate an airport or an air navigation facility as a security airport or a security facility respectively, and may revoke any such designation.

## **19.7 POWER OF ENTRY OF AIRPORT SECURITY OFFICER**

An Airport Security Officer may enter any designated airport or designated facility or any aircraft or vehicle or vessel (including any vessel in the vicinity of the airport or facility) or place in any designated airport or designated facility for the purpose of exercising his functions.

## **19.8 DECLARATION OF SECURITY AREAS IN AIRPORTS**

Aerodrome operator may for security reasons declare, by means of prominently displayed signs, that an area within a designated airport or a designated facility is a security area.

## **19.9 LIMITATION OF ACCESS TO SECURITY AREAS**

No person except an Airport Security Officer may enter or remain in a security area unless authorized by aerodrome operator or by a person authorized by aerodrome operator to grant such authority.

## **19.10 IDENTIFICATION OF PERSONS WITHIN A SECURITY AREA**

On the request of an Airport Security Officer a person within a security area shall state his name and his address (and produce satisfactory evidence thereof), the purpose of his presence and his authority to be there.

**19.11 DIRECTION TO PERSONS TO LEAVE SECURITY AREA**

An Airport Security Officer may order a person to leave a security area who has failed or refused to give satisfactory evidence of his name and address under Regulation 19.10 or who has failed to satisfy the Airport Security Officer of his authority to be there.

**19.12 REMOVAL OF PERSONS FROM SECURITY AREA**

If a person fails to comply immediately with an order under Regulation 19.11 the airport security officer may remove that person from the security area.

**19.13 OFFENCES**

A person commits an offence, who being found in a security area:-

- (a) does not comply with Regulation 19.10; or
- (b) fails or refuses to leave the area immediately on being ordered to do so under Regulation 19.11.

**19.14 DETENTION OF PERSONS FOUND IN SECURITY AREAS**

A person who commits an offence against Regulation 19.13 and after being so warned, persists in the commission of the offence may be detained by an Airport Security Officer who shall as soon as practicable deliver the person to a member of the Maldives Police Service.

**19.15 PASSENGERS PASSING THROUGH SECURITY AREAS**

A person embarking or disembarking directly through gateways or through areas (approved for the purpose by aerodrome operator) shall be deemed to be authorized to pass through any security areas in which the gateways and through areas are situated.

**19.16 DETENTION OF PERSONS COMMITTING CRIMES**

An Airport Security Officer may detain any person on or in the vicinity of any designated airport or designated facility if he has reasonable grounds to believe that an offence has been, is about to be, or is being, committed against Penal Code of Maldives and he shall, as soon as may be practicable, deliver any person whom he has detained to a member of the Maldives Police Service.

**19.17 IMPERSONATION OR OBSTRUCTION OF AIRPORT SECURITY OFFICERS**

A person commits an offence who:-

- (a) not being an Airport Security Officer, by any means, or in any fashion, holds himself out as an Airport Security Officer;
- (b) intentionally obstructs, or incites or encourages any person to obstruct, an Airport Security Officer in the execution of his duty.

### **19.18 SCREENING OF PASSENGERS AND BAGGAGE**

A person who, before embarking on an aircraft is required by an Airport Security Officer to submit to a search of his person or to permit a search to be made of goods that he intends to place, or have placed, on board the aircraft shall not embark on the aircraft unless he submits to the search or permits the search to be carried out, as the case may be.

### **19.19 SEARCH OF GOODS**

A person who, having been required by an Airport Security Officer to permit a search of goods that he intends to have transported on an aircraft, refuses to permit the search to be carried out shall not place or attempt to place the goods or cause the goods to be placed on the aircraft.

### **19.20 UNACCOMPANIED GOODS**

Where goods are received at an aerodrome for transport on an aircraft and are not accompanied by a person who may give the permission referred to in Regulation 19.19 an Airport Security Officer may make a search of the goods and, in making the search, may use such force as is reasonably necessary to gain access to the goods.

### **19.21 SEARCH OF FEMALES**

No female shall be searched except by a female unless the search is made by means of any mechanical or electrical or electronic or other similar device.

## **DIVISION 3 - ADDITIONAL MEASURES FOR THE SECURITY OF CIVIL AVIATION**

### **19.22 DIRECTIONS TO OPERATORS OF AIRCRAFT AND AERODROMES**

The Director may by direction in writing require the operator of an aircraft or the operator of an aerodrome, as appropriate, to take any measures which he considers desirable for the purpose of protecting civil aviation from illegal interference, including, but not limited to measures:-

- (a) for screening persons and goods to be embarked on aircraft;
- (b) for guarding aircraft and aerodromes.
- (c) for ensuring that where a person purporting to be a passenger places goods, or causes goods to be placed on, an aircraft that person travels on that aircraft;
- (d) for ensuring that any passenger disembarking from an aircraft removes or has removed all goods and articles which he placed, or caused to be placed, on the aircraft;
- (e) for the installation of equipment on Maldivian aircraft; and
- (f) for giving effect to any standard or recommended practice relating to security adopted under applicable International Convention.

### 19.23 COMPLIANCE WITH DIRECTIONS

An operator to whom direction under Regulation 19.22 is addressed shall comply with the requirements of the direction until it expires or is revoked and any operator who refuses, or without reasonable cause, fails to comply with any requirement of a direction commits an offence.

### 19.24 MEASURES UNDER REGULATION 19.22

Any measures under Regulation 19.22 may be in addition to, supersede, or amend any of the provisions of this Regulation.

## **DIVISION 4- MINIMUM SECURITY STANDARDS AT ALL AIRPORTS**

### 19.25 PURPOSE

- a) To assure the protection and safety of passengers, crew, ground personnel, general public, aircraft and facilities of the airport against acts of unlawful interference perpetrated on the ground or in flight through a combination of measures and the marshalling of various human and material resources at national and airport level.
- b) This Division of these regulations stipulates the minimum security standards at all airports of the Maldives.

### 19.26 ACCESS TO AIRPORT

- (a) Appropriate access control points shall be provided at all entrances to the airport;
- (b) Access control points to the airport shall be staffed and operated by security guards;
- (c) General surveillance of passengers, visitors and staff at access points shall be conducted;
- (d) Random inspection of airport permits/identification and travel documents shall be conducted.

### 19.27 TERMINAL BUILDING

- (a) Entrances to the terminal building shall be staffed and controlled by security guards;
- (b) Surveillance of passengers and authorised persons entering the terminal shall be conducted;
- (c) 100 percent inspection of airport permits/identification and travel documents at entrance shall be conducted;
- (d) Only checked-in passengers and/or authorized persons shall be permitted to the restricted areas;
- (e) All exits to apron shall be controlled or locked;
- (f) Random screening shall be done at exits to apron.

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- (g) Random patrols in public and restricted areas shall be conducted
- (h) Unattended bags/parcels at terminal building shall be subjected to security control;
  - (i) All persons and all items accessing sterile area shall be screened.

#### **9.28 ACCESS TO AIR SIDE AND OTHER RESTRICTED AREAS**

- (a) Appropriate security barriers and access control points shall be provided to protect restricted areas;
- (b) Access points to restricted areas shall be staffed and operated by airport security guards;
- (c) General surveillance of authorised persons and vehicles shall be conducted;
- (d) Authorised visitors shall be properly identified and escorted by security staff;
- (e) Access to vulnerable points including, ATS facilities shall be restricted and controlled only to operating persons;
- (f) Navigational/Landing Aids and Installations, Fuel Farm, Power House, and Airport Fire and Rescue Services shall be restricted only to operating personnel.

#### **19.29 SECURITY WITHIN AIR SIDE AND OTHER RESTRICTED AREAS**

- (a) Random security patrols at air side and other restricted areas shall be conducted;
- (b) 100 percent checks of persons and vehicles at air side and other restricted areas shall be conducted;
- (c) Random security patrolling of the airfield shall be conducted;
- (d) Navigational installations shall be locked or otherwise controlled and access restricted only to operating personnel;
- (e) Vulnerable and important facilities shall be inspected by operating personnel for suspicious activities and objects before and after working hours.

#### **19.30 SECURITY MANAGEMENT**

- (a) All security personnel, airport staff and those working at the airport shall follow standard procedures;
- (b) General awareness on security shall be maintained among all airport staff.

#### **19.31 AIRCRAFT OPERATOR**

- (a) Unattended aircraft:-
  - (1) Such aircraft shall be parked in a secure area;

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- (2) General surveillance of vicinity shall be conducted;
  - (3) Stairs, loaders and other equipment shall be removed;
  - (4) Doors and hatches shall be closed and secured.
- (b) Aircraft in service:-
- (1) Such aircraft shall be parked in a secure area;
  - (2) General surveillance and random patrolling of vicinity shall be conducted;
  - (3) Airline is required to control access to aircraft;
  - (4) 100 percent screening of crew members and carry-on and checked baggage shall be conducted;
  - (5) Random inspection of identity cards of crew members shall be conducted by security staff;

#### 19.32 PASSENGERS AND HAND BAGGAGE

- (a) 100 percent checks of photo identification on all passengers shall be done;
- (b) There shall be a limitation of hand baggage carried by passengers as approved by the airline;
- (c) 100 per cent screening of passengers and hand baggage;
- (d) 100 per cent screening of transit/transfer passengers and hand baggage;
- (e) All passengers shall be directed to sterile area with hand baggage after screening.

#### 19.33 CHECKED BAGGAGE

- (a) 100 per cent inspection of checked baggage at entrance to terminal shall be done;
- (b) Baggage shall be accepted only from ticketed passengers and by authorised airline staff;
- (c) Questions shall be asked about contents of baggage;
- (d) Baggage shall be escorted from check-in position to aircraft by approved persons;
- (e) 100 per cent passenger and baggage reconciliation shall be maintained for each flight;

- (f) Baggage of no-show passengers shall be subject to off-loading and additional controls.

#### **19.34 CARGO, EXPRESS PARCELS AND COURIER SHIPMENT**

- (a) Cargo shall be transported to airport under security supervision and escort;
- (b) Express parcels and courier shipments shall be accepted from established agencies and subject to random inspection at airport;
- (c) The identity and address of the consignor and the person who delivers the consignment shall be established;
- (d) The person who delivers the consignment shall be the consignor or his authorized agent;
- (e) The consignor shall deliver a complete description of contents of consignments and certify security of them;
- (f) Consignments shall be safeguarded after acceptance and access to make-up and storage areas shall be controlled;
- (g) Consignments shall be escorted by airline personnel up to the aircraft.

#### **19.35 MAIL**

Security of mail shall be certified by Maldives Post Limited and delivered sealed and under escort to carriers.

#### **19.36 CATERING AND PROVISIONS**

- (a) Control must be maintained of access to catering containers and bar trolleys at facility;
- (b) Catering supplies shall be inspected and containers sealed by supervisory staff at the time of uplift;
- (c) Seals shall be verified and contents shall be inspected by cabin crew at aircraft;
- (d) Supervisory staff shall accompany all catering supplies up to the aircraft and monitor loading process.

#### **19.37 RESTRICTED AREA**

In this Division, the term “restricted area” implies all airside operational areas within a domestic airport in Maldives where access is restricted to authorized personnel holding airport identification cards issued by the airport operator.

### **DIVISION - 5 SECURITY TRAINING AND FLIGHT CREW COMPARTMENT DOOR**

#### **19.38 INTRODUCTION**

This Division of the regulation prescribes the requirement for all Air Operator’s Certificateholders to maintain an approved security training program for crew members to act most appropriately

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in the event of suspicion of unlawful interference; and require aircraft of maximum take off mass in excess of 45,500kg or with passenger capacity over 60 to install enhanced flight crew compartment doors.

**19.39 TRAINING PROGRAM**

- (a) All air operators shall maintain an approved security training programme which ensures crew members to act in the most appropriate manner to minimize the consequences of acts of unlawful interference. This programme shall include the following elements as a minimum;
- (1) determination of seriousness of any occurrence;
  - (2) crew communication and coordination;
  - (3) appropriate self defense and coordination;
  - (4) use of non-lethal protective devices assigned to crew members whose use is authorized by the laws and regulations of the Maldives.
  - (5) understanding of behavior of terrorists so as to facilitate the ability of crew members to cope with hijacker behavior and passenger responses;
  - (6) live situational training exercises regarding various threat conditions;
  - (7) flight deck procedures to protect the aircraft; and
  - (8) aircraft search procedures and guidance on least-risk bomb location where applicable
- (b) All operators shall also establish and maintain a training programme to appropriate employees with preventive measures and techniques in relation to passengers, baggage, cargo, mail equipment, stores and supplies intended for carriage on an aircraft so that they contribute to the prevention of acts of sabotage or other forms of unlawful interference.

**19.40 AIRCRAFT SEARCH PROCEDURE CHECKLIST**

All operators shall ensure that there is on board an approved checklist of the procedures to be followed in searching for a bomb in case of suspected sabotage and for inspecting aircraft for concealed weapons, explosives or other dangerous devices when a well founded suspicion exist that the aircraft may be the object of an act of unlawful interference. The checklist shall be supported by guidance on the appropriate course of action to be taken should a bomb or suspicious object be found and information on the least-risk bomb location specific to the aircraft, where appropriate.

**19.41 SECURITY OF THE FLIGHT CREW COMPARTMENT**

All public transport aircraft with a Maximum Take Off Mass in excess of 45,500kg or with a passenger seating capacity more than 60, shall be equipped with an approved flight crew compartment door that is designed to resist penetration by small arms fire and grenade shrapnel, and to resist forcible intrusion by unauthorized persons. This door must also be able

to resist the introduction of a weapon into the flight crew compartment even if the person cannot actually enter.

- (a) This door shall be capable of being locked and unlocked from either pilot's station.
- (b) In all aircraft which are equipped with a flight crew compartment door in accordance with this regulation;
  - (1) the door shall be closed and locked from the time all external doors are closed following embarkation until any such door is open for disembarkation, except when necessary to permit access and egress by authorized persons, (those members of flight and cabin crew authorized to enter the flight crew compartment; in-flight security personnel; and inspectors approved by the Civil Aviation Department with proper identification and documents); and;
  - (2) means shall be provided for monitoring from either pilot's station the entire door area outside the flight crew compartment to identify persons requesting entry and to detect suspicious behavior or potential threat.

#### **19.42 REPORTING OF EVENTS OF UNLAWFUL INTERFERENCE**

Following an act of unlawful interference, the pilot in command shall inform, without delay, a notification of such act to the Air Traffic Control and a complete report of the act to the Director of Civil Aviation as soon as practicable.

#### **DIVISION 6 - PHOTO IDENTIFICATION**

#### **19.43 REQUIREMENT TO INTRODUCE PHOTO IDENTIFICATION**

To ensure the security of passengers, crew and aircraft by maintain and pursuing every opportunity to enhance security, this Division of the regulation stipulates the requirement to carry photo identification at the time of check-in or boarding for domestic air transport.

- (a) All domestic adult passenger ( passenger over 18 years of age) traveling to airports or floating platforms of Maldives via scheduled air transportation services are required to provide genuine photo identification for all flights at the time of check-in or boarding. ( genuine photo identification includes, national identity card, driving licence, work permit, office identification card or any other photo identification.) Passangers under 18 years of age may provide non-photo identification , or may confirm identification by an identified passenger or official, and passengers under age 10 shall be identified by an identified passangers.
- (b) Non-scheduled air transportation service operators shall make arrangements to ensure that passengers are identified before check-in or boarding the aircraft.
- (c) In the event a passenger fails to provide the identification as required under this regulation, the air carrier shall not allow the passenger to board the aircraft irrespective of having issued a valid ticket to that passenger, or having made a confirmed reservation.

**DIVISION 7 – AIR CARRIER SECURITY PROGRAMME****19.44 INTRODUCTION**

- (a) In order to prevent weapons, explosives or any other dangerous devices which may be used to commit an act of unlawful interference, the carriage or bearing of which is not authorized from being introduced by any means what so ever, on board an aircraft engaged in civil aviation;
- (b) Given the increase in traffic, to and through the international gateway of the Maldives, and the ever increasing domestic traffic; and
- (c) additional measures need to be taken by the handling agent and/or the airline.

**19.45 APPLICABILITY**

The provision of this Division is applicable to all Maldivian Air Operators Certificate holders engaged in international Civil Aviation and to all airlines operating to/from Maldives.

**19.46 COMPLIANCE**

- (a) All operators are required to prepare and submit an Air Carrier Security Programme, for approval by the Civil Aviation Department. The programme shall take into consideration the preventive measures stated in Annex 17 to Convention on International Civil Aviation, and the carrier's specific needs in relation to its perceived threat level. This programme must be regularly updated and security level must be enhanced when the threat level so desires.
- (b) On all international flights, the carrier or its designated handling agent under agreement; shall institute a programme of security searches of the aircraft prior to departure.
- (c) All Operators or their designated handling agent, by agreement, shall ensure that all transit and transfer passengers departing an aircraft take all of The search shall be conducted by personnel with adequate training for the purpose.
- (d) A record of each of these preflight searches must be maintained and must be made available for review by an authorised person or the Department.
- (e) All arriving and departing passengers shall be segregated at all times on the ramp, and escorted when necessary, to ensure that potentially unscreened and screened passengers are not mixed.
- (f) All arriving and departing passengers carry their carry-on goods with them.
- (g) In those instances where some passengers remain on the aircraft, they must be required to identify their carry-on goods during the preflight security search of the aircraft.
- (h) All unidentified items found by the search team shall be reconciled with a passenger or crew member or removed prior to continuation of the flight.

## **DIVISION - 8 REGULATED AIR CARGO AGENT**

### **19.47 PURPOSE**

This Division of the regulation prescribes the operation of organizations providing the service of a regulated air cargo agent in respect of cargo, mail, courier and express that is intended to be carried by air on;

- a) an aircraft conducting an international air transport operation carrying passengers; and
- b) any other air transport operation as the Director may specify.

### **19.48 INTERPRETATION**

In this Division;

**“cargo”** includes mail, courier and express items and stores other than goods intended for sale or use on the aircraft on which they are carried

**“declaration of security”** means a written declaration made by an authorized person in respect of a consignment of cargo consisting of one or more items, that the consignment does not contain any weapon, explosive or other dangerous device that may be used to commit an act of unlawful interference.

**“known customer”** means a shipper of cargo who has an established association with a regulated air cargo agent for the carriage of the shipper’s cargo by air and who has appropriate persons, systems, and procedures in place to ensure that the statement of content provided to the regulated air cargo agent provides an accurate description of the cargo in each consignment that is delivered to the regulated air cargo agent for the carriage by air, and who shall have a written standard Operating Procedure.

**“regulated air cargo agent”** means an air cargo agent who holds an air cargo agent certificate issued in accordance with these regulations.

**“statement of content”** means an accurate description of the items that are contained within a consignment of cargo that is delivered to a regulated air cargo agent by a known customer for the carriage by air

### **19.49 REQUIREMENT FOR CERTIFICATION**

- (a) Personnel Requirements
  - (1) An applicant for an air cargo agent certificate must employ;
    - (i) a senior person, identified as the “Cargo Security Manager” who is responsible for ensuring that the organization complies with the requirements of these regulations; and
    - (ii) sufficient personnel to implement the cargo security procedures detailed in the applicant’s cargo security program and training program.

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- (2) An applicant for an air cargo agent certificate must establish procedures to;
- (i) assess and maintain the competence of those personnel who are authorized to carry out the cargo security procedures detailed in the applicant's cargo security program;
  - (ii) ensure that authorized personnel are provided with written evidence of their authorization.
- (b) Facility and Requirements
- (1) An applicant for an air cargo agent certificate shall provide facilities that are appropriate for the activities prescribed in these regulations for the provision of air cargo agent services that are to be provided by the applicant.
- (2) Receiving, checking and screening cargo from unknown customers.
- (i) All cargo that is accepted by the air cargo agent for carriage by air, other than cargo from known customers who are registered with the air cargo agent, shall be checked and screened to ensure that the consignment of cargo does not contain any weapon, explosive or other dangerous device that may be used to commit an act of unlawful interference.
- (3) Receiving and checking consignments of cargo and statements of content received from known customers;
- (i) Each consignment of cargo that is accepted by the air cargo agent for the carriage from a known customer who is registered with the air cargo agent shall be;
    - (aa) accompanied by a Statement of Content; and
    - (bb) checked to ensure that the consignment has not been tampered with.
  - (ii) The Statement of Content for each consignment of cargo that is accepted by the air cargo agent for carriage by air from a known customer who is registered with the air cargo agent shall be checked to ensure that;
    - (aa) the consignment of cargo does not contain any weapon, explosive or other dangerous device that may be used to commit an act of unlawful interference;
    - (bb) the Statement of Content has been certified by a person who has been appropriately authorized by the known customer to sign such statements.

- (4) Providing access control storage for consignments of cargo that have been checked and screened to ensure that the consignments are not tampered with; and
- (5) Delivering consignments of cargo from the air cargo agent's access controlled storage to the air cargo operator including a means to ensure that the consignments are not tampered with.
- (6) Each consignment of cargo that is delivered to an air operator for carriage on the operator's aircraft shall be;
  - (i) accompanied by a Declaration of Security that is signed by a person who is authorized to sign Declarations of Security in accordance with the regulation; and
  - (ii) protected from any act of tampering from the time the consignment leaves the cargo agent's access controlled area until the time the consignment is accepted by the operator.
- (7) The Declaration of Security that is required under these regulations for each consignment of cargo that is delivered to an air operator for carriage by air must;
  - (i) be identifiable to the particular consignment; and
  - (ii) identify the air operator to whom the consignment is delivered; and
  - (iii) state the date that the consignment is delivered to the air operator; and
  - (iv) confirm that the consignment does not contain any weapon, explosive or other dangerous device that may be used to commit an act of unlawful interference; and
  - (v) identify the regulated air cargo agent under whose certificate the declaration is issued; and
  - (vi) identify the person by name and signature who issued the declaration.
- (8) For the procedures required under this regulation, the Statement of Content and Declaration of Security shall only be issued by a person who;
  - (i) has been subjected to a security background check; and
  - (ii) has been appropriately trained in accordance with the air cargo agent's training program; and
  - (iii) has been assessed as competent to carry out the functions the person is charged with.

**19.50 CARGO SECURITY PROGRAMME**

- (a) An applicant for an air cargo agent certificate must provide the Director with a cargo security program containing a statement signed by the Cargo Security Manager on behalf of the applicant's organization confirming that;
- (1) the cargo security programme defines the organization and demonstrates its means and methods of ensuring ongoing compliance with these regulations; and
  - (2) the cargo security programme, and all associated manuals, operating security procedures are complied with, by the organization's personnel at all times.

**19.51 KNOWN CUSTOMER PROCEDURES AND REGISTER**

- (a) An applicant for an air cargo agent certificate who intends to accept cargo by air from a known customer must establish procedures to ensure that;
- (1) the known customer has an understanding of security matters that relate to the carriage of the known customer's cargo by air; and
  - (2) the known customer has appropriate systems and procedures in place to ensure that only the intended items of cargo are contained in the customer's consignment of cargo; and
  - (3) each consignment of cargo that is forwarded to the air cargo agent is accompanied by a Statement of Content that is certified by a person who is authorized by the known customer to certify such statements.
- (b) An applicant for an air cargo agent certificate who intends to accept cargo for carriage by air from a known customer in accordance with the procedures laid down in these regulations, must establish a register that contains the current name and details of each of the certificate holder's known customers.

**19.52 TRAINING OF PERSONNEL**

- (a) An applicant for an air cargo agent certificate must establish a training programme to ensure that;
- (1) each person who has access to consignments of cargo or mail that have been accepted by the air cargo agent for carriage by air is trained with basic awareness of the security requirements for the storage and transportation of cargo that is intended for carriage by air; and
  - (2) the training that is detailed in the training program must be conducted by a person or persons who are considered competent by the Cargo Security Manager to provide the training.

### 19.53 CARGO SECURITY INCIDENTS

- (a) An applicant for an air cargo certificate must establish procedures;
  - (1) to notify, investigate and report to the Director, any cargo security breach that is associated with the air cargo agent's activities; and
  - (2) to implement corrective action to eliminate the cause of a cargo security breach and prevent its recurrence.

### 19.54 RECORDS

- (a) An applicant for an air cargo agent certificate must store records that are necessary to provide an accurate record for;
  - (1) each item or consignment of cargo that is accepted by the air cargo agent;
  - (2) each consignment of cargo that is delivered under the authority of a Declaration of Security to an air operator for carriage by air, including a copy of the declaration;
  - (3) each cargo security incident investigation carried out under these regulations;
  - (4) The records required under these regulations must be legible and for a permanent nature and retained for a period of not less than 2 years.
  - (5) each person who is issued with an authorization under these regulations including details of their training and competency assessment, aviation security check and authorization; and
  - (6) each known customer who is entered in the known customer register required under these regulations, including details of the training provided for the known customer.

### 19.55 INTERNAL AUDIT

An applicant for an air operator agent certificate must establish an internal audit program for the applicant's organization to ensure conformity with the procedures and goals in the applicant's cargo security program.

### 19.56 CONTINUED COMPLIANCE

The holder of an air cargo agent certificate must;

- (a) continue to meet the standards and comply with the requirements prescribed for certification under these regulations;
- (b) comply with all procedures referred to in the certificate holder's security programme;
- (c) maintain the register of known customers with current information for each of the certificate holder's known customers; and

- (d) remove the name of a known customer from the register if requested in writing by the Director.

#### **19.57 PERSONS BY WHOM A DECLARATION OF SECURITY MAY BE ISSUED**

- (a) No person may issue a declaration of security to an air operator for a consignment of cargo to which these regulations apply unless;
  - (1) the person holds a valid authorization from the holder of an air cargo agent certificate to issue such declarations; and
  - (2) the consignment of cargo has been subjected to the cargo security procedures detailed in the certificate holder's security program.

#### **19.58 RIGHT OF ACCESS**

The Director or any of his officials may enter the premises of the air cargo agent and premises of any of the known customers of the air cargo agent for the purposes of carrying out his duties under the Civil Aviation Regulations, to undertake inspections and to ensure that the air cargo agent and known customers are in compliance with these regulations.

#### **19.59 ISSUE OF REGULATED CARGO AGENT CERTIFICATE**

- (a) The Director may grant to any person applying thereof a Regulated Air Cargo Agent Certificate if he is satisfied that the applicant is competent to having regard in particular to his previous conduct, facilities, organization, staffing and training and other arrangements to undertake the functions prescribed under this regulation.
- (b) The Regulated Air Cargo Agent Certificate will initially be issued to a period of 6 months and thereafter will be issued annually. Applications may be made through Form No: CAD/CAR-19.