
Government Notice No. 000 of 2010

THE CIVIL AVIATION ACT

**Regulations made by the Minister under section 11
of the Civil Aviation Act**

1. These regulations may be cited as the Civil Aviation (Security) (Amendment) Regulations 2010.

2. In these regulations –

“principal regulations” means the Civil Aviation (Security) Regulations 2008.

3. The principal regulations are amended, in regulation 2, by inserting in the appropriate alphabetical order, the following new definitions –

“Airline Security Programme” means the Airline Security Programme referred to in regulation 9(1) and approved under regulation 17A;

“Airport Security Programme” means the Airport Security Programme referred to in regulation 8(1) and approved under regulation 17B;

“Regulated Agent Security Programme” means the Regulated Agent Security Programme referred to in and approved under regulation 17C;

“screener” means a person who holds a written authorisation from the Authority under regulation 17E for the carrying out of a screening operation;

“training programme” means the training programme for aviation security referred to in and approved under regulation 17D;

4. Regulation 8 of the principal regulations is amended, in paragraph (1), by revoking subparagraph (a) and replacing it by the following subparagraph –

- (a) subject to regulation 17B, within 3 months of being informed by the Authority of the approval of the National Civil Aviation Security Programme under regulation 3(2)(a), establish, implement and maintain a written Airport Security Programme which complies with the National Civil Aviation Security Programme;

5. Regulation 9 of the principal regulations is amended –

- (a) in paragraph (1)(a), by deleting the words “Operator Security Programme”, and replacing them by the words “Airline Security Programme”;
- (b) in paragraph (1)(b) –
 - (i) by deleting the words “Operator Security Programme”, and replacing them by the words “Airline Security Programme”;
 - (ii) by deleting the words “; and”, and replacing them by a full-stop;
- (c) by revoking paragraph (c).

6. The principal regulations are amended by inserting, after regulation 11, the following new regulation –

11A. Security audits, tests, surveys and inspections

Where the Authority carries out a security audit, test, survey or inspection for the purposes of these regulations on its initiative or at the written request of an aircraft operator, an airport operator, an air traffic services provider or a regulated agent, the aircraft operator, airport operator, air traffic services operator or regulated agent, as the case may be, shall pay to the Authority the appropriate fee specified in the Third Schedule.

7. Regulation 12 of the principal regulations is amended by revoking paragraph (2) and replacing it by the following paragraph –

(2) The Authority may, upon a written request made by a person who must –

- (a) have access to a security restricted area or vulnerable point; or
- (b) drive a vehicle into a security restricted area or vulnerable point,

and upon payment of the appropriate application fee specified in the Third Schedule, issue an aviation security identification card to him or in respect of the vehicle, as the case may be.

8. The principal regulations are amended by inserting, after regulation 17, the following new regulations –

17A. Airline Security Programme

(1) No aircraft operator shall implement an Airline Security Programme referred to in regulation 9(1) or an amendment thereof, unless the Airline Security Programme or amendment, as the case may be, is approved by the Authority.

(2) Every aircraft operator shall make an application to the Authority in such form and manner as the Authority may determine, for the approval of the Airline Security Programme or amendment thereof.

(3) Every application made under paragraph (2) shall be accompanied by the appropriate fee specified in the Third Schedule.

(4) The Authority may grant or reject an application made under paragraph (2).

(5) Where the Authority grants an application made under paragraph (2), it shall issue a written approval to the applicant, subject to such terms and conditions as it may determine.

17B. Airport Security Programme

(1) No airport operator shall implement an Airport Security Programme referred to in regulation 8(1) or any amendment thereof, unless the Airport Security Programme or the amendment, as the case may be, is approved by the Authority.

(2) Every airport operator shall make an application to the Authority in such form and manner as the Authority may determine for the approval of the Airport Security Programme or any amendment thereof.

(3) Every application made under paragraph (2) shall be accompanied by the appropriate fee specified in the Third Schedule.

(4) The Authority may grant or reject an application made under paragraph (2).

(5) Where the Authority grants an application made under paragraph (2), it shall issue a written approval to the applicant, subject to such terms and conditions as it may determine.

17C. Regulated Agent Security Programme

(1) Subject to paragraph (2), every regulated agent shall develop and maintain a Regulated Agent Security Programme consistent with the National Civil Aviation Security Programme.

(2) No regulated agent shall implement a Regulated Agent Security Programme referred to in paragraph (1) or any amendment thereof, unless the Regulated Agent Security Programme or the amendment, as the case may be, is approved by the Authority.

(3) Every regulated agent shall make an application to the Authority in such form and manner as the Authority may determine for the approval of the Regulated Agent Security Programme or any amendment thereof.

(4) Every application made under paragraph (3) shall be accompanied by the appropriate fee specified in the Third Schedule.

(5) The Authority may grant or reject an application made under paragraph (3).

(6) Where the Authority grants an application made under paragraph (3), it shall issue a written approval to the applicant, subject to such terms and conditions as it may determine.

17D. Training programme for aviation security

(1) Subject to paragraph (2), every organisation involved with, or responsible for, the implementation of the National Civil Aviation Security Programme shall develop and maintain a training programme for aviation security for its personnel.

(2) No organisation shall implement a training programme referred to in paragraph (1) or any amendment thereof, unless the training programme or the amendment, as the case may be, is approved by the Authority.

(3) Every organisation referred to in paragraph (1) shall make an application to the Authority in such form and manner as the Authority may determine for the approval of the training programme or any amendment thereof.

(4) Every application made under paragraph (3) shall be accompanied by the appropriate fee specified in the Third Schedule.

(5) The Authority may grant or reject an application made under paragraph (3).

(6) Where the Authority grants an application made under paragraph (3), it shall issue a written approval to the applicant, subject to such terms and conditions as it may determine.

17E. Screeners

(1) No person shall, for the purposes of these regulations, carry out any screening operation referred to in regulation 4(g), unless he holds a written authorisation from the Authority.

(2) An application for a written authorisation from the Authority shall be –

- (a) made by the employer on behalf of the employee he wishes to appoint as a screener;
- (b) made to the Authority in such form and manner as it may determine; and
- (c) accompanied by the appropriate fee specified in the Third Schedule.

(3) On receipt of an application made under paragraph (2), the Authority may request the applicant to furnish such additional information as it may reasonably require to process the application.

(4) The Authority may grant or reject an application made under paragraph (2).

(5) Where the Authority grants an application made under paragraph (2), it shall issue a written authorisation to the applicant, subject to such terms and conditions as it may determine.

(6) An authorisation under this regulation shall be valid for a period of 12 months from the date of issue and may be renewed.

- (7) An authorisation shall cease to be valid where –
- (a) the employer of the holder of the authorisation is no longer using his services;
 - (b) the employer has ceased his business.

(8) Where an authorisation ceases to be valid, its holder shall forthwith surrender the authorisation to the Authority.

(9) An application for the renewal of an authorisation shall be –

- (a) made to the Authority within 1 month before the date of expiry of the authorisation in such form and manner as the Authority may determine;
- (b) accompanied by the appropriate fee specified in the Third Schedule.

(10) The Authority may grant or reject an application made under paragraph (9).

(11) Where the Authority grants an application made under paragraph (9), it shall renew the authorisation, subject to such terms and conditions as it may determine.

9. The principal regulations are amended by inserting, after regulation 19, the following new regulations –

19A. Other security tasks

Where, in relation to any function relating to a security task under these regulations, no charge is specified in the Third Schedule for that task, the aircraft operator, airport operator, regulated agent or air traffic service provider, as the case may be, shall pay to the Authority 500 rupees per man-hour for the task done by the Authority or any person appointed to act on behalf of the Authority.

19B. Exemption, waiver or refund

The Authority may exempt, waive or refund any fee or charge payable under these regulations –

- (a) by its officer or any person appointed to act on behalf of the Authority; or
- (b) where good cause is shown to justify such exemption, waiver or refund.

10. The principal regulations are amended by adding, after the Second Schedule, the Schedule to these regulations.

11. Where these regulations come into operation and any application for the approval of any programme is still pending under the principal regulations, such application shall be dealt with in accordance with the principal regulations as amended by these regulations.

12. These regulations shall come into operation on

Made by the Minister on2010.

SCHEDULE

[Regulation 10]

THIRD SCHEDULE

[Regulations 11A, 12, 17A, 17B, 17C, 17D and 17E]

1. Security audits, tests, surveys and inspections (regulation 11A)

| | <i>Fee (Rs.)</i> |
|-----------------------------------|------------------|
| (1) Aircraft operator | |
| (a) Security audit | 100,000 yearly |
| (b) Security inspection | 500 per man-hour |
| (2) Airport operator | |
| (a) Security audit | 100,000 yearly |
| (b) Security test | 500 per man-hour |
| (c) Security survey | 500 per man-hour |
| (d) Security inspection | 500 per man-hour |
| (3) Air traffic services provider | |
| (a) Security audit | 100,000 yearly |
| (b) Security test | 500 per man-hour |
| (c) Security survey | 500 per man-hour |
| (d) Security inspection | 500 per man-hour |
| (4) Regulated agent | |
| (a) Security audit | 100,000 yearly |
| (b) Security test | 500 per man-hour |

- | | | |
|-----|---------------------|------------------|
| (c) | Security survey | 500 per man-hour |
| (d) | Security inspection | 500 per man-hour |
- 2. Aviation security identification card (regulation 12)**
- | | | |
|-----|-------------------------------|----------|
| (1) | Electronic card | 500 each |
| (2) | Non-electronic card for staff | 300 each |
| (3) | Daily aviation security card | 150 each |
| (4) | Duplicate electronic card | 300 each |
| (5) | Duplicate non-electronic card | 150 each |
| (6) | Vehicle pass | 300 each |
| (7) | Duplicate vehicle pass | 150 each |
- 3. Airline Security Programme (regulation 17A)**
- | | | |
|-----|-----------------------|------------------|
| (1) | Initial approval | 500,000 |
| (2) | Approval of amendment | 500 per man-hour |
- 4. Airport Security Programme (regulation 17B)**
- | | | |
|-----|-----------------------|------------------|
| (1) | Initial approval | 800,000 |
| (2) | Approval of amendment | 500 per man-hour |
- 5. Regulated Agent Security Programme**
- | | | |
|-----|-----------------------|------------------|
| (1) | Initial approval | 800,000 |
| (2) | Approval of amendment | 500 per man-hour |
- 6. Training programme for aviation security (regulation 17D)**
- | | | |
|-----|-----------------------|------------------|
| (1) | Initial approval | 50,000 |
| (2) | Approval of amendment | 500 per man-hour |
- 7. Screeners (regulation 17E)**
- | | | |
|-----|-----------------------|-------|
| (1) | Initial authorisation | 1,500 |
| (2) | Renewal | 1,500 |