

LEGAL NOTICE NO. 408

REPUBLIC OF TRINIDAD AND TOBAGO

THE CIVIL AVIATION ACT, CHAP. 49:03

REGULATIONS

MADE BY THE AUTHORITY WITH THE APPROVAL OF THE MINISTER
UNDER SECTION 33 OF THE CIVIL AVIATION ACT AND SUBJECT TO
NEGATIVE RESOLUTION OF PARLIAMENT

THE CIVIL AVIATION [(NO. 8) AVIATION SECURITY]
(AMENDMENT) REGULATIONS, 2014

1. These Regulations may be cited as the Civil Aviation [(No. 8) Citation
Aviation Security] (Amendment) Regulations, 2014.

2. In these Regulations, “the Regulations” means the Civil Interpretation
Aviation [(No. 8) Aviation Security] Regulations, 2004.

3. The Regulations are amended by inserting after regulation 1, Regulation
the following regulation: 1A inserted

“Purpose of
these
Regulations” 1A. (1) These Regulations establish minimum
standards for safeguarding civil aviation against acts of
unlawful interference in Trinidad and Tobago and
internationally, in accordance with the applicable
Standards and Recommended Practices of the Annexes
to the Chicago Convention and best security practices in
the civil aviation industry.

(2) The means of meeting the requirements of
subregulation (1) shall be—

- (a) the setting of common rules and basic standards
for civil aviation security; and
- (b) the mechanisms certifying or approving aviation
security programmes and for monitoring their
compliance.”.

4. Regulation 2 of the Regulations is amended by—

(a) deleting the following definitions:

- (i) “act of unlawful interference”;
- (ii) “exclusive area”;
- (iii) “in-flight security officer”; and
- (iv) “sterile area”;

Regulation 2
amended

(b) by inserting in the appropriate alphabetical order, the following definitions:

“act of unlawful interference” means acts or attempted acts such as to jeopardize the safety of civil aviation including but not limited to—

- (a) unlawful seizure of an aircraft;
- (b) destruction of an aircraft in service;
- (c) hostage taking on board an aircraft or at aerodromes;
- (d) forcible intrusions on board an aircraft at an airport or at the premises of an aeronautical facility;
- (e) introduction on board an aircraft or at an airport of a weapon or hazardous device or material intended for criminal purposes;
- (f) use of an aircraft in service for the purpose of causing death, serious bodily injury, or serious damage to property or the environment; or
- (g) communication of false information so as to jeopardize the safety of an aircraft in flight or on the ground, of passengers, crew, ground personnel or the general public, at an aerodrome or at the premises of a civil aviation facility;

“aircraft” means any machine than can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the earth;

“aircraft in flight” mean an aircraft from the moment when all its external doors are closed following embarkation until the moment when such doors are opened for disembarkation;

“aircraft in service” means a parked aircraft which is under surveillance sufficient to detect unauthorized access;

“aircraft not in service” means an aircraft that is either parked for a period of more than twelve hours or is not under surveillance sufficient to detect unauthorized access;

“aircraft operators’ documents” means documents used by aircraft operators such as air waybills and consignment notes, passenger tickets and boarding passes, bank and agent settlement plan documents, excess baggage tickets, miscellaneous charges orders, damage and irregularity reports, baggage and cargo labels, timetables, and weight and balance documents;

“aircraft stand” means a designated area on an apron intended to be used for parking an aircraft;

“airport” means any area in a Member State which is open for commercial aircraft operations;

“Air Traffic Control” means a service that promotes the safe, orderly, and expeditious flow of air traffic at aerodromes and during the approach, departure and *en route* environments;

“approved security programme” means the security programme approved by the Authority;

“appropriate authority for aviation security” means the Authority responsible for the development, implementation and maintenance of the national civil aviation security programme;

“approved test device” means a device that simulates weapons, explosives, dangerous devices, articles or substances approved by the Authority or the Commissioner of Police for the purpose of carrying out covert or overt tests to determine the effectiveness of aviation security measures;

“apron” means a defined area, on a land aerodrome, intended to accommodate aircraft for the purposes of loading or unloading passengers, mail or cargo, fuelling, parking or maintenance;

“apron passenger vehicle” means a vehicle used to convey passengers between aircraft and passenger buildings;

“baggage” means personal property of passengers or crew carried in the cabin or in the hold of an aircraft by agreements with the operator;

“baggage container” means a receptacle in which baggage is loaded for conveyance in an aircraft;

“baggage sorting area” means a space in which departure baggage is sorted into flight loads;

“baggage storage area” means a space in which checked/hold baggage is stored pending transport to aircraft and space in which mishandled baggage may be held until forwarded, claimed or otherwise disposed of;

“bomb alert” means a status of alert put in place by competent authorities to activate an intervention plan intended to counter the possible consequences arising from a communicated threat, anonymous or otherwise, or arising from the discovery of a suspect device or other suspect item on an aircraft, at an airport or in any civil aviation facilities;

“bomb threat” means a communicated threat, anonymous or otherwise, which suggests, or infers, whether true or false, that the safety of an aircraft in flight or on the ground, or any aerodrome or civil aviation facility or any person may be in danger from an explosive or other item or device;

“cargo area” means all the ground space and facilities provided for cargo handlings and includes aprons, cargo buildings and warehouses, vehicle parks and roads associated therewith;

“cargo building” means a building through which cargo passes between air and ground transport and in which processing facilities are located, or in which cargo is stored pending transfer to air or ground transport;

“charter operation” means a non-scheduled operation of an aircraft as—

(a) a private charter that is not sold to the public in which an agreement is made to hire an entire aircraft for the carriage of passengers and cargo; and

(b) a public charter that is offered to the public for sale in which an agreement is made to hire a specified number of passenger seats and cargo space on an aircraft;

“check-in” means the process of reporting to an aircraft operator for acceptance on a particular flight;

“check-in position” means the location of facilities at which check-in is carried out;

“compliance monitoring activity” means any procedure or process used for assessing the implementation of these Regulation and the national civil aviation security programme;

“contingency plan” means a proactive plan to include measures and procedures addressing various threat levels, risk assessments and the associated security measures to be implemented, designed to anticipate and mitigate events as well as prepare all concerned parties having roles and responsibilities in the event of an actual act of unlawful interference, sets forth incremental security measures that may be elevated as the threat increases, and may be a stand-alone plan or included as part of a Crisis Management Plan;

“Customs” means the Trinidad and Tobago Customs and Excise Division;

“deportee” means a person who had legally been admitted to a State by its authorities or who had entered a State illegally, and who, at some later time is formally ordered by the competent authorities to leave that State;

“diplomatic pouch or bag” means a shipping container having diplomatic immunity from search or seizure when accompanied by the required official documentation;

“domestic air service” means an aircraft operation conducted within the airspace of Trinidad and Tobago only;

“exclusive area” means that part of an air operations area for which an aircraft operator has agreed in writing with the aerodrome operator to exercise exclusive security responsibility under an approved security programme;

“Explosive Detection System (EDS)” means a technology system or combination of different technologies which has the ability to detect, and so to indicate by means of an alarm, explosive material contained in baggage or other articles, irrespective of the material from which the bag is made;

“Explosive Device Detection System (EDSS)” means a technology system or combination of different technologies which has the ability to detect, and so to indicate by means of an alarm, an explosive device by detecting one or more components of such a device contained in baggage or other articles, irrespective of the material from which the bag or article is made;

“explosive substance” means a solid or liquid substance or a mixture of substances which is in itself capable, by chemical reaction, of producing gas at such a temperature and pressure and at such a speed as to cause damage to the surroundings and includes pyrotechnic substances even when they do not evolve gases and does not include a substance which is not itself an explosive but which can form an explosive atmosphere of gas, vapour or dust;

“facilitation” means the efficient management of the necessary control process, with the objective of expediting the clearance of persons or goods and preventing unnecessary operational delays;

“high-risk cargo or mail” means cargo or mail presented by an unknown entity or showing signs of tampering and meets one of the following conditions:

- (a) specific intelligence indicates that the cargo or mail poses a threat to civil aviation;
- (b) the cargo or mail shows anomalies that give rise to suspicions; or
- (c) the nature of the cargo or mail is such that baseline security measures alone are unlikely to detect prohibited items that could endanger the aircraft;

“inadmissible person” means a person who is, or will be refused admission to a State by its authorities;

“in-flight security officer” means a person who is authorized by the government of the State of the Operator and the government of the State of Registration to be deployed on an aircraft with the purpose of protecting that aircraft and its occupants against acts of unlawful interference and excludes persons employed to provide exclusive personal protection for one or more specific people travelling on the aircraft, such as personal bodyguards;

“inspector” means a person designated by the Director General under regulation 2A(2)(e) of the Civil Aviation [(No. 1) General Administration and Personnel Licensing] Regulations, 2004;

“international airport” means an airport designated by the Member State in whose territory it is situated as an airport of entry and departure for international air traffic, where the formalities incident to customs, immigration, public health, animal and plant quarantine and similar procedures are carried out;

“international air service” means an air service provided to and from two States in which Trinidad and Tobago is one such State;

“known consignor” means a person or entity who originates cargo or mail for its own account and whose procedures meet common security rules and standards sufficient to allow the carriage of cargo or mail by air;

“LAG” is an acronym for “Liquids, Aerosols and Gels” which include a substance that is a liquid at room temperature, an aerosol, a gel, a cream or a paste;

“landside” means the area of an airport and buildings to which both travelling passengers and the non-travelling public have unrestricted access;

“mail” means dispatches of correspondence and other items tendered by, and intended for delivery to postal services in accordance with the rules of the Universal Postal Union;

“mishandled baggage” means baggage involuntarily, or inadvertently, separated from passengers or crew;

“movement area” means that part of an aerodrome to be used for the take-off, landing and taxiing of aircraft, consisting of the manoeuvring area and the apron;

“narcotics control” means measures to control the illicit movement of narcotics and psychotropic substances by air;

“non-restricted area” means an area of an airport to which the public has access or to which access is otherwise unrestricted;

“operator” means—

(a) a person, organisation or enterprise, engaged in, or offering to engage in, aircraft operations, and any person who causes or authorises the operation of aircraft, in the capacity of owner, lessee or otherwise, whether with or without the control of the aircraft; and

(b) who or which is deemed to be engaged in the operation of aircraft within the meaning of this Act;

“passenger area” means all the ground space and facilities provided for passenger processing, including aprons, passenger buildings, vehicle parks and roads;

“permit system” means a system consisting of airport identification cards or passes, or other documentation issued to—

(a) individual persons employed at airports or who otherwise have a need for authorized access to an airport, airside or security restricted area for the purpose of identifying the individuals and facilitate access; and

(b) vehicles for authorized access to an airport, airside or security restricted area for the purpose of identifying the vehicles and facilitate access;

“person with disabilities” means a person whose mobility is reduced due to a physical incapacity (sensory or loco-motor), an intellectual deficiency, age, illness or any other cause or disability when using air transport and whose situation needs special attention and the adaptation to the person’s needs of the services made available to all passengers;

“pilot-in-command” means the pilot designated by the operator, or in the case of general aviation, the owner, as being in command and charged with the safe conduct of a flight;

“restricted articles” means articles which are, in the specific context of aviation security, defined as those articles, devices or substances which may be used to commit an act of unlawful interference against civil aviation or which may endanger the safety of the aircraft and its occupants, or installations, or the public;

“risk” means the measure of probability that a target’s vulnerability will be exploited;

“sabotage” means an act or omission, intended to cause malicious or wanton destruction of property, endangering or resulting in unlawful interference with civil aviation and its facilities;

“security” means safeguarding civil aviation against acts of unlawful interference, achieved by a combination of measures and human and material resources;

“security investigation” means an inquiry into any act or attempted act of unlawful interference against civil aviation and any alleged or suspected instance of non-compliance with the National Civil Aviation Security Programme or other legal or regulatory requirements pertaining to civil aviation security;

“security programme” means written measures adopted to safeguard national and international civil aviation against acts of unlawful interference;

- “security test” means a covert or overt trial of an aviation security measure which simulates an attempt to commit an unlawful act;
- “service panel” means aircraft external access point used for providing aircraft services including water, lavatories and ground electrical outlets, and other service compartments that have external clip-down panels;
- “small arms” means a general description applied to all hand-held firearms;
- “State of Registry” means the State on whose register the aircraft is entered;
- “State of the Operator” means the State in which the operator’s principle place of business is located or, if there is no such place of business, the operator’s permanent residence;
- “STEB’s” is an acronym for “security tamper-evident bags” which are specially designed bags that should only be used for the sale of LAG by airport outlets or on board an aircraft;
- “sterile area” means the area between any passenger inspection or screening checkpoint and aircraft, into which access is strictly controlled;
- “stores or supplies” means goods, whether or not sold, intended for consumption by the passengers and the crew on board an aircraft, and goods necessary for the operation and maintenance of the aircraft, including fuel and lubricants; and goods for sale to passengers and crew of an aircraft with a view to being landed;
- “terminal” means the main building or group of buildings where the processing of commercial passengers and cargo, and the boarding of aircraft occurs;
- “threat” means the probability of an attack being attempted against the target within a specified time frame;

“Threat Image Projection” means a software programme approved by the appropriate authority that can be installed on certain X-ray equipment, which projects virtual images of threat articles such as guns, knives, and improvised explosive devices within the X-ray image of a real bag under examination or complete virtual images of bags containing threat articles, and provides immediate feedback to the X-ray equipment operators of their ability to detect such images;

“trace detection equipment” means a technology system or combination of different technologies which has the ability to detect very small amounts of explosive materials, and so to indicate, by means of an alarm, any such materials contained in baggage or other articles subjected for analysis;

“transfer cargo and mail” means cargo and mail departing on an aircraft other than that on which it arrived;

“transfer passengers and baggage” means passengers and baggage making direct connections between two different flights;

“transit passengers” means passengers departing from an airport on the same flight as that on which they arrived;

“travel document” means a passport or other official document of identity issued by a State or organization which may be used by the rightful holder for international travel;

“unaccompanied baggage” means baggage that is transported as cargo and may or may not be carried on the same aircraft with the person to whom it belongs;

“unauthorized person” means a person who takes an action for which he does not have the legal right nor permission from the appropriate authority;

“unclaimed baggage” means baggage that arrives at an airport and is not picked up or claimed by a passenger;

“unidentified baggage” means baggage at an airport, with or without a baggage tag, which is not picked up by, or identified with a passenger;

“unpredictability” means the implementation of security measures in order to increase their deterrent effect and their efficiency, by applying them at irregular frequencies, difference locations and with varying means, in accordance with a defined framework;

“unruly passenger” means a person who commits on board a civil aircraft, from the moment when the aircraft door is closed prior to takeoff to the moment when it is reopened after landing, an act of—

- (a) assault, intimidation, menace or wilful recklessness which endangers good order or the safety of property or persons;
- (b) assault, intimidation, menace or interference with a crew member in the performance of duties or which lessens the ability to perform duties;
- (c) wilful recklessness or damage to an aircraft, its equipment, or attendant structures and equipment such as to endanger good order and the safety of the aircraft or its occupants;
- (d) communication of information which is known to be false, thereby endangering the safety of an aircraft in flight; and
- (e) disobedience of lawful commands or instructions for safe, orderly or efficient operations;

“vulnerable point” means any facility on, or connected with, an airport, which, if damaged or destroyed, would seriously impair the functioning of the airport;

“verification” means an action taken by an inspector to establish whether a security specific measure is actually in place;

“vulnerability” means those characteristics of a potential target that could be exploited in an attack.”.

5. The Regulations are amended by inserting after regulation 2, ^{Regulation 2A and 2B inserted}
the following regulations:

^{“Regulations, Administration and Supervision”} 2A. Regulation 2A of the Civil Aviation [(No. 1) General Application and Personnel Licensing] Regulations, 2004 shall apply to these Regulations.

^{Units of Measurement in Civil Aviation”} 2B. Regulation 2B of the Civil Aviation [(No. 1) General Application and Personnel Licensing] Regulations, 2004 shall apply to these Regulations.”.

6. Regulation 3 of the Regulations is amended— ^{Regulation 3 amended}

(a) in subregulation (1), by deleting paragraphs (d) to (h) and substituting the following paragraphs:

“(d) aerodrome tenants and concessionaires;

(e) regulated agents;

(f) organization providing in-flight catering to aircraft operators;

(g) a person in, or within the vicinity of an aerodrome, aircraft maintenance facility or an air navigation service facility;

(h) a person who offers goods for transport by air;

(i) a person who provides a service for an air operator;

(j) a person on board an aircraft;

(k) an in-flight security officer;

(l) air navigation service providers;

(m) Aviation Training Organizations; and

(n) Approved Maintenance Organizations.”;

(b) in subregulation (2), by deleting the words “, authorisations and ratings” and substituting the words “and authorisations”;

(c) by inserting after subregulation (2), the following subregulation:

“(3) These Regulations shall not apply to—

(a) Trinidad and Tobago registered aircrafts and unregistered aircrafts used in military operations;

- (b) Trinidad and Tobago aircrafts and unregistered aircrafts used in State operations;
- (c) areas within an operators' facility designated for use exclusively by the Trinidad and Tobago Police Service, the Defence Force and the Air Guard;
- (d) Officers of the Trinidad and Tobago Police Service, the Defence Force and Air Guard, in uniform while on duty;
- (e) foreign aircrafts on State operations; and
- (f) foreign aircrafts on military operations.”.

Regulation
4A amended

7. Regulation 4A of the Regulations is amended—

- (a) by revoking paragraph (e) and substituting the following paragraph:

“(e) training programmes and instructor certification system is developed and implemented in accordance with the national civil aviation security programme;”;

- (b) in paragraph (i), by inserting after subparagraph (v) the following subparagraphs:

“(vi) entering into collaborative arrangements in order to increase the sustainability of the aviation security system by avoiding unnecessary duplication of security controls based on verification of equivalence of the security outcome ensured by the application of effective security controls at origin; and

- (vii) employing security equipment, where appropriate, to the extent operationally, technically and financially practicable, to achieve civil aviation security objectives.”;

- (c) by inserting after paragraph (i), the following paragraph:

“(j) personnel of all entities involved with, or responsible for the implementation of various aspects of the national civil aviation security programme and those authorized to have unescorted access to airside, receive periodic security awareness training.”.

8. Regulation 4B of the Regulations is amended by—

Regulation
4B amended

(a) inserting after paragraph (b), the following paragraphs:

“(ba) where information is received as a consequence of action taken in accordance with paragraph (b)(vi), distribute such information locally to the air traffic services units concerned, the appropriate airport administrations, the operator and others concerned, as soon as practicable;

(bb) in connection with an act of unlawful interference, cooperation with other States for the purpose of providing a joint response;

(bc) where measures are taken to free passengers and crew members of an aircraft subjected to an act of unlawful interference, use, as necessary, the experience and capability of the State of the Operator, the State of manufacture and the State of Registry of that aircraft;” and

(b) inserting after paragraph (c), the following paragraph:

“(d) the exchange of information with ICAO and other Contracting States as considered appropriate on the management of response to an act of unlawful interference.”.

9. Regulation 5 of the Regulations is amended by—

Regulation 5
amended

(a) inserting after subregulation (2), the following subregulation:

“(2A) A person under subregulation (2), who participates in code-sharing or other collaborative arrangements with other operators shall notify the Authority of the identity of the other operators, the nature of these arrangements, including security arrangements in his Aircraft Operator Security Programme.”;

(b) inserting after subregulation (3), the following subregulations:

“(3A) Each entity conducting general aviation operations, including corporate aviation operations, using aircraft with a maximum take-off mass greater than 5,700 kg, shall establish, implement and maintain a written operator security programme that meets the requirements of these Regulations for acceptance and subsequent approval by the Authority.

(3B) Each entity conducting aerial work operations shall establish, implement and maintain a written operator security programme that contain operations features specific to the type of operations conducted, the requirements of these Regulations for acceptance and subsequent approval by the Authority.”; and

(c) inserting after subregulation (5), the following subregulations:

“ (5A) Air traffic service providers shall establish and implement appropriate security provisions to meet the requirements of the national civil aviation security programme.

(5B) The basis for the operators’ and entities security programmes under subregulations (1), (2), (3), (4) and (5) shall be in accordance with the ICAO model.”.

Regulation 11 amended 10. Regulation 11 of the Regulations is amended by inserting after paragraph (r), the following paragraph:

“(s) practices are established at airports and on board aircrafts to assist in the identification and resolution of suspicious activity that may pose a threat to civil aviation.”.

Regulation 12 amended 11. Regulation 12 of the Regulations is amended in subregulation (2), by inserting after paragraph (b), the following paragraph:

“(ba) enhanced security measures apply to high-risk cargo and mail to appropriately mitigate the threats associated with it;”.

Regulation 21(1) revoked and substituted 12. Regulation 21 of the Regulations is amended by revoking subregulation (1) and substituting the following subregulation:

“ (1) An aerodrome operator shall—

(a) secure his aerodrome operations in accordance with the terms, conditions and limitations of his approval and the aerodrome security programme approved by the Authority; and

(b) ensure that airport design requirements including architectural and infrastructure related requirements necessary for the implementation of security measures in the national civil aviation security programme are integrated into the design and construction of new facilities and alteration to existing facilities at his aerodrome.”.

13. The Regulations are amended by inserting after regulation 21, ^{Regulations 21A and 21B inserted} the following regulations:

^{“Security measures to be established in landside areas} 21A. (1) Security measures in landside areas shall be established to mitigate the risk of, and to prevent possible acts of unlawful interference in accordance with national and local risk assessments carried out by the relevant authorities.

(2) Landside security measures shall be coordinated between relevant departments, agencies, other organizations of the State, and other entities, and appropriate responsibilities identified in its national civil aviation security programme.

^{Measures to be put in place to safeguard critical information and communication technology systems used for civil aviation purposes} 21B. (1) In order to protect critical information and communication technology systems used for civil aviation purposes from interference that may jeopardize the safety of civil aviation, measures shall be in accordance with the risk assessment carried out by its relevant national authorities.

(2) Entities involved with, or responsible for the implementation of various aspects of the national civil aviation security programme shall identify their critical information and communication technology systems, including threats and vulnerabilities thereto, and develop protective measures to include, *inter alia*, security by design, supply chain security, network separation, and remote access control, as appropriate.”.

14. Regulation 29 of the Regulations is amended in subregulation (1), by inserting after the words “aviation screening officer”, the ^{Regulation 29 amended} words “and the Director General of Civil Aviation”.

15. Regulation 33 of the Regulations is amended – ^{Regulation 33 amended}

(a) by deleting subregulation (1) and substituting the following subregulation:

“ (1) An aerodrome operator shall ensure that restricted areas under section 31 of the Airport Authority Act No. 49 of 1979 are protected from unauthorized access and acts of unlawful interference.”;

(b) by inserting after subregulation (1A), the following subregulation:

“ (1B) An aerodrome operator shall identify the sterile areas within the restricted areas of his aerodrome.”.

Regulation 46
revoked and
substituted

16. Regulation 46 of the Regulations is revoked and the following regulation is substituted:

“Requirement
of Aircraft
Operator
Security
Programme
[95/2009]”

46. (1) An aircraft operator shall secure his operations in accordance with the terms, conditions and limitations of his approval and the aircraft operator security programme approved by the Authority.

(2) An aircraft operator having an approved Aircraft Operator Security Programme shall—

- (a) maintain one complete copy of his approved Aircraft Operator Security Programme at his principal business office;
- (b) maintain a complete copy or the pertinent portions of his approved Aircraft Operator Security Programme at each aerodrome where security screening is being conducted;
- (c) make the documents under paragraphs (a) and (b), available for inspection upon request by the Director General;
- (d) restrict the distribution, disclosure, and availability of sensitive security information and his approved Aircraft Operator Security Programme only to persons who, by their defined roles in the programme require to have such information for the performance of their function; and
- (e) when arranging security controls and procedures at an aerodrome, an aircraft operator shall take into consideration minimum interference with or delay of the activities of civil aviation provided the effectiveness of such security controls and procedures are not compromised.”

17. Regulation 47 of the Regulations is amended in subregulation (1)(a), by deleting the words “transit passenger,”. Regulation 47
amended

18. Regulation 48 of the Regulations is amended— Regulation 48
amended

(a) in subregulation (1), by revoking paragraph (e) and substituting the following paragraph:

“(e) take the necessary measures to ensure that any items left behind by passengers disembarking from transit flights are removed from the aircraft or otherwise dealt with appropriately before departure of an aircraft engaged in commercial flights;”;

(b) by inserting after subregulation (4), the following subregulation:

“ (5) An aircraft operator under subregulation (3) shall ensure that the pilot-in-command is notified as to the number of in-flight security officers on board and their seat location.”.

19. Regulation 49 of the Regulations is amended— Regulation 49
amended

(a) by revoking subregulations (2) and (3) and substituting the following subregulations:

“ (2) Notwithstanding subregulation (1), an in-flight security officer required to be on board an aircraft acting in the performance of his duty may, subject to approval by the appropriate authority, have a weapon on his person or in his property either concealed or unconcealed.

(3) The Director General shall give consideration to requests by another State to allow the travel of armed personnel, including in-flight security officers, on board aircraft of operators of the requesting State.”; and

(b) by revoking subregulation (5) and substituting the following subregulation:

“ (5) For the purpose of this regulation, an “unloaded firearm” means a firearm which has no round of ammunition, cartridge, detonator or powder in the chamber or in a clip, magazine or cylinder inserted in it.”.

Regulation 57
revoked and
substituted

20. Regulation 57 of the Regulations is revoked and the following regulation is substituted:

“Aircraft operator to use X-ray equipment approved by the Authority for detecting explosives and prohibited items

57. Effective 1st January, 2017, an aircraft operator required to conduct screening of passengers, carry-on and checked baggage under an aircraft operator security programme approved by the Authority shall use X-ray equipment with advanced functions and capabilities for detecting explosives and other prohibited items, accepted or approved by the Authority.”.

Regulation 60
amended

21. Regulation 60 of the Regulations is amended in subregulation (5A), by deleting paragraphs (b) and (c) and substituting the following paragraphs:

- “(b) meets the training standards for aviation screening officers established by the Authority and where appropriate, by the International Civil Aviation Organization;
- (c) is properly trained; and
- (d) is examined or tested and certified by the Authority.”.

Regulation 61
amended

22. Regulation 61 of the Regulations is amended by revoking subregulation (1) and substituting the following subregulation:

- “(1) A regulated agent—
- (a) shall secure his operations in accordance with the terms, conditions and limitations of his approval and the regulated agent security programme approved by the Authority; and
- (b) prior to accepting goods for transport in an aircraft, shall—
- (i) establish and register the name and address of the consignor;
- (ii) establish the credentials of the person who delivers the goods as an agent of the consignor;
- (iii) ensure on the basis of random checks or security screening that such goods do not contain any prohibited items;
- (iv) ensure the safeguarding of such goods from unauthorized interference after acceptance from the point security controls are applied until departure of the aircraft;

- (v) ensure the goods are received by staff who are properly recruited and trained by him in accordance with his approved Regulated Agent Security Programme;
- (vi) designate a person as Security Co-ordinator to implement and supervise the screening process;
- (vii) ensure that the following categories of goods are not carried by air unless they have been subjected to screening:
 - (A) unaccompanied baggage;
 - (B) goods from unknown consignors; and
 - (C) goods for which the contents do not coincide with the description delivered; and
- (viii) ensure that each shipment of goods be accompanied by documentation providing the statement of the security status of such shipment.”.

23. Regulation 64 of the Regulations is amended by revoking Regulation 64 subregulation (1) and substituting the following subregulation: Regulation 64 amended

- “ (1) A catering operator—
- (a) shall secure his operations in accordance with the terms, conditions and limitations of his approval and the catering operator security programme approved by the Authority; and
 - (b) prior to accepting raw materials and equipment for preparation as catering supplies for transport in an aircraft shall—
 - (i) establish and register the name and address of the supplier of such raw materials and equipment;
 - (ii) establish the credentials of the person who delivers the raw materials and equipment as an agent of the supplier of such raw materials and equipment;

- (iii) ensure on the basis of random checks or security screening that such raw materials and equipment do not contain any prohibited items;
- (iv) ensure the safeguarding of such raw materials and equipment from unauthorised interference after acceptance;
- (v) ensure the raw materials and equipment are received by staff who are properly recruited and trained by him;
- (vi) designate a person to implement and supervise the screening process;
- (vii) ensure that all catering stores and supplies are not carried by air unless they have been subjected to screening; and
- (viii) ensure that each shipment of catering stores and supplies be accompanied by documentation providing the statement of the security status of such shipment.”.

Regulations
67B, 67C and
67D inserted

24. The Regulations are amended by inserting after regulation 67A, the following regulations:

“Director
General to
manage the
national civil
aviation
security
quality control
programme

67B. The Director General shall—

- (a) ensure the management, setting of priorities and organization of the national civil aviation security quality control programme are undertaken independently from the entities and persons responsible for the implementation of the measures taken under the national civil aviation security programme;
- (b) ensure that the personnel carrying out security audits, tests, surveys and inspections are—
 - (i) trained to appropriate standards for these tasks in accordance with the national civil aviation security programme; and

- (ii) afforded the necessary authority to obtain information to carry out these tasks and to enforce corrective actions;
- (c) supplement the national civil aviation security quality control programme by establishing a confidential reporting system for analysing security information provided by sources such as passengers, crew and ground personnel; and
- (d) establish a process to record and analyse the results of the national civil aviation security quality control programme, to contribute to the effective development and implementation of the national civil aviation security programme, including identifying the causes and patterns of non-compliance and verifying that corrective actions have been implemented and sustained.

Director General responsible for re-evaluating security controls and procedures

67C. (1) The Director General shall ensure that security controls and procedures are re-evaluated and action taken in a timely manner to remedy weaknesses so as to prevent recurrence.

(2) The Director General shall provide ICAO with information on the actions taken under subregulation (1).

Entities to ensure that external service providers comply with the entity's security programme

67D. Entities responsible for the implementation of relevant elements of the national civil aviation security programme shall periodically verify that the implementation of security measures outsourced to external service providers is in compliance with the entity's security programme.”

25. The Regulations are amended by inserting after regulation 75, ^{Regulation 76 inserted} the following regulation:

“Offences and general penalty

76. A person who contravenes regulation 21(1), 46(1), 61(1) or 64(1) commits an offence and shall be liable on summary conviction to a fine of one hundred thousand dollars in accordance with section 55(2) of the Act.”

Schedule 2
deleted and
substituted

26. The Regulations are amended by deleting Schedule 2 and substituting the following Schedule:

“SCHEDULE 2

[Regulation 12(3)]

AIRCRAFT OPERATOR SECURITY PROGRAMME (TEMPLATE)

All aircraft operators are subject to the laws of the State of Registry and all States into which they operate (the host State). Aircraft operators operating in Trinidad and Tobago are required to develop, implement and maintain an appropriate written security programme that meets the requirements of the NCASP.

An aircraft operator security programme should be a clear and comprehensive document, free of legal terms or jargon, and should be readily available to staff who are responsible for implementing security measures.

Programmes must be approved by the Trinidad and Tobago Civil Aviation Authority (TTCAA) prior to implementation in order to ensure consistency with the NCASP.

A model programme for foreign aircraft operators was developed and is available for adaptation by foreign aircraft operators. Amendments or variations proposed by aircraft operators, other than minor changes, should be approved by the TTCAA before incorporation.

AIRCRAFT OPERATOR SECURITY PROGRAMME

General

1 Aircraft operator security programmes should incorporate the following key elements:

- (a) security-specific definitions, abbreviations and acronyms;
- (b) a programme objective, stressing the need to meet Annex 17, NCASP and other national and regional regulatory requirements;
- (c) a reference to its legal basis, specifically the pertinent national legislation, NCASP provisions, and other regulations;
- (d) an organizational structure clearly enumerating the roles and duties of the different entities concerned with aviation security, including itself and other aircraft operators, the airport security department, national armed forces, law enforcement agencies, border control and other government agencies, and caterers;
- (e) a description of communication channels for exchanging security information, normally between the relevant aviation security authority and the aircraft operator;
- (f) a description of security measures that serve to safeguard aircraft and their occupants and that apply to passengers, baggage, cargo, mail, catering stores and supplies, firearms and weapons, and all other people or items subject to control;
- (g) a summary of security training requirements for relevant staff members, and related certification criteria; and
- (h) appendices that contain organizational diagrams, a contingency plan that covers responses to acts of unlawful interference, and other important information.

2. The programme should also include—
- (a) a table of contents;
 - (b) an explanation of the process for submitting and obtaining approval for programme amendments;
 - (c) a chronological list of approved amendments;
 - (d) a confidentiality statement; and
 - (e) procedures for emergency amendments and for applying security directives contained in information circulars.

3. Once completed, an aircraft operator security programme should be endorsed, signed and dated by the aircraft operator accountable manager, and submitted to the appropriate authority for approval. The programme should be reviewed and updated by the accountable manager at least once every twelve months.

4. A security programme for a national aircraft operator must include measures to address the needs for variations to the security programme required by other States. Supplementary procedures for each station may be developed as necessary and appended to the aircraft operator security programme.

Policy and Organization

5. An aircraft operator security programme should be adopted as corporate policy, and should describe the aircraft operator's policies and objectives with respect to security, and call for the establishment of a security department and chief security officer whose responsibilities involve achieving the cited objectives. The programme should set out the related responsibilities of employees, handling agents and other contractors. The security measures described should be clearly defined and easily understood by those who need to implement them.

6. Aircraft operator security programmes should be classified "Restricted".

7. In developing an aircraft operator security programme, risk should be analysed in-depth and the nature and level of threat facing the operator should be assessed. National and airport security requirements, programme implementation timelines, staffing and financial limitations, and enhanced security requirements during times of increased threat, should also be considered.

Primary Objective

8. The primary objective of an aircraft operator security programme is to ensure the safety of passengers, crew and the public by preventing acts of unlawful interference with civil aviation. To that end, aircraft operator security programmes should—

- (a) meet or exceed the requirements of Annex 17 and the NCASPs;
- (b) provide for standardized security measures and for clear security directives for crew, other employees, handling agents and contracted staff;
- (c) provide for additional security measures in times of increased security threat; and
- (d) set performance standards, achievable through initial and recurrent training and monitored in accordance with record-keeping requirements set out in the programme and/or the aircraft operator training programme.

Legal Authority

9. (a) National legislation—detail the national legislation (laws, decrees, etc.) that provides authority to the programme.
- (b) National Civil Aviation Security Programme—refer to the appropriate articles of the National Civil Aviation Security Programme, on which the aircraft operator security programme is based, and the relevant provisions for the development of measures and procedures.
- (c) Other regulations or legislation—detail any other form of regulations or legislation which provides legal support for the aerodrome operator security programme. References to appropriate parts of Trinidad and Tobago law shall be made as required.

Definitions

10. Aircraft operator security programmes must include a set of definitions that promotes a common understanding of specific words and terms used in the programme.

International Obligations

11. Aircraft operator security programmes should include a section that describes the international obligations that may apply to its operations and set out the role and structure of ICAO and other international organizations [e.g., European Civil Aviation Conference (ECAC)] whose rules and regulations may have a bearing on the company's operations.

12. The purpose of the aviation security conventions, Annex 17 and, where applicable, other relevant standards and regulations may also be set out in aircraft operator security programmes.

National Obligations

13. (a) Aircraft operator security programmes should include a section that describes the national obligations and responsibilities that applies to aircraft operators. This section should also identify the relevant aviation security authority of the State of Registration. Reference should be made to the Trinidad and Tobago NCASP and other regulations.
- (b) An aircraft operator must ensure that its security programme—
 - (i) meets national legislation and NCASP requirements;
 - (ii) is developed or modified to correct deficiencies and satisfy the operator's security needs;
 - (iii) is reviewed and updated regularly, and at least once every twelve (12) months; and
 - (iv) updates or amendments are approved by the TTCAA before being implemented.

Roles and Duties

14. Aircraft operator security programmes should clearly indicate the duties and responsibilities of all those involved with commercial air transport operation security, to help prevent any misunderstanding concerning the role of aircraft operators personnel, including—

- (a) their own security departments and security officers;
- (b) crew members and other employees;

- (c) airport authority management;
- (d) In Flight Security Officers;
- (e) law enforcement authority;
- (f) the protective services;
- (g) government agencies;
- (h) other aircraft operators, including code-sharing and alliance partners;
- (i) postal authorities;
- (j) regulated agents;
- (k) known shippers and consignors; and
- (l) handling agents and catering companies.

Security Manager

15. Describe the role and specific tasks of the Security Manager.

Security Department

16. The aircraft operator security programmes should provide a detailed description of the operator's security departments, including contracted security service providers and a brief description of their responsibilities and authorities. A complete organizational chart, including the names and telephone numbers of the security manager and his alternate should be included in an appendix.

17. Security department principles should also be set out, and should include—
- (a) clear terms of reference based on the responsibilities of the security manager;
 - (b) a clear order of command reflected in the structure of the department; and
 - (c) the appropriate relationship between the security department and other departments including management at other locations/stations at which they operate.

Description of Operations

18. Aircraft operator security programmes should incorporate a description of company operations, both generally (i.e., the company's nationality, location of its head office and regional offices, and extent and nature of its operations) and specifically, with reference to Trinidad and Tobago, the number of aircraft in service, volume of flights, quantity of passengers carried, and relevant code-sharing and alliance arrangements.

Classification of Materials

19. Aircraft operator security programmes should include a statement on the classification and secure handling of sensitive information. Materials may be classified under terms such as "For Official Use Only" or "Restricted". Arrangements for protecting security-related sensitive information should also be explained, and may involve limited distribution on a need-to-know basis and the storage of materials in a secure location. Protection and distribution procedures should be developed for both paper-based and electronic documents.

Aircraft Operator Security Programme Distribution

20. As a restricted document, aircraft operator security programmes should be protected from unauthorized access. The document should be available in part or in whole only to those with a *bona fide* need to know its contents. All entities and individuals provided with copies or portions of an aircraft operator security programme should be charged with protecting the information in their possession. A distribution list should be provided in an appendix.

Security Document Distribution

21. The aircraft operator security programmes should specify methods for distributing security documents and reports together with directives on how to distribute reports including—

- (a) reports on law enforcement actions or incidents;
- (b) criminal records used in background checks;
- (c) the results of internal inspections; and
- (d) security directives or information circulars issued by the TTCAA.

Communications

22. Aircraft operator security programmes should indicate how the appropriate authority for aviation security keeps the aviation industry informed of NCASP requirements, and describe the policy for communicating with the TTCAA, other States, ICAO and media outlets regarding aviation security.

SECURITY OF AIRCRAFT

General

23. Basic responsibility for aircraft security rests with the aircraft operator, whose principle aim is to prevent unauthorized access. Since the first line of defence against such access is to safeguard the airside boundary, a responsibility generally designated to the airport authority, aircraft operator security programmes should take into account, the requirements of the aerodrome operator security programme, ensuring a coordinated effort and response. Where necessary, measures specific to an airport may be addressed in a supplemental station procedures programme.

24. In most situations, several entities are responsible for the protection of aircraft, notably the airport, aircraft operator and law enforcement. This section of the aircraft operator security programme should specifically describe each entity's role and responsibilities in this regard and should indicate the communications protocol between the aircraft operator and airport, to be followed in reporting suspicious activity, the status of out-of-service aircraft, and information concerning an increased threat. The protocol also applies to communications concerning extra security for more vulnerable flights and notification provisions for special category passengers.

Access Control and Flight Crew Compartment Protection

25. Describe measures for protecting aircraft on the ground and flight crew compartments both on the ground and in flight. Such measures should be modelled on procedures described in ICAO's Security Manual (Doc. 8973).

Security Patrols

26. Describe how security patrols are utilized, and how patrolling security personnel communicate with the security control centre and if applicable, the air traffic control centre.

Preflight Precautions

27. Describe preflight precautions carried out on a regular basis under normal conditions; during high threat situations, or on request, and cite the agencies involved and their respective tasks.

Threat Notification

28. An aircraft operator security programme must describe procedures for responding to information that indicates that a specific aircraft may be the target of an act of unlawful interference. Indicate who is responsible for implementing the additional security measures considered necessary to counter a threat, and should assign responsibility for informing the appropriate authority of the situation in the event that threat notification originates with another source.

Flights Under Increased Threat

29. Highlight the procedures to be followed for specific flights facing a higher level of threat, including the use of isolated aircraft parking positions, arrangements for guarding individual aircraft, deployment of an escort during taxiing, and inspection of the areas underlying approach and take-off paths. A parking area plan should be appended.

Aircraft Searches and Checks

30. Describe the procedures for searching and checking aircraft during routine operations and periods of increased threat, and identify the agencies responsible for conducting a search, as well as the necessity for using proper checklists, adequate lighting, and properly trained personnel supported by air crew or aircraft engineering support staff. Actions to be taken on discovery of suspect explosive devices should be described, and the entity responsible for making decisions about moving or evacuating aircraft and suspending airport operations should be indicated.

Travel Documents

31. Detail the check-in process, including special measures or facilities for groups or high-risk passengers, and indicate procedures for protecting tickets, boarding passes, baggage tags and other documents. Programmes should also describe procedures for preventing e-ticket fraud and electronic information theft.

32. Indicate where, when and how identification and travel documents are checked with respect to originating, transfer and transit passengers. Where applicable, mention should be made of the authority and responsibility of handling agents under the provisions of an NCASP.

33. Describe procedures for off-airport or curbside check-in of hold baggage, where applicable.

Passenger and Cabin Baggage Screening

34. Provide details regarding the operator's, or another entity's, responsibility for performing passenger and cabin baggage screening.

35. The legal authority for applying security measures should be cited, and any laws and procedures that apply in the event that a person refuses to comply with security measures or is denied boarding for any reason should be described.

36. Other aspects of passenger and cabin baggage screening should be noted, such as the law enforcement agency's responsibility, if applicable, to respond to a threat or to perform periodic patrols of passenger screening checkpoints.

37. Include a description of the following:

- (a) purpose of screening and searching passengers and their cabin baggage;
- (b) procedures and standards for screening and manual searches of all departing and transfer passengers and cabin baggage, including details of the service provider;
- (c) list of persons exempt from screening and searching;
- (d) procedures for handling suspect passengers or cabin baggage;
- (e) measures for the control of passenger flow;
- (f) measures for special category passengers;
- (g) measures for screening and manual searches of aircraft crew and cabin baggage;
- (h) policy on unruly passengers, including procedures for on the ground and in the air, and the use of restraints as a last resort, as well as reporting requirements;
- (i) policy on stowaways, including preventive measures and actions to be taken if a stowaway is found;
- (j) procedures to be followed if a person refuses to be manually searched;
- (k) procedures to be followed upon discovery of restricted or prohibited articles;
- (l) procedures for handling confiscated items, including related record-keeping if the aircraft operator is involved in the screening process;
- (m) procedures to be followed on discovery of undeclared dangerous goods; and
- (n) measures for electronic and electrical items.

Separation of Screened and Unscreened Passengers

38. Include a description of how screened and unscreened passengers are to be kept separate, and should indicate who is responsible for ensuring such separation and the steps that should be taken in the event that screened and unscreened passengers intermingle.

Control of Firearms and Weapons

39. Describe national legislation and regulations related to the carriage of weapons and firearms on board aircraft, with the relevant legal provisions appended.

40. Specify the procedure for handling and transporting firearms in hold baggage or as cargo in compliance with NCASP provisions. This information should elaborate on the role of the aircraft operator and crew, and any special arrangements to be made during check-in or baggage claim.

41. National policy on the authorized carriage of firearms in the cabin of both national and foreign aircraft should be mentioned, as well as measures in place for implementing this policy. The tasks of agencies involved and actions expected of aircraft operators should be explained. Authority for the carriage of weapons by in-flight security officers (IFSO) and escorts for prisoners, deportees or very important persons should be described, as well as the related procedures, including the requirement to notify the aircraft operator and PIC of the presence of an armed IFSO or escort.

42. Describe the procedures to be followed if a weapon is found during the screening of passengers, baggage or cargo, and the procedures for transporting a weapon in the cabin or in hold baggage.

Diplomatic Pouches and Government Couriers

43. Explain the security control procedures that apply to diplomatic pouches and government couriers including, where applicable, specific measures for diplomatic mail in official pouches and embassy correspondence not contained in diplomatic baggage. This subject may be addressed within the special category passenger section of aircraft operator security programmes.

Special Category Passengers

44. Set out procedures for special category passengers, including those with diplomatic status, government couriers with diplomatic baggage, IFSOs, potentially disruptive persons such as deportees, passengers whose religious beliefs preclude manual searches, and those with reduced mobility such as pregnant or disabled persons. Tasks of agencies involved should be listed, and reference made to notification requirements.

Hold Baggage Security

45. Identify the entity responsible for conducting hold baggage screening, and spell out what this responsibility entails.

46. Identify the entity with responsibility for hold baggage screening and the procedure for maintaining the sterility of hold baggage after screening and being transported to an aircraft of the aircraft operator.

47. Specify the legal basis for hold baggage security measures, and the procedures to follow if a person refuses to allow their hold baggage to undergo security measures.

48. Reference should be made to the appropriate aerodrome operator security programme provisions on hold baggage screening and the operators own security measures. At a minimum, aircraft operator security programmes should include the purpose of security measures for hold baggage, and the procedures for—

- (a) passenger risk assessments, through the questioning of passengers at check-in, including sample questions and interview techniques, as well as a description of the automated passenger risk assessment process, if applicable;
- (b) originating and transfer hold baggage screening and manual searches, including details concerning the screening locations and applicable standards, search location and applicable standards, screening equipment and the operator and service provider;
- (c) protection of hold baggage;
- (d) screening and protection of hold baggage that has been checked in at curbside or an off-airport site;

- (e) carriage of firearms and weapons, including the applicable legal provisions and regulations, acceptance process and preflight protection;
- (f) handling suspect baggage; and
- (g) handling unaccompanied baggage that is inadvertently separated from its owner.

Passenger and Baggage Reconciliation

49. Include a description of passenger and baggage reconciliation procedures, with specific reference to the various categories of passengers, whether originating online and interline transfer, or disembarking transit. The role of automation should also be covered.

50. Descriptions of passenger and baggage reconciliation procedures should include the following elements:

- (a) the purpose of passenger and baggage reconciliation measures;
- (b) procedures for passenger and baggage reconciliation, including equipment details if an automated system is utilized, baggage manifest details, if relevant, and procedures for the identification of no-show passengers and unaccompanied baggage; and
- (c) procedures for screening unaccompanied baggage, including the applicable standards, screening locations, equipment details, and information concerning the operator and service provider.

Mishandled Baggage

51. Aircraft operator security programmes should also include a description of the procedures in place for safeguarding mishandled, unidentified and unclaimed baggage.

Aircraft Catering Stores and Supplies

52. Aircraft operator security programmes should cite the legal requirement for applying security measures to aircraft catering stores and supplies, and the entity that is responsible for ensuring compliance.

53. Indicate who has responsibility for catering security and the aircraft operators oversight procedures.

54. Describe the process used to ensure that the catering operator security programme meets the requirements of aircraft operator security programmes, including audits of the catering operators facilities and procedures.

55. Aircraft operator security programmes should describe any specific requirements for catering facilities that are located off the airport, such as the requirement for vehicles to be properly secured, and the procedures for searching a vehicle, if necessary.

56. Catering security sections should include the following key elements:

- (a) purpose of security measures for aircraft catering stores and supplies;
- (b) description of security measures at the aircraft operator catering unit;
- (c) description of the security measures that apply to the dispatch and ground transport of catering stores and supplies, including the standard in effect for controlled access to prepared meals, in-company stores and delivery vehicles; and
- (d) cabin crew procedures for receiving catering items at aircraft.

57. Other subjects related to the security of catering that may be covered in aircraft operator security programmes include—

- (a) known and unknown stores;
- (b) physical security measures;
- (c) customs bonded warehouses;
- (d) tamper-evident sealed goods;
- (e) catering carts and containers;
- (f) delivery of multiple loads;
- (g) airside catering operations; and
- (h) the receipt and validation of consignments entering security restricted areas.

In-company Stores

58. Office supplies, marketing literature, stationery, aircraft operator uniforms, engineering stores, aircraft-on ground parts, and company mail, are among items carried on aircraft for regular delivery to route stations, which normally constitute in-company stores, but may include supplies destined for other aircraft operators.

59. Specific security responsibilities should be assigned to staff whose duties include the handling and loading of aircraft operator stores and supplies, and descriptions of these responsibilities should be included in aircraft operator security programmes.

Aircraft Cleaning Operations

60. Aircraft operator security programmes should explain the purpose of security measures pertaining to aircraft cabin cleaning operations, and should provide a description of such measures.

Cargo and Mail

61. Aircraft operator security programmes should indicate who is responsible for cargo and mail security, including screening operations. The legal authority for imposing such security measures should be specifically cited. Security measures may vary depending on whether the operator specializes in passenger transportation, all-cargo or express courier operations.

62. Operations away from home base may be handled by agents or contractors. Despite such arrangements, the aircraft operator remains responsible for the security of its cargo operations whenever it has been given this responsibility by the host State. Aircraft Operator Security Programmes should describe how cargo and mail are handled at line stations.

63. Aircraft operator security programme sections on cargo and mail security should include the purpose of security measures for cargo and mail, including courier and express parcels, and descriptions of the following elements:

- (a) security measures for cargo, including—
 - (i) procedures for accepting a cargo consignment;
 - (ii) procedures for transporting company material;
 - (iii) regulated agent scheme and criteria;

- (iv) known consignor scheme and criteria;
 - (v) unknown shippers;
 - (vi) standard and location of screening and physical examination; and
 - (vii) details of the operator or service provider; and list of exemptions from security screening or physical examination;
- (b) security measures for courier and express parcels, including –
- (i) procedures for accepting parcels;
 - (ii) regulated agent scheme and criteria;
 - (iii) standard of screening and manual searches; and
 - (iv) details of the operator or service provider; and
- (c) security measures for mail, including –
- (i) procedures for accepting mail;
 - (ii) procedures for transporting company mail;
 - (iii) regulated postal authority and administration scheme and criteria;
 - (iv) known consignor scheme and criteria;
 - (v) standard of screening;
 - (vi) details of the operator; and
 - (vii) procedures to be followed in periods of increased threat.

64. In developing the section on cargo and mail security, consideration should be given to the following aspects:

- (a) types of cargo and mail to be subject to screening;
- (b) routine testing and maintenance procedures, including steps to follow when equipment fails or becomes unserviceable;
- (c) handling and screening of suspect items;
- (d) screening of oversized articles; and
- (e) nature of consolidated consignments.

Regulated Agent Programme

65. Aircraft operator security programmes should indicate whether there is a regulated agent programme for cargo, and who is responsible for certifying regulated agents. If there is no regulated agent programme, programmes should indicate how cargo is processed and how security measures are applied.

Known Shippers and/or Consignors

66. Aircraft operator security programmes should describe the procedures in place for cargo and mail that is not screened, such as the requirement for an operator to verify known shipper security certification.

Unknown Shippers

67. Detail the requirement to provide proof of identity and agreement to have a consignment screened according to a prescribed method on receipt of cargo from shippers unknown to the regulated agent and/or aircraft operator. Give details of procedures for applying security controls to unknown cargo so that all consignments become known cargo before they are allowed on an aircraft.

Transhipments

68. If aircraft operators are responsible for the security of transhipped cargo, that is, cargo to be transferred from one flight to another, related security measures such as screening arrangements and protection from tampering during storage should be detailed in aircraft operator security programmes. A summary of the measures may be provided if another party is responsible for their application.

High value Cargo

69. Describe the security measures for handling and protecting high value cargo when stored in cargo terminals and during aircraft loading and unloading, as well as during ground transport.

Unaccompanied Baggage and/or Personal Effects

70. Aircraft operator security programmes should –
- (a) include security measures for unaccompanied baggage that is shipped as cargo;
 - (b) describe the standard of screening and manual searches, which are usually the same as for an unknown shipper; and
 - (c) provide details of the screening equipment and the operator or service provider.

Diplomatic Mail

71. Security procedures for diplomatic mail carriage should be included.

Protection of Cargo and Mail

72. Aircraft operator security programmes should indicate the measures in place for protecting cargo and mail. If the security of the cargo facility is the responsibility of aircraft operators, information concerning the facility's security procedures should be provided, including details concerning the deployment of guards, and the use of patrols and CCTV systems. If surveillance cameras are installed, aircraft operator security programmes should indicate whether they are separate from, or integrated with the airport CCTV system. Information on building security should, among other elements, indicate whether a restricted area has been delineated and whether staff are screened, as well as noting how cargo and mail is transported to aircraft.

Aircraft Maintenance Areas

73. Security measures in place for aircraft maintenance areas should be indicated whenever aircraft operators are responsible for such measures, for instance, if such areas are leased to an operator. At a minimum, a description of the maintenance area boundaries and controlled access procedures should be indicated.

Code Sharing

74. Clear lines of accountability and communications are essential for implementing and subsequently monitoring aviation security measures for flights conducted under code sharing agreements. Although compliant with Annex 17, different arrangements may exist in the States of Registration of code share partners, and such differences should be resolved. Code-sharing arrangements should be detailed in an appendix to the security programme including the procedures used to inform partners of specific threats and the additional measures proposed to counter it.

TRAINING

Security Awareness Training

75. All staff should undergo security awareness training. Training aspects that should be noted in an aircraft operator security programme include the categories of training, designation of those responsible for providing training, methods employed, such as video, classroom discussion, pamphlet, specific topics, the requirement to maintain training records and provisions for recurrent training.

Security Training

76. Aircraft operator security programmes should call for all frontline personnel, such as check-in agents, screening staff and cabin crew, to undergo specialized training. Details of such training should be provided, including the topics covered and the number of hours. Aircraft operator security programmes should also address which job positions require certification, licensing, or authorization, with the approval of the appropriate authority or another relevant authority.

Recruitment and Background Checks

77. Information on aircraft operator recruitment methods, including the use of background checks, should be provided in aircraft operator security programmes. This section should state the parameters of any checks conducted.

78. Details should also be provided about the process involved in handling a job application submission, including the identity of the department responsible for processing applications, as well as background checks, if applicable, and the policy on contacting former employers or character references for verification of information.

79. Procedures to be conducted after completing a background check should also be spelled out, including whether there is a requirement for records of applications to be kept on file and, if so, by whom and for how long.

Security Training Programmes

80. An aircraft operator programme should include a copy of the aircraft operator training programme as appendix.

Contingency Plans

81. Include a contingency plan as an appendix to aircraft operator security programmes.

Incident Reporting

82. Aircraft operator security programmes should incorporate a description of aircraft operator security incident reporting procedures.

Quality Control

83. Include quality control measures of implemented security control measures in the programme or as an appendix.

Local Airport Procedures

84. List the responsibilities of the airport management with regard to the security of aircraft operations that have not already been addressed in an aircraft operator security programme in an aircraft operator station procedures programme.

Protection of Executives and Other Personnel

85. Although not necessarily directly related to the prevention of unlawful acts against civil aviation, aircraft operator security programmes should address security measures for executives or crew members, and their families, who may be targeted by criminal elements during business trips or layovers, based on risk assessments and threat analysis.

Protection of Buildings

86. Office buildings that accommodate aircraft operator executives and senior managers require protection that is commensurate with the threat and risk levels associated with the buildings' location. Security measures for the protection of such buildings should be described in aircraft operator security programmes, whether or not they are located at the airport.”

27. The Regulations are amended by deleting Schedule 3 and substituting the following Schedule: Schedule 3
deleted and
substituted

“SCHEDULE 3

(Regulation 14)

REGULATION AGENT SECURITY PROGRAMME (TEMPLATE)

This Schedule is intended to assist regulated agents in developing a written security programme that details the measures to be implemented in the conduct of their business.

The security programme should be classified as “RESTRICTED” and detail how the regulated agent intends to meet each of the requirements specified in the corresponding relevant chapters of the NCASP and the Trinidad and Tobago Civil Aviation [(No. 8) Aviation Security] Regulations, 2004.

A regulated agent’s security programme should, at a minimum, include the following topics:

1. International obligations and organizations—
 - (a) structure and roles of international and regional civil aviation organizations; and
 - (b) purpose of the various Conventions, Annex 17 and regulations developed by regional organizations.
2. National obligations and organizations—
 - (a) relevant appropriate authorities, including the appropriate authority responsible for aviation security;
 - (b) NCASP;
 - (c) legislation, regulations and national civil aviation security programme; and
 - (d) review of threat and risk assessment.
3. Regulated agent’s security policy and organization—
 - (a) regulated agent security policy;
 - (b) regulated agent’s role and responsibilities with respect to aviation security;

- (c) information, communication procedures, and document control;
 - (d) description of regulated agent's operation; and
 - (e) procedures for designating and contributing to the authorization of known consignors, if applicable.
4. Security of aircraft (where applicable)—
- (a) physical and procedural security measures that protect the site and facilities used by a regulated agent (including detection and surveillance systems);
 - (b) access control procedures to secure air cargo and mail;
 - (c) maintenance, testing and issue resolution programmes;
 - (d) coordination with law enforcement authorities;
 - (e) details of security service providers; and
 - (f) secure storage of security seals, locks and keys.
5. Security of cargo, couriers, express parcels and mail—
- (a) regulated agent scheme and criteria (including acceptance, handling and transport of cargo);
 - (b) known consignor and account consignor scheme and criteria (including acceptance, handling and transport of cargo);
 - (c) purpose of measures applied during acceptance, handling (including screening), storage and transport of air cargo and mail. Measures for cargo and mail—
 - (i) procedures for acceptance;
 - (ii) measures for unsecure cargo;
 - (iii) list of exemptions from security screening or physical examination;
 - (iv) measures for special categories of cargo (e.g., live animals, unaccompanied baggage, transfer and transit cargo, human remains, and mail);
 - (v) location of screening and physical examination;
 - (vi) measures for high-risk cargo;
 - (vii) details of screening equipment;
 - (viii) details of operator or service provider;
 - (ix) list of exemptions from security screening or physical examination; and
 - (x) handling of suspect cargo and mail;
 - (d) description of measures for unaccompanied baggage and personal effects carried as cargo—
 - (i) standard for screening and manual searches;
 - (ii) location of screening and manual searches; and
 - (iii) details of operator or service provider;
 - (e) protecting cargo and mail from unauthorized interference—
 - (i) physical characteristics of premises used for the receipt and storage of cargo and mail;

- (ii) access control measures;
 - (iii) storage and protection measures; and
- (f) documentation control, information security and record-keeping—
 - (i) consignment security declarations and other security information germane to consignments;
 - (ii) measures for documentation control and record-keeping policies and procedures; and
 - (iii) measures to control access to documentation, records and data, and to protect information from misuse and alteration.
- 6. Air cargo screening—
 - (a) standard of screening for all types of air cargo and mail, including high-risk cargo;
 - (b) location of screening;
 - (c) screening equipment lists, characteristics, calibration and operations (including most appropriate method according to the nature of a consignment);
 - (d) screening services provider or operator;
 - (e) procedures for handling exemptions from screening;
 - (f) alternative security controls for air cargo and mail;
 - (g) alarm resolution process and handling; and
 - (h) screening equipment maintenance and testing programmes.
- 7. Transport—
 - (a) measures to ensure that air cargo and mail consignments are secure when they arrive from the premises of regulated agents, known consignors or account consignors;
 - (b) load compartment search procedures (prior to loading);
 - (c) security measures applied to vehicles during transport;
 - (d) procedures for tracking vehicles and consignments during transport;
 - (e) transport validation procedures;
 - (f) measures to ensure that transport is not entrusted to an unauthorized third party; and
 - (g) verification of the identity of drivers collecting and transporting air cargo and mail.
- 8. Recruitment of staff—
 - (a) procedures for the recruitment of employees involved in the handling of cargo (including screening) or having unescorted access to secure air cargo and/or related information;
 - (b) background check and employee record-keeping procedures; and
 - (c) employee termination procedures.

9. Training of staff—
 - (a) list of authorized personnel at each location;
 - (b) security training programme outline and maintenance of training records;
 - (c) initial and recurrent training programmes for the following staff:
 - (i) security personnel who carry out screening, searching or checking duties;
 - (ii) ground handling and other staff (security awareness training); and
 - (iii) regulated agent security managers, supervisors and officers.

10. Contingency planning—

Plans and procedures to deal with the following contingencies:

 - (i) bomb threat;
 - (ii) discovery of a suspicious or prohibited item;
 - (iii) screening and information technology equipment failures;
 - (iv) an increase in the level of threat, requiring enhanced security measures; and
 - (v) high-risk flights.

11. Incident reporting and follow-up procedures—
 - (a) procedures for reporting an incident;
 - (b) procedures for investigating an incident; and
 - (c) follow-up procedures and corrective action plans.

12. Internal performance monitoring and quality control—
 - (a) procedures for monitoring the implementation of security measures and for conducting quality control activities (in accordance with this programme and the national civil aviation quality control programme); and
 - (b) resources for quality control activities.

13. Escalation process.

14. Annexes: include the following where applicable:
 - (a) distribution list for the regulated agent security programme;
 - (b) organization chart;
 - (c) plan of premises;
 - (d) list of persons with access to premises;
 - (e) list of key holders;
 - (f) training records; and
 - (g) useful contacts.”.

28. The Regulations are amended by deleting Schedule 4 and substituting the following Schedule: Schedule 4
deleted and
substituted

“SCHEDULE 4

[Regulation 16(2)]

CATERING OPERATOR SECURITY PROGRAMME (TEMPLATE)

1. This Schedule is intended to assist catering operators in developing a written security programme that details the measures to be implemented in the conduct of business with an aircraft operator.

2. The security programme should be classified as “Restricted” and should be in short narrative form detailing how the catering operator intends to meet each of the requirements specified in the corresponding relevant chapters of the NCASP.

3. A catering operator’s security programme should, at a minimum, include the following topics:

- (a) appointment and training of a security officer;
- (b) physical security and control of access to catering premises;
- (c) background checks of staff;
- (d) security training of all staff;
- (e) receipt and handling of goods;
- (f) preparation and storage of catering items;
- (g) documentation;
- (h) transportation and delivery to aircraft;
- (i) checking and sealing of vehicles;
- (j) airside premises; and
- (k) procedures for handling of stores or supplies that have been tampered with.

4. In addition to the paragraphs 1, 2 and 3 above, the catering operator’s security programme must contain a declaration signed by the accountable manager, certifying the implementation of the security measures detailed in the programme. A sample declaration form is in the Annex to this Schedule.

*Civil Aviation [(No. 8) Aviation Security] (Amendment)
Regulations, 2014*

ANNEX TO SCHEDULE 4

CATERING SECURITY DECLARATION

Name of Company: _____

Company's Address: _____

Contact: Phone: _____ Fax: _____ e-mail: _____

On behalf of [COMPANY NAME], the person (whose signature appears hereunder) certifies that—

1. Security requirements of the NCASP and the Trinidad and Tobago Civil [(No. 8) Aviation Security] Regulations, 2004 are fully and properly implemented to ensure catering stores and supplies do not contain any restricted articles which may endanger the safety and security of an aircraft, its passengers and crew; and

2. [COMPANY NAME] has—

- (a) developed and continues to maintain a written catering security programme detailing the measures and procedures applicable to catering stores and supplies;
- (b) appointed a security officer to be responsible for implementing the security measures detailed in the security programme and the related quality control measures including maintenance of the programme;
- (c) recruited and properly trained its staff to correctly receive, process and handle catering stores and supplies; and
- (d) taken the steps necessary to safeguard stores and supplies from the time they are received at the facility until they are delivered to an aircraft.

I understand that a false declaration in this document may have legal consequences.

Name: _____

Position held: _____

Date: _____

Signature: _____

Company Stamp:

Place Company Stamp here

”.

Schedule 6
amended

29. Schedule 6 of the Regulations is amended—

- (a) in subclause (b), by deleting the words “Physical searches of carry-on bags shall” and substituting the words “Unless directed by the Director General,

physical searches of carry-on bags may”; and

(b) in subclause (c), by deleting the words “Physical searches of carry-on bags shall” and substituting the words “Unless directed by the Director General, physical searches of carry-on bags may”.

Schedule 8
deleted

30. The Regulations are amended by deleting Schedule 8.

Made by the Civil Aviation Authority this 18th day of December, 2014.

R. LUTCHMEDIAL
Civil Aviation Authority

Approved by the Minister of Finance and the Economy this 18th day of December, 2014.

L. HOWAI
Minister of Finance and the Economy